

The School Act

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Chapter 184 of *The Revised Statutes of Saskatchewan, 1965*
(effective February 7, 1966).

FOR HISTORICAL REFERENCE ONLY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.

Table of Contents

<p style="text-align: center;">SHORT TITLE</p> <p>1 Short title</p> <p style="text-align: center;">INTERPRETATION</p> <p>2 Interpretation</p> <p>3 Regulations</p> <p style="text-align: center;">DUTIES AND POWERS OF MINISTER</p> <p>4 Duties of minister</p> <p>5 Powers of minister</p> <p>6 Special school areas</p> <p>7 Purchase and sale of text books</p> <p style="text-align: center;">EDUCATIONAL COUNCIL</p> <p>8 Members</p> <p>9 Meetings</p> <p>10 Subjects for consideration</p> <p>11 Report</p> <p style="text-align: center;">FORMATION OF PUBLIC SCHOOL DISTRICTS</p> <p>12 Conditions of organization of district</p> <p>13 Mode of organization of district</p> <p>14 Procedure if existing districts affected</p> <p>15 District within one municipality</p> <p>16 District within two or more municipalities</p> <p>17 Petition sent to minister in certain cases</p> <p>18 Disposition of petition</p> <p>19 Regulations governing municipal councils</p> <p>20 Consideration of petition</p> <p>21 Second petition</p> <p>22 Conflicting petitions</p> <p>23 Standing municipal committee</p> <p>24 Ratepayers meeting called</p> <p>25 Appeal from decision of municipal council</p> <p>26 Chairman and secretary</p> <p>27 Declaration by participants in meeting</p> <p>28 Chairman's vote</p> <p>29 Poll <i>re</i> formation of district</p> <p>30 Election of trustees</p> <p>31 Secretary makes returns</p> <p>32 Erection of district</p> <p>33 Boundary lines</p> <p>34 Name of district</p> <p>35 Term of office</p> <p>36 Declaration of office</p> <p>37 First meeting of board</p>	<p style="text-align: center;">FORMATION OF SCHOOL DISTRICT BY MINISTER</p> <p>38 Erection of district by minister</p> <p>39 Election of trustees</p> <p style="text-align: center;">SEPARATE SCHOOLS</p> <p>40 Power to establish</p> <p>41 Petition for erection</p> <p>42 Qualification of voters</p> <p>43 Notice of ratepayers' meetings</p> <p>44 Town district trustees</p> <p>45 Rights and liabilities</p> <p style="text-align: center;">SCHOOL SITE</p> <p>46 Sites in rural districts</p> <p>47 Special site</p> <p>48 Regulations</p> <p>49 Approval of site</p> <p>50 Appeal</p> <p>51 Penalties</p> <p>52 New site</p> <p>53 Site in town or village</p> <p>54 Expropriation and compensation</p> <p>55 Expropriation of land on which school buildings situated</p> <p style="text-align: center;">ALTERATIONS OF BOUNDARIES OF SCHOOL DISTRICTS</p> <p>56 Application for alteration</p> <p>57 Application to municipal council</p> <p>58 Appeal from decision of municipal council</p> <p>59 Application to department</p> <p>60 Reference to judge</p> <p>61 Alteration by minister without application in certain cases</p> <p>62 Automatic alteration in certain cases</p> <p>63 Notice of alteration</p> <p>64 Rights protected</p> <p>65 Debenture holders protected</p> <p>66 Financial adjustments</p> <p style="text-align: center;">DISORGANIZATION OF DISTRICTS</p> <p>67 Procedure</p> <p style="text-align: center;">UNION OF PUBLIC AND SEPARATE SCHOOL DISTRICTS</p> <p>68 Procedure</p> <p style="text-align: center;">MEETINGS OF RATEPAYERS</p> <p>69 Time and place</p> <p>70 Public notice</p>
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71 Chairman and secretary
72 Meetings conducted in English
73 Chairman's vote
74 Qualification of voters
75 Order of business
76 Statements and reports
77 Nominations for trustee
78 Qualifications of candidates
79 Nomination paper
80 Time of nominations
81 Acclamation and term of office
82 Poll
83 Oath of voter
84 Rural district poll
85 Voting
86 Closing poll
87 Village district poll
88 Duration of poll in village districts
89 Copy of minutes to department
90 Investigation
91 Annual meeting of ratepayers
92 Notice
93 Statements and reports
94 Election in town districts
95 Return to department
96 Powers of judge
97 Prescribed meetings not held
98 Special meetings
99 Notice
100 Business limited to notice
101 Regulations

AUDIT

102 Annual audit
103 Auditor in town districts
104 Who not to be auditors

BOARD OF TRUSTEES

105 Numbers and term of office
106 Additional trustees
107 Corporate name
108 Declaration of office
109 First meeting
110 Appointment of officers
111 By whom called
112 Notice

113 Corporate acts
114 One trustee not to act
115 Motions
116 Voting
117 Proceedings valid
118 Duties of trustees
119 Establishment of cash reserve
120 Purchase of text books and supplies
121 Purchase of radios, projectors, etc.
122 Classes for defective children
123 Health of pupils
124 Medical and dental treatment
125 Superintendent of schools
126 Remuneration of trustees in certain districts
127 Membership in trustees' association and representation at conventions
128 Power to deduct membership fees from grants
129 Power to grant retiring allowance and leave of absence to certain employees
130 Superannuation of employees other than teachers
131 Superannuation of employees other than teachers
132 Annual return by certain educational institutions
133 Duties of chairman
134 Duties of secretary
135 Duties of treasurer
136 Treasurer's bond
137 Bonding by guarantee company
138 Minister notified of treasurer's appointment
139 Resignation
140 Disqualifications
141 Personal interest in contract with board
142 Ouster for neglect of duty
143 In village and rural districts
144 In town districts
145 Term of office

BORROWING POWERS OF DISTRICT

146 Procedure
147 Procedure
148 Resolution
149 Application to Local Government Board
150 Action by Local Government Board
151 Bylaws
152 Reference to minister
153 Notice of poll
154 Returning officer and poll clerk

155 Opening poll and manner of conducting poll
 156 Post notice
 157 Voters
 158 Scrutineers
 159 Voters' declaration
 160 Refusal to take declaration
 161 False declaration
 162 Closing poll
 163 Notice
 164 Returns to Local Government Board
 165 Proceedings before justice of peace
 166 Security for costs
 167 Proceedings essentially irregular
 168 Return by justice of peace to Local Government Board
 169 Request for submission
 170 Qualification of voters
 171 Certification of poll
 172 Expense
 173 Same
 174 Same
 175 Apportionment
 176 Acts to apply
 177 Alteration of bylaw

DEBENTURES

178 Issue and signature
 179 Local Government Board may sign and seal debentures
 180 Limit of debentures
 181 Term of debentures
 182 Interest
 183 Date and form of debentures
 184 Sinking fund account
 185 Use of excess interest on sinking fund
 186 Restriction *re* sinking fund
 187 Application of moneys at credit of fund
 188 Diversion of moneys
 189 Investment of sinking fund
 190 Temporary loan
 191 Registration
 192 Minister counter-signs

CONDUCT OF SCHOOLS

193 Two terms
 194 Community schools authorized
 195 Procedure for constitution of school

196 Expenses of maintenance
 197 Place of school
 198 Period of operation of subjects of study
 199 Chairman and meetings of board
 200 Duties of board
 201 Teachers
 202 Supervision and inspection
 203 Alternative mode of maintenance
 204 School hours
 205 Continuous operation of schools except during certain periods
 206 Holidays
 207 Vacations
 208 Power to keep schools open during vacations
 209 Language of instruction
 210 Religious instruction
 211 Attendance not compulsory
 212 No pupil deprived of ordinary education
 213 Ages and fees
 214 Maintenance and fees
 215 School periods
 216 Provision for education
 217 Special provision respecting closing
 218 Attendance of blind and deaf children

TEACHER

219 Certificate
 220 Resolution of board
 221 Contract
 222 Delegation of functions under section 215
 223 Written contract not required except in certain cases
 224 Continuation of contract
 225 Temporary teacher
 226 Teacher not required to perform certain duties
 227 Terms of employment
 228 Teacher entitled to salary notwithstanding certain irregularities
 229 Continuance of subsisting contracts
 230 Monthly payments
 231 Withholding of portion of salary pending submission of reports
 232 Computation of salary
 233 Payment in case of absence due to family affliction, etc.
 234 Where contract terminated, etc.
 235 Minimum salary for teachers

- 236 Sickness
- 237 Notice by board
- 238 Board of reference
- 239 Expenses of appeal
- 240 Notice by teacher
- 241 Duties
- 242 Immunity of teacher from liability
- 243 Principal and assistants
- 244 Principal's duties
- 245 Meetings subject to regulations

SCHOOL AGE

- 246 Grades and school age

FEES

- 247 Fees

EDUCATION OF NON-RESIDENT CHILDREN

- 248 Education of non-resident children
- 249 Children resident in another district
- 250 Agreement between boards
- 251 Arrangements between boards
- 252 Application of nonresident to have property assessed
- 253 Power to establish central board
- 254 Powers and duties of central board

CONVEYANCE OF SCHOOL CHILDREN

- 255 Agreement by boards for education of children of another district
- 256 Cost of conveyance
- 257 Distance for conveyance
- 258 Regulations for conveyance

PENALTIES AND PROHIBITIONS

- 259 Fulfilment of contracts
- 260 Liability of trustees
- 261 False report or register
- 262 Wrongful retention of property of district
- 263 Misconduct of returning officer

- 264 Disturbing school or meetings
- 265 False returns
- 266 Explosives and firearms
- 267 Failure to give notice of meeting
- 268 Use of unauthorized textbooks
- 269 Display of emblems of religious denominations prohibited
- 270 Teacher not a trustee
- 271 Commission for sales
- 272 Recovery of fines
- 273 Application of penalties

ORDERS

- 274 Orders not invalid for irregularity
- 275 Correction of error in orders

MISCELLANEOUS

- 276 Power of minister to declare district's status
- 277 Confirmation of existing districts
- 278 Limitation of action for damages

BOARDS OF EDUCATION

- 279 Boards may be established in certain cases
- 280 Order for establishment of board of education
- 281 Publication of notice of order
- 282 Membership of board
- 283 Qualifications of candidates and electors
- 284 First election
- 285 Term of office
- 286 Subsequent elections
- 287 Commencement of term of office
- 288 Name of board
- 289 Board of education a corporation
- 290 Assets and liabilities
- 291 Borrowing for capital purposes
- 292 Application of certain provisions of Acts to board
- 293 Disestablishment of board

SCHEDULE

CHAPTER 184

An Act respecting Schools

SHORT TITLE

Short title

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

R.S.S. 1965, c.184, s.1.

INTERPRETATION

Interpretation

2 In this Act:

“academic year”

(a) “**academic year**” means a year commencing on the first day of July in any year and ending on the thirtieth day of June in the next following year;

“board”

(b) “**board**” means the board of trustees of a district or the board of education where such a board has been established under section 280;

“burgess”

(c) “**burgess**” means in cities and towns an elector who is such in respect of freehold property; in rural municipalities and villages, a ratepayer within the meaning of subclause (i) or (ii) of clause (n);

“continuation school”

(d) “**continuation school**” means a room or department maintained exclusively for grade eight and one or more high school grades and includes any school or department of a school that is organized under subsection (2) of section 246 so as to provide for the intermediate section and that provides instruction for grades seven, eight and nine;

“council”

(e) “**council**” means the Educational Council;

“department”

(f) “**department**” means the Department of Education;

“district”

(g) “**district**” means a school district;

“high school”

(h) “**high school**” means one or more rooms or departments maintained exclusively for pupils above grade eight;

“minister”

(i) “**minister**” means the Minister of Education;

“municipality”

(j) “**municipality**” means a rural municipality;

“municipal council”

(k) “**municipal council**” means the council of a rural municipality;

“occupant”

(l) **“occupant”** means a person legally in actual occupation of land or, failing such person, the person entitled to possession;

“owner”

(m) **“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”

(n) **“ratepayer”** means a person of the full age of eighteen years:

(i) whose name appears on the last revised assessment roll in respect of property in the district and the wife or husband of such person when residing with him or her; or

(ii) who is:

(A) the chief resident officer of a corporation; or

(B) the resident managing director of a company; or

(C) the resident executor or administrator of an estate; or

(D) a resident shareholder in a duly incorporated co-operative association which is engaged in farming; or

(E) the duly nominated resident representative of a church or other religious organization;

the name of which appears on the last revised assessment roll with respect to property in the district, and who is not otherwise a ratepayer, and the wife or husband of such person when residing with him or her; or

(iii) for purposes other than voting on a debenture bylaw, or authorizing the expenditure of school funds pursuant to paragraph 49 of section 118 or organizing a new district, who has resided in the district for a period of at least five months immediately prior to the last preceding first day of June; or

(iv) in a school district situated wholly or partly in a town or city, who is entitled to vote at municipal and school elections in the town or city, or who would be so entitled to vote if he were a British subject; or

(v) for the purpose of organizing a new district, who may rightly sign the declaration set forth in form G in the schedule;

“resident ratepayer”

(o) **“resident ratepayer”** means a ratepayer actually residing within the district;

“rural district”

(p) **“rural district”** means a school district situated wholly outside a village, town or city:

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

“substitute teacher”

(q) **“substitute teacher”** means a teacher employed on a day to day basis and paid at a *per diem* rate to teach in any classroom that is temporarily without a teacher;

“superintendent”

(r) **“superintendent”** means a superintendent of schools appointed under this Act;

“teacher”

(s) **“teacher”** means a person holding a legal certificate of qualifications;

“teaching day”

(t) **“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;

“temporary teacher”

(u) **“temporary teacher”** means a teacher employed by a board, under a written contract in which he is so designated:

(i) to replace a teacher during his absence from his duties for at least twenty consecutive teaching days in an academic year; or

(ii) to fill an unexpected vacancy continuing for at least twenty consecutive teaching days but less than a full academic year; or

(iii) to teach for a period exceeding twenty consecutive teaching days but less than one academic year;

“town district”

(v) **“town district”** means a school district situated wholly or in part within a town or city:

provided that, where a portion of a rural or village district is included within a town or city, the 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”

(w) **“village district”** means a school district situated wholly or in part within a village:

provided that, where a village, in which is situated in whole or in part a village district, is incorporated as a town, the 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. 1953, c.169, s.2; 1954, c.46, s.2; 1955, c.46, s.2; 1961, c.29, s.2; 1964, c.19, s.2; 1965, c.48, s.2; R.S.S. 1965, c.184, s.2.

