

UNEDITED

The School Act

being

Chapter 131 of *The Revised Statutes of Saskatchewan, 1930*
(effective February 1, 1931).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SCHEDULE

CHAPTER 131

An Act respecting Schools

HIS Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

SHORT TITLE

Short title

1 This Act may be cited as *The School Act*.

R.S.S. 1920, c.110, s.1; R.S.S. 1930, c.131, s.1.

INTERPRETATION

Interpretation

2 In this Act, except where the context otherwise requires, the expression:

“Board”

1 “**Board**” means the board of trustees of a district;

“burgess”

2 “**Burgess**” means in cities and towns an elector who is such in respect of freehold property; in rural municipalities and villages, a ratepayer of the school district;

“council”

3 “**Council**” means the Educational Council.

“Department”

4 “**Department**” means the Department of Education.

“District”

5 “**District**” means a school district

“High school”

6 “**High school**” means one or more rooms or departments maintained exclusively for pupils above grade eight;

“Inspector”

7 “**Inspector**” means a school inspector appointed under this Act;

“Minister”

8 “**Minister**” means the Minister of Education;

“Municipality”

9 “**Municipality**” means a rural municipality;

“Municipal council”

10 “**Municipal council**” means the council of a rural municipality;

“Occupant”

11 “**Occupant**” includes inhabitant occupier of land, or if there be no inhabitant occupier the person entitled to the possession thereof, a leaseholder or holder under agreement for lease, a holder under agreement for sale and any person having or enjoying in any way or for any purpose whatsoever the use of land;

“Owner”

12 “**Owner**” includes a person who by any right, title or estate whatsoever is or is entitled to be in possession of land in a district;

“Ratepayer”

13 **“Ratepayer”** means a person of the full age of twenty-one years who is and has been for a period of two months the owner or occupant of property within the district assessable for school purposes, and, in established districts where an assessment has been made, whose name appears on the last revised assessment roll for the district, and includes the wife of such person when residing with her husband and the husband of such person when residing with his wife:

Provided that the chief resident officer of a corporation, or the resident managing director of a company, whose name appears on the voters’ list of a village or rural municipality in respect of assessable property within the district, shall be a ratepayer thereof;

“Resident ratepayer”

14 **“Resident ratepayer”** means a person of the full age of twenty-one years actually residing within the district who is and has been for a period of two months the owner or occupant of property therein assessable for school purposes, and, in established districts where an assessment has been made, whose name appears on the last revised assessment roll for the district, and includes the wife of such person when residing with her husband and the husband of such person when residing with his wife:

Provided that the chief resident officer of a corporation, or the resident managing director of a company, whose name appears on the voters’ list of a village or rural municipality in respect of assessable property within the district, and who resides in the district, shall be a resident ratepayer thereof

“Rural district”

15 **“Rural district”** means a school district situated wholly outside the limits of a village, town or city municipality:

Provided that, in case a rural district or portion thereof is included in a village hereafter organised, such district shall for the purposes of this Act be deemed a rural district until the end of the then current calendar year;

“Taxpayer”

16 **“Taxpayer”** means a person who is the owner or occupant of lands in respect of which some person is or may be assessed, and includes a person assessed for income;

“Teacher”

17 **“Teacher”** means a person holding a legal certificate of qualification;

“Teaching day”

18 **“Teaching day”** means a day upon which a school is legally open during the hours prescribed by this Act and the regulations of the department and does not include any Saturday, Sunday or holiday;

“Town district”

19 **“Town district”** means a school district situated wholly or in part within the limits of a town or city municipality:

Provided that, in case any portion of a rural or village district is included within the limits of a town or city municipality, such district shall for the purposes of this Act be deemed a rural or village district, as the case may be, until the end of the then current calendar year;

“Village district”

20 **“Village district”** means a school district situated wholly or in part within the limits of a village:

Provided that, in case a village in which is situate in whole or in part a village district is incorporated as a town, such district shall for the purposes of this Act be deemed a village district until the end of the then current calendar year.

R.S.S. 1920, c.110, s.2; 1923, c.39, s.2; 1925-26, c.30, s.2; 1930, c.46, s.2; R.S.S. 1930, c.131, s.2.

ORGANISATION AND FUNCTIONS OF DEPARTMENT

Organisation

3 There shall be a department of the Government of Saskatchewan which shall be called the Department of Education, over which the Minister of Education shall preside.

R.S.S. 1920, c.110, s.3; R.S.S. 1930, c.131, s.3.

Appointment of officials

4 There may be appointed a commissioner, deputy minister, registrar and such directors, inspectors, officers, clerks and servants as are required for the proper conduct of the business of the department and for the purposes of this Act, all of whom shall hold office during pleasure.

R.S.S. 1920, c.110, s.4; 1930, c.46, s.3; R.S.S. 1930, c.131, s.4.

Administration

5(1) The minister shall have the administration, control and management of the department and shall oversee and direct the officers, clerks and servants thereof.

(2) The department shall have the control and management of all kindergarten schools, public and separate schools, normal schools, model schools, teachers' institutes and the education of deaf, deaf mute and blind persons.

R.S.S. 1920, c.110, s.5; 1920, c.46, s.2; R.S.S. 1930, c.131, s.5.

Regulations of the Department

Regulations

6 The minister, with the approval of the Lieutenant Govetnor in Council, shall have power:

1. To make regulations of the department:

(a) for the classification, organisation, government, division into grades, examination, supervision and inspection of all schools hereinbefore mentioned;

(b) for the construction, furnishing and care of school buildings and the arrangement of school premises;

- (c) for the examination, licensing and grading of teachers and for the examination of persons who may desire to enter professions or who may wish certificates of having completed courses of study in any school;
 - (d) for a teachers' reading course and teachers' institutes and conventions;
 - (e) for giving instruction in agriculture, school gardening, manual training, industrial training, domestic science and physical training;
 - (f) for the proper conveyance of children as hereinafter provided, and for keeping proper records of the number of children so conveyed, the distance travelled, the cost of conveyance and any other information deemed necessary
 - (g) governing the appointment, qualifications and duties of the officers referred to in section 117;
2. To authorise text and reference books for the use of the pupils and teachers in all schools hereinbefore mentioned, as well as such maps, globes, charts and other apparatus or equipment as may be required for giving proper instruction in such schools;
 3. To prepare a list of books suitable for school libraries and to make regulations for the management of such libraries;
 4. To issue courses of study determining the subjects of instruction for each grade and whether compulsory or optional in all schools established under this Act;
 5. To make due provision for the training of teachers.

R.S.S. 1920, c.110, s.6; 1927, c.35, s.2; 1928, c.48, s.2; R.S.S. 1930, c.131, s.6.

Duties and Powers of Minister

Duties of minister

- 7 It shall be the duty of the minister:
 1. To cause to be prepared and distributed recommendations and advice on the management of schools and districts for trustees and teachers;
 2. To prepare suitable forms and give such instructions as may be necessary for making reports and carrying out the provisions of this Act;
 3. To appoint some person to call any school meeting required to be held under this Act when there is no person authorised to call such meeting or when the person so authorised neglects or refuses to act;
 4. To report annually to the Legislature upon all schools and institutes herein mentioned with such statements and suggestions for promoting education generally as he deems expedient;
 5. To provide for the collection of fees in accordance with a schedule to be approved from time to time by the Lieutenant Governor in Council for normal school training attendance at model schools, teachers' certificates and departmental examinations, certificates of standing and other certificates issued by the department;
 6. To make any provision not inconsistent with this Act that may be necessary to meet exigencies under its operation.

R.S.S. 1920, c.110, s.7; R.S.S. 1930, c.131, s.7.

Powers of minister

8 The minister shall have power:

1. To appoint one or more persons to inquire into and report upon any appeal complaint or dispute arising from the decision of a board or inspector or other school official, upon the condition of one or more schools or upon the financial condition of a district, or upon any other school matter. Such persons may take evidence under oath; and the minister upon receipt of their report shall make such order thereon as to him seems proper; and action shall be taken in accordance with the terms of such order and not otherwise;

2. To appoint an official trustee to conduct the affairs of a district; such official trustee to have all the powers and authorities conferred by this Act upon a board and its officers, and to be remunerated out of the funds of the district or otherwise as the Lieutenant Governor in Council may decide. Upon the appointment of an official trustee, the board, if any, of the district for which he is appointed shall cease to hold office as such:

Provided that a municipal council may be appointed an official trustee;

3. To appoint some person to inquire into and report upon the conditions existing in any portion of Saskatchewan not erected into a school district, and subject to the provisions of this Act in that behalf to take such action thereon as to him seems expedient. The person so appointed shall receive such remuneration as the Lieutenant Governor in Council determines;

4. To suspend or cancel for cause any certificate granted under the regulations of the department;

5. To cause to be prepared plans of buildings suitable for schools of one or two rooms and for teachers' residences;

6. Subject to the approval of the Lieutenant Governor in Council, to make provision for the establishment of model schools under the control of the department, and to enter into any agreement deemed advisable with any board of trustees respecting the administration, expenses, equipment and teaching of such schools.

R.S.S. 1920, c.110, s.8; 1923, c.39, s.3; 1928, c.48, s.3; R.S.S. 1930, c.131, s.8.

Purchase and sale of text

9(1) The minister may establish a branch of the department for the purchase and sale of textbooks, library and reference books, supplementary reading books and other school supplies and equipment.

(2) The Provincial Treasurer may from time to time advance to the minister such sums of money as the minister may require to enable him to pay for such books, school supplies and equipment. The net amount of such advances shall not exceed the amount authorised from time to time by the Lieutenant Governor in Council.

1930, c.46, s.4; R.S.S. 1930, c.131, s.9.

EDUCATIONAL COUNCIL**Members**

10 There shall be an Educational Council appointed by the Lieutenant Governor in Council, consisting of at least five persons, two of whom shall be Roman Catholics; they shall receive such remuneration as the Lieutenant Governor in Council determines.

R.S.S. 1920, c.110, s.9; R.S.S. 1930, c.131, s.10.

Meetings

11 Meetings of the council shall be held at such times and places as may be determined by the minister, but at least one meeting shall be held in each calendar year.

R.S.S. 1920, c.110, s.10; R.S.S. 1930, c.131, s.11.

Subjects for consideration

12 All general regulations respecting the inspection of schools, the examination, training, licensing and grading of teachers, courses of study, teachers' institutes and text and reference books shall, before being adopted or amended, be referred to the council for its discussion and report.

R.S.S. 1920, c.110, s.11; R.S.S. 1930, c.131, s.12.

Report

13 The council shall consider such matters as are referred to it by the minister as hereinbefore provided for, and may also consider any question concerning the educational system of Saskatchewan as to it seems fit and report thereon to the Lieutenant Governor in Council.

R.S.S. 1920, c.110, s.12; R.S.S. 1930, c.131, s.13.

FORMATION OF PUBLIC SCHOOL DISTRICTS

Conditions of organisation of district

14(1) Any portion of the province may be organised into a public school district provided that:

- (a) it does not exceed an area of twenty square miles and its length or breadth does not exceed five miles;
 - (b) there are at least four persons actually residing within the proposed district, each of whom on its organisation would be liable to be assessed for school purposes;
 - (c) there are at least ten children between the ages of five and sixteen years inclusive actually residing within the proposed district.
- (2) If for some special reason it is deemed advisable to permit the organisation of a district with a larger area or a greater length or breadth than that fixed by subsection (1), such permission may be granted by the authority whose duty it is to approve the boundaries of the proposed district.
- (3) In case it is deemed advisable to organise a school district of not less than 36 square miles nor more than 50 square miles for the purpose of having the children of resident ratepayers conveyed to a central school, permission may be granted by the minister for the organisation of such district upon receiving satisfactory evidence that its creation is in the public interest:

Provided that in case the minister is of opinion that special circumstances warrant the action, he may grant permission for the organisation of a larger area for the purpose.

(4) In case it is deemed advisable to permit the organisation of a school district within which there are actually residing more than four and less than ten children between the ages of five and sixteen years, for the purpose of conveying such children to a neighbouring school, permission may be granted by the authority whose duty it is to approve the boundaries of proposed districts.

R.S.S. 1920, c.110, s.13; R.S.S. 1930, c.131, s.14.

Mode of organisation of district

15(1) Any three persons of the full age of twenty-one years, who are actually residing within the limits of a proposed district may form themselves into a committee for the purpose of proceeding with its organisation, and may draw up and sign the necessary petition for the purpose.

(2) The petition for organisation of a district shall be in form A, and shall be accompanied by a plan of the proposed district showing:

- (a) the number of children between the ages of five and sixteen years inclusive residing on each quarter section;
- (b) the names of those actually residing in the proposed district who will be resident ratepayers if the district is organised, such names being written on the quarter sections which are occupied:
- (c) the location of streams, lakes, swamps and other bodies of water and of travelled roads.

(3) In case the proposed district includes lands already within the boundaries of an organised district, the petition shall also be accompanied by a certificate (form L).

(4) The committee shall appoint one of their number to act as secretary who shall be responsible for the safe keeping of all correspondence and forms.

R.S.S. 1920, c.110, s.14; R.S.S. 1930, c.131, s.15.

Procedure if existing districts affected

16(1) Should the limits of a proposed district include a portion of an existing district, it shall be the duty of a member of the committee to hand to the secretary of the existing district or leave at his residence with some adult person, at least eight clear days before the petition is submitted for approval, a notice (form B), which notice shall be accompanied by a plan showing the boundaries of the proposed district.

(2) Upon receipt of such notice and plan, the secretary shall forthwith call a meeting of his board and place the same before it for consideration.

(3) A member of the committee shall also hand to each of the ratepayers residing on the lands proposed to be withdrawn from the existing district, or leave at the residence of each with some adult person, at least eight clear days before submitting the petition for approval, a notice (form C).

R.S.S. 1920, c.110, s.15; R.S.S. 1930, c.131, s.16.

District within one municipality

17. In case the proposed district is situated wholly or partly within the limits of one municipality and no part of it is in any other municipality, the petition for its organization shall be delivered or transmitted to the secretary of such municipality.

R.S.S. 1920, c.110, s.16; R.S.S. 1930, c.131, s.17.

District within two or more municipalities

18(1) In case the proposed district is situated partly within two or more municipalities, the committee shall transmit the petition for its organisation to the secretary of that municipality which contains the greater portion of the proposed district, and in case the proposed district comprises within its limits an equal area from two or more municipalities the petition shall be sent to the secretary of such one of these municipalities as the committee may select.

(2) A copy of the petition shall be sent to every municipality containing lands included in the proposed district.

R.S.S. 1920, c.110, s.17; R.S.S. 1930, c.131, s.18.

Petition sent to minister in certain cases

19 Should the proposed district be situated wholly without the limits of any municipality, or should its area contain any portion of a town or village district the petition shall be forwarded to the minister.

R.S.S. 1920, c.110, s.18; R.S.S. 1930, c.131, s.19.

Disposition of petition

20 The secretary of a municipality, upon receipt of a petition as aforesaid, shall lay the same before the municipal council at its next meeting.

R.S.S. 1920, c.110, s.19; R.S.S. 1930, c.131, s.20.

Regulations governing municipal councils

21 For the purpose of enabling municipal councils to approve the boundaries of new districts to the greatest advantage of all parties concerned, the minister shall from time to time issue such regulations in that behalf as he deems necessary, and it shall be the duty of a council to see that such regulations are substantially adhered to whenever a petition for a new district is submitted to the council for consideration.

R.S.S. 1920, c.110, s.20; R.S.S. 1930, c.131, s.21.

Consideration of petition

22(1) Upon the consideration of a petition for the organisation of a new district the minister or municipal council, as the case may be, may:

- (a) approve the boundaries of the district as petitioned for; or
- (b) approve such other boundaries for the district as may be deemed advisable.

(2) Approval of the boundaries of every proposed district shall be in form D and the receipt of such approval by the committee shall be its authority to proceed with the first school meeting.

R.S.S. 1920, c.110, s.21; R.S.S. 1930, c.131, s.22.

Second petition

23 In case the boundaries of any district as approved by the minister or municipal council are not acceptable to the committee, it may present another petition which shall be dealt with in the manner herein provided for the first petition.

R.S.S. 1920, c.110, s.22; R.S.S. 1930, c.131, s.23.

Conflicting petitions

24 In the event of a municipal council receiving two or more petitions for new districts whose boundaries overlap, as well as in all cases where there are conflicting interests or opposition to the boundaries proposed for a new district, the municipal council shall give all parties interested an opportunity to be heard.

R.S.S. 1920, c.110, s.23; R.S.S. 1930, c.131, s.24.

Standing municipal committee

25 The council of a municipality may appoint a standing committee of at least two of its members, whose duty it shall be to consider and report upon all matters pertaining to schools and school districts which by any law are required to come before the council for its consideration or decision.

R.S.S. 1920, c.110, s.24; R.S.S. 1930, c.131, s.25.

Ratepayers meeting called

26(1) On receiving approval of the boundaries of a proposed district the committee shall by notice call a meeting of the ratepayers, which notice shall be posted up in at least five widely separated and conspicuous public places within the district, one of which shall be the post office, and, if there is no post office therein, a sixth notice shall be posted in the nearest post office thereto.

(2) All such notices shall be posted up eight days prior to the date fixed for the meeting, and the said eight days shall not include the day on which the notices are posted nor the day on which the meeting is held.

(3) The notice shall be in form E, and may be either written or printed or partly written and partly printed.

(4) Proof that the notices have been posted up as herein provided shall be furnished in form F.

R.S.S. 1920, c.110, s.25; R.S.S. 1930, c.131, s.26.

Appeal from decision of municipal council

27(1) Within ten days from the date of the meeting of the municipal council at which its decision regarding a proposed new district is given, a majority of the resident rate-payers of the proposed district may appeal to the minister in writing from such decision and written notice of the appeal shall, within the said period, be given to the municipal council.

(2) The minister may thereupon in his discretion submit the question to three arbitrators of whom one, who shall act as chairman, shall be appointed by the minister, one by the municipal council and one by the resident ratepayers of the proposed district.

(3) The arbitrators shall meet and make their decision within thirty days after the appointment of the chairman, and their decision shall be final.

(4) The Arbitration Act shall not apply.

1930, c.46, s.5; R.S.S. 1930, c.131, s.27.

*First Meeting of Ratepayers***Chairman and Secretary**

28(1) At two o'clock in the afternoon (standard time) of the day appointed in the notice calling the first school meeting, the resident ratepayers present shall elect one of their number chairman.

(2) The chairman shall, upon his appointment, sign the declaration provided in form G.

(3) The secretary of the committee shall be the secretary of the first school meeting and shall record the minutes and perform all other duties required of such secretary by this Act, but in case for any reason he is unable to act the meeting shall appoint a secretary.

R.S.S. 1920, c.110, s.26; R.S.S. 1930, c.131, s.28.

Declaration by participants in meeting

29(1) After the election of a chairman any person wishing to take any part in the meeting, or vote thereat, shall be required to sign, in the presence of the chairman and secretary, the declaration (form G), and no person shall be allowed to take part in the meeting or vote unless he has signed such declaration.

(2) Any person subscribing to a declaration containing a false statement shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$10.

R.S.S. 1920, c.110, s.27; R.S.S. 1930, c.131, s.29.

Chairman's vote

30 The chairman shall not vote on any question whether the same is to be decided by a show of hands or a poll, except in case of a tie when he shall give a casting vote.

R.S.S. 1920, c.110, s.28; R.S.S. 1930, c.131, s.30.

Poll re formation of district

31(1) Upon his appointment and before any other business is transacted except as provided in section 29, the chairman shall immediately cause a poll to be taken of the votes of the resident ratepayers for and against the formation of the proposed district.

(2) On the taking of the poll the chairman shall preside and the secretary shall record the votes as they are given on a poll sheet (form H).

(3) The poll shall remain open for one hour when it shall be closed by the chairman who shall sum up the votes.

R.S.S. 1920, c.110, s.29; R.S.S. 1930, c.131, s.31.

*First Election of Trustees***Election of trustees**

32(1) If the result of the poll is favourable, the chairman shall immediately call for nominations of persons to serve as trustees, and the secretary shall record such nominations in the order in which they are made.

