

BILL

No. 86 of 1937.

An Act respecting the Conditions under which Teachers
are Employed and Paid.

(Assented to _____, 1937.)

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Alberta,
enacts as follows:

1. This Act may be cited as "*The School Act, 1931,
Amendment Act, No. 2, 1937.*"

2. *The School Act, 1931*, being chapter 32 of the Statutes
of Alberta, 1931, is hereby amended as to section 156, sub-
section (3) thereof, by striking out the same and substitut-
ing therefor the following:

"(3) The contract including any presently existing con-
tract shall, subject to the following provisions, continue in
force from year to year unless and until the certificate of the
teacher shall have been revoked."

3. The said Act is further amended as to section 156
thereof by the addition at the end thereof of the following
new subsection:

"There shall be no provision in any teacher's contract
of engagement requiring the teacher to perform janitor
or other services or duties other than those set forth in sec-
tion 165 of this Act (Duties of Teachers); neither shall any
board of trustees be empowered or have any authority what-
soever to require any teacher to perform any such other
duties or services."

4. The said Act is further amended as to section 157,
subsection (1), paragraph (a), by striking out the words
"an Inspector" where they occur therein, and substituting
therefor the words "the Minister".

5. The said Act is further amended as to clause (a) of
subsection (1) of section 157 by adding to the said clause
(a) the following:

"Provided that any notice to terminate a contract which
takes effect in the month of July shall be given to the teacher
on or before the twentieth day of June."

6. The said Act is further amended as to section 157,
subsection (1), paragraph (b), by striking out the words
"an Inspector", where they occur therein, and substituting
therefor the words "the Minister".

7. The said Act is further amended by inserting therein immediately after section 157, the following new section :

“**157a.** The Minister by notice in writing to the teacher and the Board given in the manner prescribed in clause (c) of subsection (1) of section 157, may at his discretion at any time summarily terminate the contract of any teacher and any such termination shall be final and conclusive and shall be binding upon the Board and the teacher.”

8. The said Act is further amended by inserting therein immediately after section 157a the following new section :

“**157b.**—(1) In the event of a Board terminating a contract by a notice taking effect in the month of July as aforesaid, it shall be the duty of the Secretary of the Board of the District or of the Board of the Division if the District has been included in a School Division, if a request in writing signed by a trustee of the said district or the teacher or five electors of the said District is delivered to the Secretary of the Board which gave the notice, within five days of the giving of the said notice to the teacher, to call a special meeting of the electors of the District to be held within three weeks of the receipt of such request for the purpose of re-considering the said termination and the reasons therefor; and the notices calling the meeting shall set forth such purpose and shall be posted in the manner provided for notices of special meetings of electors, and the said meeting at its discretion by a majority vote of the electors present shall affirm or disallow the action of the Board in so terminating the contract; and in the event of affirmation the contract shall stand terminated in accordance with the notice given the teacher and in the event of disallowance the said notice of termination shall be deemed null and void for all purposes, and the affirmation or disallowance by the said meeting shall be binding and conclusive upon the Board and the teacher :

“Provided that this section shall not apply to any district situated wholly or in part within the limits of any City.

“(2) The vote at such meeting shall be by ballot and the chairman shall have a casting vote in the case of a tie and the teacher shall be entitled to be present at such meeting and the said Board and the teacher shall each be entitled to have an agent present.”

9. The said Act is further amended as to section 161, subsection (3) thereof, by adding at the end of the paragraph the following :

“(a) If it appears to the judge on the trial of an action for recovery of a teacher’s salary that there was not reasonable grounds for the Board disputing its liability or that the failure of the Board to pay was from an improper notice or negligence on the part of the Board, he may award as a penalty a sum not exceeding three months’ salary.”

10. The said Act is further amended as to section 161, thereof, by adding at the end the following new subsection:

“(6) In the event of a board and a teacher entering into any such contract or engagement or device, each member of the board voting for such contract or engagement or device, and the teacher, shall be liable on summary conviction to a penalty not exceeding Fifty Dollars.”

11. The said Act is further amended as to section 161 thereof by the addition, after subsection (5), of the following new subsection:

“(7) Any person or school board who advertises, publishes or lists any vacancy for a position of teacher, or who appoints any teacher at an annual rate of salary less than Eight Hundred and Forty Dollars per annum, previous to such engagement at such lower rate having been authorized according to this Act, shall be liable on summary conviction to a fine not exceeding Twenty Dollars.”

12. The said Act is further amended as to section 162, subsection (2) thereof by striking out paragraph (a) and substituting therefor the following:

“(a) Days during which the school is lawfully in operation under his charge or would be in operation save for instructions to the contrary given by an officer of the board, or for causes beyond the control of the teacher;

“Provided that the teacher shall not be entitled to claim salary for days during which the school has been closed by order of the board being an order made pursuant to section 145a of this Act.”

13. This Act shall come into force on the day upon which it is assented to.

THIRD SESSION
EIGHTH LEGISLATURE

1 GEORGE VI

1937

BILL

An Act respecting the Conditions
under which Teachers are Employ-
ed and Paid.

Received and read the

First time.....

Second time.....

Third time.....

MR. TOMYN.

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A. Shnitka, King's Printer
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