Regulations of the Department

Regulations

3 The minister, with the approval of the Lieutenant Governor in Council, may:

1 make regulations of the department:

(a) for the classification, organization, 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 the transfer of a teacher from one district included in a school unit organized under *The Larger School Units Act* or any former *Larger School Units Act* to another district in the same school unit;
- (f) for giving instruction in agriculture, school gardening, manual training, industrial training, domestic science and physical training;
- (g) 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;
- (h) for prescribing the terms and conditions on which a board may rent text books to a child enrolled in a high school grade;
- (i) governing the appointment, qualifications and duties of the officers referred to in section 123;
- (j) for the establishing of central boards of trustees under section 253, determining the number of members of such boards and the method of election or appointment of the members;
- (k) for the payment of fees by a board, parent or lawful guardian in respect of the attendance of a child at a school;
- (l) for the establishing of an advisory council, on which may be represented the department, The University of Saskatchewan, The Saskatchewan Teachers' Federation, The Saskatchewan School Trustees' Association, voluntary organizations and the public, to consult with and advise the minister on matters related to education continuing and extending beyond the regular courses of study;
- (m) for the establishing of a board, on which may be represented the department and the residents of the portion of Saskatchewan to which *The Northern Administration Act* from time to time applies, to:
 - (i) manage the educational affairs of schools situated in the said portion of Saskatchewan in respect of which aid is provided by the Government of Saskatchewan, other than schools in school districts organized under this Act or any former *School Act*;
 - (ii) provide, furnish, insure and maintain adequate classroom, teacherage and other necessary accommodation for or in connection with schools to which subclause (i) applies;
 - (iii) provide for educational assistance to specified classes of students residing in the said portion of Saskatchewan;
- (n) for the remuneration of persons, other than employees of the Government of Saskatchewan, who have been appointed under this Act:
 - (i) to assist with conferences or institutes; or
 - (ii) to adjudicate disputes; or

(iii) to act on special committees or on boards of reference established by the minister.

2 authorize 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 those schools;

3 prepare a list of books suitable for school libraries and make regulations for the management of such libraries;

4 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 make due provision for the training of teachers.

R.S.S. 1953, c.169, s.3; 1954, c.46, s.3; 1955, c.46, s.3; 1959, c.71, s.2; 1961, c.29, s.3; 1963, c.43, s.2; 1964, c.19, s.3; 1965, c.48, s.3; R.S.S. 1965, c.184, s.3.

DUTIES AND POWERS OF MINISTER

Duties of minister

4 The minister shall:

1 cause to be prepared and distributed recommendations and advice on the management of schools and districts for trustees and teachers;

2 prepare suitable forms and give such instructions as may be necessary for making reports and carrying out the provisions of this Act;

3 appoint a person to call any school meeting required to be held under this Act when there is no person authorized to call such meeting or when the person so authorized neglects or refuses to act;

4 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 Saskatchewan teachers college training, attendance at model schools, teachers' certificates and departmental examinations, certificates of standing and other certificates issued by the department;

5 make any provision not inconsistent with this Act that may be necessary to meet exigencies under its operation.

R.S.S. 1953, c.169, s.4; R.S.S. 1965, c.184, s.4.

Powers of minister

5 The minister may:

1 appoint one or more persons to inquire into and report upon any appeal, complaint or dispute arising from the decision of a board or superintendent 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 the order and not otherwise;

2 appoint a supervisor for any district where, upon investigation, it appears that the financial affairs of the district warrant such appointment and the supervisor so appointed shall act as treasurer for the district;

3 appoint an official trustee to conduct the affairs of a district; such official trustee to have all the power and authority 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;

4 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;

5 suspend or cancel for cause any certificate granted under the regulations of the department;

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

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

8 apply in his discretion any legislative grant due to a district in repayment of any indebtedness of the district to the Department of Education or the Provincial Treasurer.

R.S.S. 1953, c.169, s.5; R.S.S. 1965, c.184, s.5.

Special school areas

6(1) For the purpose of raising revenue to assist in providing educational facilities for the children residing therein, the minister may request the Minister of Municipal Affairs to levy a school tax, at such uniform rate or such various rates as the Minister of Education may determine, over designated portions of local improvement districts not included in any organized school district.

(2) The proceeds of taxes so levied shall be used to provide educational facilities for the children of school age in such designated areas and for no other purpose.

(3) The minister may appoint a superintendent of schools to administer education in any area designated by him under subsection (1) and may prescribe the powers and duties of any person so appointed.

R.S.S. 1953, c.169, s.6; 1954, c.46, s.4; R.S.S. 1965, c.184, s.6.

Purchase and sale of text books

7(1) The minister may establish one or more branches of the department for the purchase and sale of text books, library and reference books, supplementary reading books and other school supplies and equipment and for acquiring and making available for the use of schools, in such manner and on such terms as the minister may decide, films and slides related to audio-visual education.

SCHOOLS

c. 184

(2) The Provincial Treasurer may 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 the advances shall not exceed the amount authorized from time to time by the Lieutenant Governor in Council.

R.S.S. 1953, c.169, s.7; R.S.S. 1965, c.184, s.7.

EDUCATIONAL COUNCIL

Members

8 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. 1953, c.169, s.8; R.S.S. 1965, c.184, s.8.

Meetings

9 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. 1953, c.169, s.9; R.S.S. 1965, c.184, s.9.

Subjects for consideration

10 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. 1953, c.169, s.10; R.S.S. 1965, c.184, s.10.

Report

11 The council shall consider matters referred to it by the minister 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. 1953, c.169, s.11; R.S.S. 1965, c.184, s.11.

FORMATION OF PUBLIC SCHOOL DISTRICTS

Conditions of organization of district

12(1) Any portion of the province may be organized into a public school district provided that:

- (a) it does not exceed an area of twenty square miles and its length and breadth does not exceed five miles;
- (b) there are at least four persons actually residing within the proposed district, each of whom on its organization 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 organization 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) If it is deemed advisable to organize 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 organization of such district upon receiving satisfactory evidence that its creation is in the public interest:

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

R.S.S. 1953, c.169, s.12; 1957, c.53, s.2; R.S.S. 1965, c.184, s.12.

Mode of organization of district

13(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 organization, and may draw up and sign the necessary petition for the purpose.

(2) The petition for organization 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 organized, such names being written on the quarter sections that are occupied;
- (c) the location of streams, lakes, swamps and other bodies of water and of travelled roads.

(3) If the proposed district includes lands already within the boundaries of an organized district, the petition shall also be accompanied by a certificate in form M.

(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. 1953, c.169, s.13; R.S.S. 1965, c.184, s.13.

Procedure if existing districts affected

14(1) If the limits of a proposed district include a portion of an existing district, a member of the committee shall hand to the secretary of the existing district or leave at his residence with an adult person, at least eight clear days before the petition is submitted for approval, a notice in form B, which notice shall be accompanied by a plan showing the boundaries of the proposed district.

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

(3) A member of the committee shall also at least eight clear days before submitting the petition for approval:

- (a) hand a notice in form C to each of the ratepayers residing on the lands proposed to be withdrawn from the existing district; or

(b) leave such notice at the residence of each such ratepayer with an adult person.

R.S.S. 1953, c.169, s.14; R.S.S. 1965, c.184, s.14.

District within one municipality

15 If the proposed district is situated wholly or partly within 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 the municipality.

R.S.S. 1953, c.169, s.15; R.S.S. 1965, c.184, s.15.

District within two or more municipalities

16(1) If the proposed district is situated partly within two or more municipalities, the committee shall transmit the petition for its organization to the secretary of the municipality that contains the greater portion of the proposed district, and if 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. 1953, c.169, s.16; R.S.S. 1965, c.184, s.16.

Petition sent to minister in certain cases

17(1) If the proposed district is situated wholly outside any municipality, or if its area contains a portion of a town or village district the petition shall be forwarded to the minister.

(2) The minister may in his discretion refer to a judge of the district court the matter of approval of boundaries for any such proposed district.

(3) Upon such reference the judge shall, after such consultation as he deems expedient, fix a time and place, deemed by him most convenient to those concerned, for hearing the representatives of the municipal council, the boards of school districts affected, the committee and ratepayers of the proposed district, and shall direct notice of the time and place of the hearing to be given to the said parties in such manner as he deems fit.

(4) The judge may approve the boundaries of the proposed district as shown in the petition or approve such altered and restricted boundaries as he deems advisable or he may refuse to approve of boundaries for the district.

(5) The judge shall, as soon as practicable after the hearing, forward a copy of his decision to the municipal council, the committee for the proposed district, the board of each school district affected and to the department. His decision shall be final.

(6) The judge's approval of boundaries for a district shall be the authority of the committee to proceed with the first school meeting.

R.S.S. 1953, c.169, s.17; 1961, c.29, s.4; R.S.S. 1965, c.184, s.17.

Disposition of petition

18 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. 1953, c.169, s.18; R.S.S. 1965, c.184, s.18.

Regulations governing municipal councils

19 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 issue such regulations as he deems necessary, and it shall be the duty of a council to see that the regulations are substantially adhered to when a petition for a new district is submitted to the council for consideration.

R.S.S. 1953, c.169, s.19; R.S.S. 1965, c.184, s.19.

Consideration of petition

20(1) Upon the consideration of a petition for the organization 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 the approval by the committee shall be its authority to proceed with the first school meeting.

R.S.S. 1953, c.169, s.20; R.S.S. 1965, c.184, s.20.

Second petition

21 If 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. 1953, c.169, s.21; R.S.S. 1965, c.184, s.21.

Conflicting petitions

22 If a municipal council receives two or more petitions for new districts the boundaries of which 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. 1953, c.169, s.22; R.S.S. 1965, c.184, s.22.

Standing municipal committee

23 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 that by any law are required to come before the council for its consideration or decision.

R.S.S. 1953, c.169, s.23; R.S.S. 1965, c.184, s.23.

Ratepayers meeting called

24(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 in at least five widely separated and conspicuous public places within the district, one of which shall be near the post office in the district and, if there is no post office in the district, a sixth notice may be posted near the post office nearest thereto.

(2) All such notices shall be posted 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 as herein provided shall be furnished in form F.

R.S.S. 1953, c.169, s.24; 1960, c.60, s.2; R.S.S. 1965, c.184, s.24.

Appeal from decision of municipal council

25(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 ratepayers of the proposed district may appeal to the minister in writing from the 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 refer to a judge of the district court the matter of approval of boundaries for the proposed district, and upon such reference the provisions of subsections (3), (4), (5) and (6) of section 17 shall apply.

R.S.S. 1953, c.169, s.25; 1961, c.29, s.4; R.S.S. 1965, c.184, s.25.

First Meeting of Ratepayers

Chairman and secretary

26(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. 1953, c.169, s.26; 1958, c.99, s.11; 1959, c.109, s.11; R.S.S. 1965, c.184, s.26.

Declaration by participants in meeting

27(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, a declaration in 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 is guilty of an offence and liable on summary conviction to a fine not exceeding \$10.

R.S.S. 1953, c.169, s.27; R.S.S. 1965, c.184, s.27.

Chairman's vote

28 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.1953, c.169, s.28; R.S.S. 1965, c.184, s.28.

Poll re formation of district

29(1) Upon his appointment and before any other business is transacted except as provided in section 27, 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) The poll shall be conducted as follows:

- 1 The chairman 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, and the secretary shall record in a poll book, in form H, to be provided for the purpose the name of each resident 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 appropriate space; 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 be in the following form:

For Forming the District
Against Forming the District

(3) The poll shall remain open for two hours when it shall be closed by the chairman; the ballot box shall then be opened in the presence of the secretary and two resident ratepayers who are elected for the purpose by the resident ratepayers present at the meeting and who are eligible to vote on the organization of the district, and a record in form I of the votes as they are shown on the ballots shall be made by the chairman who shall thereupon sum up the votes and declare the result.

R.S.S. 1953, c.169, s.29; 1955, c.46, s.4; R.S.S. 1965, c.184, s.29.

First Election of Trustees

Election of trustees

30(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 of the full age of twenty-one years, a British subject and a resident ratepayer of the proposed district who is able to read and write and to conduct school meetings in the English language, and shall make and subscribe a declaration and take and subscribe an oath of allegiance in form Z and AA respectively.

(3) Every nomination shall be in writing in the form following and shall be signed by at least two resident ratepayers of the district.

NOMINATION PAPER

We the undersigned resident ratepayers of the proposed school district located in township _____ range _____ west of the _____ meridian, hereby nominate (*name* _____) as a candidate at the election of a trustee now about to be held.

Witness our hands this _____ day of _____, 19____.

Moved by _____

Seconded by _____

Signatures of Resident Ratepayers.

(4) No nomination shall be valid unless the nomination paper is accompanied by the candidate's acceptance which shall be in the following form:

CANDIDATE'S ACCEPTANCE

I, the said _____ named in the foregoing nomination, hereby state:

- 1 That I am of the full age of twenty-one years;
- 2 That I am a British subject;
- 3 That I am a resident ratepayer of the proposed school district located in township _____ range _____ west of the _____ meridian;
- 4 That I am able to read and write in the English language and to conduct school meetings in the English language;

or

- 4 That I held the office of trustee prior to the first day of July, 1930, and have obtained a certificate from the school superintendent of this district that I am capable of performing the duties pertaining to the office of trustee, which certificate is attached hereto;
- 5 That my declaration (form Z) and my oath of allegiance (form AA) are attached hereto;
- 6 That I will accept the office if elected.

Signed in the presence of

Signature of Witness

Signature of Candidate.

- (5) Nominations shall be received by the chairman for ten minutes after he first calls for nominations.
- (6) In case the number of nominations does not exceed the number of trustees to be elected, the chairman shall declare the persons nominated to be elected.
- (7) If more candidates than the number to be elected are nominated, the chairman shall, at the close of the time for nominations, declare a poll open for the election of trustees.
- (8) 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 in form J.
- (9) Every resident ratepayer shall have as many votes as the number of trustees to be elected but shall not vote more than once for any one candidate at the same election.
- (10) 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. 1953, c.169, s.30; 1963, c.43, s.3; R.S.S.
1965, c.184, s.30.

*Returns to Department***Secretary makes returns**

31(1) Immediately after the first school meeting the secretary thereof shall forward to the department:

- (a) a copy of the petition for the organization of the district;
 - (b) a plan of the district voted upon, which plan shall contain the information set forth in section 13;
 - (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 in 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. 1953, c.169, s.31; R.S.S. 1965, c.184, s.31.

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

32(1) Upon receipt of the returns and documents referred to in section 31 and upon being satisfied that the requirements and provisions of the law with respect to the organization of the district have been substantially complied with, the minister may be order declare the proposed district to be organized 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 organized, properly describe its boundaries and correct such errors as appear to him to have been inadvertently made as aforesaid.