- (2) Each person nominated for the office of trustee shall be a resident ratepayer of the proposed district who is able to read and write and who shall make and subscribe the declaration and take and subscribe the oath of allegiance (forms X and Y respectively).
- (3) Each candidate for the position of trustee shall be nominated by a mover and a seconder both of whom shall be resident ratepayers of the proposed district.
- (4) Nominations shall be received by the chairman for ten minutes after he first calls for the same.
- (5) In case the number of nominations does not exceed three, the chairman shall declare the persons nominated to be elected.
- (6) If more than three Candidates are nominated, the chairman shall, at the close of the time for nominations, declare a poll open for the election of trustees.
- (7) On the taking of the poll the chairman shall preside and the secretary shall record the votes as they are given on a poll sheet (form I).
- (8) Every resident ratepayer shall have three votes but shall not vote more than once for any one candidate at the same election.
- (9) The poll shall remain open for one hour when it shall be closed by the chairman who shall sum up the votes and declare the result.

R.S.S. 1920, c.110, s.30; 1920, c.46, s.3; R.S.S.
1930, c.131, s.32.

Returns to Department

Secretary makes returns

- 33(1)** Immediately after the first school meeting the secretary: thereof shall forward to the department:
- (a) a copy of the petition for the organisation of the district;
 - (b) a plan of the district voted upon, which plan shall contain the information set forth in section 15;
 - (c) a certificate of the approval of the boundaries of the district
 - (d) a certified copy of the notice calling the first school meeting;
 - (e) proof of the posting of the notices, which proof shall be in form F;
 - (f) the declaration (form G) signed by the resident ratepayers;
 - (g) the poll sheet showing the votes for and against the district
 - (h) the poll sheet showing the votes for trustees;
 - (i) a copy of the minutes, certified by the chairman, showing the names of mover and seconder of candidates for the office of trustee.
- (2) The secretary shall also forward to the department a list of at least five names considered suitable as names for the proposed district, one of which may be chosen by the minister. These names shall be selected by the committee and set down in order of preference.

R.S.S. 1920, c.110, s.31; R.S.S. 1930, c.131, s.33.

*Erection of District***Erection of district**

34(1) Upon receipt of the returns and documents referred to in section 33 and upon being satisfied that the requirements and provisions of the law with respect to the organisation of the district have been substantially complied with, the minister may by order declare the proposed district to be organised and assign to it a name and number.

(2) If it appears to the minister that the boundaries of the district have been misdescribed or that certain lands have been inadvertently omitted therefrom or included therein, he shall, in the order declaring the district to be organised, properly describe its boundaries and correct such errors as appear to him to have been inadvertently made as aforesaid.

(3) Notice of the organisation of the district shall be published in *The Saskatchewan Gazette*; and such notice shall be conclusive evidence of the organisation of the district and that all the necessary formalities have been complied with.

R.S.S. 1920, c.110, s.32; R.S.S. 1930, c.131, s.34.

*Name of School District***Name of district**

35(1) Every district created under this Act shall be entitled "The _____ School District No. _____ of Saskatchewan."

(2) The minister may, from time to time, alter the name or number, or both, of any district, upon the petition of the board of the district, or without petition if the minister deems it advisable, and notice of the alteration shall be published in *The Saskatchewan Gazette*, but in such cases the seal theretofore used by the district shall continue to be the seal thereof until changed by the board.

(3) No change in the name or number or both of any district made in accordance with the provisions of this Act shall affect any obligations, rights, actions or property incurred, established, done or acquired prior to such change.

R.S.S. 1920, c.110, s.33; R.S.S. 1930, c.131, s.35.

*Term of Office of Trustees***Term of office**

36(1) The trustees elected at the first school meeting, or a new board of trustees elected at any subsequent meeting in a rural or village district, shall hold office as follows: the trustee receiving the greatest number of votes shall hold office until the third annual meeting; the trustee receiving the next greatest number of votes until the second annual meeting; and the trustee receiving the lowest number of votes until the first annual meeting subsequent to the date of the election.

(2) In case no vote is taken, the trustees elected shall hold office in the order in which they are nominated until the third, second and first annual meetings of the district are respectively held.

(3) If any two or more trustees elected receive an equal number of votes, they shall respectively hold office in the manner provided in subsection (2).

(4) If the annual meeting of a district is not held in any year, it shall for the purposes of this section be deemed to have been held at the regular time.

R.S.S. 1920, c.110, s.34; R.S.S. 1930, c.131, s.36.

Declaration of Office

Declaration of office

37(1) Before the first meeting of the board is held, every trustee shall make the following declaration before the chairman of the meeting at which he was elected or a justice of the peace or commissioner for oaths:

I, *A. B.*, do hereby accept the office of trustee to which I have been elected in (*name of school district in full*) and I will, to the best of my ability, honestly and faithfully discharge the duties devolving on me as such trustee.

Dated this _____ day of _____ 19_____.

*A. B.,
Trustee.*

Certificate of declaration

(2) The chairman, justice of the peace or commissioner shall thereupon grant him a certificate in the following form:

I, *C. D.*, do hereby certify that (*give name, residence and occupation of the person mentioned*) elected trustee for (*give name of school district*), has this day made before me the declaration of office prescribed by *The School Act* in that behalf.

Dated this _____ day of _____ 19_____.

*C.D.,
Chairman, J.P. or Commissioner for Oaths.*

R.S.S. 1920, c.110, s.35; R.S.S. 1930, c.131, s.37.

Organisation of Board

First meeting of board

38(1) Upon the erection of a district the trustee elected for the longest term shall be notified of the erection of the district by the minister; and he shall thereupon, within ten days after receipt of such notice, call a meeting of the board, in the manner provided by this Act for calling such meetings. for the purpose of choosing one of its number as chairman and appointing a secretary, treasurer, or secretary treasurer and transacting such other business as is necessar'.

(2) Any member of the board other than the chairman may be appointed secretary, treasurer, or secretary treasurer.

(3) The teacher of a school district may be appointed secretary of any district but not treasurer or secretary treasurer of any district in which he is employed as teacher.

R.S.S. 1920, c.110, s.36; R.S.S. 1930, c.131, s.38.

FORMATION OF SCHOOL DISTRICT BY MINISTER

Erection of district by minister

39(1) In case any portion of Saskatchewan, not exceeding five miles in length or breadth exclusive of road allowances, is not included in a school district, the minister may order the erection of such portion into a district, provided that it contains

- (a) twenty children between the ages of five and sixteen inclusive;
- (b) ten persons actually residing therein who on the erection of the district would be liable to assessment;
- (c) six thousand acres of assessable land and notice of the erection of any such district shall be published in *The Saskatchewan Gazette*, which notice shall be conclusive evidence that the district has been duly erected and constituted in accordance with the provisions of this Act.

(2) In special cases where the requirements of clauses (b) and (c) are fulfilled but there is not within the required area the number of children required by clause (a), the minister may order the erection of such area into a district provided that it is in the public interest to do so.

R.S.S. 1920, c.110, s.37; R.S.S. 1930, c.131, s.39.

Election of trustees

40 In case of the erection of any district in accordance with the provisions of section 39, the minister may appoint some person to call a meeting of the resident ratepayers of the district to elect trustees, which person shall act as chairman of the meeting; the election held shall be conducted in the manner provided for the election of trustees at a first school meeting; and the trustees elected shall within ten days after their election take the declaration of office and meet to organise the board as hereinbefore provided.

R.S.S. 1920, c.110, s.38; R.S.S. 1930, c.131, s.40.

SEPARATE SCHOOLS

Power to establish

41 The minority of the ratepayers in any district, whether Protestant or Roman Catholic, may establish a separate school therein; and in such case the ratepayers establishing the school shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

R.S.S. 1920, c.110, s.39; R.S.S. 1930, c.131, s.41.

Petition for erection

42 The petition for the erection of a separate school district shall be signed by three resident ratepayers of the religious faith indicated in the name of the proposed district, and shall be in the form prescribed by the minister.

R.S.S. 1920, c.110, s.40; R.S.S. 1930, c.131, s.42.

Qualification of voters

43 The persons qualified to vote for or against the erection of a separate school district shall be the ratepayers in the district of the same religious faith, Protestant or Roman Catholic, as the petitioners.

R.S.S. 1920, c.110, s.41; R.S.S. 1930, c.131, s.43.

SCHOOLS

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Notice of ratepayers' meetings

44 The notice calling a meeting of the ratepayers for the purpose of taking their votes on the petition for the erection of a separate school district shall be in the form prescribed by the minister, and the proceedings subsequent to the posting of such notice shall be the same as prescribed in the formation of public school districts.

R.S.S. 1920, c.110, s.42; R.S.S. 1930, c.131, s.44.

Town district trustees

45 In case any such district contains within its limits a town or city, it shall from the date of its erection be deemed to be a town district and the board of trustees elected at the first school meeting shall consist of five members, two of whom shall hold office until the date of the first annual election of the district, and three until the date of the second annual election. Thereafter all trustees shall be elected and hold office in the manner provided by this Act for town districts.

R.S.S. 1920, c.110, s.43; R.S.S. 1930, c.131, s.45.

Rights and liabilities

46 After the establishment of a separate school district, under the provisions of this Act, such district and the board thereof shall possess and exercise the rights, powers and privileges and be subject to the same liabilities and method of government as herein provided in respect of public school districts.

R.S.S. 1920, c.110, s.44; R.S.S. 1930, c.131, s.46.

SCHOOL SITE

Sites in rural districts

47(1) In every rural district the board shall acquire a school site on a road allowance at the centre of the district.

(2) In case the land at the centre of the district is not suitable on account of its low situation or on account of the presence of water, the board may acquire such other site as it deems advisable within a distance of two hundred yards from the centre.

(3) If for any cause it is deemed necessary or expedient to acquire a site situated more than two hundred yards from the centre of the district, the board shall proceed as follows:

(a) the board shall prepare a plan of the district showing the proposed site, the quarter sections upon which the resident ratepayers live, the number of children between the ages of five and sixteen years inclusive on each quarter section, the location of lakes, sloughs, rivers, ravines, creeks, bridges and travelled roads;

(b) if the district is situated wholly outside the limits of a municipality, the plan of the district showing the proposed site shall be forwarded, together with the application, to the department for the approval of the minister;

(c) if the district is situated wholly within the limits of a municipality, the plan of the district showing the proposed site shall be transmitted, together with the application to the secretary treasurer of the municipality, for the approval of the council;

(d) if the district is situated partly within two or more municipalities, the plan of the district showing the proposed site shall, together with the application, be sent for approval to the secretary of the municipality whose council approved the boundaries of the district;

(e) in all other cases the plan and application shall be filed as the minister may direct.

R.S.S. 1920, c.110, s.45; R.S.S. 1930, c.131, s.47.

Special site

48(1) Notice (form J) of the intention of the board to apply for approval of a site away from the centre of the district shall be posted up within the district in the manner provided by section 26.

(2) Every such notice shall be posted up at least eight clear days before the date upon which application is to be made in order that those opposed to the proposed site may be given an opportunity to be heard.

(3) The application shall be accompanied by a certificate to the effect that notice of the application has been given in accordance with the provisions of this section.

R.S.S. 1920, c.110, s.46; R.S.S. 1930, c.131, s.48.

Regulations

49 For the guidance of municipal councils in considering applications for the approval of school sites, the minister shall issue such regulations in that behalf as he deems necessary.

R.S.S. 1920, c.110, s.47; R.S.S. 1930, c.131, s.49.

Approval of site

50(1) Upon the consideration of an application for approval of a site the minister or municipal council, as the case may be, may:

(a) approve the site applied for; or

(b) approve such other site as may be deemed advisable.

(2) The approval of the site shall be in form K, and the receipt of the certificate of approval by the board shall be its authority to secure the site if no appeal under section 51 is made.

(3) A certified copy of the certificate of approval shall be forwarded forthwith by the secretary of the board to the department.

R.S.S. 1920, c.110, s.48; R.S.S. 1930, c.131, s.50.

Appeal

51(1) Within ten days from the date of the meeting of the municipal council at which its decision regarding a site is given, a majority of the resident ratepayers may appeal to the minister in writing from such decision and notice of the appeal shall within the said period be given in writing to the municipal council and to the board.

(2) The question of the site shall thereupon be submitted by the minister to three arbitrators, of whom one, who shall act as chairman, shall be appointed by the minister, one by the municipal council and one by the resident ratepayers.

(3) The arbitrators shall meet and make their award within thirty days of their appointment, and they may in and by the award approve such site as the majority of the arbitrators deem suitable.

(4) The award shall be transmitted forthwith to the board, the municipal council and the department, and the receipt of the award by the board shall be its authority to secure the site.

(5) *The Arbitration Act* shall not apply.

R.S.S. 1920, c.110, s.49; 1925-26, c.30, s.3; 1927, c.35, s.3; R.S.S. 1930, c.131, s.51.

Penalties

52. In case the board of any district acquires a school site in violation of the provisions of this Act, each member thereof shall be personally liable on summary conviction, on information laid by any ratepayer of the district, to a penalty not exceeding \$100 and costs; and the members of the board shall be personally liable also, but the board shall not be liable, for the cost of a site so acquired or of any building erected thereon:

Provided however that no member of the board voting against the resolution of the board for the acquisition of the site and the erection of the building, if any, shall be liable under this section.

R.S.S. 1920, c.110, s.50; R.S.S. 1930, c.131, s.52.

New site

53 In case at any time it is deemed advisable to secure a new site not being the first site, or an additional site, or to build a new school house not being the first school house, in a rural district, application for the approval of the site shall be made in the manner herein provided for the approval of a site away from the centre of the district.

R.S.S. 1920, c.110, s.51; 1925-26, c.30, s.4; R.S.S. 1930, c.131, s.53.

Site in town or village

54(1) In every town or village district the board shall acquire a site at the centre of the district, but if for any cause it is deemed advisable to choose a site away from the centre or to acquire an additional site in a village district, such site shall before being secured be approved by the minister.

(2) The minister may require the question of a school site in a village or town district to be submitted to a board of arbitrators, and in such case the procedure shall follow that described in section 51.

(3) Whenever in the case of a town district it is necessary to secure a new or additional site, such site before being secured shall be submitted to the Local Government Board for approval.

(4) A certified copy of the approval shall be forwarded forthwith by the Local Government Board to the department.

R.S.S. 1920, c.110, s.52; 1925-26, c.30, s.5; R.S.S. 1930, c.131, s.54.

Expropriation of school site

55(1) In the event of its being shown to the satisfaction of the minister that in any district the title of a school site or portion of site not exceeding two acres cannot be obtained by the district, by reason of the refusal or failure of the owner to sell or to accept a fair price for it, or by reason of a mortgagee or other person interested refusing or failing to release his mortgage or interest, the minister may execute a transfer of the site or portion of site in favour of the district and upon application *ex parte* to a judge of the district court of the judicial district within which the site or portion of site is situated and upon production of such transfer, the judge shall make an order vesting the title of the lands described in the transfer in the school district free from all charges and incumbrances other than taxes.

(2) The amount and, in case there are more parties than one interested, the manner of payment of the compensation to be made for the site or portion of site acquired under the provisions of subsection (1) shall be determined by two arbitrators, one appointed by the district and the other by the owner or person interested, under the provisions of *The Arbitration Act*.

R.S.S. 1920, c.110, s.53; R.S.S. 1930, c.131, s.55.

ALTERATIONS OF BOUNDARIES OF SCHOOL DISTRICTS

Application for alteration

56(1) An application for an alteration in the boundaries of a school district shall be made:

- (a) to the Department of Education if the proposed alteration affects a town or village district, a district situated wholly without the limits of any municipality, or a district having an area of 36 square miles or more, or if the application is for the purpose of enlarging a district so as to include an area of 36 square miles or more for the purpose of having the children of resident ratepayers conveyed to a central school;
- (b) to the municipal council if the proposed alteration affects one or more districts situated wholly within the limits of a municipality;
- (c) to such municipal council as the minister may direct if the district or districts affected are situated in two or more municipalities;
- (d) in all other cases, to such authority as the minister may direct.

(2) Every such application shall set forth clearly and concisely the grounds upon which it is based, and shall be accompanied by a plan showing the proposed alteration and indicating the number and location of children between the ages of five and sixteen years inclusive who would be affected by the alteration.

R.S.S. 1920, c.110, s.54; 1920, c.46, s.4; 1925-26, C.30, s.6; R.S.S. 1930, c.131, s.56.

Application to municipal council

57(1) When an application is made to a municipal council it shall be accompanied by a certificate (form L).

(2) The person or board applying for the alteration shall hand to the secretary of each district affected or leave at his residence with some adult person at least eight clear days before the application is submitted for approval, a notice (form M) accompanied by a plan showing the alteration applied for.

- (3) Upon receipt of such notice and plan the secretary shall forthwith call a meeting of the board and place the same before it for consideration.
- (4) The person or board applying for the alteration shall also hand to each of the ratepayers residing on the lands proposed to be added to or withdrawn from the district, or leave at the residence of each with some adult person at least eight clear days before the application is submitted for approval, a notice (form N).
- (5) The municipal council shall give all parties concerned an opportunity to be heard.
- (6) The municipal council shall notify the minister (form O) of the alteration approved by the council, and, upon receipt of such notice, the minister may by order alter the boundaries of the district as therein set forth.

R.S.S. 1920, c.110, s.55; R.S.S. 1930, c.131, s.57.

Appeal from decision of municipal council

- 58(1) Within ten days from the date of the meeting of the municipal council at which its decision regarding a proposed alteration in boundaries is given, the board of trustees of any district affected may appeal to the minister in writing from such decision and written notice of the appeal shall, within the said period, be given to the municipal council and to the board of trustees of each district affected.
- (2) The minister may thereupon in his discretion submit the question to three arbitrators of whom one, who shall act as chairman, shall be appointed by the minister, one by the municipal council and one by such board of trustees as the minister may direct.
- (3) The arbitrators shall meet and make their decision within thirty days after the appointment of the chairman, and their decision shall be final.
- (4) *The Arbitration Act* shall not apply.

1930, c.46, s.6; R.S.S. 1930, c.131, s.58.

Application to department

- 59 When an application is made direct to the department, notices shall be served as required by subsections (2) and (4) of section 57. The application shall be accompanied by a certificate (form L) and the minister may take such action thereon as he deems advisable.

1921-22, c.47, s.2; R.S.S. 1930, c.131, s.59.

Arbitration

- 60 Where application is made for alteration of the boundaries of a village or town district, the minister may require the same to be submitted to three arbitrators of whom one, who shall act as chairman, shall be appointed by the minister, one by the board of the village or town district and one by the council of such municipality adjoining the village or town district as may be determined by the minister, and their decision shall be final. *The Arbitration Act* shall not apply.

R.S.S. 1920, c.110, s.57; 1927, c.35, s.4; R.S.S. 1930, c.131, s.60.

Notice of alteration

- 61 Notice of every alteration in the boundaries of a school district shall be published in *The Saskatchewan Gazette*, and such notice shall be conclusive evidence of the alteration and that all necessary formalities have been complied with.

R.S.S. 1920, c.110, s.58; R.S.S. 1930, c.131, s.61.

Rights protected

62 Notwithstanding anything herein contained, no alteration shall be made in the boundaries of a school district unless it be satisfactorily shown that the rights guaranteed to any class of persons under section 17 of *The Saskatchewan Act* will not be prejudiced thereby.

R.S.S. 1920, c.110, s.59; R.S.S. 1930, c.131, s.62.

Debenture holders protected

63 In the case of a district having debenture indebtedness outstanding, no alteration shall be made in the boundaries thereof which may prejudicially affect the rights or security of the holder of such debentures, without due provision being made for his protection.

R.S.S. 1920, c.110, s.60; R.S.S. 1930, c.131, s.63.

Financial adjustments

64(1) Upon the alteration of the boundaries of a district due provision shall be made for settlement and adjustment of the assets and liabilities of the same between the the districts into which it may be divided or between the district and the areas added thereto or taken therefrom; and the minister may cause the necessary inquiries to be made in order to ascertain and determine the due proportion of such assets and liabilities and the best method of settling and adjusting them.

(2) The minister may in his discretion appoint one or more persons to make such inquiries and report thereon, and may prescribe and declare the terms of the settlement and adjustment and the manner in which it shall be carried into effect; and, in cases in which by the terms of such settlement and adjustment taxes are required to be levied upon property in any division of the district or in an area taken therefrom, may prescribe by whom, at what times and in what manner the taxes shall be assessed and collected, to whom the same or any part thereof shall be paid, and by what district or districts, in what proportions and to whom the expenses of the settlement and adjustment shall be paid.

(3) When an area is added to or taken from a district the minister may by order make all provisions necessary to meet the exigencies of the case respecting the assessment of property in the area and the levying, collection and application of taxes on such property, Or one or more of said matters, for the then current year, and the matters dealt with in the order shall be done according to the terms thereof and not otherwise.

R.S.S. 1920, c.110, s.61; R.S.S. 1930, c.131, s.64.