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

R.S.S. 1953, c.169, s.32; R.S.S. 1965, c.184, s.32.

Boundary lines

33(1) For the purposes of this Act, when a district has been heretofore or is hereafter established and was or is wholly or in part described as comprising certain sections or other divisions of land in accordance with the system of Saskatchewan lands survey, the boundary lines of the district, except as varied by the description of the district when the district was or is established or by the description of any alteration in the boundaries of the district, shall be the posted side of the road allowance between adjoining sections or townships except in case of correction lines where the south side of the road allowance shall be the boundary.

(2) Notwithstanding anything contained herein, a road allowance between an Indian reserve and a district shall be deemed to be in the district.

(3) Notwithstanding anything contained herein, in the case of a district bordering upon the Province of Manitoba, one-half of the roadway lying to the east of the district shall be deemed to be included within its boundaries.

1954, c.46, s.5; R.S.S. 1965, c.184, s.33.

Name of School District

Name of district

34(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 *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 this Act shall affect any obligations, rights, actions or property incurred, established, done or acquired prior to the change.

R.S.S. 1953, c.169, s.33; R.S.S. 1965, c.184, s.34.

Term of Office of Trustees

Term of office

35(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:

Provided that, where there are five trustees to be elected, three, being those who obtain the highest number of votes, shall hold office until the second annual meeting and two, being those who obtain the next highest number of votes, shall hold office until the first annual meeting subsequent to the date of the election, and thereafter each trustee shall be elected for a period of two years.

(2) If 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. 1953, c.169, s.34; R.S.S. 1965, c.184, s.35.

*Declaration of Office***Declaration of office**

36(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.

(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. 1953, c.169, s.35; R.S.S. 1965, c.184, s.36.

*Organization of Board***First meeting of board**

37(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 the 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 necessary.

(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. 1953, c.169, s.36; R.S.S. 1965, c.184, s.37.

FORMATION OF SCHOOL DISTRICT BY MINISTER

Erection of district by minister

38(1) If 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 that portion into a district, provided that it contains:

- (a) twenty children between the ages of five and sixteen inclusive;
- (b) eight persons actually residing therein who on the erection of the district would be liable to assessment;

SCHOOLS

c. 184

(c) six thousand acres of assessable land;

and notice of the erection of any such district shall be published in the *Gazette*, which notice shall be conclusive evidence that the district has been duly erected and constituted in accordance with this Act.

(2) In special cases where the requirements of clauses (b) and (c) of subsection (1) are fulfilled but there is not within the required area the number of children required by clause (a) of that subsection, 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. 1953, c.169, s.37; R.S.S. 1965, c.184, s.38.

Election of trustees

39 In case of the erection of a district in accordance with section 38, 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 organize the board as hereinbefore provided.

R.S.S. 1953, c.169, s.38; R.S.S. 1965, c.184, s.39.

SEPARATE SCHOOLS

Power to establish

40 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. 1953, c.169, s.39; R.S.S. 1965, c.184, s.40.

Petition for erection

41 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. 1953, c.169, s.40; R.S.S. 1965, c.184, s.41.

Qualification of voters

42 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. 1953, c.169, s.41; R.S.S. 1965, c.184, s.42.

Notice of ratepayers' meetings

43 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 the notice shall be the same as prescribed in the formation of public school districts.

R.S.S. 1953, c.169, s.42; R.S.S. 1965, c.184, s.43.

Town district trustees

44 If 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. 1953, c.169, s.43; R.S.S. 1965, c.184, s.44.

Rights and liabilities

45 After the establishment of a separate school district under this Act, the 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. 1953, c.169, s.44; R.S.S. 1965, c.184, s.45.

SCHOOL SITE

Sites in rural districts

46(1) In every rural district the board shall acquire a school site on a road allowance at the centre of the district.

(2) If 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 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 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. 1953, c.169, s.45; R.S.S. 1965, c.184, s.46.

Special site

47(1) A notice in form K of the intention of the board to apply for approval of a site away from the centre of the district shall be posted within the district in the manner provided by section 24.

(2) Every such notice shall be posted 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 this section.

R.S.S. 1953, c.169, s.46; R.S.S. 1965, c.184, s.47.

Regulations

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

R.S.S. 1953, c.169, s.47; R.S.S. 1965, c.184, s.48.

Approval of site

49(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 L, and the receipt of the certificate of approval by the board shall be its authority to secure the site if no appeal under section 50 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. 1953, c.169, s.48; R.S.S. 1965, c.184, s.49.

Appeal

50(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 the 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 referred by the minister to a judge of the district court.

(3) Upon such reference the judge shall, after such consultation as he deems expedient, fix a time and place, deemed by him most convenient to those concerned, for hearing the resident ratepayers and the board of trustees of the district and, where the district is included in a school unit, the unit board, and shall direct notice of the time and place of the hearing to be given to them in such manner as he deems fit.

(4) After the hearing the judge shall approve such site as he deems suitable and his decision shall be final. In approving a site the judge may make such order with respect to a time limit for its acquisition by the board, the erection of a schoolhouse thereon, or the removal of a schoolhouse thereto, as he deems proper.

(5) The judge shall, as soon as practicable after the hearing, forward a copy of his decision to the board, the municipal council and the department, and receipt by the board of the decision shall be its authority to secure the site.

R.S.S. 1953, c.169, s.49; 1958, c.61, s.2; 1961, c.29, s.4; R.S.S. 1965, c.184, s.50.

Penalties

51 If the board of a district acquires a school site in violation of this Act, each member thereof is guilty of an offence and liable on summary conviction, on information laid by any ratepayer of the district, to a fine not exceeding \$100 and costs; and the members of the board shall also be personally liable, but the board shall not be liable, for the cost of a site so acquired or of any building erected thereon:

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

R.S.S. 1953, c.169, s.50; R.S.S. 1965, c.184, s.51.

New site

52 If 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. 1953, c.169, s.51; R.S.S. 1965, c.184, s.52.

Site in town or village

53(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, 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 referred to a judge of the district court and in such case the provisions of subsections (3), (4) and (5) of section 50 shall apply.

R.S.S. 1953, c.169, s.52; 1961, c.29, s.4; 1964, c.19, s.4; R.S.S. 1965, c.184, s.53.

Expropriation and compensation

54(1) The board of every district may, without the consent of the owner thereof or of any person interested therein, enter upon, take and appropriate all such real property as may be deemed by The Local Government Board necessary for the uses of the district, making due compensation therefor to the persons entitled thereto.

(2) Upon such entry the registered owner of the real property or the person having power to make a transfer thereof shall, on written demand authorized by a resolution of the Board of the district, forthwith execute and deliver to the board a transfer to the board of the real property, and if he fails to do so The Local Government Board shall forward to the registrar of the proper land titles office a notice, signed by the chairman of the board, that the real property described therein has been expropriated under this section, and upon receipt of the notice the registrar shall issue a certificate of title to the real property in the name of the board of the district.

- (3) If no mutual agreement as to the amount of compensation is arrived at within a period of sixty days from the date of entry, the amount shall be determined by two arbitrators, one to be appointed by the board and the other by the owner of the land taken.
- (4) The two arbitrators so appointed shall have power to appoint an umpire.
- (5) *The Arbitration Act* shall apply to the arbitration.

1954, c.46, s.6; R.S.S. 1965, c.184, s.54.

Expropriation of land on which school buildings situated

55 Subject to the approval of The Local Government Board, the board of a district may, without the consent of the owner thereof or of any person interested therein, enter upon, take and appropriate any real property within the district, not exceeding two acres, on which are situated a school house, teacher's residence, stable and other school buildings, or any of them, erected or acquired by a board; and subsections (2) to (5) of section 54 shall apply *mutatis mutandis* except that for the purpose of determining the amount of compensation to be paid to the person entitled thereto such buildings shall be deemed not to be a part of the real property and their value shall not be taken into consideration.

1958, c.61, s.3; R.S.S. 1965, c.184, 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 included in a school unit, a district situated wholly outside 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 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 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. 1953, c.169, s.54; 1962, c.27, s.2; R.S.S. 1965, c.184, s.56.

Application to municipal council

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

- (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 in form N 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) Where the proposed alteration affects a district or districts included in a school unit or units the person or board applying for the alteration shall send to the board of each unit in which the district or districts are included a copy of the notice (form N) required by subsection (2), accompanied by a plan showing the alteration for which application will be made. The copy and plan shall be sent by registered mail and deposited in the post office at least ten days before the application is submitted for approval.
- (5) The person or board applying for the alteration shall also hand to each of the persons who are ratepayers within the meaning of subclause (iii) of clause (n) of section 2 and who are then 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 in form O.
- (6) The municipal council shall give all parties concerned an opportunity to be heard.
- (7) The municipal council shall notify the minister in form P 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. 1953, c.169, s.55; 1954, c.46, s.7; 1957, c.53, s.3; R.S.S. 1965, c.184, 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 or the applicant for the alteration may appeal to the minister in writing from the 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:

Provided that, in the case of an appeal other than an appeal by a board of trustees, a majority of the ratepayers notified pursuant to subsection (5) of section 57 shall indicate in writing to the minister that they desire that an appeal be made from the decision of the municipal council.

- (2) The minister may thereupon in his discretion refer the question to a judge of the district court.
- (3) Upon such reference the judge shall, after such consultation as he deems expedient, fix a time and place, deemed by him most convenient to those concerned, for hearing the representatives of the municipal council, the boards of school districts notified pursuant to subsection (2) of section 57 and the ratepayers notified pursuant to subsection (5) of section 57, and shall direct notice of the time and place of the hearing to be given to the said parties in such manner as he deems fit.

(4) The judge shall, as soon as practicable after the hearing, forward a copy of his decision to the municipal council, to the board of each school district affected and to the department. His decision shall be final.

R.S.S. 1953, c.169, s.56; 1954, c.46, s.8; 1957, c.53, s.4; 1961, c.29, s.4; R.S.S. 1965, c.184, s.58.

Application to department

59 When an application is made direct to the department, notices shall be served as required by subsections (2) (4) and (5) of section 57. The application shall be accompanied by a certificate in form M and the minister may take such action thereon as he deems advisable.

R.S.S. 1953, c.169, s.57; 1965, c.48, s.4; R.S.S. 1965, c.184, s.59.

Reference to judge

60(1) Where in accordance with section 56, application for an alteration in boundaries is made to the Department of Education the minister may in his discretion refer the matter to a judge of the district court.

(2) Upon such reference the judge shall, after such consultation as he deems expedient, fix a time and place, deemed by him most convenient to those concerned, for hearing the boards of school districts and ratepayers notified pursuant to section 59, and shall direct notice of the time and place of the hearing to be given to the said parties in such manner as he deems fit.

(3) The judge shall, as soon as practicable after the hearing, forward a copy of his decision to the board of each school district affected and to the department. His decision shall be final.

R.S.S. 1953, c.169, s.58; 1954, c.46, s.9; 1961, c.29, s.4; R.S.S. 1965, c.184, s.60.

Alteration by minister without application in certain cases

61 Notwithstanding any other provision of this Act, where the minister considers it advisable for the purpose of adjusting boundaries of school units and in the interests of education to do so, he may by order alter the boundaries of any rural or village school district that is not a separate school district.

1962, c.27, s.3; R.S.S. 1965, c.184, s.61.

Automatic alteration in certain cases

62 Where a district includes all, or the greater part, of a town or city municipality and the limits of the municipality are altered to include lands that are not within the district, the boundaries of the district shall be deemed to be similarly altered to include those lands.

1955, c.46, s.5; 1962, c.27, s.3; R.S.S. 1965, c.184, s.62.

Notice of alteration

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

R.S.S. 1953, c.169, s.59; R.S.S. 1965, c.184, s.63.

Rights protected

64 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. 1953, c.169, s.60; R.S.S. 1965, c.184, s.64.

Debenture holders protected

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

R.S.S. 1953, c.169, s.61; R.S.S. 1965, c.184, s.65.

Financial adjustments

66(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 district between 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 those 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 the 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. 1953, c.169, s.62; R.S.S. 1965, c.184, s.66.

DISORGANIZATION OF DISTRICTS

Procedure

67(1) The minister may by order, notice of which shall be published in the *Gazette*, declare that on and after a day therein to be named any district shall be disorganized, and thereupon the district 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 disorganization 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 dispose of the surplus, if any, as the minister may by order direct.

(3) If the amount realized 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 authorized 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. 1953, c.169, s.63; R.S.S. 1965, c.184, s.67.

UNION OF PUBLIC AND SEPARATE SCHOOL DISTRICTS

Procedure

68(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 those districts should be united into a public school district, the minister may, by order, notice of which shall be published in the *Gazette*, declare that on and after a day therein to be named the separate school district shall be disorganized, and thereupon that district 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 purpose 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 disorganization 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. 1953, c.169, s.64; R.S.S. 1965, c.184, s.68.

MEETINGS OF RATEPAYERS

Annual Meeting in Rural and Village Districts

Time and place

69 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 or outside the district, not later than the thirtieth day of April in each year. In rural districts the meeting shall commence at two o'clock in the afternoon or at eight o'clock in the evening (standard time). In village districts the meeting shall commence at two o'clock in the afternoon or at seven o'clock in the evening (standard time).

R.S.S. 1953, c.169, s.65; 1955, c.46, s.6; 1958, c.99, s.11; 1959, c.109, s.11; 1960, c.60, s.3; R.S.S. 1965, c.184, s.69.

Public notice

70(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. The notices shall be posted in five conspicuous public places within the district, one of which shall be near the post office in the district and, if there is no post office in the district, a sixth notice may be posted near 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 near the post office in the district or, if there is no post office in the district, then near the post office nearest thereto.

R.S.S. 1953, c.169, s.66; 1960, c.60, s.4; R.S.S. 1965, c.184, s.70.

Chairman and secretary

71(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 the other duties 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. 1953, c.169, s.67; R.S.S. 1965, c.184, s.71.

Meetings conducted in English

72 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.

R.S.S. 1953, c.169, s.68; R.S.S. 1965, c.184, s.72.

Chairman's vote

73 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. 1953, c.169, s.69; R.S.S. 1965, c.184, s.73.

Qualification of voters

74(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 village or rural municipality that contains the whole or a part of a town, village or rural district shall on demand furnish the board of trustees of the district with a certified copy of the last revised assessment roll of the municipality or a certified copy of the voters' list of the municipality, as the case may require, covering the district or that part of the district within the municipality; and where the whole or a part of a town, village or rural school district is situated within a local improvement district, the Minister of Municipal Affairs shall on demand furnish the board of trustees of the school district with a certified copy of the last revised assessment roll of the local improvement district covering the school district or that part of the district within the local improvement district.

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

(4) The board of trustees shall for that part, if any, of the school district in a local improvement district cause to be prepared a list of resident ratepayers as at the first day of September in each year, for use until the next succeeding first day of September, including therein the name of every person who completes a declaration in the following form:

DECLARATION OF RESIDENT RATEPAYERS

The School District No. of Saskatchewan.

The undersigned severally declare, each for himself or herself:

- 1 That he or she is of the full age of eighteen years;
- 2 That he or she is not assessed for any land in the above school district;
- 3 That he or she has resided on property in the district assessed for the purposes of the district for a period of at least six months immediately prior to the last preceding first day of September.

Signature of Resident Ratepayers	Property on which resident ratepayer resides			
	Section	Township	Range	Meridian

Witness to the above signatures:

.....
Chairman.

.....
Secretary.

Dated this _____ day of _____, 19_____.

(5) The board of trustees shall compile a list of ratepayers and resident ratepayers of the district, certified by the chairman and secretary, for use at the annual meeting or as required.

R.S.S. 1953, c.169, s.70; 1955, c.46, s.7; 1965, c.48, s.5; R.S.S. 1965, c.184, s.74.

Order of business

75 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 superintendent's reports;
- 3 Miscellaneous business;

- 4 Election of trustees;
- 5 Election of auditor.

R.S.S. 1953, c.169, s.71; R.S.S. 1965, c.184, s.75.

Statements and reports

76 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 the 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 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;

Superintendent's

6 The superintendent'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. 1953, c.169, s.72; R.S.S. 1965, c.184, s.76.

Election of Trustees at Annual Meeting

Nominations for trustee

77 The chairman shall call for nominations for the office of trustee to fill the existing vacancy or vacancies not later than one hour from the commencement of the meeting and the secretary shall record the nominations in the order in which they are made:

Provided that in village districts, if a majority of the resident ratepayers present so decide by resolution, a meeting of the resident ratepayers for the nomination and election of trustees shall be held one week after the date of the annual meeting, at the hour of two o'clock in the afternoon, without further notice.

R.S.S. 1953, c.169, s.73; R.S.S. 1965, c.184, s.77.

Qualifications of candidates

78 Each person nominated for the office of trustee shall be of the full age of twenty-one years, a British subject and 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 Z and AA respectively.

R.S.S. 1953, c.169, s.74; R.S.S. 1965, c.184, s.78.

Nomination paper

79(1) Every nomination for trustee shall be in writing in the form following and shall be signed by at least two resident ratepayers of the district.

NOMINATION PAPER

We, the undersigned resident ratepayers of The _____ School District No.____, hereby nominate (*name* _____) as a candidate at the election of a trustee now about to be held.

Witness our hands this _____ day of _____, 19_____.

Moved by _____

Seconded by _____

Signatures of Resident Ratepayers.

(2) No nomination shall be valid unless the nomination paper is accompanied by the candidate's acceptance which shall be in the following form:

CANDIDATE'S ACCEPTANCE

I, the said _____ named in the foregoing nomination, hereby state:

- 1 That I am of the full age of twenty-one years;
- 2 That I am a British subject;
- 3 That I am a resident ratepayer of The _____ School District No.____;
- 4 That I am able to read and write in the English language, and to conduct school meetings in the English language;

or

- 4 That I held the office of trustee prior to the first day of July, 1930, and have obtained a certificate from the school superintendent of this district that I am capable of performing the duties pertaining to the office of trustee, which certificate is attached hereto;
- 5 That my declaration (form Z) and my oath of allegiance (form AA) are attached hereto;
- 6 That I will accept the office if elected.

Signed in the presence of

Signature of Witness.

Signature of candidate.

R.S.S. 1953, c.169, s.75; R.S.S. 1965, c.184, s.79.

Time of nominations

80 Nominations shall be received by the chairman for thirty minutes after he has first called for nominations.

R.S.S. 1953, c.169, s.76; R.S.S. 1965, c.184, s.80.

Acclamation and term of office

81 If the number of nominations does not exceed the number of vacancies the chairman shall declare the candidate or candidates nominated to be elected and the term of office of each trustee elected shall be determined in the manner mentioned in section 35.

R.S.S. 1953, c.169, s.77; R.S.S. 1965, c.184, s.81.

Poll

82 If there are more nominations than vacancies the chairman shall at the close of the time for receiving nominations declare a poll open for the election of the required number of trustees, and the term of office of each trustee elected shall be determined in the manner mentioned in section 35.

R.S.S. 1953, c.169, s.78; R.S.S. 1965, c.184, s.82.

Oath of voter

83(1) If objection is made to the right of any person to vote for the election of a trustee in a rural or a village district or on any matter referred for a vote of the resident ratepayers of such district the chairman, returning officer or deputy returning officer, as the case may be, shall require such person to take an oath or affirmation in the following form:

I, _____ of _____ in the province of Saskatchewan, (*occupation*) do swear (*or solemnly affirm*) that:

- 1 I am of the full age of eighteen years;
- 2 I am, and was for a period of five months immediately prior to the first day of June last, a resident in the (*give name and number of district in full*);
- 3 I actually reside within the district;
- 4 I have not voted before at this election (*or at this or any other polling place*);
- 5 I have not received any reward either directly or indirectly nor do I expect to receive any for my vote;

So help me God.

(2) Every person taking such oath or affirmation shall be permitted to vote.

R.S.S. 1953, c.169, s.79; 1965, c.48, s.6; R.S.S. 1965, c.184, s.83.

Rural district poll

84 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 Q:

Provided that if 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 87 and 88, except that the poll shall remain open for one hour only.

R.S.S. 1953, c.169, s.80; R.S.S. 1965, c.184, s.84.

Voting

85 Each voter shall vote for as many candidates as there are trustees to be elected.

R.S.S. 1953, c.169, s.81; R.S.S. 1965, c.184, s.85.

Closing poll

86 Subject to section 84, 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. 1953, c.169, s.82; R.S.S. 1965, c.184, s.86.

Village district poll

87 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 each 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. 1953, c.169, s.83; R.S.S. 1965, c.184, s.87.

Duration of poll in village districts

88 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 in form R of the votes as they are shown on the ballots shall be made by the chairman, who shall thereupon sum up the votes and declare the result.

R.S.S. 1953, c.169, s.84; R.S.S. 1965, c.184, s.88.

Copy of minutes to department

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

R.S.S. 1953, c.169, s.85; R.S.S. 1965, c.184, s.89.

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

90(1) When 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. 1953, c.169, s.86; R.S.S. 1965, c.184, s.90.

*Annual Meeting in Town Districts***Annual meeting of ratepayers**

91 An annual meeting of the ratepayers of a town district shall be held on a day between the second Monday and the fourth Monday in October and at a place to be fixed by resolution of the board, of which notice shall be given by advertisement once a week for at least two weeks previous to the date of the meeting in a newspaper published in the district or, if there is no newspaper published in the district, notice of the meeting shall be given in the manner provided in section 70 with respect to meetings in rural and village districts.

R.S.S. 1953, c.169, s.87; R.S.S. 1965, c.184, s.91.

Notice

92(1) The trustees of every town district, and of every district to which the proviso to clause (w) of section 2 applies, shall give notice to the city clerk or the town clerk, as the case may be, on or before the first day of October in each year of the number of vacancies required to be filled to make the board complete; and in the case of the first or any subsequent election of trustees in a town district the secretary of the district shall on or before the fifteenth day of October furnish the city clerk or the town clerk with a list of the resident ratepayers of the district who reside outside 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. 1953, c.169, s.88; 1965, c.48, s.7; R.S.S. 1965, c.184, s.92.

Statements and reports

93(1) The statements and reports mentioned in section 76, 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 deems advisable or upon being authorized to do so by resolution of the ratepayers at the annual meeting, may have any or all of the statements or reports, or any part of them except the superintendent'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 76 shall mean such statement for that portion of the fiscal year ending on the thirty-first day of August 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. If there is no newspaper published in the district the board shall cause copies of the statement to be posted in at least five conspicuous public places within the district, and the treasurer shall forward a copy of the statement to the department.

R.S.S. 1953, c.169, s.89; 1954, c.46, s.10; R.S.S. 1965, c.184, s.93.

Election in town districts

94(1) Where the greater portion of a town district is situated:

(a) in a city, the members of public and separate school boards of the district shall, subject to subsections (2), (3) and (4), be elected in the manner prescribed by *The City Act*;

(b) in a town, the members of public and separate school boards of the district shall, subject to subsections (2), (3) and (4), be elected in the manner prescribed by *The Town Act*.

(2) The qualifications of a candidate for the office of school trustee shall be as set forth in section 78, and the form of nomination and candidate's acceptance shall be as set forth in section 79.

(3) The persons qualified to vote shall be persons who are resident ratepayers of the district.

(4) If a person whose name is not on the voters' list presents himself for the purpose of voting and claims that he is entitled to vote, or if objection is made to the right of a person to vote, the presiding officer shall, upon administering to him an oath or affirmation in the form contained in section 83, permit him to vote.

1965, c.48, s.8; R.S.S. 1965, c.184, s.94.

Return to department

95 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. 1953, c.169, s.91; R.S.S. 1965, c.184, s.95.

Contested Elections in Town and Village School Districts

Powers of judge

96(1) If 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 acting at the judicial centre nearest to 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. 1953, c.169, s.92; 1961, c.29, s.5; R.S.S. 1965, c.184, s.96.

*Deferred School Meetings***Prescribed meetings not held**

97 If 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. 1953, c.169, s.93; R.S.S. 1965, c.184, s.97.

*Special Meetings of Ratepayers***Special meetings**

98 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. 1953, c.169, s.94; R.S.S. 1965, c.184, s.98.

Notice

99(1) The secretary of the board shall call any special meeting when required to do so:

- (a) by the board;
- (b) by the minister;
- (c) by a superintendent;
- (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. 1953, c.169, s.95; R.S.S. 1965, c.184, s.99.

Business limited to notice

100 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. 1953, c.169, s.96; R.S.S. 1965, c.184, s.100.

Regulations

101 Notwithstanding anything in subsection (2) of section 99, 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. 1953, c.169, s.97; R.S.S. 1965, c.184, s.101.

AUDIT

Annual audit

102(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:

Provided that the board may appoint as auditor the person elected auditor by the ratepayers at the annual meeting, if that person is a chartered accountant or is approved as auditor by the superintendent of schools.

(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 auditor appointed by the minister or if 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 send by post prepaid to every person named in the tax roll whose taxes appear to be in arrear in respect of land outside an organized municipality, a notice signed by both auditors setting forth the amount of the unpaid taxes shown in the roll against each parcel of land standing in the name of such person.

(7) 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.

(8) 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. 1953, c.169, s.98; R.S.S. 1965, c.184, s.102.

Auditor in town districts

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

R.S.S. 1953, c.169, s.99; R.S.S. 1965, c.184, s.103.

Who not to be auditors

104 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. 1953, c.169, s.100; R.S.S. 1965, c.184, s.104.

BOARD OF TRUSTEES

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

105(1) In rural and village districts there shall be three trustees, each of whom shall, subject to the provisions of section 35, 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. 1953, c.169, s.101; R.S.S. 1965, c.184,
s.105.

Additional trustees

106(1) In the case of a district containing thirty-six square miles or more, or a village district, the minister may order that the board shall consist of five trustees.

(2) Notwithstanding subsection (1), in the case of a district containing one hundred square miles or more, the minister may order that the board shall consist of seven trustees.

(3) Subject to subsection (6), the election of the necessary additional trustees shall take place at the annual meeting next following the date of the order.

(4) Where the number of trustees is to be increased from three to five 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.

(5) Where the number of trustees is to be increased from three to seven there shall be elected at the said meeting five trustees, three, being those who obtain the highest number of votes, for a period of two years each, and two, who obtain the next highest number of votes, for a period of one year each. 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.

(6) Where the number of trustees is to be increased from five to seven there shall be elected at the said meeting or, in the case of a town district, at the next annual election, four or five trustees, as the case may require, all but one, being those who obtain the highest number of votes, for a period of two years each, and one, being the one who obtains the next highest number of votes, for a period of one year. The two or three 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.

(7) Where an election is held under subsection (4), (5) or (6) and the number of nominations is equal to the number of trustees to be elected the person last nominated shall hold office for one year and the others shall hold office for two years.

R.S.S. 1953, c.169, s.102; 1957, c.53, s.5; 1964, c.19, s.5; 1965, c.48, s.9; R.S.S. 1965, c.184, s.106.

Trustees a Body Corporate

Corporate name

107 The trustees of every district shall be a corporation under the name “The Board of Trustees of the _____ School District No.____ of Saskatchewan”.

R.S.S. 1953, c.169, s.103; 1957, c.53, s.6; R.S.S. 1965, c.184, s.107.

Organization of Board

Declaration of office

108 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 35.

R.S.S. 1953, c.169, s.104; R.S.S. 1965, c.184, s.108.

First meeting

109 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 organizing and for the transaction of such other business as may be required.

R.S.S. 1953, c.169, s.105; R.S.S. 1965, c.184, s.109.

Appointment of officers

110 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:

Provided that in town districts the board may appoint a deputy chairman who, when the chairman is unable to act, shall have all the powers and shall perform all the duties of the chairman.

R.S.S. 1953, c.169, s.106; 1963, c.43, s.4; R.S.S. 1965, c.184, s.110.

By whom called

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

R.S.S. 1953, c.169, s.107; R.S.S. 1965, c.184, s.111.

Notice

112(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 if he is absent 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. The 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. 1953, c.169, s.108; R.S.S. 1965, c.184, s.112.

Corporate acts

113(1) No act or proceeding of any board shall be deemed valid or binding that 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. 1953, c.169, s.109; R.S.S. 1965, c.184, s.113.

One trustee not to act

114 If the number of trustees is 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. 1953, c.169, s.110; R.S.S. 1965, c.184, s.114.

Motions

115 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. 1953, c.169, s.111; R.S.S. 1965, c.184, s.115.

Voting

116(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. 1953, c.169, s.112; R.S.S. 1965, c.184, s.116.

Proceedings valid

117 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. 1953, c.169, s.113; R.S.S. 1965, c.184, s.117.