DISORGANISATION OF DISTRICTS

Procedure

65(1) The minister may by order, notice of which shall be published in *The Saskatchewan Gazette*, declare that on and after a day therein to be named any district shall be disorganised, and thereupon the same and the board thereof shall cease to have or enjoy any of the rights, powers and privileges vested in such corporations by this Act.

(2) Upon such disorganisation the minister may appoint one or more persons to adjust and settle the assets and liabilities of the district. Persons so appointed shall have authority to sell, dispose of and convert into money the assets and property of the district and apply the same so far as they will extend, first, in payment of the liabilities of the district; and secondly, in payment of his own remuneration as hereinafter mentioned, and to divide the surplus, if any, *pro rata* among the ratepayers of the district entitled to share therein.

(3) In case the amount realised is insufficient to satisfy the liabilities of the district and their remuneration, such persons may assess, collect and enforce payment, in the same manner as boards, assessors, collectors and treasurers are authorised to do by *The School Assessment Act*, of such sum as is required to satisfy the liabilities or any balance thereof remaining unpaid and all expenses connected therewith, including their own remuneration which shall be fixed by the minister.

R.S.S. 1920, c.110, s.62; R.S.S. 1930, c.131, s.65.

UNION OF PUBLIC AND SEPARATE SCHOOL DISTRICTS

Procedure

66(1) If in any area there exists a public school district and a separate school district and it is resolved by the ratepayers of each district, at public meetings of ratepayers respectively called for the purpose of considering the question, that it is expedient that such districts should be united into a public school district, the minister may, by order, notice of which shall be published in *The Saskatchewan Gazette*, declare that on and after a day therein to be named the separate school district shall be disorganised, and thereupon the same and the board thereof shall cease to have or enjoy any of the rights, powers or privileges vested in such corporations by this Act, and the lands theretofore assessable and taxable for the purposes of the separate school district shall become assessable and taxable for the purposes of the public school district and shall be in every respect a part of the public school district.

(2) After such disorganisation the minister may make such orders, provisions and appointments as to him appear proper for the adjustment, arrangement and winding up of the affairs of the separate school district and for the settlement and adjustment of the assets and liabilities thereof.

R.S.S. 1920, c.110, s.63; R.S.S. 1930, c.131, s.66.

MEETINGS OF RATEPAYERS

Annual Meeting in Rural and Village Districts

Time and place

67 An annual meeting of the ratepayers of every rural and village district shall be held in the school house or some other suitable place within the district, not later than the thirty-first day of January in each year commencing at the hour of two o'clock in the afternoon (standard time):

Provided that in the village of North Regina the annual meeting may be held at the hour of seven o'clock in the evening (standard time).

R.S.S. 1920, c.110, s.64; R.S.S. 1930, c.131, s.67.

Public notice

68(1) The meeting shall be called by the board, which shall at least eight days before the day for which the meeting is called, post notices giving the day, place and hour of meeting. Such notices shall be posted in five conspicuous public places within the district, one of which shall be the post office, and if there is no such post office a sixth notice shall be posted in the post office nearest thereto.

(2) It shall be deemed sufficient notice of the meeting if the notice is sent to the ratepayers by mail and posted at least fifteen clear days prior to the date of the meeting:

Provided that at least one public notice shall be posted in the post office situated in the district, or, if there is no such post office, then in the post office nearest thereto.

R.S.S. 1920, c.110, s.65; R.S.S. 1930, c.131, s.68.

Chairman and secretary

69(1) At the time stated in the notice for the commencement of the meeting, the chairman of the board shall take the chair and call the meeting to order, and the secretary of the board or someone appointed by the chairman shall record the minutes of the meeting and perform such other duties as are required of him by this Act.

(2) In the absence of the chairman the ratepayers present shall forthwith elect a resident ratepayer of the district to preside.

R.S.S. 1920, c.110, s.66; 1920, c.46, s.5; R.S.S. 1930, c.131, s.69.

Meetings conducted in English

70 All meetings shall be conducted in the English language but the chairman shall, if necessary, provide for the attendance of an interpreter for the benefit of those who cannot understand English.

1930, c.46, s.7; R.S.S. 1930, c.131, s.70.

Chairman's vote

71 The chairman may not vote on any question, whether the same is to be decided by a show of hands or by a poll, except in case of a tie when he shall give a casting vote.

R.S.S. 1920, c.110, s.67; R.S.S. 1930, c.131, s.71.

Qualification of voters

72(1) Any ratepayer whether resident or not shall be entitled to take part in the annual school meeting, but only resident ratepayers shall be entitled to vote for the election of a trustee.

(2) The secretary of a rural or village municipality which contains any part of a rural or village district shall, on demand, furnish the board of trustees of the district with a list of the rate payers indicating those who are resident ratepayers of the district for such part as lies within the limits of the rural or village municipality.

(3) Any secretary treasurer who fails to furnish such a statement as required shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$10 per day for every day during which the default continues, and in case of nonpayment forthwith after conviction to imprisonment for a period not exceeding one month.

R.S.S. 1920, c.110, s.68; R.S.S. 1930, c.131, s.72.

Order of business

73 The business of the annual meeting may be conducted in the following order:

1. Receiving and considering the statements prepared by the teacher, trustees, treasurer, collector and auditor;
2. Receiving and considering the inspector's reports;
3. Miscellaneous business;
4. Election of trustees;
5. Election of auditor.

R.S.S. 1920, c.110, s.69; R.S.S. 1930, c.131, s.73.

Statements and reports

74 The chairman, upon taking his place, shall immediately call upon the secretary to read the minutes of the last annual meeting and the following statements and reports which shall be considered and disposed of by the meeting:

Teacher's

1. A statement of the teacher signed by him giving the following particulars:
 - (a) the number of days on which the school was kept open during each term succeeding the last annual meeting;
 - (b) the total number of pupils attending school during each term specifying the number of males and females respectively;
 - (c) the number of children of school age residing in the district who did not attend school during the year;
 - (d) the average daily attendance for each term and for the year;
 - (e) the classification of pupils and the number of pupils in each grade or form;

Trustees'

2. A statement prepared by the trustees showing:
 - (a) the names of the trustees;
 - (b) the officers of the district appointed by the trustees and their salaries;
 - (c) the vacancies created in the board during the year, giving the causes thereof, with an account of the elections held to fill such vacancies and the results thereof;
 - (d) the number of regular and special meetings of the board held during the year, together with a statement showing the number of meetings attended by each member;
 - (e) the number of visits made by each member of the board to the school while it was in operation;

Treasurer's

3. The treasurer's statement for the fiscal year ending on the thirty-first day of December preceding the annual meeting in which shall be set forth:
 - (a) the amounts of money received by the district from each source of revenue, including Government grants;
 - (b) the amounts of money paid out by the district with particulars of payment;

(c) the amounts of money due to the district from all sources with particulars;

(d) the amounts of money due by the district and the terms and times of payment;

Tax collector's

4. In rural districts lying wholly outside of rural municipalities a statement prepared by the collector of taxes and signed by him giving the following particulars:

(a) the total assessed value of all property as shown by the last revised assessment roll;

(b) the rate of the school tax;

(c) the total amount of taxes levied during the year;

(d) the current taxes collected during the year;

(e) the arrears of taxes collected during the year;

(f) the total arrears of taxes;

Auditor's

5. The auditor's report;

Inspector's

6. The inspector's reports received during the preceding year;

General

7. Such further statements in relation to the affairs of the district as may be deemed advisable.

R.S.S. 1920, c.110, s.70; 1930, c.46, s.8; R.S.S. 1930, c.131, s.74.

Election of Trustees at Annual Meeting

Nominations for trustee

75 The chairman shall call for nominations for the office of trustee not later than one hour from the commencement of the meeting.

R.S.S. 1920, c.110, s.71; R.S.S. 1930, c.131, s.75.

Qualifications of candidates

76 Each person nominated for the office of trustee shall be a resident ratepayer of the district who is able to read and write and to conduct school meetings in the English language, and shall make and subscribe the declaration and take and subscribe the oath of allegiance set forth in forms X and Y respectively.

1930, c.46, s.9; R.S.S. 1930, c.131, s.76.

Qualification of mover and seconder

77 Each candidate shall be nominated by a mover and seconder each of whom shall be a resident ratepayer of the district.

R.S.S. 1920, c.110, s.73; R.S.S. 1930, c.131, s.77.

Time of nominations

78. Nominations shall be received by the chairman for ten minutes after he has first called for the same.

R.S.S. 1920, c.110, s.74; R.S.S. 1930, c.131, s.78.

Acclamation

79 In case there is only one nomination the chairman shall declare the candidate nominated to be elected.

R.S.S. 1920, c.110, s.75; R.S.S. 1930, c.131, s.79.

Poll

80 In case there are more nominations than one the chairman shall at the close of the time for receiving nominations declare a poll open for the election of a trustee.

R.S.S. 1920, c.110, s.76; R.S.S. 1930, c.131, s.80.

Voter's oath

81(1) In case objection is made to the right of any person to vote for the election of trustees in a rural or village district the chairman shall require such person to take the following oath or affirmation:

I, _____ do solemnly swear (*or affirm*):

1. That I am of the full age of twenty-one years;
2. That I am a *bona fide* resident ratepayer of (*give name of district in full*);
3. That I actually reside within the district;
4. That I am and have been for a period of two months the owner (*or occupant*) of property within the district assessable for school purposes;

or

4. That my husband (*or wife*) is and has been for a period of two months the owner (*or occupant*) of property within the district assessable for school purposes;
5. That I have not before voted at this election;
6. That I have not received any reward either directly or indirectly nor have I any hope of receiving a reward at this time and place for my vote at this election;

(In established districts where an assessment has been made such person shall also swear or affirm.)

7. That my name appears on the last revised assessment roll of the district.

So help me God.

(2) In the case of a person claiming the right to vote by reason of marriage to a resident ratepayer, paragraph 7 of subsection (1) shall not be required.

(3) In the case of an affirmation the words "so help me God" shall be omitted.

(4) Every person taking such oath or affirmation shall be permitted to vote for the election of trustees.

R.S.S. 1920, c.110, s.77; R.S.S. 1930, c.131, s.81.

Rural district poll

82 On the taking of the poll in rural districts the chairman shall preside and the secretary shall record the votes as they are given according to (form P):

Provided that in case a majority of the resident ratepayers present so decide by resolution, the vote for the election of trustees in rural districts may be taken as provided in sections 84 and 85, except that the poll shall remain open for one hour only.

R.S.S. 1920, c.110, s.78; R.S.S. 1930, c.131, s.82.

Closing poll

83 Subject to the provisions of section 82, the poll shall remain open for one hour in rural districts, when it shall be closed by the chairman who shall sum up the votes and declare the result.

R.S.S. 1920, c.110, s.79; R.S.S. 1930, c.131, s.83.

Village district poll

84 In the case of village districts the poll shall be conducted as follows:

1. The chairman or such other person as is appointed by the board for the purpose shall preside, and the voting shall be by ballot;
2. As each resident ratepayer presents himself to vote the chairman shall hand him a ballot paper containing the names of the candidates for the office of trustee, and the secretary shall record in a book to be provided for the purpose the name of each such ratepayer so presenting himself;
3. Upon receipt of the ballot paper the ratepayer shall in a part of the room effectively screened, mark his ballot by placing a cross in the space opposite the name of the candidate for whom he is voting; he shall then fold it and return it folded to the chairman who shall forthwith deposit it in the ballot box provided for the purpose;
4. The ballot shall contain the names of all the candidates nominated and shall be in the following form:

John Brown
William Smith
Henry Jones
Thomas Black

R.S.S. 1920, c.110, s.80; R.S.S. 1930, c.131, s.84.

Duration of poll in village districts

85 In village districts the poll shall remain open for three hours when it shall be closed by the chairman; the ballot box shall then be opened in the presence of the candidates or of agents appointed by them by written notice to the chairman, and a record of the votes as they are shown on the ballots shall be made by the chairman (form Q) who shall thereupon sum up the votes and declare the result.

R.S.S. 1920, c.110, s.81; 1923, c.39, s.4; R.S.S. 1930, c.131, s.85.

Copy of minutes to department

86 A copy of the minutes of the annual meeting signed by the chairman and the secretary of such meeting shall be forthwith transmitted to the department.

R.S.S. 1920, c.110, s.82; R.S.S. 1930, c.131, s.86.

*Contested Election in Rural Districts***Investigation**

87(1) Whenever complaint is made that the election of a trustee or any of the proceedings at a first or other school meeting in a rural district have not been in conformity with this Act, the minister may, upon complaint of a ratepayer verified by solemn declaration, investigate the matter and render any decision and make any orders in respect thereof that to him appears proper.

(2) No such complaint shall be entertained by the minister unless made to him in writing within ten days after the holding of the election or meeting.

R.S.S. 1920, c.110, s.83; R.S.S. 1930, c.131, s.87.

*Annual Meeting in Town Districts***Time and place**

88 An annual meeting of the ratepayers of every town district shall be held at the time and place appointed for the nomination of councillors or aldermen, or at such other time within five days before or after that date, and such place as is fixed by resolution of the board, of which due notice shall be given by advertisement once a week for at least two weeks previous to the said date in some newspaper published in the district or if there is no newspaper published in the district then in the manner provided in section 68 with respect to meetings in rural and village districts.

R.S.S. 1920, c.110, s.84; R.S.S. 1930, c.131, s.88.

Notice

89(1) The trustees of every town district, and of every district to which the proviso to paragraph 20 of section 2 applies, shall give notice to the city clerk or the town clerk, as the case may be, on or before the fifteenth day of November in each year of the number of vacancies required to be filled to make the board complete; and in the case of the first election of trustees in a town district the secretary of the district shall at the same time furnish the city clerk or the town clerk, as the case may be, with a list of the resident ratepayers of the district who reside outside the limits of the city or town, which list shall be delivered to the returning officer on or before the day preceding the election of trustees.

(2) Upon a rural or village district becoming a town district, the first election for trustees shall be held at the time prescribed in this Act for the annual election of trustees in town districts, and at such election there shall be elected two trustees for a term of two years and one trustee for a term of one year, and the two trustees of the district whose terms have not expired shall continue to hold office for the terms for which they were respectively elected.

R.S.S. 1920, c.110, s.85; R.S.S. 1930, c.131, s.89.

Statements and reports

90(1) The statements and reports mentioned in section 74, with such variations as are deemed necessary by the board, shall be prepared by the proper officials for use at the annual meeting in town districts, and shall be read by the secretary, except as hereinafter provided.

(2) The reading of the statements or reports may be omitted upon a resolution being passed to that effect by the ratepayers present, but any ratepayer of the district may examine the same either during the meeting or at a subsequent date.

(3) The board, if it deem advisable or upon being authorised to do so by resolution of the ratepayers at the annual meeting may have any or all of the statements or reports, or any parts of them except the inspector's reports, printed in a newspaper published in the district.

(4) In town districts the treasurer's statement as mentioned in paragraph 3 of section 74 shall mean such statement for that portion of the fiscal year ending on the thirty-first day of October next preceding the annual meeting.

(5) On or before the first day of March in each year the treasurer of a town district shall prepare a statement showing the receipts and expenditures, assets and liabilities of the board for the financial year ending on the thirty-first day of December of the preceding year; he shall deliver the statement duly audited to the chairman of the board who shall lay it before the board at its next meeting; and the board shall on or before the first day of April in each year cause the statement to be published in some newspaper issued in the district, or, if there is no newspaper published therein, in the newspaper the place of publication of which is nearest thereto, and shall cause a copy of the statement to be forwarded to the minister.

R.S.S. 1920, c.110, s.86; R.S.S. 1930, c.131, s.90.

Election in town districts

91(1) The boards of public school and separate school trustees in town districts shall be elected in the manner prescribed by *The City Act* and *The Town Act* respectively.

(2) Where a town district lies partly within the limits of another municipality, the secretary of such other municipality shall, on or before the fifteenth day of November in each year, furnish the city clerk or the town clerk, as the case may be, with a certified copy of the voters' list containing the names of the resident ratepayers of that portion of the school district which lies within the other municipality, distinguishing upon the list, where a separate school is maintained in operation, the public and separate school supporters respectively.

(3) Any secretary treasurer who fails to furnish such a statement as required shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$10 per day for every day during which the default continues and in case of nonpayment forthwith after conviction to imprisonment for a period not exceeding one month.

R.S.S. 1920, c.110, s.87; R.S.S. 1930, c.131, s.91.

Return to department

92 Within ten days after the annual election of trustees in a town district, the secretary of the district shall forward to the department a certified copy of the returning officer's declaration as to the result of the poll.

R.S.S. 1920, c.110, s.88; R.S.S. 1930, c.131, s.92.

Contested Elections in Town and Village School Districts

Powers of judge

93(1) In case the validity of the election of a school trustee in a town or village district is contested, the same may be tried by a judge of the district court of the judicial district within which the town or village district is wholly or mainly situated; and any person qualified to vote at the election may be the relator for the purpose.

(2) The judge shall in such case have the like powers as in case of a contested election of a member of a municipal council under *The Controverted Municipal Elections Act*; and the proceedings and rules prescribed in such a case shall *mutatis mutandis* be followed and observed in the contested election of a school trustee.

R.S.S. 1920, c.110, s.89; R.S.S. 1930, c.131, s.93.

Deferred School Meetings

Prescribed meetings not held

94 In case from want of proper notice or other cause any first, annual or other school meeting required to be held under this Act is not held at the proper time, the secretary of the board shall, when required to do so by any two resident ratepayers, call a meeting of the ratepayers by posting notices in the manner prescribed by this Act for such meeting; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it was called.

R.S.S. 1920, c.110, s.90; R.S.S. 1930, c.131, s.94.

Special Meetings of Ratepayers

Special meetings

95 A special meeting of the ratepayers of any district may be held at any time for any necessary purpose not otherwise provided for by this Act.

R.S.S. 1920, c.110, s.91; R.S.S. 1930, c.131, s.95.

Notice

96(1) It shall be the duty of the secretary of the board to call any special meeting when required to do so:

- (a) by the board;
- (b) by the minister;
- (c) by an inspector;
- (d) in town and village districts, by a request in writing signed by ten resident ratepayers;
- (e) in rural districts, by a request in writing signed by a majority of the resident ratepayers.

(2) The notices calling a special meeting shall set forth the purpose of the meeting and shall be given in the manner provided for notices of annual meetings.

R.S.S. 1920, c.110, s.92; R.S.S. 1930, c.131, s.96.

Business limited to notice

97 At the meeting so held the ratepayers present shall elect a chairman and secretary, and no business shall be considered by the meeting other than that mentioned in the notices calling the same.

R.S.S. 1920, c.110, s.93; R.S.S. 1930, c.131, s.97.

Regulations

98 Notwithstanding anything contained in subsection (2) of section 96, the minister may make regulations governing the notice to be given of a special meeting; and such regulations may also prescribe the time of opening the meeting, the procedure to be followed at the meeting and the certification to the proper authorities of the result of any action taken thereat.

R.S.S. 1920, c.110, s.94; R.S.S. 1930, c.131, s.98.

AUDIT**Annual audit**

99(1) The books and accounts of every district shall be audited annually.

(2) In the case of rural and village districts there shall be two auditors, one of whom shall be elected annually by the ratepayers at the annual meeting and the other appointed by the board.

(3) If either or both of the auditors have not been appointed before the first day of December, the place of either or both shall be taken, in the case of school districts situated outside a municipality by an official auditor or in case the district is in more than one municipality by the auditor of such municipality as the board directs, and in all other cases by the auditor of the municipality in which the district is situated.

(4) The board or the secretary treasurer shall lay all accounts before the auditors, together with all books, contracts, agreements, vouchers and other papers in their possession relating to school accounts, and the board and the secretary treasurer shall give the auditors all information in their power relating to the assets, liabilities, receipts and expenditures which the auditors may require.

(5) The auditors or either of them may require the attendance of all persons interested in the accounts and of their witnesses, with such books and papers as the auditors direct, and may examine such persons and witnesses under oath.

(6) The auditors shall decide upon the accuracy of the accounts and shall make a report for the annual meeting in the form prescribed by the minister.

(7) The fee payable for the audit shall not exceed \$5 in the case of a rural district, or \$10 in the case of a village district, for each auditor employed, such fee to be paid out of the funds of the district.

R.S.S. 1920, c.110, s.95; 1923, c.39, s.5; R.S.S. 1930, c.131, s.99.

Auditor in town districts

100 In a town district the auditor of the town or city municipality, as the case may be, shall audit the books and accounts of the district in each year.

1923, c.39, s.6; R.S.S. 1930, c.131, s.100.