*Duties and Powers of Trustees***Duties of trustees**

118 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 board;

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 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;

Agreement with school unit

10 to enter into an agreement with the board of a school unit organized under *The Larger School Units Act* or any former *Larger School Units Act*, or with the Government of Canada or the Government of Saskatchewan, for the purpose of providing elementary, high school, vocational or technical instruction within the district; acquiring, extending or improving a school site; acquiring, erecting, repairing, furnishing, equipping school buildings or dormitories; employing teachers to give such instruction, and supervisors and other employees for the supervision, management and maintenance of such school buildings or dormitories;

Agreement between town district and high school district

11 in the case of a town district, to enter into an agreement with the board of trustees of a high school district organized under *The Secondary Education Act* or any former *Secondary Education Act* for the purpose of having the board of trustees of the high school district provide instruction to children in grades seven and eight, or for the purpose of having the board of trustees of the town district provide instruction to children in grade nine and for that purpose providing for:

- (a) acquiring, extending or improving a school site;
- (b) acquiring, erecting, repairing, furnishing and equipping school buildings;
- (c) employing teachers to give such instruction, and supervisors and other employees for the supervision, management and maintenance of such school buildings;

provided that the board of trustees of a town district that is a party to any such agreement shall include in its estimated annual expenditures an amount sufficient to meet its share of the costs as set forth in the agreement;

provided further that any such agreement shall be subject to the approval of the board of trustees of any district that is situated wholly or in part within the limits of the high school district and is not a party to the agreement, which approval shall be given in writing to the board of trustees of the high school district;

Saskatchewan Government Correspondence School

12 to pay in its discretion from the funds of the district fees to the Saskatchewan Government Correspondence School in respect of children of the district who are in actual attendance at the school of the district and whose names appear in the school register;

Fire escapes

13 in cities to provide fire escapes for any school building 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

14 subject to the approval of the minister, to dispose of or lease any of the real property of the district and to grant easement over any of the real property of the district;

Use of school premises

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

Rural telephones

16 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 the telephone;

Membership in co-operative association

17 when considered expedient, to become a member of a co-operative association or a credit union by the purchase of one or more shares or otherwise and to hold additional shares of which it becomes the owner by the application of dividends;

Drinking water

18 to provide wholesome drinking water for the use of the children during school hours;

Privies

19 to provide separate privies for boys and girls in accordance with the regulations of the department;

Stable

20 if deemed advisable, to erect and keep in order suitable stabling accommodation;

Insurance

21 to insure and keep insured the school buildings and equipment;

Insurance

22 if deemed advisable, to effect insurance indemnifying the school district against liability in respect of any claim for damages or personal injury;

Insurance

23 in districts in which arrangements are made by the board for the transportation of pupils, to effect insurance indemnifying the school district against liability in respect of any claim for damages or personal injury arising out of such transportation;

Library

24 to provide a suitable library for the school and to make regulations for its management;

Reference books and apparatus

25 to select and provide from the list authorized 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

26 for the purpose of giving instruction in music, to provide such equipment as may be deemed advisable;

Authorized texts

27 to require that no text books or apparatus be used in the school under its control other than those authorized by the department;

Indigent persons

28 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

29 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;

Salary schedule

30 if requested by the teacher or teachers employed by the board, to prepare and adopt, subject to the provisions of *The Teachers' Salary Negotiation Act*, a salary schedule for the teachers employed in the school or schools in the district;

Rate of salary advertised

31 where no salary schedule for the teachers employed in the school or schools in the district is in effect, to state the rate of salary offered when advertising for a teacher or when listing a vacancy with any teachers' agency or bureau through which the services of a teacher may be obtained;

Leave of absence to teacher

32 if deemed advisable and subject to such regulations as the board may make, to grant leave of absence to a teacher for a period not exceeding fourteen consecutive months with such remuneration as may be agreed upon;

Gratuity to teacher on retirement

33 if deemed advisable, to provide for payment of a gratuity to a teacher on retirement on account of age or disability, not exceeding an amount equal to five days' salary for each year of employment with the board;

Suspension or dismissal of teachers

34 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

35 to see that school is conducted according to this Act and the regulations of the department;

Teacher's salary

36 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 six per cent per annum until paid;

Management of school

37 to make regulations for the management of the school subject to this Act and to communicate them in writing to the teacher;

Schools to be opened

38 to determine the number, grade, territorial boundaries and description of schools to be opened and maintained;

Admission to Grade 1

39 to determine at what times pupils may be admitted to Grade I;

Savings bank

40 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

41 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

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

Suspension or expulsion of pupils

43 to suspend from school for a period not exceeding four weeks any pupil who, upon investigation by the board, is found to be guilty of truancy, irregular attendance not covered by *The School Attendance Act*, open 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 suspend for more than four weeks or to expel any pupil upon confirmation of a resolution of the board to that effect by the superintendent;

Exclusion of mentally deficient pupils, etc.

44 if deemed advisable, to exclude from attendance at a school any pupil who in the judgment of the superintendent is so mentally deficient as to be incapable of responding to class instruction by a skilful teacher, or whose presence is detrimental to the education and welfare of other pupils in attendance at the school, subject to appeal by the parent or legal guardian of the pupil to the Minister of Public Health, whose decision shall be final;

Truancy

45 to see that the law with reference to compulsory education and truancy is observed;

Cadet corps, sports

46 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

47 to expend a sum not exceeding \$50 per teacher employed in any one year for miscellaneous school purposes not otherwise specified in this Act;

Grants

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

Tenders

49 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

50 subject to the regulations of the department, to expend annually on books for the school library the sum of \$10 for each room in operation;

Flags

51 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;

Public Health Act

52 to give notification to the municipal board of health or the Minister of Public Health, as the case may be, of knowledge or suspicion that a pupil has a communicable disease or that there exists in the home of a pupil any communicable disease, and to comply generally with the provisions of *The Public Health Act* with respect to contagious and infectious diseases;

Public health inspectors

53 to admit to the school of the district, in connection with his duties, any person acting under the authority of *The Public Health Act*;

Teachers college and other students

54 upon production of satisfactory credentials from the principal of a Saskatchewan teachers college or the dean of the College of Education, University of Saskatchewan, to admit any student enrolled in a Saskatchewan teachers college or in the College of Education to any classroom in a school organized under this Act at any time while it is in session, for the purpose of observation and practice teaching;

Gifts, devises and bequests

55 if deemed advisable, to acquire by gift, devise or bequest and hold for the district both real and personal property of any nature and kind whatever for the uses and purposes of the district and apply the same in accordance with the terms, if any, of the gift, devise or bequest;

Investment of surplus funds

56 if deemed advisable and subject to the approval of The Local Government Board and to such regulations as may be made by that board, to invest surplus funds of the district in the stock, bonds or securities of the Government of Canada or of Saskatchewan, or in the debentures of the district or any other school district in Saskatchewan or of any municipal corporation, school unit or high school district in Saskatchewan, or in the debentures issued under *The Union Hospital Act*, and to call in, sell, assign or transfer such investments and reinvest the proceeds in similar investments or to exchange the investments for others of a like nature;

General

57 to perform such other duties as are required by this Act or the regulations of the department.

R.S.S. 1953, c.169, s.114; 1957, c.53, s.7; 1958, c.61, s.4; 1960, c.60, s.5; 1961, c.29, s.6; 1963, c.43, s.5; 1964, c.19, s.6; R.S.S. 1965, c.184, s.118.

Establishment of cash reserve

119(1) A board may create and maintain a cash reserve, and for that purpose may increase the annual school district requisition by an amount not exceeding ten per cent of the estimated current requirements until the desired reserve has been accumulated.

(2) A board may deposit any surplus funds of the district with The Local Government Board to be held in trust.

(3) The Local Government Board shall deposit all such money as received in a fund in a chartered bank and The Local Government Board may from time to time invest the money in the fund or any part thereof, or the whole or part of the increment therefrom, in securities authorized by *The Trustee Act* for the investment of trust funds.

(4) The Local Government Board may at any time apportion the increment or decrease of the fund among the school districts concerned in such manner as the said board may decide.

(5) Application may be made to The Local Government Board at any time by the board of trustees to withdraw from the fund all or part of the district's portion thereof either in cash or in securities held in the fund or partly in one and partly in the other including increment earned as apportioned by The Local Government Board. Approval of the withdrawal shall be in the discretion of The Local Government Board.

(6) The Local Government Board may without application pay to any school district its apportioned share of increment at any time.

(7) The money held by The Local Government Board or deposited by it in any chartered bank and the securities held by The Local Government Board under the provisions of this section shall be exempt from attachment and from seizure by any writ or process whatsoever at the instance of any creditor of any school district.

R.S.S. 1953, c.169, s.115; R.S.S. 1965, c.184, s.119.

Purchase of text books and supplies

120 A board may purchase text books and supplies for the use of the pupils in the school of the district in accordance with the provisions of *The Free Text Book Act*.

R.S.S. 1953, c.169, s.116; R.S.S. 1965, c.184, s.120.

Purchase of radios, projectors, etc.

121 A board of trustees, or any group of boards on such terms as are mutually agreed upon, may provide one or more radios or projectors, and films, slides or other equipment necessary for instruction in the subjects of the elementary or high school course.

R.S.S. 1953, c.169, s.117; R.S.S. 1965, c.184, s.121.

Classes for defective children

122 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 or may provide financial assistance to any person or organization conducting such special classes.

R.S.S. 1953, c.169, s.118; 1956, c.31, s.2; R.S.S. 1965, c.184, s.122.

Health of pupils

123 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, upon request of the parent or lawful guardian, of resident children under school age, 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. 1953, c.169, s.119; R.S.S. 1965, c.184, s.123.

Medical and dental treatment

124 A board of trustees may provide medical and dental treatment for children whether under school age or attending school, but no treatment shall be given to any child unless the written consent of the parent or lawful guardian has been obtained.

R.S.S. 1953, c.169, s.120; R.S.S. 1965, c.184, s.124.

Superintendent of schools

125 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. 1953, c.169, s.121; R.S.S. 1965, c.184, s.125.

Remuneration of trustees in certain districts

126(1) The board of trustees of any district in which the total estimated annual expenditure is not less than \$100,000 may, at a meeting of the board, pass a resolution for paying each member thereof, for attendance at meetings of the board, a sum not exceeding \$15 per meeting for not more than thirty meetings in any year where the total estimated annual expenditure does not exceed \$400,000, or for not more than sixty-five meetings in any year where the total estimated annual expenditure exceeds \$400,000.

(2) The board may by resolution provide that a specified proportion, not exceeding one-half, of the total sum paid by the board under this section to each member of the board in the current year for his services shall be designated as having been paid in respect of general expenses, incidental to the discharge of his duties as a member, incurred by him.

R.S.S. 1953, c.169, s.122; 1954, c.46, s.11; 1958, c.61, s.5; 1960, c.60, s.6; R.S.S. 1965, c.184, s.126.

Membership in trustees' association and representation at conventions

127(1) The board of trustees of a district may expend for membership in a trustees' association organized in the province the appropriate sum set forth in a schedule of fees adopted by the association at its last annual convention, or by the executive committee of the association pursuant to a direction of the association at its last annual convention, and submitted to the minister and approved by him.

(2) Where the minister does not approve a schedule of fees submitted to him the last schedule of fees approved by him shall apply for the purpose of subsection (1).

(3) The board may appoint a member of the board or the secretary to attend a trustees' convention and pay his actual travelling and living expenses; provided that in a town district more than one person may be so appointed.

(4) Where the travelling expenses of all authorized persons attending any such convention are required by the association holding the convention to be pooled and the aggregate thereof equalized among the school districts represented, having regard to the number of representatives from each school district, the board may pay the sum allocated for payment by the district in accordance with such requirement, notwithstanding that the sum exceeds the actual travelling expenses of its representative or representatives to the convention.

1955, c.46, s.8; R.S.S. 1965, c.184, s.127.

Power to deduct membership fees from grants

128(1) Subject to subsection (2), the minister may deduct from the grants payable to a school district in respect of any year the amount of the fees for membership in The Saskatchewan School Trustees' Association pursuant to section 127 in accordance with a schedule of fees submitted by the association to the minister and approved by him prior to the first day of December in such year.

(2) Where the board of a district, on or before the first day of December in any year, requests the minister in writing not to make the deduction provided for in subsection (1), no deduction shall be made from the grants in respect of that year.

R.S.S. 1953, c.169, s.124; R.S.S. 1965, c.184, s.128.

Power to grant retiring allowance and leave of absence to certain employees

129 The board of trustees of a village or town district may:

- (a) provide for payment of a gratuity or annual allowance to any employee, other than a teacher, on retirement on account of age;
- (b) grant leave of absence for such period as it considers proper, with or without pay, to any employee employed on a full-time basis, other than a teacher, in the case of sickness of that employee or in any other case where it considers the granting of leave to be desirable.

1964, c.19, s.7; R.S.S. 1965, c.184, s.129.

Superannuation of employees other than teachers

130 The board of a town district, situated partly or wholly within a city which has or may hereafter set up a superannuation scheme for civic employees, may make all necessary arrangements and enter into all necessary agreements with the city for inclusion in the scheme of any or all of the employees of the board, other than teachers, and may as an employer under the scheme pay such money by way of contribution as may be necessary from time to time for the purpose.

R.S.S. 1953, c.169, s.126; R.S.S. 1965, c.184, s.130.

Superannuation of employees other than teachers

131(1) The board of a town school district situated wholly or partly within a city may, either alone or jointly with the city, or jointly with the board or boards of any other school district or school districts, or jointly with the city and such board or boards and any or all of the other bodies mentioned in section 300 of *The City Act* set up, contract for and maintain a plan of superannuation or a benefit fund for the benefit of employees, other than teachers, or of any group or groups of such employees, and of their dependants or any of them, classify the employees affected or any group thereof, as to age or otherwise, as may be deemed expedient, and make adherence and contribution to the plan or fund compulsory or optional as to all such employees or any group or class thereof.

(2) Where the board acts alone or jointly with any other board or boards under subsection (1) and a plan of superannuation or a benefit fund is in operation with respect to employees of the city, the plan or fund set up or contracted for by such board or boards shall be of a similar nature to the plan or fund affecting employees of the city.

(3) A joint agreement made under subsection (1) may provide that any party thereto may withdraw therefrom subject to such conditions as may be specified in the agreement.

R.S.S. 1953, c.169, s.127; R.S.S. 1965, c.184, s.131.

Annual return by certain educational institutions

132(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. 1953, c.169, s.128; R.S.S. 1965, c.184, s.132.

Duties of Chairman

Duties of chairman

133(1) The chairman of the board shall:

- 1 have the general supervision of the affairs of the district;
- 2 certify all accounts against the district passed by the board before the accounts are paid by the treasurer;
- 3 countersign all cheques issued by the treasurer on behalf of the district other than cheques on which his signature is imprinted under the authority of a resolution passed under subsection (3) of section 135;
- 4 execute the agreement with a temporary teacher and procure the execution thereof by the teacher before he enters upon his duties or within seven days thereafter.

(2) Except in town districts where a deputy chairman has been appointed, if the chairman is unable, through illness or absence from the district, to perform the duties of his office, or if the office is vacant, the remaining trustees may appoint one of their number to act as chairman, and the acting chairman shall have all the powers and shall perform all the duties of the chairman during the illness, absence or vacancy.