Who not to be auditors

101 No trustee, teacher or officer of a district shall audit the books of the district for which he is trustee, teacher or officer.

R.S.S. 1920, c.110, s.97; R.S.S. 1930, c.131, s.101.

BOARD OF TRUSTEES

*Number of Members***Numbers and term of office**

102(1) In rural and village districts there shall be three trustees, each of whom shall, subject to the provisions of section 36, hold office for three years. In town districts with a population not exceeding ten thousand there shall be five trustees, each of whom, after the first election, shall hold office for two years; and where the population exceeds ten thousand there shall be seven trustees, each of whom, after the first election, shall hold office for two years.

(2) Every trustee shall hold office until his successor is elected or appointed.

(3) In case of an election of a board of trustees to take the place of an official trustee the members shall hold office in the same manner as if elected at a first school meeting.

R.S.S. 1920, c.110, s.98; 1923, c.39, s.7; 1927, c.35, s.5; R.S.S. 1930, c.131, s.102.

Additional trustees

103(1) In the case of a district containing thirty-six square miles or more, or a village district which maintains a continuation or high school, the minister may order that the board shall consist of five trustees.

(2) The election of the necessary additional trustees shall take place at the annual meeting next following the date of the order.

(3) There shall be elected at the said meeting three trustees, two, being those who obtain the highest number of votes, for a period of two years each, and one, who obtains the next highest number of votes, for a period of one year. The two trustees whose terms of office have not expired shall continue to hold office for the terms for which they were respectively elected and thereafter each trustee shall be elected for a period of two years.

1923-26, c.30, s.7; 1928, c.48, s.4; R.S.S. 1930, c.131, s.103.

*Trustees a Body Corporate***Corporate name**

104 The trustees of every district shall be a corporation under the name "The Board of Trustees for the _____ School District No. _____ of Saskatchewan."

R.S.S. 1920, c.110, s.99; R.S.S. 1930, c.131, s.104.

*Organisation of Board***Declaration of office**

105 Within ten days after his election at a meeting other than the first school meeting a trustee shall take the declaration of office provided in section 37.

R.S.S. 1920, c.110, s.100; R.S.S. 1930, c.131, s.105.

First meeting

106 The board shall meet within ten days after the annual meeting, or, in the case of town districts within the first ten days of January in each year, for the purpose of organising and for the transaction of such other business as may be required.

R.S.S. 1920, c.110, s.101; R.S.S. 1930, c.131, s.106.

Appointment of officers

107 At the meeting thus held the board shall appoint a chairman, a secretary and a treasurer or a secretary treasurer who shall respectively hold office during the pleasure of the board, and the secretary and the treasurer or the secretary treasurer shall be allowed such remuneration as the board may fix.

R.S.S. 1920, c.110, s.102; R.S.S. 1930, c.131, s.107.

Board Meetings

By whom called

108 A meeting of the board may be called by the chairman or any trustee.

R.S.S. 1920, c.110, s.103; R.S.S. 1930, c.131, s.108.

Notice

109(1) Every regular or special meeting of the board shall be called by giving two clear days' notice in writing which notice may be given by delivering it to each trustee, or in the case of his absence from his residence, by giving it to any adult person thereat.

(2) The board may, at any meeting at which all the members are present, decide by resolution to hold regular meetings. The resolution shall state the day, hour and place of every such meeting, and no further or other notice of any such meeting shall be necessary.

(3) Except in the case of a meeting for the purpose of contracting for the purchase of school furniture, equipment and apparatus, the board may by unanimous consent waive notice and hold a meeting at any time. Such consent shall be subscribed by each member of the board and shall be recorded in the minutes of the meeting in the following form:

We, the undersigned trustees of _____ S.D No. _____ hereby waive notice of this meeting.

..... } Trustees.
..... }
..... }

R.S.S. 1920, c.110, s.104; R.S.S. 1930, c.131, s.109.

Corporate acts

110(1) No act or proceeding of any board shall be deemed valid or binding which is not adopted at a regular or special meeting at which a quorum of the board is present.

Quorum

(2) A majority of the board shall form a quorum.

R.S.S. 1920, c.110, s.105; R.S.S. 1930, c.131,
s.110.

One trustee not to act

111 If the number of trustees be reduced to one, that one shall immediately take the necessary steps to fill the vacancies in the board but he shall not transact any other business of the district.

R.S.S. 1920, c.110, s.106; R.S.S. 1930, c.131,
s.111.

Motions

112 All questions shall be submitted to the board on motion of the chairman or any other trustee, and no seconder shall be required.

R.S.S. 1920, c.110, s.107; R.S.S. 1930, c.131,
s.112.

Voting

113(1) At all meetings of the board questions shall be decided by a majority of votes, and the chairman shall have the right to vote, but in case of a tie, the question shall be decided in the negative.

(2) In the absence of the chairman from any meeting of the board, the trustees present shall elect one of their number to act as chairman.

R.S.S. 1920, c.110, s.108; R.S.S. 1930, c.131,
s.113.

Proceedings valid

114 No resolution, bylaw, proceeding or action of a board of trustees shall be invalid or set aside by reason of any person whose election has been annulled or declared illegal having acted as trustee, nor by reason of any trustee having failed to take the declaration of office within the prescribed time.

R.S.S. 1920, c.110, s.109; R.S.S. 1930, c.131,
s.114.

*Duties of Trustees***Duties of trustees**

115 It shall be the duty of the board of every district and it shall have power:

Appointment of officers

1. To appoint a chairman, a secretary and treasurer or a secretary treasurer and such other officers and servants as are required by this Act;

Seal

2. To procure a corporate seal for the district;

Returns and reports

3. To cause to be prepared by the proper officers of the district and submitted to the department half-yearly and yearly returns respecting attendance and classification of pupils and finances of the district, which returns shall be in form prescribed by the minister; and to see that all other reports and statements required by this Act or by the minister are transmitted to the department without delay;

Records and accounts

4. To keep a record of the proceedings of each meeting of the board signed by the chairman and secretary, and to see that true accounts both of the school and district are kept and that the affairs of the district generally are conducted in the manner provided by this Act and with due regard to efficiency and economy;

Books

5. To provide the officers of the board with the books necessary for keeping proper records of the district;

Custody of property

6. To take possession and to have the custody and safe keeping of the property of the district;

School accommodation

7. To provide adequate school accommodation for the district;

School grounds, buildings and equipment

8. To purchase or rent school sites or premises, and to build, repair, furnish and keep in order the school house, furniture, fences and all other school property; to keep the equipment water supply, closets and premises generally in a proper sanitary condition; and to make due provision for properly lighting, heating, ventilating and cleaning the school rooms under its control and if deemed advisable to purchase or rent sites or premises for a house for the teacher, and to build, repair and keep such house in order; or, to enter into an agreement with any board for the purpose of erecting, furnishing and maintaining a teachers' residence on such terms as are mutually agreed upon;

Instruction of pupils

9. Subject to the provisions of this Act and the regulations of the department, to provide instruction appropriate to their grades for all pupils who have the right to attend the school:

Fire escapes

10. In cities to provide such fire escapes for any school building as may be satisfactory to the city council and in all other school districts to provide approved metal fire escapes for any school building of two or more storeys;

Disposal of real property

11. Subject to the approval of the minister, to dispose of any of the real property of the district when no longer required for school purposes;

Use of school premises

12. By resolution to permit the school to be used outside use of school hours on such terms as are deemed expedient by the board for any educational purpose or for any other lawful purpose, providing the proper conduct of the school is not interfered with;

Rural telephones

13. When considered expedient, to purchase stock in a rural telephone company operating in the school district; to purchase material for installing and operating a telephone in the school in connection with a telephone system operating in the district; to provide for the maintenance and operation of such telephone;

Drinking water

14. To provide wholesome drinking water for the use of the children during school hours;

Privies

15. To provide separate privies for boys and girls in accordance with the regulations of the department;

Stable

16. If deemed advisable, to erect and keep in order suitable stabling accommodation;

Insurance

17. To insure and keep insured the school buildings and equipment;

Library

18. To provide a suitable library for the school and to make regulations for its management;

Reference book and apparatus

19. To select and provide from the list authorised by the minister all such reference books for the use of pupils and teachers and all such globes, maps, charts and other apparatus as are required for the proper instruction of pupils;

Music

20. For the purpose of giving instruction in music, to provide such equipment as may be deemed advisable;

Authorised texts

21. To require that no text books or apparatus be used in the school under its control other than those authorised by the department;

Indigent persons

22. To exempt in its discretion from the payment of school taxes, wholly or in part, any indigent persons resident within the district, and, where deemed necessary, to provide for the children of such persons text books or other supplies at the expense of the district;

Engagement of teacher

23. To engage teachers qualified under the regulations of the department on such terms as it deems expedient; the contract to be in a form prescribed by the minister to whom a certified copy shall be forthwith transmitted;

Suspension or dismissal of teachers

24. To suspend or dismiss any teacher for gross misconduct, neglect of duty or refusal or neglect to obey any lawful order of the board, and to forthwith transmit a written statement of the facts to the department;

Conduct of school

25. To see that school is conducted according to the provisions of this Act and the regulations of the department;

Teacher's salary

26. To issue when required by the teacher, at the end of each calendar month, an order on the school district in favour of the teacher, for the amount of salary due, which amount shall, if the order is not paid when presented, draw interest at the rate of eight per cent. per annum until paid;

Management of school

27. To make regulations for the management of the school subject to the provisions of this Act and to communicate them in writing to the teacher;

Schools to be opened

28. In town districts to determine the number, grade, territorial boundaries and description of schools to be opened and maintained;

Admission to Grade I

29. To determine what times pupils may be admitted to Grade I;

Savings bank

30. To provide when deemed expedient books, stationery and other material necessary in connection with the establishment and maintenance of a school savings bank;

Gardens and fairs

31. When deemed expedient to provide for the maintenance of school gardens and to contribute to the support of local school fairs and school garden associations;

Disputes

32. To settle all disputes arising in relation to the school between the parents or children and the teacher;

Suspension or expulsion of pupils

33. To suspend from school any pupil who, upon investigation by the board, is found to be guilty of truancy, open pupils opposition to authority, habitual neglect of duty, the use of profane or improper language or other conduct injurious to the moral tone or well-being of the school; or to expel any pupil upon confirmation of a resolution of the board to that effect by an inspector;

Truancy

34. To see that the law with reference to compulsory education and truancy is observed;

Cadet corps, sports

35. To provide equipment and supplies for the noon lunch and such material and appliances for cadet corps and for school sports and games as may be deemed necessary;

Expenditures for miscellaneous purposes

36. To expend a sum not exceeding \$25 in any one year for miscellaneous school purposes not otherwise specified in this Act;

Grants

37. Making, if deemed advisable, annual or other grants to The Canadian Red Cross Fund, not exceeding \$50 in all in any one year;

Tenders

38 In rural districts to obtain a favourable vote of the ratepayers at a meeting properly called before making a capital expenditure of more than \$500, and in all districts to call for tenders in case of capital expenditure in excess of \$1,000;

School library

39. Subject to the regulations of the department in that behalf, to expend annually on books for the school library the sum of \$10 for each room in operation;

Flags

40. To comply with the regulations of the department respecting the supplying of its school with flags and the use to which flags are to be put while the school is in operation;

General

41. To perform such other duties as are required by this Act or the regulations of the department;

Public Health Act

42. To comply with the provisions of *The Public Health Act* with respect to contagious or infectious diseases;

Normal students

43. Upon production of satisfactory credentials from the principal of a normal school, to admit any student enrolled in a normal school to any classroom in a school organised under this Act at any time while it is in session, for the purpose of observation and practice teaching.

R.S.S. 1920, c.110, s.110; 1920, c.46, s.6; 1921-22, c.47, s.3; 1923, c.39, s.8; 1928, c.48, s.5; 1928-29, c.45, s.2; 1930, c.46, s.10; R.S.S. 1930, c.131, s.115.

Classes for defective children

116 A board may establish special classes of instruction for children who are from any physical or mental cause unable to take proper advantage of the regular public school courses of study.

1928, c.48, s.8; R.S.S. 1930, c.131, s.116.

Health of pupils

117 A board of trustees or any group of boards, on such terms as are mutually agreed upon, may provide for the medical and dental inspection of pupils and, subject to the regulations of the department, employ a school nurse and such special instructors and supervisors as may be deemed advisable.

R.S.S. 1920, c.110, s.111; 1928, c.48, s.7; R.S.S. 1930, c.131, s.117.

Medical and dental treatment

118 A board of trustees may provide medical and dental treatment for children of school age of indigent persons resident within the district when the written consent of the parent or lawful guardian has been obtained.

1928, c.48, s.8; R.S.S. 1930, c.131, s.118.

Superintendent of schools

119 In districts where there are not less than twenty-five departments in operation, the board may appoint a superintendent of schools and may assign to him his duties.

R.S.S. 1920, c.110, s.112; R.S.S. 1930, c.131, s.119.

Trustees' association

120 The board of trustees may expend a sum, not exceeding two dollars per member per annum, for membership in any trustees' association organised in the province, may appoint one of their number to attend a trustees' convention and may pay his actual travelling and living expenses in and while attending such.

R.S.S. 1920, c.110, s.113; 1928, c.48, s.9; R.S.S. 1930, c.131, s.120.

Annual return by certain education institutions

121(1) The governing body of every college, school or other educational institution not being a school as defined by *The School Grants Act* shall, when required by the minister, furnish to the department a return in such form and giving such information as the minister may prescribe with respect to the pupils, teachers, curriculum and equipment of the college, school or educational institution.

(2) Every such college, school or institution shall be subject to such inspection as the minister deems necessary.

R.S.S. 1920, c.110, s.114; 1925-26, c.30, s.8;
1930, c.46, s.11; R.S.S. 1930, c.131, s.121.

Duties of Chairman

Duties of chairman

122(1) It shall be the duty of the chairman of the board:

1. To have the general supervision of the affairs of the district;
2. To certify all accounts against the district passed by the board before such accounts are paid by the treasurer;
3. To countersign all cheques issued by the treasurer on behalf of the district;
4. To execute the agreement with the teacher and to procure the execution thereof by the teacher before he enters upon his duties or within seven days thereafter.

(2) In case the chairman is unable, through illness or absence from the district, to perform the duties of his office, or in case his office is vacant, the remaining trustees may appoint one of their number to act as chairman. Such acting chairman shall have all the powers and shall perform all the duties of the chairman during such illness, absence or vacancy.

R.S.S. 1920, c.110, s.115; R.S.S. 1930, c.131,
s.122.

Duties of Secretary

Duties of secretary

123 It shall be the duty of the secretary or secretary treasurer of the board:

Minutes

1. To keep a full and correct record of the proceedings of every meeting of the board in the minute book provided for that purpose, and to see that the minutes when confirmed are signed by the chairman;

Correspondence

2. To conduct and preserve the correspondence of the board as he may be directed by the board;

Books and papers

3. To have charge of and keep on record all the books, papers, accounts, assessment rolls, plans and maps committed to his charge by the board during his term of office and deliver the same to the chairman on ceasing to hold office;

Reports

4. To prepare and transmit to the department such reports and statements and such other information in regard to the district as may from time to time be required by the minister and in such form as may be provided by the minister;

Meetings

5. To call at the request in writing of the inspector, chairman, or any trustee a meeting of the board;

Production of books and papers

6. To produce the minute and other books, assessment rolls and all papers and other records of the board for inspection when required by an inspector so to do;

Statement

7. To prepare the statement of the trustees to be submitted at the annual meeting of the ratepayers;

Notices

8. To give the notice required by this Act of each annual meeting of the ratepayers and to call within twenty days of the date of the receipt of the petition, special meetings of the ratepayers as provided by section 96;

Notification

9. To give to the inspector of schools the notification required by subsection (6) of section 194;

Production of minute book

10. At any annual or special meeting of the ratepayers in rural and village districts to produce the minute book the district completed to the date of meeting and to give the ratepayers an opportunity to examine the same.

R.S.S. 1920, c.110, s.116; 1927, c.35, s.6; R.S.S. 1930, c.131, s.123.

*Duties of Treasurer***Duties of treasurer**

124 It shall be the duty of the treasurer or secretary treasurer of the board:

Receipts and disbursements

1. To receive all school moneys payable to the district, and to disburse such moneys in the manner directed by the board;

Bank account

2. To deposit all moneys of the district forthwith upon receipt thereof in a Canadian chartered bank; but the minister may, for good cause shown, order a different practice in any special case;

Payment of accounts

3. To pay all accounts against the district when certified by the chairman of the board;

Cash book

4. To keep a proper record of all moneys received and disbursed for school purposes;

Receipts

5. To give and take receipts for all school moneys received and paid out, and to keep on file all vouchers of expenditure;

Annual balance

6. To close and balance the books of the district at the end of the school year which shall be on the thirty-first day of December;

Production of books and vouchers

7. To produce, when called for by the trustees, auditor, inspector or other competent authority, all books, vouchers, papers and moneys belonging to the district, and to hand over the same to the trustees or any person named by them upon his ceasing to hold office;

Financial statement

8. To prepare at such times and in such manner as is provided by this Act a statement of the finances of the district;

Reports

9. To prepare and transmit to the department such reports and statements with reference to the finances of the district as may from time to time be required by the minister, in such form as may be provided by the minister;

Production of account books

10. At any annual or special meeting of the ratepayers in rural and village districts, to produce the account books of the district completed to the date of meeting and to give the ratepayers an opportunity to examine the same.

R.S.S. 1920, c.110, s.117; R.S.S. 1930, c.131,
s.124.

*Bonding of Treasurer***Treasurer's bond**

125(1) The treasurer of a town district shall, before entering upon his duties, give security to the board by a bond signed and acknowledged in duplicate before a commissioner for oaths; notary public or justice of the peace, with at least two solvent sureties jointly and severally bound to the satisfaction of the board, or he may furnish in lieu thereof a guarantee bond from any guarantee company authorised to do business in Saskatchewan, to the amount of any moneys for which the treasurer may at any time be responsible, whether arising from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the district, and such security shall be renewed at the beginning of each year or renewed at other times or changed whenever renewal or change is required by the board.

(2) The members of any board failing to take such bond or security from its treasurer shall be jointly and severally liable for his default to the extent of the sum for which the bond should have been taken:

Provided that when the majority of the board refuse or neglect to take security from the treasurer on the demand of any trustee, such demand being duly recorded in the minutes, such trustee shall be relieved from personal liability in case of the default of the officer.

(3) Such bond may be in form prescribed by the minister and a duplicate copy thereof shall be forthwith transmitted by the board to the department.

R.S.S. 1920, c.110, s.118; R.S.S. 1930, c.131,
s.125.

Bonding by guarantee company

126(1) The treasurer of every village or rural school district shall, upon his appointment and before entering upon the duties of his office, furnish a bond or covenant of some guarantee company to be named by the minister to secure the due accounting by him for all school moneys and property that come to his hands as treasurer, which bond shall be in such form and for such amount as shall be approved by the minister, and the minister shall pay the premiums for such guarantee bond or insurance and deduct the amount thereof annually from the legislative grant to the school district.

(2) If the guarantee company declines to give such bond or covenant, the trustees shall forthwith appoint another treasurer who can furnish the required bond; and the retiring treasurer shall in that case be entitled to receive only the proportionate part of his salary up to the time of retirement. Every such bond shall be deposited and kept in the department for the benefit of the school district.

R.S.S. 1920, c.110, s.119; R.S.S. 1930, c.131, s.126.

Minister notified of treasurer's appointment

127 The secretary of every school district shall forthwith upon the appointment or reappointment of a treasurer of his district notify the minister of such appointment or reappointment, with the full name and post office address of the treasurer.

R.S.S. 1920, c.110, s.120; R.S.S. 1930, c.131, s.127.

Resignation of Trustees

Resignation

128(1) A trustee may resign by sending to the board a notice in writing giving the date at which such resignation shall become effective, and the board shall forthwith take the necessary steps to fill the vacancy, either at the date stated in the notice or as soon thereafter as an election can be held in accordance with the provisions of this Act in that behalf.

(2) A trustee who resigns his office may be re-elected with his own consent.

R.S.S. 1920, c.110, s.121 ; 1927, c.35, s.1; R.S.S. 1930, c.131, s.128.

Disqualification of Trustees

Disqualifications

129(1) A trustee who is convicted of a criminal offence or of any offence against the provisions of this Act, *The School Attendance Act* or *The School Assessment Act* for which a penalty is provided, or becomes insane or absents himself from the meetings of the board for three consecutive months without being authorised so to do by resolution entered upon its minutes or ceases to be a resident ratepayer of the district shall *ipso facto* vacate his seat, and the remaining trustees shall declare the seat vacant and forthwith order a new election to fill the vacancy thus created.

(2) A trustee who is convicted of a criminal offence shall be disqualified from being nominated for or elected to the office of trustee for a period of one year from the date of conviction.

R.S.S. 1920, c.110, s.122; 1923, c.39, s.9; 1924-25, c.32, s.1; R.S.S. 1930, c.131, s.129.

Personal interest in contract with board

130(1) No trustee shall enter into any contract, in which he has a pecuniary interest, with the board of which he is a member, in his own name or in the name of another, alone or jointly with another. Every such contract shall be null and void.

(2) No trustee shall receive payment for any work done for or materials supplied to any person in connection with a contract awarded or purchases made by the board while such trustee was a member of the board.

(3) A trustee violating the provisions of this section shall *ipso facto* vacate his seat, and it shall be the duty of the remaining trustees to declare his seat vacant and forthwith to call a meeting of the ratepayers to elect a trustee in his place.

(4) A trustee violating the provisions of this section shall also be liable to a fine not exceeding \$25 on complaint laid before a justice of the peace by any two ratepayers of the district.

(5) Nothing in this section shall prevent a trustee receiving remuneration from the board as secretary, treasurer, janitor, local attendance officer, assessor, collector, or for a school site, or a sum not exceeding \$10 in any one year for labour.

R.S.S. 1920, c.110, s.123; 1923, c.39, s.10; R.S.S. 1930, c.131, s.130.

Ouster for neglect of duty

131(1) Any five or more ratepayers of the district may at any time:

(a) upon their several affidavits disclosing facts from which it appears that a trustee is guilty of gross neglect of duty, or negligently or wilfully fails to carry out the provisions of the school law; or that he is for any other reason, which reason need not be of a nature similar to those herein specified, unfit to act as trustee: and

(b) upon payment into court of the sum of \$15 as security for costs to abide the event of the application, apply to a judge of the district court of the judicial district within which the school district is wholly or mainly situated, for a summons calling upon such trustee to show cause why he should not be removed from office.

(2) Whereupon a return of the summons, it is made to appear, by affidavit or oral evidence, that the accused trustee has been guilty of gross neglect of duty, or has negligently or wilfully failed to carry out the provisions of the school law, or that he is for any other reason unfit to act as trustee, the judge may order him to be removed from office and he shall thereupon become and be removed accordingly; or the judge may, upon such return, discharge the summons. In either event the judge may make such order as to costs as to him seems meet.

R.S.S. 1920, c.110, s.124; R.S.S. 1930, c.131, s.131.

Election to Fill Vacancies

In village and rural districts

132(1) When a vacancy is created in the board of a village or rural district, it shall be the duty of the trustees remaining in office to call forthwith a special meeting of the resident ratepayers of the district to elect the number of trustees required to complete the board.

(2) The election of a trustee at a special meeting shall be conducted in the same manner as at the annual meeting.

R.S.S. 1920, c.110, s.125; 1923, c.39, s.11; R.S.S. 1930, c.131, s.132.

In town districts

133 In the event of a vacancy occurring in a town district it shall be the duty of the board forthwith to notify the city clerk or the town clerk, as the case may be, of the vacancy, and the council shall thereupon proceed to hold an election to fill the vacancy in the same manner *mutatis mutandis* as in the case of a vacancy in the council:

Provided that for good cause shown the minister may appoint a trustee to hold office until the next annual meeting.

R.S.S. 1920, c.110, s.126; R.S.S. 1930, c.131, s.133.

Term of office

134 A trustee elected to fill a vacancy shall hold office only for the unexpired term of the person in whose place he has been elected, and he shall within ten days after his election take the declaration of office provided for in section 37.

R.S.S. 1920, c.110, s.127; R.S.S. 1930, c.131, s.134.

BORROWING POWERS OF DISTRICT*For Current Expenses***Procedure**

135(1) The board of any town district, or of any rural or village district situated wholly or in part outside the limits of a municipality, may by resolution authorise its chairman and treasurer to borrow such sum of money as may be required to met the expenditures of the district until the taxes for the current year are available. Such loan shall be repaid out of and shall be a first charge upon the taxes collected for the year in which the loan was made, and may be secured by the promissory note or notes of the chairman and the treasurer given on behalf of the board.

(2) Where a rural or village district is situated partly outside a municipality the taxes to be charged with the loan shall be those levied in that part of the district lying outside the municipality.

(3) The board of a village district or of a district situated in a rural municipality may borrow on promissory note under its corporate seal such moneys as are required for the payment of debenture coupons falling due during the year, and money advanced for the purpose shall be a charge upon any grants payable to the district at any time.

(4) A board borrowing under subsection (3) and the corporation or person by whom the loan was made shall forthwith notify the Provincial Treasurer and the Department of Education of the fact, giving particulars of the loan, such notification shall be authority to the Provincial Treasurer to repay the loan out of any grant which may thereafter become payable to the district.

(5) In the event of the loan being repaid out of the ordinary funds of the district the board shall forthwith cause to be filed with the Provincial Treasurer and the Department of Education a statement from the corporation or person from whom the money was borrowed certifying the repayment of the loan and such statement shall cancel the authority of the Provincial Treasurer to repay the loan out of the grants.

R.S.S. 1920, c.110, s.128; 1923, c.39, s.12; 1930, c.46, s.12; R.S.S. 1930, c.131, s.135.

*For Capital Expenditure***Procedure**

136(1) The board of any district may borrow money on the security of the district for acquiring, extending or improving a school site or a site for a teacher's or janitor's house or a building to be used for purposes of school administration; for acquiring, erecting, repairing, furnishing, equipping, moving or adding to a school building or teacher's or janitor's house or a building to be used for purposes of school administration for fencing the school grounds; for acquiring or erecting a stable and other necessary outbuildings; for purchasing vans for conveying pupils; or for any or all such purposes

(2) No moneys so borrowed shall be used for any purpose other than that stated in the bylaw.

(3) The members of a board who vote for the diversion of debenture moneys shall be jointly and severally liable for the amount so diverted, which may be recovered by action at the suit of any ratepayer on behalf of the district.

R.S.S. 1920, c.110, s.129; 1921-22, c.47, s.4;
1927, c.35, s.8; R.S.S. 1930, c.131, s.136.

Resolution

137 The board at a regular or special meeting duly called shall pass a resolution showing in detail the amount proposed to be borrowed, the purposes for which the expenditure is to be made, the term of the debentures to be issued, the rate of interest payable and the method of repayment.

R.S.S. 1920, c.110, s.130; R.S.S. 1930, c.131,
s.137.

Application to Local Government Board

138 The board shall thereupon make an application to the Local Government Board for authorisation of a loan and shall transmit with the application a copy of the resolution signed by the chairman and certified by the secretary under the corporate seal of the district

R.S.S. 1920, c.110, s.131; R.S.S. 1930, c.131,
s.138.

Action by Local Government Board

139(1) Upon receipt of the application and resolution the Local Government Board shall take such action thereon as it deems advisable, and in the event of a loan being authorised shall forthwith notify the board of the terms of the authorisation.

(2) The Local Government Board shall cause notice of such authorisation to be published in *The Saskatchewan Gazette*.

R.S.S. 1920, c.110, s.132; 1930, c.46, s.13; R.S.S.
1930, c.131, s.139.

Bylaws

140 The board, within thirty days of the date of the notification that the loan has been authorised by the Local Government Board, shall pass a bylaw on the terms and in the form prescribed by that board or to the like effect, and shall submit the same to the ratepayers, and a poll of the ratepayers shall be held as hereinafter provided.

R.S.S. 1920, c.110, s.133; R.S.S. 1930, c.131,
s.140.

Reference to minister

141(1) Notwithstanding anything contained in paragraph 38 of section 115, in case the amount to be borrowed is required for the purpose of erecting a first school house or for that and other purposes, or for making necessary extensions or alterations to the school buildings, or is required for a teacher's residence, and a majority of the ratepayers voting on the bylaw have voted against it, the board may refer the matter of a loan to the minister who may cause an inquiry to be made under section 8.

(2) On receipt of a report of such inquiry the minister shall make to the Local Government Board such recommendation as to the amount of a loan and the purposes for which the money shall be applied as he deems advisable.

(3) Such recommendation shall have the same force and effect as if a majority of the ratepayers voting on the bylaw had voted in favour of the same.

R.S.S. 1920, c.110, s.134; 1930, c.46, s.14; R.S.S. 1930, c.131, s.141.

*Poll in Rural and Village Districts***Notice of poll**

142 For the purpose of submitting the bylaw in rural and village districts the board shall, in the form prescribed by the Local Government Board or to the like effect, give notice of the time and place of the poll by notices posted at least fourteen clear days before the polling in at least five widely separated and conspicuous public places throughout the district, one of which notices shall be posted in the post office situated within the district, and should there be no post office a sixth notice shall be posted in the post office nearest thereto.

R.S.S. 1920, c.110, s.135; R.S.S. 1930, c.131, s.142.

Returning officer and poll clerk

143 The chairman of the board or some ratepayer appointed by it shall be returning officer, and the secretary of the board or some ratepayer appointed by the returning officer shall be poll clerk.

R.S.S. 1920, c.110, s.136; R.S.S. 1930, c.131, s.143.

Opening poll

144 At the time and place appointed in the notice the returning officer shall declare the poll open and the poll clerk shall record the votes, as they are given, in the poll book (form R).

R.S.S. 1920, c.110, s.137; R.S.S. 1930, c.131, s.144.

Post notice

145 A copy of the notice of polling shall be kept in a conspicuous place where the vote is taken.

R.S.S. 1920, c.110, s.138; R.S.S. 1930, c.131, s.145.

Voters

146 Every ratepayer except the returning officer shall be entitled to vote on the bylaw.

R.S.S. 1920, c.110, s.139; R.S.S. 1930, c.131, s.146.

Scrutineers

147 The returning officer shall admit any two ratepayers who have respectively voted yea and nay into the polling place to act as scrutineers, and on demand allow either or both of them to see any vote recorded in the poll book.

R.S.S. 1920, c.110, s.140; R.S.S. 1930, c.131, s.147.

Voters' declaration

148(1) The returning officer shall if requested by any ratepayer, or of his own accord, require any person tendering a vote to subscribe to the declaration (form S), and any person subscribing to such declaration shall be permitted to vote.

(2) Every such declaration shall be subscribed to in the presence of the returning officer and poll clerk who shall subscribe their names as witnesses thereto.

(3) All declarations made under the provisions of subsections (1) and (2) shall be retained by the returning officer.

R.S.S. 1920, c.110, s.141; R.S.S. 1930, c.131, s.148.

Refusal to take declaration

149 If a person who desires to vote refuses or fails to sign the declaration when required to do so, the poll clerk shall write in the column headed "remarks" in the poll book the words "refused declaration," and the person so refusing shall at once leave the polling place and shall not be allowed to enter again or vote.

R.S.S. 1920, c.110, s.142; R.S.S. 1930, c.131, s.149.

False declaration

150 Any person subscribing to a declaration (form S) containing a false statement shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$10.

R.S.S. 1920, c.110, s.143; R.S.S. 1930, c.131, s.150.

Closing poll

151(1) At the time appointed in the notice of voting the returning officer shall close the poll, sum up the votes and declare the result.

Casting vote

(2) In the case of a tie the returning officer shall give a casting vote.

R.S.S. 1920, c.110, s.144; R.S.S. 1930, c.131, s.151.

*Complaints as to Conduct of Poll, in Rural and Village Districts***Notice**

152 Should any ratepayer of a rural or village district make a complaint in writing to the returning officer within three days next after the taking of the poll, with regard to the manner in which the poll was conducted, the right of any person to vote or the result of the voting, the returning officer shall forthwith notify such ratepayer in writing of a time and place within seven days of the day of voting when he shall appear before a justice of the peace for a final recount of votes when all complaints which have been made shall be heard.

R.S.S. 1920, c.110, s.145; R.S.S. 1930, c.131, s.152.

Returns to Local Government Board

153 In case no such complaint is duly lodged with the returning officer he shall, at the expiration of three days after the taking of the poll, forthwith forward to the Local Government Board a certified copy of the poll book showing the total number of votes cast for and against the bylaw, and he shall make an affidavit which shall be inscribed thereon that the poll was conducted throughout in the manner provided by this Act or with such exception as he shall mention, that the returns contained therein are correct and that no complaints as provided for by section 152 were received by him.

R.S.S. 1920, c.110, s.146; R.S.S. 1930, c.131, s.153.

Proceedings before justice of peace

154(1) In the event of any complaint being made as aforesaid the returning officer shall appear before a justice of the peace at the time and place appointed, shall deliver to the justice the poll book and shall make an affidavit before the justice, which shall be written in or upon such book, that the election was conducted throughout in the manner provided by this Act or with such exceptions as he shall mention, and that the returns contained therein are correct.

(2) The justice shall then receive and record in writing any complaint that may be made under oath by any person relative to the conduct of the voting, and shall examine into and decide such complaints by taking evidence under oath.

R.S.S. 1920, c.110, s.147; R.S.S. 1930, c.131, s.154.

Security for costs

155 Before proceeding to the hearing of a complaint the justice shall require the complainant to deposit with him such sum, not less than \$25 nor more than \$100, as seems necessary to him to cover the cost of the hearing of the complaint which costs shall be paid according to the decision of the justice.

R.S.S. 1920, c.110, s.148; R.S.S. 1930, c.131, s.155.

Proceedings essentially irregular

156(1) If it be found that the proceedings in taking the vote have been irregular in any essential particular, and that injustice has thereby been done, the poll shall be declared null and void and of no effect, and the justice shall forthwith forward to the Local Government Board a full report to that effect.

(2) If it be found that a vote has been cast by any person not qualified to vote, or on account of bribery or intimidation, it shall be struck off the poll book.

R.S.S. 1920, c.110, s.149; R.S.S. 1930, c.131, s.156.

Return by justice of peace to Local Government Board

157 When all complaints have been heard and decided, and the corresponding alterations duly made in the poll book, the justice shall finally sum up the votes cast, and shall forward to the Local Government Board a return (form T), or to the like effect, showing the total number of votes taken and the number remaining on each side after the recount.

R.S.S. 1920, c.110, s.150; R.S.S. 1930, c.131, s.157.

Poll in Town Districts

Request for submission

158(1) In town districts the board shall give notice to the city or town council, as the case may be, of the authorisation of the loan by the Local Government Board and shall forward to the council a copy of the bylaw and of the authorisation certified respectively by the secretary treasurer, with a request that the bylaw shall be submitted to the burgesses.

(2) The council shall thereupon submit the same to the burgesses, to be voted on in the manner provided by *The City Act* or *The Town Act*, as the case may be, with regard to bylaws creating debts.

(3) For the purpose of such submission the council shall have the same authority and jurisdiction for taking the votes of the burgesses in any portion of the school district which lies outside the limits of the city or town, as it has for taking such vote within the limits, and it shall take the votes in such outlying portion accordingly.

(4) Where a town district lies partly within the limits of another municipality the city clerk or town clerk, as the case may be, shall upon receipt of the request mentioned in subsection (1), make a demand in writing upon the secretary of such other municipality for a certified list of the burgesses in the portion of the school district lying within such other municipality, and it shall be the duty of the secretary to furnish the same forthwith, distinguishing upon such list, where a separate school is maintained in operation, the public and separate school supporters respectively.

(5) Any secretary who fails to furnish such list, as required, shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$10 per day for every day during which the default continues, and in case of nonpayment forthwith after conviction to imprisonment for a period not exceeding one month.

R.S.S. 1920, c.110, s.151; R.S.S. 1930, c.131, s.158.

Qualification of voters

159 The persons entitled to vote upon the bylaw of a public school district shall be all the burgesses of the district who are public school supporters according to the last revised assessment roll of the municipality; and, upon the bylaw of a separate school district, all the burgesses of the district who are separate school supporters according to such roll.

R.S.S. 1920, c.110, s.152; R.S.S. 1930, c.131,
s.159.

Certification of poll

160(1) After the returning officer has made his return of the number of votes cast for and against the bylaw respectively, the city or town clerk, as the case may be, shall certify to the board the result of the voting, as shown by such return under his hand and the seal of the municipality.

(2) The city or town clerk shall also without delay forward a similar certificate to the Local Government Board.

R.S.S. 1920, c.110, s.153; R.S.S. 1930, c.131,
s.160.

Expense

161 The expense of submitting a school debenture bylaw to the burgesses shall be paid by the board to the municipality, or it may be retained by the municipality from any funds which become payable by the municipality to the board.

R.S.S. 1920, c.110, s.154; R.S.S. 1930, c.131,
s.161.

Same

162 Where a school debenture bylaw is submitted at the annual municipal election, the amount chargeable to the board shall be the extra disbursements caused by such submission.

R.S.S. 1920, c.110, s.155; R.S.S. 1930, c.131,
s.162.

Same

163 Where such a bylaw is submitted at the same time as bylaws of the municipality, the amount chargeable to the board shall be a just proportion only of the total expense.

R.S.S. 1920, c.110, s.156; R.S.S. 1930, c.131,
s.163.

Apportionment

164 Where the municipal council and the board disagree as to the amount or proportion of the expense to be paid by the board, the matter in difference shall be settled summarily by the Local Government Board at the request of either party.

R.S.S. 1920, c.110, s.157; R.S.S. 1930, c.131,
s.164.

Acts to apply

165 All the provisions of *The City Act* or *The Town Act*, as the case may be with respect to voting upon bylaws creating debts, scrutiny of the votes by the judge, and the quashing of bylaws shall in so far as not inconsistent with the provisions of this Act, apply *mutatis mutandis* to school debenture bylaws submitted to the burgesses.

R.S.S. 1920, c.110, s.158; R.S.S. 1930, c.131, s.165.

Alteration of bylaw

166(1) The board, by resolution or bylaw subsequent to the authorisation of the loan by the Local Government Board and the final passing of the bylaw, may make such changes in the debenture bylaw as it deems expedient, providing that neither the term of the debenture nor the amount thereof is altered.

(2) This section shall apply to rural and village districts as well as to town districts.

R.S.S. 1920, c.110, s.159; 1929, c.48, s.10; R.S.S. 1930, c.131, s.166.

DEBENTURES

*Approval, Limit, Duration, and Form***Issue and signature**

167(1) Subject to the provisions hereof, the board may issue debentures of the district to secure the amount of the principal sum borrowed and the interest thereon.

(2) The debentures and the coupons shall be signed by the chairman and the treasurer and the debentures sealed with the corporate seal of the district, except that signatures on the coupons may be printed, stamped, engraved or lithographed.

R.S.S. 1920, c.110, s.160; R.S.S. 1930, c.131, s.167.

Local Government Board may sign and seal debentures

168. The Local Government Board may sign and seal the debentures as provided in *The Local Government Board Act* upon receipt of the return mentioned in sections 153, 157 and 160 or of the recommendation referred to in section 141, together with a certified copy of the bylaw and the notice of polling.

R.S.S. 1920, c.110, s.161; R.S.S. 1930, c.131, s.168.

Limit of debentures

169 The total value of all outstanding debentures issued by a district shall not at any time be for a greater sum than one-tenth of the total assessed value of the assessable property of such district.

R.S.S. 1920, c.110, s.162; R.S.S. 1930, c.131, s.169.

Term of debentures

170(1) Debentures shall not, in village or rural districts, run for a longer term than twenty years if the school buildings are of brick, brick and tile, concrete or stone, nor for a longer period than fifteen years if the buildings are of frame or log.

(2) In town districts the debentures may be made to run for a term not exceeding thirty years if the school buildings are of solid brick, brick and tile, concrete or stone; and fifteen years, if of frame.

(3) In the event of the first instalment of principal and interest of a debenture being made payable at a time more than one year from the date thereof, as provided by section 172, the term of ten, twenty or thirty years, as the case may be, above provided, may be extended by the length of time by which the interval between the date of the debenture and the time fixed for payment of the first instalment exceeds one year.

R.S.S. 1920, c.110, s.163; R.S.S. 1930, c.131,
s.170.

Interest

171(1) Debentures shall not carry interest at a greater rate than eight per cent. per annum.

(2) Provision may be made that the debenture and the coupons shall bear interest at the same rate after as before maturity.

R.S.S. 1920, c.110, s.164; R.S.S. 1930, c.131,
s.171.

Date and form of debentures

172(1) Debentures may be dated at any time within twelve months from the date on which notice of the authorisation of the loan appears in *The Saskatchewan Gazette*, and the first instalment of principal and interest may be made payable at any time within eighteen months of the date of the debentures.