R.S.S. 1953, c.169, s.129; 1954, c.46, s.12; 1962, c.27, s.4; R.S.S. 1965, c.184, s.133.

Duties of Secretary

Duties of secretary

134 The secretary or secretary treasurer of the board shall:

Minutes

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

Correspondence

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

Books and papers

- 3 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 them to the chairman on ceasing to hold office;

Reports

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

Meetings

- 5 call at the request in writing of the superintendent, chairman, or any trustee a meeting of the board;

Production of books and papers

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

Statement

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

Notices

8 give the notice required by this Act of each annual meeting of the ratepayers and call within twenty days of the date of the receipt of the petition, special meetings of the ratepayers as provided by section 99;

Production of minute book

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

R.S.S. 1953, c.169, s.130; R.S.S. 1965, c.184,
s.134.

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

135(1) The treasurer or secretary treasurer of the board shall:

Receipts and disbursements

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

Bank account

2 deposit all moneys of the district forthwith upon receipt thereof in a Canadian chartered bank; or a credit union incorporated under *The Credit Union Act* or any former *Credit Union Act*;

Payment of accounts

3 subject to subsection (2), pay all accounts against the district;

Cash book

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

Receipts

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

Annual balance

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

Financial Statement

8 prepare at the times and in the manner provided by this Act a statement of the finances of the district;

Reports

9 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, produce the account books of the district completed to the date of meeting and give the ratepayers an opportunity to examine the books.

(2) Accounts against the district shall be paid only after they have been certified by the chairman of the board and only by cheques signed by the treasurer or secretary treasurer and countersigned by the chairman of the board.

(3) The board of a school district in which fifty or more teachers are engaged may by resolution authorize the use of a cheque-signing machine for the purpose of imprinting the signatures of the treasurer or secretary treasurer and the chairman of the board on cheques, other than cheques drawn on an account established by the board for funds obtained for any purpose for which a board may borrow money under section 147, and, except in the case of a cheque drawn on such an account, every cheque on which the signatures of the treasurer or secretary treasurer and the chairman of the board have, under the authority of a resolution passed under this subsection, been imprinted by means of a cheque-signing machine shall for the purpose of subsection (2) be deemed to be signed by the treasurer or secretary treasurer and countersigned by the chairman of the board.

R.S.S. 1953, c.169, s.131; 1957, c.53, s.8; 1962, c.27, s.5; R.S.S. 1965, c.184, s.135.

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

136(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 authorized to do business in Saskatchewan, for such amount as the board shall deem sufficient to cover 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 bond may be in a form prescribed by the minister and a duplicate copy thereof shall be forthwith transmitted by the board to the department.

R.S.S. 1953, c.169, s.132; R.S.S. 1965, c.184, s.136.

Bonding by guarantee company

137(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 the form and for the amount approved by the minister, and the minister shall pay the premiums for the 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 a 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. 1953, c.169, s.133; R.S.S. 1965, c.184, s.137.

Minister notified of treasurer's appointment

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

R.S.S. 1953, c.169, s.134; R.S.S. 1965, c.184, s.138.

*Resignation of Trustees***Resignation**

139(1) A trustee may resign by sending to the board a notice in writing giving the date at which the 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.

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

R.S.S. 1953, c.169, s.135; R.S.S. 1965, c.184, s.139.

*Disqualification of Trustees***Disqualifications**

140(1) A trustee who is convicted of a criminal offence or of an 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 authorized to do so 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. 1953, c.169, s.136; R.S.S. 1965, c.184, s.140.

Personal interest in contract with board

141(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:

Provided that this subsection does not prevent a trustee from entering into a contract with the board for conveyance of his own or other school children or with respect to special arrangements for the education of his children and from receiving remuneration for such conveyance or special arrangements at a rate approved by the department.

(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 the 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 is also guilty of an offence and liable on summary conviction 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 prevents a trustee from purchasing debentures issued by the board, or from receiving remuneration from the board as secretary, treasurer, janitor, local attendance officer, assessor, collector, or for a school site, or a sum not exceeding \$25 in any one year for labour or school supplies.

R.S.S. 1953, c.169, s.137; 1961, c.29, s.7; R.S.S. 1965, c.184, s.141.

Ouster for neglect of duty

142(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 acting at the judicial centre nearest to 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) Where, upon 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 discharge the summons. In either event the judge may make such order as to costs as to him seems just.

R.S.S. 1953, c.169, s.138; 1961, c.29, s.8; R.S.S. 1965, c.184, s.142.

*Election to Fill Vacancies***In village and rural districts**

143(1) When a vacancy is created in the board of a village or rural district, the trustees remaining in office shall forthwith call 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. 1953, c.169, s.139; R.S.S. 1965, c.184, s.143.

In town districts

144 When a vacancy occurs in a town district the board shall forthwith 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 end of the year in which the appointment is made.

R.S.S. 1953, c.169, s.140; 1965, c.48, s.10; R.S.S. 1965, c.184, s.144.

Term of office

145 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 36.

R.S.S. 1953, c.169, s.141; R.S.S. 1965, c.184, s.145.

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

146(1) The board of a town district, or of a rural or village district situated wholly or in part outside the limits of a municipality, may by resolution authorize its chairman and treasurer to borrow such sum of money as may be required to meet 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 that may thereafter become payable to the district.

(5) If the loan is 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. 1953, c.169, s.142; R.S.S. 1965, c.184,
s.146.

For Capital Expenditure

Procedure

147(1) The board of a district may borrow money on the security of the district for:

- (a) 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;
- (b) 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;
- (c) fencing the school grounds;
- (d) acquiring or erecting a stable and other necessary outbuildings;
- (e) purchasing vans for conveying pupils.

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

- (a) where upon completion of the work stated in the bylaw there remains an unexpended balance, in which case the board may by resolution reciting the facts, declare its intention to apply to The Local Government Board for authority to use the balance for any of the purposes provided for in this section, and The Local Government Board may grant permission to use the balance for such purposes and upon such terms and conditions as may be deemed expedient; or
- (b) where upon completion of the work stated in the bylaw there remains an unexpended balance, in which case the board may by resolution reciting the facts declare its intention to apply to the minister for authority to use the balance towards payment of the debenture coupons next maturing; and the minister may grant permission to use the balance for such purpose and upon such terms and conditions as may be deemed expedient.

(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. 1953, c.169, s.143; R.S.S. 1965, c.184,
s.147.

Resolution

148 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. 1953, c.169, s.144; R.S.S. 1965, c.184, s.148.

Application to Local Government Board

149 The board shall thereupon make an application to The Local Government Board for authorization 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. 1953, c.169, s.145; R.S.S. 1965, c.184, s.149.

Action by Local Government Board

150(1) Upon receipt of the application and resolution The Local Government Board shall take such action thereon as it deems advisable, and if a loan is authorized shall forthwith notify the board of the terms of the authorization.

(2) The Local Government Board shall cause notice of the authorization to be published in the *Gazette*.

R.S.S. 1953, c.169, s.146; R.S.S. 1965, c.184, s.150.

Bylaws

151 The board, within thirty days of the date of the notification that the loan has been authorized 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. 1953, c.169, s.147; R.S.S. 1965, c.184, s.151.

Reference to minister

152(1) Notwithstanding anything in paragraph 49 of section 118, if the amount to be borrowed is required for the purpose of erecting a 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 5.

(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) The 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 bylaw.

R.S.S. 1953, c.169, s.148; R.S.S. 1965, c.184, s.152.

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

153 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 shall be near the post office in the district and, if there is no post office in the district, a sixth notice may be posted near the post office nearest thereto.

R.S.S. 1953, c.169, s.149; 1960, c.60, s.7; R.S.S. 1965, c.184, s.153.

Returning officer and poll clerk

154 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. 1953, c.169, s.150; R.S.S. 1965, c.184, s.154.

Opening poll and manner of conducting poll

155(1) At the time and place appointed in the notice the returning officer shall declare the poll open.

(2) The voting shall be by ballot which shall be in the following form:

Bylaw (<i>state object of bylaw</i>)
For the Bylaw
Against the Bylaw

(3) As each ratepayer presents himself to vote the returning officer shall hand him a ballot paper, and the poll clerk shall record in a poll book, in form S, to be provided for the purpose the name of each ratepayer so presenting himself.

(4) 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 appropriate space; he shall then fold it and return it folded to the returning officer who shall forthwith deposit it in the ballot box provided for the purpose.

1955, c.46, s.9; R.S.S. 1965, c.184, s.155.

Post notice

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

R.S.S. 1953, c.169, s.152; R.S.S. 1965, c.184, s.156.

Voters

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

R.S.S. 1953, c.169, s.153; R.S.S. 1965, c.184, s.157.

Scrutineers

158 The returning officer shall admit any two ratepayers, one interested in promoting the bylaw and one interested in opposing the bylaw, into the polling place to act as scrutineers and shall allow them to see the poll book.

1955, c.46, s.10; R.S.S. 1965, c.184, s.158.

Voters' declaration

159(1) The returning officer shall if requested by any ratepayer, or of his own accord, require any person tendering a vote to subscribe to a declaration in form T, 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. 1953, c.169, s.155; R.S.S. 1965, c.184, s.159.

Refusal to take declaration

160 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. 1953, c.169, s.156; R.S.S. 1965, c.184, s.160.

False declaration

161 Any person subscribing to a declaration in form T containing a false statement is guilty of an offence and liable on summary conviction to a fine not exceeding \$10.

R.S.S. 1953, c.169, s.157; R.S.S. 1965, c.184, s.161.

Closing poll

162(1) At the time appointed in the notice of polling the returning officer shall close the poll; the ballot box shall then be opened in the presence of the poll clerk and scrutineers and a record, in form U, of the votes as they are shown on the ballots shall be made by the returning officer who shall thereupon 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. 1953, c.169, s.158; 1955, c.46, s.11; R.S.S. 1965, c.184, s.162.

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

163 If a ratepayer of a rural or village district makes a complaint in writing to the returning officer within three days next after the taking of the poll with respect to the manner in which the poll was conducted or the right of any person to vote or the result of the voting, the returning officer shall forthwith notify the 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. 1953, c.169, s.159; R.S.S. 1965, c.184, s.163.

Returns to Local Government Board

164 If 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 163 were received by him.

R.S.S. 1953, c.169, s.160; R.S.S. 1965, c.184, s.164.

Proceedings before justice of peace

165(1) If a complaint is 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 the poll 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. 1953, c.169, s.161; R.S.S. 1965, c.184, s.165.

Security for costs

166 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. 1953, c.169, s.162; R.S.S. 1965, c.184, s.166.

Proceedings essentially irregular

167(1) If it is 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 the justice shall forthwith forward to The Local Government Board a full report to that effect.

(2) If it is 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. 1953, c.169, s.163; R.S.S. 1965, c.184, s.167.

Return by justice of peace to Local Government Board

168 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 in form V, 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. 1953, c.169, s.164; R.S.S. 1965, c.184, s.168.

*Poll in Town Districts***Request for submission**

169(1) In town districts the board shall give notice to the city or town council, as the case may be, of the authorization of the loan by The Local Government Board and shall forward to the council a copy of the bylaw and of the authorization 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 bylaw 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 the submission the council shall have the same authority and jurisdiction for taking the votes of the burgesses in any portion of the school district that 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 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 the other municipality for a certified list of the burgesses in the portion of the school district lying within the other municipality, and the secretary shall forthwith furnish the same, distinguishing upon such list, where a separate school is maintained in operation, the public and separate school supporters respectively.

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

R.S.S. 1953, c.169, s.165; R.S.S. 1965, c.184, s.169.

Qualification of voters

170 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 that roll.

R.S.S. 1953, c.169, s.166; R.S.S. 1965, c.184, s.170.

Certification of poll

171(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, under his hand and the seal of the municipality, the result of the voting, as shown by such return.

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

R.S.S. 1953, c.169, s.167; R.S.S. 1965, c.184, s.171.

Expense

172 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 that become payable by the municipality to the board.

R.S.S. 1953, c.169, s.168; R.S.S. 1965, c.184, s.172.

Same

173 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. 1953, c.169, s.169; R.S.S. 1965, c.184, s.173.

Same

174 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. 1953, c.169, s.170; R.S.S. 1965, c.184, s.174.

Apportionment

175 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 shall be settled summarily by The Local Government Board at the request of either party.

R.S.S. 1953, c.169, s.171; R.S.S. 1965, c.184, s.175.

Acts to apply

176 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 this Act, apply *mutatis mutandis* to school debenture bylaws submitted to the burgesses.

R.S.S. 1953, c.169, s.172; R.S.S. 1965, c.184, s.176.

Alteration of bylaw

177(1) The board of a rural, village or town district may, by resolution or bylaw subsequent to the passing of the debenture bylaw, make such changes in the debenture bylaw as it deems expedient.

(2) No resolution or bylaw authorized by subsection (1) shall take effect until approved by The Local Government Board.

R.S.S. 1953, c.169, s.173; R.S.S. 1965, c.184, s.177.

DEBENTURES

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

178(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. 1953, c.169, s.174; R.S.S. 1965, c.184,
s.178.

Local Government Board may sign and seal debentures

179 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 164, 168 and 171 or of the recommendation referred to in section 152, together with a certified copy of the bylaw and the notice of polling.

R.S.S. 1953, c.169, s.175; R.S.S. 1965, c.184,
s.179.

Limit of debentures

180 The total amount of outstanding debentures issued by a district shall not at any time exceed an amount equal to fifteen per cent of the total assessed value of the assessable property of the district.

R.S.S. 1953, c.169, s.176; R.S.S. 1965, c.184,
s.180.

Term of debentures

181(1) In every district debentures shall run for a term not longer than twenty years; provided that in town districts, with the approval of The Local Government Board, debentures may be made to run for a term not exceeding thirty years.

(2) If the first instalment of principal and interest of a debenture is made payable at a time more than one year from the date thereof, as provided by section 183, the term of ten, twenty or thirty years, 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. 1953, c.169, s.177; R.S.S. 1965, c.184,
s.181.

Interest

182(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. 1953, c.169, s.178; R.S.S. 1965, c.184,
s.182.

Date and form of debentures

183(1) Debentures may be dated at any time within twenty-four months from the date on which notice of the authorization of the loan appears in the *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 W);

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

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

(d) the principal be repayable in such manner that, without combining the principal and interest, the instalments of principal shall be of such amounts that, with the interest payable annually or semi-annually, the aggregate amount payable for principal and interest in each year shall be as nearly as possible the same:

provided that each instalment of principal may be for an even \$100, \$500 or \$1,000 or multiple thereof, and notwithstanding anything herein contained, the annual instalments of principal and interest may differ in amount sufficiently to admit thereof (form Y).

(3) Where approval of The Local Government Board has been obtained, a district may issue debentures in a form other than any of the forms set forth in this section.

(4) Debentures and coupons may be made payable at any place in 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* (Canada).

R.S.S. 1953, c.169, s.179; 1964, c.19, s.8; 1965, c.48, s.11; R.S.S. 1965, c.184, s.183.

*Sinking Fund***Sinking fund account**

184(1) If debentures are issued under the provisions of clause (c) of subsection (2) of section 183, 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 that 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. 1953, c.169, s.180; R.S.S. 1965, c.184, s.184.

Use of excess interest on sinking fund

185(1) 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 184, The Local Government Board may, on the application of the board and on such terms and conditions as may be deemed advisable, authorize the board to use the excess interest or earnings for current or other expenditures.

(2) Notwithstanding anything contained herein, if at any time it is made to appear, to the satisfaction of The Local Government Board that an exceptional situation exists with respect to the financial condition of the district, The Local Government Board may, on the application of the board of trustees and on such terms and conditions as may be deemed advisable, authorize the board of trustees to use the whole or a part of any balance of excess interest or earnings held in reserve in the sinking fund account for such purposes as may be designated by The Local Government Board.

R.S.S. 1953, c.169, s.181; R.S.S. 1965, c.184, s.185.

Restriction *re* sinking fund

186 Subject to the provisions of section 185, no moneys received by the board for the purpose of a sinking fund shall be applied towards paying any portion of the current or other expenditures of the district.

R.S.S. 1953, c.169, s.182; R.S.S. 1965, c.184, s.186.

Application of moneys at credit of fund

187 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 provided in section 189 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 the debt or of any of the debentures representing or constituting the 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. 1953, c.169, s.183; R.S.S. 1965, c.184, s.187.

Diversion of moneys

188(1) Subject to section 185, if the board diverts any of the said moneys for current or other expenditure, the members of the board who vote for the 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 Queen'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 if 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. 1953, c.169, s.184; R.S.S. 1965, c.184, s.188.

Investment of sinking fund

189(1) Subject to section 187, 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 investments 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 the debentures, for the purposes to which the proceeds of the 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.

R.S.S. 1953, c.169, s.185; R.S.S. 1965, c.184,
s.189.

*Temporary Loan on Debentures***Temporary loan**

190(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 authorization has been published in the *Gazette*, the board may by bylaw authorize the chairman and the treasurer to raise from time to time, by way of a temporary loan in anticipation of the issue or sale of the debentures authorized by the bylaw and for the purposes thereby authorized, such sums not exceeding in the aggregate eighty per cent of the total principal sum authorized 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 the debentures as security for 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 the 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 has been authorized to borrow the money represented by the debentures, as provided in section 150, shall be null and void.

R.S.S. 1953, c.169, s.186; R.S.S. 1965, c.184,
s.190.

*Registration and Counter-signature***Registration**

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

R.S.S. 1953, c.169, s.187; R.S.S. 1965, c.184, s.191.

Minister counter-signs

192 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 with respect to the loan and the issue of the debenture have been complied with; and the legality of the issue of the 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 counter-signature of the debenture;

Provided further that the minister may direct that his signature or that of the deputy minister on debentures may be reproduced by lithographing or printing or any other method of mechanical reproduction, and the signature of the minister or deputy minister so reproduced shall be and is a valid and sufficient counter-signature by the minister.

R.S.S. 1953, c.169, s.188; 1961, c.29, s.9; R.S.S. 1965, c.184, s.192.

CONDUCT OF SCHOOLS

*School Terms***Two terms**

193 The academic year shall be divided into two terms ending on the thirty-first day of December and the thirtieth day of June respectively.

R.S.S. 1953, c.169, s.189; R.S.S. 1965, c.184, s.193.

Community schools authorized

194 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.

R.S.S. 1953, c.169, s.190; R.S.S. 1965, c.184, s.194.

Procedure for constitution of school

195(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 chairman of the districts concerned shall constitute a community school board for the purposes of section 194, and the minister may assign to such community school board a distinguishing name or number.

R.S.S. 1953, c.169, s.191; R.S.S. 1965, c.184, s.195.

Expenses of maintenance

196(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 cooperating school districts and advise each municipal council concerned of the rate.

(2) If a 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 that 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.

R.S.S. 1953, c.169, s.192; R.S.S. 1965, c.184, s.196.

Place of school

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

R.S.S. 1953, c.169, s.193; R.S.S. 1965, c.184, s.197.

Period of operation of subjects of study

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

R.S.S. 1953, c.169, s.194; R.S.S. 1965, c.184, s.198.

Chairman and meetings of board

199(1) The community school board shall, within ten days from the date of the receipt of the minister's order referred to in section 195, 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.

R.S.S. 1953, c.169, s.195; R.S.S. 1965, c.184, s.199.

Duties of board

200 A community school board shall rent school buildings and grounds, furniture, equipment and apparatus, engage and pay teachers, appoint and pay its officers and do all things necessary for the proper establishment, maintenance and administration of a community school.

R.S.S. 1953, c.169, s.196; R.S.S. 1965, c.184, s.200.

Teachers

201 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.

R.S.S. 1953, c.169, s.197; R.S.S. 1965, c.184, s.201.

Supervision and inspection

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

R.S.S. 1953, c.169, s.198; R.S.S. 1965, c.184, s.202.

Alternative mode of maintenance

203(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 for each pupil attending a day or night community school as provided for in this section.

R.S.S. 1953, c.169, s.199; R.S.S. 1965, c.184, s.203.

*Hours***School hours**

204(1) Unless otherwise provided under subsection (2) or (3), 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, except Saturdays, Sundays and holidays.

(2) Subject to the regulations of the department, the board of trustees of a district not included in a school unit or the unit board of a school unit may, in respect of any school or all the schools administered by it, alter or shorten by not more than thirty minutes the school hours prescribed by subsection (1).

(3) Upon receiving the permission of the minister to do so, the board of trustees of a district not included in a school unit or the unit board of a school unit may, in respect of any school or all the schools administered by it, alter by more than thirty minutes the school hours prescribed by subsection (1).

(4) Where a board of trustees or a unit board proposes that the school hours prescribed by subsection (1) be altered by more than thirty minutes, the minister may:

(a) in the case of a rural or village school district not included in a school unit, require that a petition to that effect signed by a majority of the resident ratepayers of the district or the respective districts served by the school, who are parents or guardians of children attending the school, be submitted to the department;

(b) in the case of a town district not included in a school unit, require that a written request by the board to that effect, together with a written statement of the board showing that the alteration is in the opinion of the board desirable, be submitted to the department;

(c) in the case of a district or districts included in a school unit, require that a written request by the unit board to that effect, together with evidence satisfactory to the minister that the majority of ratepayers who are parents or guardians of children attending the school or schools affected are in favour of the alteration, be submitted to the department.

(5) A recess of fifteen minutes, or recesses amounting to fifteen minutes, in the forenoon and in the afternoon shall be allowed the children attending school.

1961, c.29, s.10; R.S.S. 1965, c.184, s.204.

Holidays and Vacations

Continuous operation of schools except during certain periods

205 Every school shall be kept open continuously throughout each year except:

(a) on the holidays mentioned in subsection (1) of section 206 and on any day declared under subsection (2) of section 206 to be a holiday;

(b) during the Christmas, Easter and summer vacations;

and

(c) during any period for which the school is closed under section 215.

1954, c.46, s.14; R.S.S. 1965, c.184, s.205.

Holidays

206(1) Saturdays, Sundays, Good Friday, Easter Monday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day, the birthday or the day appointed for the celebration of the birth of the reigning Sovereign, and any day proclaimed as a holiday by the Governor General, the Lieutenant Governor, the mayor of a city or town, the overseer of a village or the reeve of a rural municipality, shall be holidays.

(2) The board may declare any other days not exceeding one day at a time to be holidays.

1954, c.46, s.14; R.S.S. 1965, c.184, s.206.

Vacations

207(1) The Christmas vacation shall commence on the twenty-third day of December or such earlier day as the board may determine and shall extend to and include the second day of January or such later day as the board may determine.

- (2) The Easter vacation shall be the four days immediately following Easter Monday.
- (3) The summer vacation shall be not less than six weeks immediately following the first day of July.
- (4) The board shall, on or before the first day of June in each year, fix the day on which the school will be reopened following the summer vacation and forthwith give the superintendent of the district notice of the day fixed.
- (5) Where subsection (1) of section 215 applies the day fixed pursuant to subsection (4) of this section shall be such that the said subsection (1) can be complied with.

1954, c.46, s.14; R.S.S. 1965, c.184, s.207.

Power to keep schools open during vacations

208(1) Notwithstanding anything contained herein, the board may:

- (a) by resolution, keep the school open during the whole or any specified portion of the summer vacation;
- (b) with the consent of the teacher, keep the school open during the whole or any portion of the Easter vacation.
- (2) Every day on which the school is kept open under subsection (1) shall be deemed to be a teaching day for all the purposes of this Act.

1954, c.46, s.14; R.S.S. 1965, c.184, s.208.

Language to be Used

Language of instruction

209(1) English shall be the sole language of instruction in all schools, and no language other than English shall be taught during school hours.

(2) When the board of a 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.

(3) Where the French language is being taught under subsection (2), 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. 1953, c.169, s.203; R.S.S. 1965, c.184, s.209.

Religious Instruction

Religious instruction

210(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 reading or reciting, without comment or explanation, of the Lord's prayer or a passage selected from Bible readings prescribed for the purpose by the minister, or both.

R.S.S. 1953, c.169, s.204; R.S.S. 1965, c.184, s.210.

Attendance not compulsory

211 Any child shall have the privilege of leaving the school room when religious instruction is commenced as provided for in section 210, or of remaining without taking part in any religious instruction that is given, if the parents or guardian so desire.

R.S.S. 1953, c.169, s.205; R.S.S. 1965, c.184, s.211.

No pupil deprived of ordinary education

212 No teacher, school trustee or superintendent 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 such action on the part of any school trustee, superintendent or teacher shall be held to be a disqualification for and voidance of the office held by him.

R.S.S. 1953, c.169, s.206; R.S.S. 1965, c.184, s.212.

Kindergarten Classes

Ages and fees

213 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. 1953, c.169, s.207; R.S.S. 1965, c.184, s.213.

Night Classes

Maintenance and fees

214 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. 1953, c.169, s.208; R.S.S. 1965, c.184, s.214.

*Compulsory Education***School periods**

215(1) 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 during the academic year at least such number of teaching days as the minister shall annually determine:

Provided that in the case of a newly organized district, this section does 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 authorize the board to maintain the school in operation for such less number of days as he may deem advisable.

(2) Notwithstanding anything contained herein the board may close the school when it has been in operation at least two hundred teaching days during the academic year.

R.S.S. 1953, c.169, s.209; 1957, c.53, s.9; R.S.S. 1965, c.184, s.215.

Provision for education

216 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 215, 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 255 and no petition shall be necessary.

R.S.S. 1953, c.169, s.210; R.S.S. 1965, c.184, s.216.

Special provision respecting closing

217 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. 1953, c.169, s.211; R.S.S. 1965, c.184, s.217.

Attendance of blind and deaf children

218(1) Every blind child and every deaf child between the ages of seven and sixteen years, inclusive, certified by a physician as mentally and physically fit to profit by the education provided in a school for the blind or a school for the deaf, shall attend such school for such periods as the minister may in each case determine.

(2) A parent or guardian who refuses to allow any such child under his care to attend a school as required by subsection (1), is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

R.S.S. 1953, c.169, s.212; R.S.S. 1965, c.184, s.218.

SCHOOLS

c. 184

TEACHER

*Qualification***Certificate**

219(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 is guilty of an offence and liable on summary conviction to a fine not exceeding \$50, and in default to imprisonment for a term not exceeding one month:

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

R.S.S. 1953, c.169, s.213; R.S.S. 1965, c.184,
s.219.

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

220 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.

R.S.S. 1953, c.169, s.214; R.S.S. 1965, c.184,
s.220.

Contract

221(1) Subject to the following subsections, a teacher shall be deemed to have entered into a contract of employment with a board upon the making of an offer of employment to the teacher by the board and the acceptance of the offer by the teacher on or before the fourth day following the date of the offer.

(2) Where there is no salary schedule in effect the board shall state in the offer the annual salary.

(3) The teacher shall state in the acceptance of the offer the class and number of the valid certificate of qualification, issued under the regulations of the department that he holds.

(4) If the teacher accepts the offer on or before the fourth day following the date thereof the board shall forthwith give the teacher notice of confirmation of the contract.

(5) If the teacher rejects the offer within the period of four days following the date thereof the board shall be released from the offer.

(6) If the teacher accepts the offer after the fourth day following the date thereof no contract shall exist.

(7) Notwithstanding subsection (6), if the teacher accepts the offer after the fourth day following the date thereof the board may, within four days after the date of the acceptance, give him notice that he is under contract with the board, and the teacher shall be deemed to be under contract from the date of the notice.

(8) For the purposes of this section:

(a) an offer, an acceptance, a rejection of an offer or a notice shall be in writing and may be sent by registered or ordinary mail or by telegraph or delivered personally;

- (b) the date of an offer, an acceptance, a rejection of an offer or a notice:
 - (i) sent by registered mail or by telegraph, shall be the date of the mailing or dispatch thereof;
 - (ii) sent by ordinary mail or delivered personally, shall be the date of receipt.

1954, c.46, s.15; 1956, c.31, s.3; R.S.S. 1965, c.184, s.221.

Delegation of functions under section 215

222 The functions of the board under section 221 may, if so authorized by resolution of the board, be performed by the chairman or another member of the board, or the secretary or the superintendent employed by the board.

1954, c.46, s.15; R.S.S. 1965, c.184, s.222.

Written contract not required except in certain cases

223 Except as provided in section 225, no written contract is required apart from the offer, acceptance and notice mentioned in section 221.

1954, c.46, s.15; R.S.S. 1965, c.184, s.223.

Continuation of contract

224 A contract of employment under section 221 shall continue in force from year to year unless it is terminated in accordance with this Act or *The Teacher Tenure Act* or the teacher's certificate of qualification is suspended or cancelled.

1954, c.46, s.15; R.S.S. 1965, c.184, s.224.

Temporary teacher

225(1) Where a temporary teacher is engaged a written contract shall be executed by the board and the teacher and sections 221, 222, 224, 237, 238, 239, and 240 do not apply.

(2) The written contract shall:

- (a) be in the form prescribed by the minister, and the form may be altered or amended as may be mutually agreed upon by the contracting parties, provided the alterations or amendments are not inconsistent with any of the provisions of this Act or the regulations of the department;
- (b) be signed in triplicate by the teacher and by the chairman or by a member of the board who is authorized by resolution of the board to sign the contract on behalf of the board.