(2) Debentures shall be substantially according to the forms provided in the schedule to this Act and may specify that:

(a) the principal be repayable in equal annual instalments with interest annually or semi-annually upon the balances from time to time remaining unpaid (form U)

(b) the principal and interest be combined and made repayable in equal annual instalments (form V)

(c) in the case of a district comprising within its limits a city municipality, the principal be repayable at the end of a period of years with interest payable annually or semi-annually (form W).

(3) A district may issue debentures in a form other than any of the forms set forth in this section, provided that the approval of the Local Government Board thereto shall first have been obtained.

(4) Debentures and coupons may be made payable at any place in the Dominion of Canada, Great Britain or the United States of America in lawful money of Canada or in sterling money of Great Britain or in gold coin of the United States of America and the value of such money shall be as provided in the *Currency Act*, being chapter 40 of The Revised Statutes of Canada, 1927.

R.S.S. 1920, c.110, s.165; R.S.S. 1930, c.131,
s.172.

Sinking Fund

Sinking fund account

173(1) In case debentures are issued under the provisions of clause (c) of subsection (2) of section 172, there shall be raised annually by way of sinking fund a sum sufficient with interest compounded yearly at four per cent, per annum to retire the debentures at maturity, and such sum shall be added each year to the amount of the other school rates and taxes and collected therewith.

(2) The treasurer shall keep in his books a separate account for the sinking fund of every such debt, setting forth the amount of moneys raised and appropriated from year to year for the payment thereof.

R.S.S. 1920, c.110, s.166; R.S.S. 1930, c.131, s.173.

Use of excess interest on sinking fund

174 If, after paying the interest of a debt for the financial year preceding the year in which the application hereinafter mentioned is made, and paying the necessary sum into the sinking fund account up to the thirty-first day of December of that year, the board has received and receives during the current year interest on or earnings of its sinking fund investments in excess of interest at the rate required by subsection (1) of section 173, the Local Government Board may, on the application of the board and on such terms and conditions as may be deemed advisable, authorise the board to use such excess interest or earnings for current or other expenditures.

1923, c.39, s.13; R.S.S. 1930, c.131, s.174.

Restriction *re* sinking fund

175 Subject to the provisions of section 174, no moneys received by the board for the purpose of a sinking fund shall in any case be applied towards paying any portion of the current or other expenditures of the district.

R.S.S. 1920, c.110, s.167; 1928, c.48, s.11; R.S.S. 1930, c.131, s.175.

Application of moneys at credit of fund

176 The board may by bylaw direct that any part of the moneys at the credit of the sinking fund account of any debenture debt instead of being invested as hereinafter provided shall from time to time as the same accrues be applied towards payment or redemption, at such value as the board may fix, of any part of such debt or of any of the debentures representing or constituting such debt or any part of it, though not then payable, to be selected as provided in the bylaw; and the board shall thereupon apply and continue to apply such part of the moneys at the credit of the sinking fund account as may be designated, in the manner prescribed by such bylaw.

R.S.S. 1920, c.110, s.168; R.S.S. 1930, c.131, s.176.

Diversion of moneys

177(1) Subject to the provisions of section 174, in the event of the board diverting any of the said moneys for current or other expenditure, the members of the board who vote for such diversion shall be personally liable for the amount so diverted, and the said amount may be recovered by the district by action against them in the Court of King's Bench.

(2) Such members shall be disqualified from being elected members of a board of school trustees or holding any municipal office for a period of two years, and in case the board upon the request of a ratepayer refuses or neglects for one month thereafter to bring an action therefor in the name of the district, the action may be brought by any ratepayer on behalf of the district.

R.S.S. 1920, c.110, s.169; 1928, c.48, s.12; R.S.S. 1930, c.131, s.177.

Investment of sinking fund

178(1) Subject to the provisions of section 176, the board shall from time to time invest the sinking fund in stock, debentures or securities of the Government of Canada or of any province of Canada, or any debentures or securities the payment of which is guaranteed by the Government of Canada or of any province of Canada, or in the debentures of any municipal corporation or school district in Saskatchewan, or in debentures issued under *The Rural Telephone Act*, or in debentures of the school district; and from time to time as such securities mature may invest in other like securities, and may sell, assign or transfer the same, and call in and vary the investments for others of a like nature.

(2) The board may regulate by bylaw the manner in which such investment shall be made.

(3) It shall not be necessary that debentures of the school district shall have been disposed of by the board; but the board may apply the sinking fund, to an amount equal to the amount of such debentures, for the purposes to which the proceeds of such debentures are properly applicable; and they shall hold the debentures as an investment on account of the sinking fund, and deal with the same accordingly.

(4) The board may direct by bylaw that any surplus moneys in the hands of the treasurer, and not specifically appropriated to any other purpose, shall be credited to the sinking fund account of any debenture debt.

(5) No part of the moneys at the credit of the sinking fund account shall be invested without the previous approval of the Local Government Board.

1928, c.48, s.13; R.S.S. 1930, c.131, s.178.

Temporary Loan on Debentures

Temporary loan

179(1) After authority has been given by the Local Government Board in writing to the board of trustees in town districts to borrow the sum of money mentioned in the bylaw, and after notice of authorisation has been published in *The Saskatchewan Gazette*, the board may by bylaw authorise the chairman and treasurer to raise from time to time by way of a temporary loan in anticipation of the issue or sale of the debentures authorised by the bylaw and for the purposes thereby authorised, such sums not exceeding in the aggregate eighty per cent. of the total principal sum authorised by the bylaw as the board deems expedient, and all such temporary loans shall be a special charge upon the debentures in respect of which they were made.

(2) The chairman and secretary treasurer may hypothecate and pledge such debentures as security for any such temporary loan on such terms and conditions and at such rate of interest as may be agreed upon and approved by the Local Government Board, and the person making such temporary loan shall have the same powers, rights and privileges up to the extent of the amount of his claim as a *bona fide* purchaser or mortgagee of such debentures would have.

(3) Any contract or agreement made by the board for the sale, transfer or hypothecation of debentures or any interest therein, made before the board of trustees have been authorised to borrow the money represented by such debentures, as provided in section 139, shall be null and void.

R.S.S. 1920, c.110, s.171; R.S.S. 1930, c.131,
s.179.

Registration and Countersignature

Registration

180 Every debenture before being issued shall be sent for registration to the minister who shall cause a proper record to be kept of the same.

R.S.S. 1920, c.110, s.172; R.S.S. 1930, c.131,
s.180.

Minister countersigns

181 The minister shall thereupon, if satisfied that the requirements of this Act have been substantially complied with and if the authority to make the loan has not been withdrawn, register and countersign the debenture and such countersigning by the minister shall be conclusive evidence that the district has been legally constituted and that all the formalities in respect to such loan and the issue of such debentures have been complied with; and the legality of the issue of such debenture shall be thereby conclusively established and its validity shall not be questioned by any court in Saskatchewan but the same shall, to the extent of the revenues of the district issuing it, be a good and indefeasible security in the hands of any *bona fide* holder thereof:

Provided that the signature of the deputy minister on any debenture whenever issued shall be and is a valid and sufficient countersignature of such debenture.

R.S.S. 1920, c.110, s.173; R.S.S. 1930, c.131,
s.181.

CONDUCT OF SCHOOLS

School Terms

Two terms

182 The school year shall begin on the first day of January and end on the thirty-first day of December, and shall be divided into two terms ending the thirtieth day of June and the thirty-first day of December respectively.

R.S.S. 1920, c.110, s.174; R.S.S. 1930, c.131,
s.182.

Community schools authorised

183 Three or more adjacent rural school districts the schools of which are closed during the period from the twenty-second day of December to the fifteenth day of March may co-operate to maintain a community school or schools.

1928, c.48, s.14; R.S.S. 1930, c.131, s.183.

Procedure for constitution of school

184(1) The petition for permission to operate a community school shall be in form prescribed by the minister and shall be forwarded to the minister annually.

(2) The petition shall be signed by the chairman and the secretary of each school district affected upon resolution to that effect passed by the board of trustees.

(3) Upon receipt of a petition, the minister may order that the chairmen of the districts concerned shall constitute a community school board for the purposes of section 183, and the minister may assign to such community school board a distinguishing name or number.

1928, c.48, s.14; R.S.S. 1930, c.131, s.184.

Expenses of maintenance

185(1) For the purpose of the maintenance and operation of a community school, the community school board shall as soon as possible in each year but not later than the fifteenth day of January, decide upon a rate of taxation sufficient for the purpose to be levied over the co-operating school districts and advise each municipal council concerned of such rate.

(2) In case any municipality includes within its limits all or part of a co-operating school district, the council of the municipality shall each year determine the rate of taxation for school purposes for such school district or portion thereof by adding the rate referred to in subsection (1) to the rate required by the school district for general school purposes, and the council shall levy the school taxes accordingly, paying to the community school board, at a date named by that board in its requisition, the amount of its requisition.

1928, c.48, s.14; R.S.S. 1930, c.131, s.185.

Place of school

186 The place at which a community school or schools shall be maintained shall be determined by the community school board.

1928, c.48, s.14; R.S.S. 1930, c.131, s.186.

Period of operation and subjects of study

187 The period of operation, school hours, vacations and subjects of study shall be governed by the regulations of the department.

1928, c.48, s.14; R.S.S. 1930, c.131, s.187.

Chairman and meetings of board

188(1) The community school board shall within ten days from the date of the receipt of the minister's order referred to in section 184, meet and elect a chairman.

(2) The board shall at the same meeting provide for the regulation and conduct of its meetings and determine the quorum necessary for the transaction of its business.

(3) Subject to the approval of the minister, the board shall take steps forthwith for the establishment of a community school.

1928, c.48, s.14; R.S.S. 1930, c.131, s.188.

Duties of board

189 It shall be the duty of a community school board to rent school buildings and grounds, furniture, equipment and apparatus, to engage and pay teachers, appoint and pay its officers, and do all such things as may be necessary for the proper establishment, maintenance and administration of a community school.

1928, c.48, s.14; R.S.S. 1930, c.131, s.189.

Teachers

190 Notwithstanding anything contained herein or in the regulations of the department, a community school board shall engage teachers whose qualifications are approved by the minister.

1928, c.48, s.14; R.S.S. 1930, c.131, s.190.

Supervision and inspection

191 Community schools shall be subject to such supervision and inspection as may be determined by the minister.

1928, c.48, s.14; R.S.S. 1930, c.131, s.191.

Alternative mode of maintenance

192(1) Notwithstanding anything herein contained, the board of any district either by itself or in co-operation with one or more districts, may maintain a community school at any time and the expenses of such school may be met out of the funds of the district or out of the funds of the co-operating districts.

(2) The board may charge a fee of \$2 per month in the case of each pupil attending a day or night community school as provided for in this section

1928-29, c.45, s.3; R.S.S. 1930, c.131, s.192.

Hours

School hours

193(1) School shall be held between nine o'clock and twelve o'clock in the forenoon and half-past one o'clock and four o'clock in the afternoon of every day, standard time, not including Saturdays, Sundays or holidays, but the board may alter or shorten the school hours upon receiving the permission of the minister.

(2) Except in town districts, when an alteration from standard time of more than thirty minutes is proposed the minister may require that a petition to that effect be submitted to the department signed by at least two-thirds of such resident ratepayers of the district as are parents or guardians of children attending school therein.

(3) A recess of fifteen minutes in the forenoon and in the afternoon shall be allowed the children attending school.

R.S.S. 1920, c.110, s.175; R.S.S. 1930, c.131, s.193.

*Vacations***Vacations**

194(1) In every rural and village district where school is kept open during the whole year there shall be at least seven weeks' holidays, of which not less than one or more than six shall be given in summer to be apportioned at the discretion of the board:

Provided that the summer holidays shall be given between the first day of July and the first day of October and by resolution of the board the school may be closed for winter holidays from the twenty-third day of December to the fifteenth day of March inclusive.

(2) In every town district there shall be at least seven weeks' holidays, six weeks of which shall commence on the second day of July and nine days on the twenty-third day of December.

(3) In town districts the week beginning Easter day shall be a holiday. In rural or village districts the board may by resolution declare such week a holiday.

(4) The board of any district in which the school is to be kept open for at least two hundred days during the year may allow additional holidays not exceeding two weeks.

(5) When a school is to be kept open during a portion of the year only, the board may give holidays not to exceed two weeks between the first day of July and the first day of October.

(6) In the case of every rural district, it shall be the duty of the board, on or before the first day of June in each year, to notify the inspector of the district of the time when the school will be closed for holidays.

R.S.S. 1920, c.110, s.176; 1925-26, c.30, s.9;
1928, c.18, s.15; R.S.S. 1930, c.131, s.194.

*Holidays***Holidays**

195(1) Good Friday, Easter Monday, Victoria Day, Dominion Day, Thanksgiving Day, Christmas Day, New Year's Day, and any day specially appointed as a holiday by the Governor General, the Lieutenant Governor of Saskatchewan, the mayor of a city or town or the reeve of a rural municipality shall be holidays; and it shall be in the discretion of the board to allow any other holidays not exceeding one day at a time.

(2) The board of any district may declare Ash Wednesday, the birthday of the reigning sovereign, Arbor Day (second Friday in May) and Labour Day to be holidays.

R.S.S. 1920, c.110, s.177; R.S.S. 1930, c.131,
s.195.

*Language to be Used***Language of instruction**

196(1) Except as hereinafter provided, English shall be the sole language of instruction in all schools, and no language other than English shall be taught during school hours.

(2) In the case of French speaking pupils, French may be used as the language of instruction, but such use of French shall not be continued beyond Grade I, and in the case of any child shall not be continued beyond the first year of such child's attendance at school.

(3) When the board of any district passes a resolution to that effect, the French language may be taught as a subject for a period not exceeding one hour in each day as a part of the school curriculum, and such teaching shall consist of French reading, French grammar and French composition.

(4) Where the French language is being taught under the provisions of subsection (2) or (3), any pupils in the schools who do not desire to receive such instruction shall be profitably employed in other school work while such instruction is being given.

R.S.S. 1920, c.110, s.178; R.S.S. 1930, c.131, s.196.

*Religious Instruction***Religious instruction**

197(1) No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of the school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

(2) It shall, however, be permissible for the board of any district to direct that the school be opened by the recitation of the Lord's prayer.

R.S.S. 1920, c.110, s.179; R.S.S. 1930, c.131, s.197.

Attendance not compulsory

198 Any child shall have the privilege of leaving the school room when religious instruction is commenced as provided for in section 197, or of remaining without taking part in any religious instruction that is given, if the parents or guardians so desire.

R.S.S. 1920, c.110, s.180; R.S.S. 1930, c.131, s.198.

No pupil deprived of ordinary education

199 No teacher, school trustee or inspector shall in any way attempt to deprive such child of any advantage that it might derive from the ordinary education given in the school and any such action on the part of any school trustee, inspector or teacher shall be held to be a disqualification for and voidance of the office held by him.

R.S.S. 1920, c.110, s.181; R.S.S. 1930, c.131, s.199.

*Kindergarten Classes***Age and fees**

200 Kindergarten classes may be established in any town district for the teaching and training of children between the ages of four and six years according to kindergarten methods, and a fee therefor may be charged not exceeding \$1 per month for each pupil.

R.S.S. 1920, c.110, s.182; R.S.S. 1930, c.131, s.200.

*Night Classes***Maintenance and fees**

201 The board of any district may engage a qualified teacher and make necessary arrangements at the expense of the district for the maintenance of a night school:

Provided that if the school is kept open for one month a fee may be charged of not more than \$2 per month for each month or portion of month that the pupil is in attendance.

R.S.S. 1920, c.110, s.183; R.S.S. 1930, c.131, s.201.

*Compulsory Education***School periods**

202 In every district in which there are at least ten children between the ages of seven and sixteen years inclusive residing within the limits of the district, the board shall keep the school open at least one hundred and eighty-five teaching days during the year:

Provided that in the case of a newly organised district, this section shall not apply during the first year in which a school is in operation;

Provided further that, upon reasons satisfactory to the minister being given by the board, he may by order authorise the board to maintain the school in operation for such less number of days as he may deem advisable.

R.S.S. 1920, c.110, s.187; 1923, c.39, s.14; 1928, c.48, s.16; R.S.S. 1930, c.131, s.202.

Provision for education

203 When the number of children between the ages of seven and fifteen residing within the limits of the district is insufficient to require the school to be kept open in accordance with section 202, and the board fails to keep the school in operation, the board shall make provision for the education of the children in accordance with section 234.

R.S.S. 1920, c.110, s.188; 1923, c.39, s.15; R.S.S. 1930, c.131, s.203.

Special provision respecting closing

204 If for any cause the board of trustees of any district deems it inadvisable or inexpedient to keep its school open or otherwise provide for the attendance of the children at a public school as herein provided, it shall submit a statement of the facts to the minister who, in his discretion, may make such order with respect thereto as he deems fit and it shall be the duty of the board to carry out the provisions of such order.

R.S.S. 1920, c.110, s.189; R.S.S. 1930, c.131, s.204.

Attendance of deaf children

205(1) Every deaf child between the ages of eight and fifteen years inclusive, certified by a physician as fit for instruction, shall attend for at least seven months in each year such school for the deaf as shall be determined by the minister.

(2) A parent or guardian who refuses to allow any such child under his care to attend a school for the deaf as herein provided shall be guilty of an offence and liable to a penalty not exceeding twenty-five dollars and costs.

R.S.S. 1920, c.110, s.190; R.S.S. 1930, c.131, s.205.

TEACHER*Qualification***Certificate**

206(1) No person shall be engaged, appointed, employed or retained as teacher in any school unless he holds a valid certificate of qualification issued under the regulations of the department.

(2) Any person not qualified under this section who conducts a school or acts as teacher shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$50, and in default to imprisonment for a term not exceeding one month:

Provided, however, that no prosecution shall be instituted under this section except by order of the minister.

R.S.S. 1920, c.110, s.191; R.S.S. 1930, c.131, s.206.

*Engagement and Dismissal***Resolution of board**

207 A teacher shall not be engaged or dismissed except under the authority of a resolution of the board passed at a regular or special meeting of the board.

R.S.S. 1920, c.110, s.192; R.S.S. 1930, c.131, s.207.

Form of contract

208 The contract entered into shall be in a form prescribed by the minister, and such form may be altered or amended as may be mutually agreed upon by the contracting parties, provided such alterations or amendments are not inconsistent with any of the provisions of this Act or the regulations of the department.

R.S.S. 1920, c.110, s.193; R.S.S. 1930, c.131, s.208.

Validity

209 The contract shall be deemed valid and binding if signed by the teacher and by the chairman on behalf of the board and duly witnessed.

R.S.S. 1920, c.110, s.194; R.S.S. 1930, c.131, s.209.

*Payment of Teachers***Computation of salary**

210(1) The salary of a teacher, who has been actually engaged in teaching in any district for four months or more continuously, shall be estimated by dividing the rate of salary for the year as set forth in the teacher's agreement by 210 and multiplying the result obtained by the actual number of teaching days the school has been in operation during the period of the teacher's engagement:

Provided however that if the salary stated in the teacher's agreement is given at a monthly rate the rate of salary for the year shall be deemed to be a sum equal to twelve times the said monthly rate:

Provided further that if a teacher has taught more than 210 days in any calendar year he shall be entitled only to a year's salary;

Provided further that a teacher shall be entitled to salary for days upon which he is necessarily absent from school attending a teachers' convention or institute approved by the minister, not exceeding four days in any one calendar year; and for days during which the school is closed by order of a duly qualified medical practitioner or the board, because of the existence within the district of an actual or threatened epidemic of disease, not exceeding thirty teaching days in the calendar year;

And provided further that, notwithstanding anything herein contained, the board of any district shall have power to enter into such contract with its teacher regarding the amount of salary to be paid as may be mutually agreed upon and set forth in the agreement provided herein.

(2) Either party thereto may terminate the agreement for teaching between the teacher and board of trustees by giving to the other party in writing a period of notice set forth in the agreement of his or its intention to do so, but such period of notice shall not be less than thirty days. If the agreement contains no provision for such notice either party may terminate the agreement by giving to the other party no less than thirty days notice to that effect.

(3) At the expiration of the term stated in the agreement it shall be presumed to continue in force and shall continue in force unless terminated in the manner therein set forth or replaced by a new agreement between the parties thereto.

(4) In the event of a board of trustees terminating the agreement at a date prior to the end of any school term, unless at the date of termination set forth in the agreement, the teacher shall be given an opportunity forthwith of meeting the board of trustees at a regular or special meeting at which the teacher shall be advised of the reasons for such termination, and the board shall forthwith notify the minister of such action and the reasons therefor.

(5) In the event of a teacher terminating an agreement at a date prior to the end of any school term, unless at the date of termination set forth in the agreement, the teacher shall notify the board in writing of the reasons for such termination and shall advise the minister by registered letter mailed at least thirty days before the date of such termination of the fact of such termination.

R.S.S. 1920, c.110, s.195; 1927, c.35, s.9; 1928-29, c.45, s.4; R.S.S. 1930, c.131, s.210.

Board of inquiry

211(1) Upon notice being given of the termination of the agreement between the board and the teacher prior to the date stated therein as the date of termination either party thereto may, within fifteen days of the receipt thereof, request the minister to appoint a board of reference to inquire into the circumstances.

(2) For the purpose of such inquiry the minister may appoint a board, consisting of three persons, one of whom shall be nominated by the board, one by the teacher and a chairman, who shall be an inspector of schools, nominated by the minister.

(3) Either or both parties may be represented at the inquiry and the chairman shall give at least ten days' clear notice to each party of the time and place thereof.

(4) A report respecting the matters placed before the board of reference shall be made in writing by the chairman to the minister.

1928-29, c.45, s.5; R.S.S. 1930, c.131, s.211.

Sickness

212 Every teacher in case of sickness certified by a qualified medical practitioner shall, at the termination of his engagement, be entitled to his salary during such sickness for a period not to exceed 20 days for the entire year, or in case the teacher is in charge for a shorter term than one year for a period bearing the same proportion to 20 that the number of teaching days during which he was in charge of the school bears to 200:

Provided that in the case of a teacher whose employment by a district is continued for more than one year, the board of trustees may make such allowance in lieu of salary during the period of sickness as it deems advisable, such allowance not to exceed the salary for a period bearing the same proportion to twenty that the number of teaching days during which he has been employed by the district bears to 200.

R.S.S. 1920, c.110, s.196; 1920, c.46, s.8; 1930, c.46, s.16; R.S.S. 1930, c.131, s.212.

Payment of salary

213 A teacher whose agreement with a board has expired or who is dismissed by it shall be entitled to receive forthwith all money due him for his services as teacher while employed by the board. If such payment be not made by the board, or tendered to him, he shall be entitled to recover the full amount due and unpaid with interest in any court of competent jurisdiction.

R.S.S. 1920, c.110, s.197; R.S.S. 1930, c.131, s.213.

Duties of Teacher

214 It shall be the duty of the teacher:

Teaching

1. To teach diligently and faithfully all the subjects required to be taught by the regulations of the department;

Discipline

2. To maintain proper order and discipline and to conduct and manage the school in accordance with the regulations of the department;

Time table

3. To keep in a conspicuous place in the school room a time table showing the classification of pupils, the subjects taught each day and the length of each class period; and to submit such time table to the inspector for his approval on the occasion of his visit to the school;

Register

4. To keep the school registers in the prescribed form and accessible to trustees, officers of the board, inspectors and any other person authorised by the minister to examine them;

Promotions

5. To make such promotions from one class or grade to another as he deems expedient subject to the ratification of the inspector at his next visit;

Monthly reports

6. To send monthly to the parents or guardian of each pupil, if required by the board, a report of the pupil's attendance, conduct and progress;

Arbor Day

7. To encourage the observance of Arbor Day by holding suitable exercises, to take an interest in the cleanliness and tidiness of the school grounds and to secure the co-operation of trustees and parents in planting trees and shrubs about the school;

Sanitary condition of school room

8. To give strict attention to the proper heating, ventilation and cleanliness of the school house, and to the condition of the outhouses in connection with the same, and to report to the board any defect with respect thereto;

Care of property

9. To exercise vigilance over the school property, the buildings, fences, furniture and apparatus so that they may not receive unnecessary injury, and to give prompt notice in writing to the board of any such injury;

Repairs

10. To report to the board any necessary repairs to the school buildings or furniture and any required supply of fuel, drinking water, furniture or equipment;

Privies

11. To see that the provisions of paragraph 15 of section 115 have been complied with, and, if not, to report to the board and in case of any neglect on the part of the board to notify the minister;

Suspension of pupils

12. To suspend from school any pupil for violent opposition to authority or other gross misconduct, and to forthwith report in writing the facts of such suspension to the board which shall take such action with regard thereto as it deems necessary;

Returns to department

13 To assist the board and its officers in making the predepartment, 'nt scribed returns to the department, and to furnish the secretary with the statement required in section 74;

Information re school

14 To furnish to the minister, the inspector of schools, the board or any person appointed by the minister, any information which it is in his power to give respecting anything connected with the operation of the school or in any wise affecting its interests or character;

Surrender of property

15 To deliver up any school registers, school house key or other property of the district in his possession when required by a written order of the board;

Admission of normal students to classroom

16 Subject to the regulations of the department, to admit to to his classroom for the purpose of observation and practice teaching any student enrolled in a normal school or school of education, and to render such assistance in such observation or practice teaching as the board may direct;

Communicable disease, exclusion of children

17 With the approval of the board, to exclude from school any child suspected of suffering or of being convalescent from or of being in contact with a communicable disease; to give notification of such exclusion and the reasons therefor to the medical health officer for the municipality or to the Minister of Public Health in case there is no medical health officer; and to admit such child to the school upon production of a written certificate from a medical health officer;

Attendance at meetings

18. To attend all meetings of the teachers called by the principal or superintendent of schools.

R.S.S. 1920, c.110, s.198; 1928, c.48, s.17; R.S.S. 1930, c.131, s.214.

*Duties of Principal***Principal and assistants**

215 In every school in which more teachers than one are employed the head teacher shall be called the principal and the other teachers assistants.

R.S.S. 1920, c.110, s.199; R.S.S. 1930, c.131, s.215.

Principal's duties

216 The principal shall prescribe, with the concurrence of the board, the duties of the assistants and shall be responsible for the organisation and general discipline of the whole school.

R.S.S. 1920, c.110, s.200; R.S.S. 1930, c.131, s.216.

SCHOOLS

c. 131

*Teachers' Associations***Meetings subject to regulations**

217 Any number of teachers may organise themselves into an association, and, subject to the regulations of the department, may hold conventions and institutes for the purpose of receiving instruction in and discussing educational matters.

R.S.S. 1920, c.110, s.201; R.S.S. 1930, c.131, s.217.

SCHOOL AGE

Grades and school age

218(1) All schools shall be divided as may be necessary into eight elementary school grades and four high school school grades to be known as grades one to eight and grades nine to twelve respectively.

(2) Except as herein provided, in rural and village districts every person between the ages of five and twenty-one years, and in town districts between the ages of six and twenty-one years, shall have the right to attend the school and to receive instruction appropriate to his or her grade.

(3) In a school in which only one teacher is employed the board shall not be required to provide instruction above Grade X.

(4) The minister may for good reason exempt a board from providing instruction in any high school grade.

1928, c.48, s.18; 1930, c.46, s.17; R.S.S. 1930, c.131, s.218.

FEES

Fees

219(1) Except where otherwise herein provided, no fees shall be charged by the board of any district for the attendance of a child whose parent or lawful guardian is a taxpayer of the district.

(2) In case such parent or lawful guardian is not a resident of the district, or is a taxpayer whose name is not on the last revised assessment roll for the district, and the amount of school taxes last levied in respect of the property owned or occupied is less than \$30, the board may demand a fee for the school year equal to the difference between the amount of such school taxes and the sum of \$30, and for a portion of the school year a proportionate part of such fee.

(3) If the board of a district maintains a high school or a school for which the additional grant is payable under paragraph 3 of section 3 of *The School Grants Act*, it may, in its discretion, charge the parent or lawful guardian of every pupil classified in a grade higher than grade eight:

- (a) a fee not exceeding \$15 for the first term and \$10 for the second term in any year, if the parent or lawful guardian is a resident taxpayer of the district;
- or

(b) a fee not exceeding \$30 for the first term and \$20 for the second term, if the parent or lawful guardian is not a resident taxpayer of the district;

and all fees so charged shall be payable at such time and in such amounts as may be determined by the board:

Provided that the board may charge the fees mentioned in clause (a) without charging those mentioned in clause (b), or those mentioned in clause (b) without charging those mentioned in clause (a);

Provided further that if a rural municipality, village or town, under an agreement with the board by virtue of the power conferred by the respective municipal Acts, pays to the board, in respect of pupils resident within the municipality, fees charged under clause (b), or contributes a fixed sum in lieu thereof, the provisions of the said clause (b) shall not apply to the parents or lawful guardians of such pupils.

R.S.S. 1920, c.110, s.203; 1923, c.39, s.16; 1925-26, c.30, s.10; R.S.S. 1930, c.131, s.219.

EDUCATION OF NONRESIDENT CHILDREN

Education of nonresident children

220(1) A person living in an area not organised into a school district may apply to the board of any district for the admission to the district school of a child of which he is parent or guardian, and it shall be the duty of the board to admit such child.

(2) The board may require that the application for admission be accompanied by a statement from the inspector of the district that the accommodation of the school is sufficient for the admission of the child.

(3) The parent or guardian of such pupil shall pay fees as provided by the board, but such fees shall not exceed fifteen cents per day per family, shall be payable monthly in advance and shall be calculated according to the number of actual teaching days in each month.

(4) The board may admit children to the school from any district, subject to the provisions of subsections (2) and (3).

R.S.S. 1920, c.110, s.204; 1921-22, c.47, s.7;
R.S.S. 1930, c.131, s.220.

Children resident in another district

221(1) A child, whose parent or legal guardian is a ratepayer but not a resident of a rural district, shall be admitted to the school of such district, subject to a notice in writing being given to the board by the parent or legal guardian on or before the thirty-first day of December in any year, and to the provisions of subsection (2) of section 220.

(2) On the notice becoming effective, the child shall, during the year next following, forfeit the right to attend the school of the district in which his parent or legal guardian was a resident when notice was given.

(3) The distance of the residence of the child from the school of such district shall for the purposes of *The School Attendance Act* be deemed to be not greater than the distance of the residence from the school of the district in which he resides.

1923, c.39, s.17; R.S.S. 1930, c.131, s.221.

Agreement between boards

222(1) The board of any district may enter into an agreement with the board of another district for the education of the children of its district who have passed Grade VII, upon such terms as may be mutually agreed upon and approved by the minister, and the board entering into such agreement may make provision for carrying out the terms of the same out of the funds of the district.

(2) Unless otherwise provided, any such agreement may be terminated by either party by notice given on or before the first day of April in any year, and upon such notice being given the agreement shall cease and determine on the last day of June following.

(3) The provisions of this section shall not apply in the case of a child classified in Grade VIII except with the consent of the parent or legal guardian of such child.

1923, c.39, s.17; R.S.S. 1930, c.131, s.222.

Arrangements between boards

223 In the event of a child residing without the mileage limits set forth in clause (d) of section 4 of *The School Attendance Act* in the district in which the parent or guardian is a resident ratepayer but within the limits therein set forth of the school of an adjoining district, and such child fails to attend school eighty per cent. of the teaching days in any month, or in case the parent or guardian of a child requests his attendance at the school of an adjoining district, the board of the former district may make arrangements with the board of the latter district for his attendance at such school, and he shall be deemed to reside within such latter district for the purposes of the said Act and shall be required to attend the school thereof.

1925-26, c.30, s.11; 1927, c.35, s.10; R.S.S. 1930, c.131, s.223.

Resident children

224 The parent or lawful guardian of a child residing within the limits of any district, and who is not a taxpayer thereof may send his children to the school operated within the district subject to subsection (3) of section 220.

R.S.S. 1920, c.110, s.205; R.S.S. 1930, c.131, s.224.

Application of nonresident to have property assessed

225(1) Any person not living within a district may apply to the board of any district to have his property, if not already included in any other district, assessed in such district to secure the advantages of education for his children, and in such case, on the report of an inspector that the accommodation of the school room is sufficient for the admission of the children of such person, the board shall receive his application and cause the said property to be placed on the assessment roll of the district, and his property shall remain liable to assessment in that district until a new district is established including the property; and for the purpose of enforcing payment of taxes and of all remedies therefor the property shall be deemed to be within the school district on the assessment roll of which it is placed.

(2) Whenever the property of any person is placed on the assessment roll of a district under the provisions of this section the board shall notify the department, giving the name of the person and a description of his property.

R.S.S. 1920, c.110, s.206; R.S.S. 1930, c.131, s.225.

Power to establish union boards of trustees

226(1) For the purpose of central administration, control and supervision, any group of contiguous districts may, subject to the approval of the minister, operate under a union board of trustees.

(2) The minister may determine the procedure requisite to ascertain the wishes of the ratepayers of districts which propose to operate under a union board and may determine the time and place of holding meetings preparatory to the election of the board, the notice to be given and the conduct of the meetings, the records to be made, and all other such matters as may be necessary in the circumstances.

(3) Any district, by a petition signed by not less than one-fourth of the resident ratepayers, may require a vote to be taken on the question of operation under a union board, and in that event the minister shall provide for a vote to be taken.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.226.

First board

227(1) The chairmen of the districts operating under a union board shall constitute a board of trustees for the said districts until the thirty-first day of December in the year in which the union board is first formed.

(2) In the case of two districts only operating under a union board a special meeting of the ratepayers of the districts, to be called by some person appointed by the minister, shall be held at a time and place approved by the minister at which a third trustee shall be elected in accordance with the provisions governing the election of trustees in village districts. The resident ratepayers present shall elect one of themselves to preside.

(3) A majority of the board shall form a quorum.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.227.

Meeting

228(1) As soon as may be deemed expedient, subsequent to the formation of the union board, the minister may require it to meet for the purpose of organisation, and at such meeting or prior thereto the members of the board shall take the oath of office. The board shall appoint a chairman, who shall be a member of the board, and a secretary or secretary-treasurer and shall transact such other business as is necessary.

(2) The board of each of the districts operating under a union board shall thereupon cease to hold office.

(3) The minister may assign to a union school board a distinguishing name and number.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.228.

Subsequent boards

229(1) Within the first two weeks in December in each year an annual meeting shall be held in each district on a date and at a place to be decided by the board which shall be conducted as far as may be in accordance with the provisions of this Act respecting annual meetings in rural and village districts.

(2) The annual meeting shall nominate and elect one trustee to serve on the union board, the manner of such election to be in accordance with the terms of this Act respecting trustees in rural and village districts.

(3) Where only two districts operate under a union board, a third trustee shall be elected annually in the manner mentioned in subsection (2) of section 227.

(4) Each trustee elected to the union board shall hold office for one year.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.229.

Powers and duties

230 The Union board shall have the same duties and powers *mutatis mutandis* as a board of trustees elected under the provisions of this Act.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.230.

Instruction of pupils

231(1) The union board may provide for instruction in the high school grades at one or more points in the area operating under it.

(2) The union board may provide for the inclusion of Grade VII in such continuation classes, and notwithstanding anything contained in section 218 may direct at what school or schools pupils above Grade VI may attend

1928-29, c.45, s.7; 1930, c.46, s.18; R.S.S. 1930, c.131, s.231.

Power to issue debentures

232 The union board, subject to the provisions of this Act and *The Local Government Board Act*, may issue debentures for capital expenditure required for the joint purposes of all the districts operating under it which shall be a charge upon the rates of those districts, and shall repay such debentures by means of a uniform rate levied in the districts.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.232.

Assumption of assets and liabilities of districts

233(1) The union board shall assume the liabilities and take over the assets of the several districts for the purposes of those districts only, and shall build, operate and maintain schools therein and convey pupils as may be necessary.

(2) The union board shall require taxes to be levied in the several districts in accordance with the terms of the appropriate municipal Acts, and, subject to the provisions of sections 231 and 232, may use the funds of the several districts operating under it only for the purposes of those districts.

(3) If a majority of the resident ratepayers at the respective annual meetings so decide, a uniform rate of taxation may be levied for all the purposes of all the districts in the area operating under a union board.

1928-29, c.45, s.7; R.S.S. 1930, c.131, s.233.

CONVEYANCE OF SCHOOL CHILDREN

*From One District to Another***Agreement by boards for education of children of another district**

234(1) Upon a petition hereinafter provided for being transmitted to the minister, he may empower the board of any rural district to enter into an agreement with any other board or boards for the education of the children of its district upon such terms as are mutually agreed upon and approved by him, and the first mentioned board may make provision for carrying out the terms of the agreement and for the conveyance of the children to and from school out of the funds of the district:

Provided that any such agreement may be terminated by any board party thereto by giving notice on or before the first day of October in any year, and upon such notice being given the agreement shall cease and determine on the last day of the month of December following.

(2) The petition for permission to enter into such an agreement may be in form prescribed by the minister, and shall be signed by at least two-thirds of such resident ratepayers of the district as are the parents or guardians of children between the ages of five and sixteen years inclusive.

(3) The statements contained in the petition shall be verified by the affidavit of two of the subscribing petitioners, and the signature of the resident ratepayers signing the petition shall be verified by the affidavit of a subscribing witness thereto.

(4) In case a district is formed under the provision of subsection (4) of section 14, the board of trustees shall provide for the expense of conveyance to and from school once a day each way of the children of school age of resident taxpayers.

R.S.S. 1920, c.110, s.207; R.S.S. 1930, c.131, s.234.

*Within the School District***Cost of conveyance**

235(1) A board may make due provision, subject to the regulations of the department in that behalf, for the proper conveyance of any of the school children resident within the district to and from school, and it may provide for the cost of such conveyance in the same manner as is provided for the other expenditures of the district.

(2) The secretary of every district in which provision is made as aforesaid shall forthwith notify the minister.

R.S.S. 1920, c.110, s.208; R.S.S. 1930, c.131, s.235.

Distance for conveyance

236 The board of every school district having an area of thirty-six square miles or more shall provide for the expenses of the conveyance to and from school once a day each way of all pupils, being the children of resident taxpayers, whose residence is distant therefrom more than one and one-half miles as measured by the nearest road allowance.

R.S.S. 1920, c.110, s.209; 1920, c.46, s.9; R.S.S. 1930, c.131, s.236.

Regulations for conveyance

237 Subject to the approval of the Lieutenant Governor in Council, the minister may make regulations for the proper conveyance of children and for keeping proper records of the number of children conveyed, the distance travelled, the cost of conveyance and such other information as may be desired.

R.S.S. 1920, c.110, s.210; R.S.S. 1930, c.131, s.237.

PENALTIES AND PROHIBITIONS**Fulfilment of contracts**

238 In case a board wilfully neglects or refuses to exercise the corporate powers vested in it by this Act for the fulfilment of any contract made by it, every member of the board shall be personally responsible for the fulfilment of such contract unless he shows to the satisfaction of the court or a judge that he made reasonable efforts to have the board carry out its contract.

R.S.S. 1920, c.110, s.213; R.S.S. 1930, c.131, s.238.

Liability of trustees

239 Should the board of any district wilfully contract liabilities in the name of the district greater or other than as provided or allowed by this Act, or appropriate any of the moneys of the district for purposes other than are provided or allowed by this Act, any two ratepayers of the district may recover as a debt in a court of competent jurisdiction from the members of the board who voted for or sanctioned such illegal action, jointly or severally, the sum for which the district has been rendered liable through the action of such trustees over and above the amount so provided by this Act, in addition to the total amount of any moneys that have been misappropriated by such trustees.

R.S.S. 1920, c.110, s.214; 1925-26, c.30, s.12; R.S.S. 1930, c.131, s.239.

False report or register

240 If a trustee knowingly signs a false report or if a teacher keeps a false school register or knowingly makes a false return, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$20.

R.S.S. 1920, c. 10, s.215; R.S.S. 1930, c.131, s.240.

Wrongful retention of property of district

241(1) Any trustee, officer or employee of a district who after ceasing to hold office retains any money, book, paper or thing belonging to the district, shall thereby incur a penalty not exceeding \$20 for each day during which he wrongfully retains possession of such money, book, paper or thing after having received notice in writing from the chairman of the board or from the minister, requiring him to deposit the same in the hands of some person mentioned in such notice.

Noncompliance with Act or regulations

(2) Any person required by this Act or by the regulations made thereunder to furnish information or make a return or statement in writing to the department or to perform any act or duty, who refuses or neglects to furnish the information, make the return or statement or perform the act or duty, shall be guilty of an offence and liable to a penalty not exceeding \$50.

R.S.S. 1920, c.110, s.216; R.S.S. 1930, c.131, s.241.

Misconduct of returning officer

242 Any returning officer of a district or proposed district, acting under the provisions of this Act, who shall knowingly and wilfully prejudice the result of any voting by preventing votes from being taken or by taking unlawful votes, or by altering returns or books in any way, or by any other means, shall be liable to a penalty not less than \$10 and not exceeding \$100.

R.S.S. 1920, c.110, c.217; R.S.S. 1930, c.131, s.242.

Disturbing school or meetings

243 Any agent or salesman who as such enters a schoolhouse without the written consent of the chairman of the board and any person who wilfully disturbs, interrupts or disquiets the proceedings of any school meeting authorised to be held by this Act, or wilfully interrupts or disquiets any school established and conducted under its authority by rude or indecent behaviour or by making a noise, either within the place where the school is kept or held or so near thereto as to disturb the order of exercises of the school, shall be guilty of an offence for which he shall forfeit for the use of the district within which the offence was committed a sum not exceeding \$20,

R.S.S. 1920, c.110, s.218; 1928-29, c.45, s.8;
R.S.S. 1930, c.131, s.243.

False returns

244 Any person who subscribes to a statement, declaration, return or other document prescribed herein or by the minister under the provisions hereof, and therein wilfully and knowingly makes any false statement, shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$25.

R.S.S. 1920, c.110, s.219; R.S.S. 1930, c.131, s.244.

Explosives and firearms

245 No pupil shall bring to the school premises explosives or firearms, and any parent or guardian allowing his child to do so shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$20.

R.S.S. 1920, c.110, s.220; R.S.S. 1930, c.131, s.245.

Failure to give notice of meeting

246 Any trustee or official of a district whose duty it is to give the notice calling an annual or other meeting of the ratepayers as required herein, who fails to give such notice, shall be guilty of an offence and liable on summary conviction to a penalty not exceeding \$5.

R.S.S. 1920, c.110, s.221; R.S.S. 1930, c.131, s.246.

Use of unauthorized text books

247 A teacher, trustee or other person who uses or causes to be used an unauthorised text or reference book, either in the place of or to supplement an authorised text or reference book upon the same subject, shall be guilty of an offence and liable to a penalty not exceeding \$10:

Provided, however, that no prosecution shall be instituted under this section except by order of the minister.

R.S.S. 1920, c.110, s.222; R.S.S. 1930, c.131, s.247.

Display of emblems of religious denominations prohibited

248(1) No emblem of any religious faith, denomination, order, sect, society or association, shall be displayed in or on public school premises during school hours, nor shall any person teach or be permitted to teach in any public school while wearing the garb of any such religious faith, denomination, order, sect, society or association.

(2) Any teacher violating the provisions of subsection (1) shall be guilty of an offence and his certificate may be suspended or cancelled by the minister, and he shall also be liable on summary conviction to a penalty not exceeding \$50.

(3) Any trustee violating the provisions of subsection (1), or permitting a violation thereof, shall be guilty of an offence and liable on summary conviction to a penalty of not less than \$25 and not more than \$100; and, if convicted, shall be disqualified from holding the office of trustee for such period as the minister may by order determine.

(4) The minister shall, if satisfied that the board of trustees of any public school district has permitted a violation of subsection (1), order that the district shall not receive any grant out of money appropriated by the legislature, in respect of the period of violation, in which case no such grant shall be made.

(5) Any sum of money expended by a board of trustees, or by any officer thereof, in payment of the salary of a teacher who has committed a violation of subsection (1), and any sum of money lost by a district through nonpayment of grants under subsection (4), may be recovered for the district in the manner provided by section 239.

1930, c.45, s.1; R.S.S. 1930, c.131, s.248.

Teacher not a trustee

249 A teacher shall not hold the office of school trustee in the district in which he is employed as teacher.

R.S.S. 1920, c.110, s.223; R.S.S. 1930, c.131, s.249.

Commission for sales

250(1) No trustee, teacher or officer of a school district shall receive payment or other remuneration directly or indirectly as agent for the sale of furniture, apparatus or equipment or any other merchandise whatsoever for the use of a school district in which he is trustee, teacher or officer.

(2) No person shall employ as agent for the sale of such merchandise any such trustee, teacher or officer.

(3) Any person violating the provisions of this section shall be liable to a penalty not exceeding \$50.

R.S.S. 1920, c.110, s.224; R.S.S. 1930, c.131, s.250.

Recovery of fines

251 All fines, penalties and forfeitures mentioned in this Act may be recovered and enforced with costs on summary conviction before a justice of the peace.

R.S.S. 1920, c.110, s.225; R.S.S. 1930, c.131, s.251.

Application of penalties

252 All moneys accruing from fines or penalties under this Act shall, unless otherwise provided, belong to the consolidated fund of the province.

R.S.S. 1920, c.110, s.226; R.S.S. 1930, c.131, s.252.

ORDERS

Orders not invalid for irregularity

253 No order purporting to be made under this Act, and being within the powers conferred thereby, shall be deemed invalid on account of noncompliance with any of the conditions required by this Act as preliminary to such order; and no misnomer, inaccurate description or omission in any such order shall in any wise suspend or impair the operation of the Act with respect to the matter so misdescribed or omitted.

R.S.S. 1920, c.110, s.227; R.S.S. 1930, c.131, s.253.

Correction of error in orders

254 Any misdescription or other error in any order made by the minister or in any order made or proclamation issued by the Lieutenant Governor in Council under the provisions of this Act, or under the provisions of any other Act respecting schools at any time in force in Saskatchewan, may be corrected and confirmed with such correction as of the date on which it was made or issued by any subsequent order.

R.S.S. 1920, c.110, s.228; R.S.S. 1930, c.131, s.254.

MISCELLANEOUS

Power of minister to declare district's status

255 The minister may, by order, notice of which shall be published in *The Saskatchewan Gazette*, declare that for the purposes of this Act any district shall be deemed to be a rural, village or town district as the circumstances may require, and thereafter all the provisions of this Act relating thereto shall apply.

R.S.S. 1920, c.110, s.229; R.S.S. 1930, c.131, s.255.

Confirmation of existing districts

256 All school districts heretofore erected or purporting so to be are hereby confirmed as legally established districts under this Act with any alterations of boundaries made or purporting to have been made, and all debentures issued by the trustees or commissioners of any such school districts are hereby confirmed and declared to be legal and valid charges upon the school property and rates of the districts issuing the same, notwithstanding any defect or irregularity in any proceeding in respect of or preliminary to the erection of such districts or alterations of the boundaries thereof or the issuing of such debentures.

R.S.S. 1920, c.110, s.230; R.S.S. 1930, c.131, s.256.

SCHEDULE

FORM A.

(Section 15(2))

PETITION FOR ORGANIZATION OF SCHOOL DISTRICT

- (1) It is proposed that the boundaries of the district shall include the following lands, namely:
- (2) The number of persons actually residing within the proposed district who on its organisation will be liable to be assessed for school purposes is _____.
- (3) The number of children between the ages of five and sixteen years inclusive actually residing within the proposed district is _____.
- (4) The number of acres of assessable land in the proposed district is _____,
- (5) The total value of the assessable property within the proposed district is _____.
- (6) A suitable school site can be obtained at the centre of the district. (*If this is not the case state reason why central site is unsuitable.*)

We, the undersigned school committee, hereby certify that the above statements are true and that the plan of the proposed district accompanying this petition contains all the information called for by section 15 of *The School Act*.

Dated this _____ day of _____ 19____.

.....
.....
.....

Committee.

Secretary P.O.

SCHOOLS

FORM B

(Section 16(1))

NOTICE TO TRUSTEES

To the secretary of The _____ School District No. _____ of Saskatchewan.

Take notice that eight clear days after the date of this notice the undersigned committee will apply to (minister or council) for approval of boundaries of a proposed district as indicated on the attached plan and that the said proposed district includes the following lands now within the limits of your district, namely:

Dated this _____ day of _____ 19____.

.....
.....
.....

Committee.

Note.—This notice must clearly indicate to whom application will be made. If to the council of a rural municipality the name and number of same must be given.

FORM C

(Section 16(3))

NOTICE TO RATEPAYERS

Take notice that eight clear days after the date of this notice the undersigned committee will apply to (minister or council) for approval of boundaries of a proposed district which includes your land. A plan of the proposed district has been delivered to the secretary of your board of trustees.

Dated this _____ day of _____ 19____.

.....
.....
.....

Committee.

Note.—This notice must clearly indicate to whom the application will be made. If to the council of a rural municipality, the name and number must be given.

SCHOOLS

c. 131

FORM D

(Section 22(2))

APPROVAL OF BOUNDARIES OF PROPOSED SCHOOL DISTRICT

This is to certify that the boundaries of a certain proposed district have been considered and that it has been decided that the said district shall include the following lands, namely:

(here insert a descripaon of the lands giving the sections, parts of sections, township, range and meridian).

Dated this day of 19

Dated this _____ day of _____ 19_____.

.....
Reeve.

.....
Secretary.

.....
Name of Municipality.

FORM E

(Section 26(3))

FIRST SCHOOL MEETING

Public notice is hereby given that the first school meeting for the organisation of the undermentioned lands into a new school district and for the election of trustees will be held on the _____ day of _____ 19_____ at _____,

The meeting will be called to order at 2 o'clock in the afternoon (standard time). The poll for voting for and against the district shall remain open only one hour. Ten minutes will be allowed for nominating trustees. The poll for trustees shall remain open one hour.

The boundaries of the district proposed to be voted upon include the following lands: (here insert a description of the lands giving the sections, parts of sections, township, range and meridian).

Date of posting this notice: The _____ day of _____ 19_____.

.....
.....
.....

Committee.

FOR HISTORICAL REFERENCE ONLY

FORM F

(Sections 26(4) and 33)

PROOF OF POSTING OF NOTICES FOR FIRST SCHOOL MEETING

We, the undersigned, hereby certify and declare that the copies of notice attached hereto were posted up by us eight clear days before the day of the first school meeting held in the proposed school district described in the said notice.

Signatures of persons who posted notices	Places where notices were posted				
	No.	Sec.	Tp.	Rge.	Mer.
	(1)				
	(2)				
	(3)				
	(4)				
	(5)				
	(6)Post Office			

FORM G

(Sections 28(2), 29(1) and 33)

DECLARATION OF RESIDENT RATEPAYERS

Proposed _____ School District of Saskatchewan.

General location: Township _____ range _____ west of the _____ meridian.

The undersigned severally declare, each for himself or herself, that he or she is of the full age of twenty-one years, that he or she actually resides within the above mentioned proposed school district, and that he or she (or his or her wife or husband) has resided therein and owned or been the occupant of assessable property therein for a period of at least two months immediately prior to this date.

Signatures of resident ratepayers	Property owned or operated			
	Sec.	Tp.	Rge.	Mer.

Witnesses to the above signatures:

.....
Chairman.

.....
Secretary.

Dated this _____ day of _____ 19____.

SCHOOLS

c. 131

FORM H

(Section 31(2))

POLL SHEET FOR ORGANISATION OF DISTRICT

Names of resident ratepayers	In favour of district	Opposed to district

Note.—If the ratepayer declares he is in favour of the district an X should be entered opposite his name in the second column, if he is opposed to the district the cross should appear in the third column.

FORM I

(Section 32(7))

POLL SHEET FOR ELECTION OF TRUSTEES

Names of resident ratepayers	Names of persons nominated			

Note.—Each ratepayer has the right to vote for three trustees, an X should be placed after his name and under the name of each person he votes for.

SCHOOLS

FORM J

(Section 48)

PUBLIC NOTICE

Public notice is hereby given that eight clear days after the date of this notice the trustees of The _____ School District No. _____ of Saskatchewan will make application to (*here state to whom application will be made*) for the approval of a school site for the said district situated as follows: (*here describe the proposed site*).

Dated this _____ day of _____ 19____.

.....
Secretary.

FORM K

(Section 50(2))

APPROVAL OF SCHOOL SITE

This is to certify that the following has been approved as a school site for The _____ School District No. _____ of Saskatchewan.

Dated this _____ day of _____ 19____.

.....
Minister.

or

.....
Reeve.

.....
Secretary.

.....
Name and number of municipality.

SCHOOLS

c. 131

FORM L

(Sections 15(3), 57(1) and 59)

CERTIFICATE OF NOTIFICATION

This is to certify that all the resident ratepayers of the lands affected and the boards of trustees of the school districts affected by the proposed rearrangement of boundaries of the school districts in township range west of the meridian as submitted for your approval and shown on the attached diagram have been duly notified in accordance with the provisions of *The School Act*.

Dated this _____ day of _____ 19____.

.....
Signature of Applicant.

Note.—This certificate should accompany the application for an alteration or petition for a new district when the same includes lands already within the boundaries of an organised district.

FORM M

(Section 57(2))

NOTICE TO TRUSTEES

To the secretary of The _____ School District No. _____ of Saskatchewan.

Take notice that eight clear days after the date of this notice the undersigned will make application to (*minister or council*) for approval of an alteration in the boundaries of your district as indicated in the attached plan.

Dated at _____ this _____ day of _____ 19____.

.....
Signature of Applicant.

Note.—This notice must indicate clearly to whom the application is made. If to the council of a municipality the name and number must be given.

SCHOOLS

FORM N

(Section 57(4))

NOTICE TO RATEPAYERS

Take notice that eight clear days after the date of this notice the undersigned will make application to (*minister or council*) for approval of a certain proposed alteration in the boundaries of The _____ School District No. _____ of Saskatchewan, which affects your land as shown by a plan filed with the secretary of your district.

Dated at _____ this _____ day of _____ 19____.

.....
Signature of Applicant.

Note.—This notice must indicate clearly to whom the application is made. If to the council of a municipality the name and number must be given.

FORM O

(Section 57(6))

APPROVAL OF ALTERATION IN THE BOUNDARIES OF SCHOOL DISTRICT

This is to certify that the council of the undermentioned municipality, having considered an application for the alteration of the boundaries of The _____ School District No. _____ of Saskatchewan and being satisfied that the provisions of *The School Act* have been complied with and having given all parties concerned an opportunity to be heard has decided that the said district should be altered so as to include the following lands, namely:

Dated at _____ this _____ day of _____ 19____.

.....
Reeve.

.....
Secretary.

.....
Name and number of municipality.

SCHOOLS

c. 131

FORM P

(Section 82)

POLL BOOK

Election of Trustees for The _____ School District No. ____ of Saskatchewan.

Date of Poll _____; Poll opened _____; Poll closed _____.

Name of voter	Person voted for	Remarks

.....
Signature of Applicant.

FORM Q

(Section 85)

POLL RECORD

Election of Trustees for The _____ School District No. ____ of Saskatchewan.

Date of Poll _____; Poll opened _____; Poll closed _____.

Name of candidate	Votes
A.B.	1 1 etc. 1
C.D.	1 1 etc. 1

.....
Chairman.

FORM R

(Section 144)

POLL BOOK

Vote on debenture bylaw submitted to the ratepayers of _____ School District on the _____ day of _____ 19____.

Poll opened at ten o'clock a.m. Poll closed at four o'clock p.m.

Name of voter	Record of votes		Remarks
	For bylaw	Against bylaw	
Totals			

.....
Returning Officer.

FORM S

(Sections 148 and 150)

VOTERS' DECLARATION

The _____ School District No. ____ of Saskatchewan.

The undersigned severally declare each for himself that he is of the full age of twenty-one years and that he has owned or been the occupant of assessable property within the above named district for a period of at least two months immediately prior to this date and that his name appears on the last revised assessment roll for the district or that he or she is the husband or wife of a person legally qualified to sign this form.

Names	Property owned or occupied

Witnesses to the above signatures:

.....
Returning Officer.

.....
Poll Clerk.

Dated this _____ day of _____ 19____.

Note.—Strike out the words in italics if no assessment has been made.

SCHOOLS

c. 131

FORM T

(Section 157)

JUSTICE'S RETURN OF VOTES

I, the undersigned justice of the peace in and for Saskatchewan, having received the poll book used to record the votes taken at the meeting held in the *(give name of school district in full)* on the _____ day of _____ 19____, on the question of the issue of debentures on the security of the said district and having heard all complaints relative to the conduct of the voting, beg leave to submit the following return of the votes:

Total No. of votes taken		No. of votes on each side after the recount	
For	Against	For	Against

.....
J.P.

Dated at _____ this _____ day of _____ 19____.

FORM U

(Section 172)

DEBENTURE

\$ _____ Debenture No. _____

The board of trustees of the _____ School District No. ____ of Saskatchewan promise to pay the bearer of this debenture at _____ the sum of _____ dollars of lawful money of Canada in equal consecutive annual instalments with interest at the rate of ____ per cent. per annum on the terms and in the amounts specified in the coupons attached hereto.

Dated this _____ day of _____ 19____.

[SEAL]

.....
Chairman.

.....
Treasurer.

c. 131

SCHOOLS

Issue authorised the Local Government Board.

.....
Chairman.



Registered and countersigned this _____ day of _____ 19____.

.....
Deputy Minister of Education.

COUPON

Coupon No. _____ Debenture No. _____

The board of trustees of the _____ School District No _____ of Saskatchewan will pay to the bearer at the _____ at _____ on the _____ day of _____ 19____, the sum of _____ dollars, being the _____ instalment of principal with the total interest at the rate of _____ per cent. per annum due on that day on school debenture No. _____ issued by the said district.

.....
Chairman.

.....
Treasurer.

FORM V

(Section 172)

DEBENTURE

\$ _____ Debenture No. _____

The _____ School District No _____ of Saskatchewan.

The board of trustees of the _____ School District No _____ of Saskatchewan promise to pay the bearer of this debenture at _____ the sum of _____ dollars of lawful money of Canada with interest at the rate of _____ per cent. per annum, the said payment to be made annually in equal payments of principal and interest combined as specified in the coupon attached hereto.

Dated this _____ day of _____ 19____.

[SEAL]

.....
Chairman.

.....
Treasurer.

SCHOOLS

c. 131

Issue authorised the Local Government Board.

.....
Chairman.



Registered and countersigned this _____ day of _____ 19____.

.....
Deputy Minister of Education.

COUPON

Coupon No. _____ Debenture No. _____

The board of trustees of the _____ School District No _____ of Saskatchewan will pay to the bearer at _____ on the _____ day of _____ 19____, the sum of _____ dollars, being the _____ instalment of principal and interest due on that date on debenture No. _____ issued by the said district.

.....
Chairman.

.....
Treasurer.

FORM W

(Section 172)

DEBENTURE

\$ _____ Debenture No. _____

The _____ School District No _____ of Saskatchewan.

Under the authority of *The School Act* and of bylaw No. _____ of _____ School District No. _____ of Saskatchewan, passed on the _____ day of _____ 19____, the board of trustees of the said school district promise to pay the bearer the sum of _____ dollars of lawful money of Canada (*or pounds sterling as the case may be*) with interest at the rate of _____ per cent. per annum, on the _____ day of _____ 19____, and to pay the bearer the amount of each of the several interest coupons hereto attached as the same shall respectively become due.

[SEAL]

.....
Chairman.

.....
Treasurer.

Issue authorised the Local Government Board.

Registered and countersigned this _____ day of _____ 19____.

.....
Chairman.

.....
Deputy Minister of Education.

COUPON

Coupon No. _____ Debenture No. _____

The board of trustees of the _____ School District No _____ of Saskatchewan will pay to the bearer at _____ on the _____ day of _____ 19____, the sum of _____ dollars (or pounds sterling as the case may be).

.....
Chairman.

.....
Treasurer.

FORM X

(Sections 32(2) and 76)

DECLARATION re NATURALISATION

I, A. B., do solemnly declare:

1. That I am a British subject by birth (or naturalisation)

or

1. That I have not resided in Canada for the period required by law to enable me to become naturalised but upon the lapse of said period, I will forthwith make application to become a naturalised British subject;

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at

_____ }
this _____ day of _____
A.D. 19____.

A. B.

.....
Chairman (or J.P. or Commissioner for Oaths)

FORM Y

(Sections 32(2) and 76)

OATH OF ALLEGIANCE

I, *A. B.*, do swear that I will be faithful and bear true allegiance to His Majesty King George V (*or reigning sovereign for the time being*), his heirs and successors.

In the case of persons who are not British subjects by birth, add the following:

And that I renounce and abjure all allegiance and fidelity to every foreign prince, potentate, sovereign, state or government, and particularly to (*here name the prince, potentate, sovereign, state or government of which the deponent is or was previously a citizen or subject.*) So help me God.

Sworn before me at
_____ } *A. B.*
this ____ day of _____ }
A.D. 19____.

.....
Chairman (or J.P. or Commissioner for Oaths)