1954, c.46, s.15; R.S.S. 1965, c.184, s.225.

Teacher not required to perform certain duties

226 No contract shall contain or be subject to a term or condition requiring the teacher to perform janitor services or any services or duties other than those set out in section 241 or provided for elsewhere in this Act, and any such term or condition shall be void and of no effect.

1954, c.46, s.15; R.S.S. 1965, c.184, s.226.

Terms of employment

227 The applicable provisions of this Act and of the regulations of the department shall be deemed to be the terms of employment under the contract, but where a salary schedule has been negotiated and adopted under *The Teachers' Salary Negotiation Act* the salary of the teacher shall be paid in accordance with that schedule.

1954, c.46, s.15; R.S.S. 1965, c.184, s.227.

Teacher entitled to salary notwithstanding certain irregularities

228 Notwithstanding section 220, insufficiency of notice of or other irregularity in calling a meeting of the board at which a teacher is engaged, or irregularity in the proceedings at such meeting, or neglect or omission of the board to comply with any provision of section 221 or to have the contract duly executed as required by section 225 shall not disentitle the teacher to recover any salary or remuneration due to him.

1954, c.46, s.15; R.S.S. 1965, c.184, s.228.

Continuance of subsisting contracts

229 Notwithstanding anything contained herein, every contract entered into between a board and a teacher and subsisting on the thirty-first day of March, 1954, shall continue in full force and effect until it is terminated in accordance with this Act or *The Teacher Tenure Act*.

1954, c.46, s.15; R.S.S. 1965, c.184, s.229.

*Payment of Teachers***Monthly payments**

230(1) The board shall pay to every teacher to whom salary is due, except a substitute teacher, one-twelfth of his annual salary at the rate or rates in effect during the month, at the end of each calendar month except August:

Provided that where a salary schedule or a mutual arrangement between the teacher and the board is in effect the schedule or arrangement may provide for payment of the salary of a teacher to whom the schedule or arrangement applies in ten monthly payments of approximately equal amounts.

(2) The board shall, on or before the thirty-first day of August, pay to every teacher, except a substitute teacher and a teacher whose salary is paid in ten monthly instalments, the sum that completes the payment of his salary as determined in accordance with sections 232 and 236.

(3) Where the salary of a teacher is paid in ten monthly instalments the board shall, on or before the thirtieth day of June, pay to the teacher the sum that completes the payment of his salary as determined in accordance with sections 232 and 236.

(4) A substitute teacher shall be paid at the end of each month or oftener at the discretion of the board.

(5) Notwithstanding subsection (1), if a teacher is entitled to receive payment for less than fifteen teaching days in a month the board may make a proportionate payment for that month.

1954, c.46, s.16; R.S.S. 1965, c.184, s.230.

Withholding of portion of salary pending submission of reports

231 The board may at the end of each term withhold an amount not exceeding one monthly instalment of a teacher's salary until such time as the teacher submits to the secretary such reports and returns as the department may require.

1954, c.46, s.16; R.S.S. 1965, c.184, s.231.

Computation of salary

232(1) The board shall pay to every teacher who teaches on all the days of an academic year on which his school is required by or under this Act to be kept open his full annual salary.

(2) If a teacher is required by the board to teach more than the number of days determined pursuant to subsection (1) of section 215 during a full year's engagement he shall be paid an additional sum computed on the basis of 1/200 of his annual salary for each additional day.

(3) Except as provided in subsection (4), the board shall pay to every teacher under contract for a period including all the teaching days of an academic year and who does not teach on all the days on which his school is required by or under this Act to be kept open his full salary less 1/200 thereof for each day on which he does not teach.

(4) The board shall pay:

(a) to every teacher under contract for a period that does not include all the teaching days of an academic year; and

(b) to every teacher under contract for a period including all the teaching days of an academic year, who during that year teaches less than one hundred days;

1/200 of his annual salary for each day on which he taught.

(5) For the purposes of this section a teacher shall be deemed to have taught on all days:

(a) on which his school was legally open under his charge or would have been open under his charge save for an order of the board to the contrary;

(b) on which his school is closed to enable him to attend a teachers' institute or teachers' convention in the province approved by the minister and on any other days on which his school is closed with the consent of the board and the approval of the minister for a purpose related to the work of the school:

provided that the number of such days on which any school is closed and for which the teachers therein shall be entitled to salary shall not exceed eight in any academic year;

(c) on which his school is closed by order of the municipal board of health or the Department of Public Health because of the existence within the district or the school unit in which the district is included of an actual or threatened epidemic of disease, but not exceeding in all thirty teaching days in any academic year;

(d) proclaimed as holidays by the Governor General or the Lieutenant Governor, or by the mayor of a city or town, the overseer of a village or the reeve of a rural municipality, in which the school is situated, and on any holidays declared or permitted by the board under this Act;

(e) on which his school is closed for the purpose of an election;

(f) for which the teacher is entitled to salary in accordance with section 236.

(6) A teacher shall not be entitled to salary for any Saturday or Sunday, or for Good Friday, Easter Monday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day, or the birthday or the day appointed for the celebration of the birth of the reigning Sovereign.

1954, c.46, s.16; 1957, c.53, s.10; R.S.S. 1965, c.184, s.232.

Payment in case of absence due to family affliction, etc.

233 The board may, in its discretion, pay the salary of a teacher for any day on which he is absent from school by reason of family affliction or other cause deemed sufficient by the board.

1954, c.46, s.16; R.S.S. 1965, c.184, s.233.

Where contract terminated, etc.

234(1) A teacher whose contract with a board has expired or has been terminated or who has been dismissed by the board shall be entitled, on submission of such reports and returns as the department may require, to receive forthwith all moneys due to him for his services as teacher while employed by the board.

(2) If such payment is not made or tendered by the board to the teacher he shall be entitled to recover the full amount due and unpaid with interest at the rate of six per cent per annum in any court of competent jurisdiction.

1954, c.46, s.16; R.S.S. 1965, c.184, s.234.

Minimum salary for teachers

235 Notwithstanding any agreement to the contrary, every teacher who is the holder of a certificate within the meaning of the "Regulations under *The School Act*" shall be paid a salary not less than \$1,320 per year:

Provided that, upon receipt of a request in writing submitted pursuant to a resolution of the board, the minister may authorize engagement at a lower rate of salary for a specified time.

R.S.S. 1953, c.169, s.218; R.S.S. 1965, c.184, s.235.

Sickness

236(1) Every teacher in case of sickness certified, when required by the board, by a duly qualified medical practitioner shall be entitled to his salary during such sickness for a period not to exceed 20 days during any period of twelve months' continuous engagement:

Provided that it shall not be necessary for a teacher to furnish the board with a medical certificate unless the board, within thirty days from the first day's absence on account of such sickness, notifies the teacher that it requires such certificate.

(2) Every teacher in case of quarantine by order of a medical health officer or the Department of Public Health shall, upon furnishing the board with the order or a copy thereof certified by the medical health officer or an officer of the said department to be a true copy, be entitled to his salary during the quarantine for a period not to exceed 20 days during any period of twelve months' continuous engagement.

(3) Subject to subsection (4), the salary during such sickness or quarantine shall not be payable until the teacher has been employed for a period of twelve consecutive months.

(4) If the teacher is employed for a shorter period than twelve consecutive months he shall be entitled to payment for a period bearing the same proportion to 20 as the number of teaching days during which he was employed bears to 200.

(5) If the teacher has been employed for more than twelve consecutive months, the board shall make such allowance in lieu of salary during the period of sickness or quarantine as it deems advisable, such allowance not to exceed the salary for a period bearing the same proportion to 20 as the number of teaching days during which he has been employed by the district bears to 200.

R.S.S. 1953, c.169, s.219; 1954, c.46, s.17; 1956, c.31, s.4; R.S.S. 1965, c.184, s.236.

Notice by board

237(1) Subject to *The Teacher Tenure Act*, a board of trustees may terminate its agreement with a teacher, the termination to be effective on the thirtieth day of June, by sending by registered mail to the teacher not later than the twenty-fifth day of May in the year in which it is to take effect a notice of its intention to do so.

(2) A board of trustees may terminate its agreement with a teacher, to take effect at a date other than the thirtieth day of June by giving not less than thirty days' notice in writing of its intention to do so, but in such case the reason for the board's action shall be set forth in the notice and the teacher may, not later than fifteen days after the receipt of the notice, appeal to the minister for an investigation as hereinafter provided for.

(3) A board shall not enter into a contract with a teacher to fill any vacancy which may occur until the expiry of the fifteen days allowed for appeal, or, in case of an appeal, until the appeal is disposed of:

Provided that a board may, if it thinks fit, employ a substitute teacher pending the disposition of an appeal.

(4) Any contract entered into contrary to subsection (3) is null and void.

(5) Notwithstanding anything contained herein, the board may be released from its agreement by obtaining the written consent of the teacher.

R.S.S. 1953, c.169, s.220; R.S.S. 1965, c.184, s.237.

Board of reference

238(1) Upon receipt from a teacher or a board of an application, accompanied by a deposit of \$15, for an investigation of the termination of the teacher's agreement, the minister may appoint for the purpose a board of reference consisting of three members, the chairman of which shall be nominated by the Attorney General, one member by the teacher and one by the board of trustees. The member nominated by the teacher or the board shall not be a member of the board of trustees.

(2) If no nomination is received from the teacher or the board within ten days after receipt by the minister of the application for an investigation the remaining members or member shall exercise the powers of the board of reference.

(3) The board of reference shall meet and make its decision within thirty days after the appointment of the chairman.

(4) Both parties may be represented at the investigation and the chairman shall give at least ten clear days' notice to each party of the time and place thereof.

- (5) The board of reference may, for the purpose of procuring the attendance of any person as a witness, serve such person with a notice requiring him to attend before the board, which notice shall be served in the same way and have the same effect as a subpoena requiring the attendance of a witness and the production by him of documents at the hearing or trial of an action, but no person shall be compelled under the notice to produce any document which he could not be compelled to produce on the trial of an action.
- (6) The board of reference may appoint one of its number to act as secretary and to keep such record of the proceedings of the investigation as the board may deem necessary.
- (7) The chairman may take evidence under oath, and any member may administer oaths to the parties and witnesses.
- (8) The scope of the investigation and the findings of the board of reference thereon shall, unless that board otherwise determines, be limited to the reasons given by the board or by the teacher in the written notice of termination of agreement.
- (9) All questions brought before the board of reference shall be decided by a majority vote of its members. The chairman shall have the right to vote, and in case of an equality of votes he shall also have a casting vote.
- (10) The board of reference may confirm the termination of the agreement or order the reinstatement of the teacher or make such other order as, in its opinion the circumstances warrant; and the chairman shall forward a copy of the board's findings to the minister, and to the teacher and board of trustees concerned.
- (11) The decision of the board of reference shall be final and any order of the board as the result of an investigation shall be binding upon the board of trustees and the teacher.
- (12) *The Arbitration Act* does not apply.

R.S.S. 1953, c. 169, s.221; R.S.S. 1965, c.184,
s.238.

Expenses of appeal

- 239(1)** The board of reference may order the return to the teacher or to the board of trustees of all or part of the deposit of \$15, and in such case shall order the board of trustees or the teacher, as the case may be, to forward to the minister a sum equal to the amount ordered to be returned to the other party.
- (2) If the board of trustees or the teacher fails to forward such amount within one month after the order of the board of reference, the minister may deduct the amount from any moneys payable to the district under *The School Grants Act*, and, if the default is that of the teacher, may require the board by which the teacher is engaged to deduct the amount from any moneys due to the teacher.
- (3) In every appeal to the minister for an investigation the teacher shall be liable for the payment of all expenses incurred by him or his representative in connection with the appeal, and the board of trustees shall be liable for the payment of all expenses incurred by it or its representative.

R.S.S. 1953, c.169, s.222; R.S.S. 1965, c.184,
s.239.

Notice by teacher

240(1) A teacher may terminate his agreement with a board of trustees, the termination to be effective on the thirtieth day of June by sending by registered mail to the board not later than the twenty-fifth day of May in the year in which it is to take effect a notice of his intention to do so.

(2) Notwithstanding anything contained herein, a teacher may be released from his agreement by obtaining the written consent of the board.

(3) A teacher may terminate his agreement with a board of trustees to take effect at a date other than the thirtieth day of June by giving not less than thirty days' notice in writing of his intention to do so; but in that case the reason for the teacher's action shall be set forth in the notice and the board may, not later than fifteen days after receiving the notice, appeal to the minister for an investigation under section 238.

(4) A teacher shall not enter into a contract with a board of trustees of a district organized under this Act or *The Secondary Education Act* until the expiry of the fifteen days allowed for appeal, or, in case of an appeal, until the appeal is disposed of.

R.S.S. 1953, c.169, s.223; R.S.S. 1965, c.184, s.240.

*Duties of Teacher***Duties**

241 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 the time table to the superintendent 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, superintendents and any other person authorized 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 superintendent 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, 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 19 of section 118 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 prescribed returns to the department, and to furnish the secretary with the statement required in section 76;

Information *re* school

14 to furnish to the minister, the superintendent, the board or any person appointed by the minister, any information that it is in his power to give respecting anything connected with the operation of the school or in any way affecting its interests or character;

Surrender of property

15 to deliver up any school registers, school house key of 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 his classroom for the purpose of observation and practice teaching any student enrolled in a Saskatchewan teachers college or the College of Education, University of Saskatchewan, 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 the exclusion and the reasons therefor to the medical health officer for the municipality or to the Minister of Public Health if there is no medical health officer; and to admit the 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. 1953, c.169, s.225; R.S.S. 1965, c.184, s.241.

Immunity of teacher from liability

242 Where the board, the principal or the teacher approves or sponsors activities during the school hours or at other times the teacher responsible for the conduct of the pupils shall not be liable for damage caused by pupils to property or for personal injury suffered by pupils during such activities.

1961, c.29, s.11; R.S.S. 1965, c.184, s.242.

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

243 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. 1953, c.169, s.226; R.S.S. 1965, c.184, s.243.

Principal's duties

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

R.S.S. 1953, c.169, s.227; R.S.S. 1965, c.184, s.244.

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

245 Any number of teachers may organize 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. 1953, c.169, s.228; R.S.S. 1965, c.184, s.245.

SCHOOL AGE

Grades and school age

246(1) Subject to subsection (2), all schools shall be divided as may be necessary into eight elementary school grades and four high school grades to be known as grades I to VIII and grades IX to XII respectively.

(2) Schools may be organized so as to provide for the following sections or any of them:

- (a) the elementary section, which shall consist of divisions I and II and shall provide a six-year basic program of instruction;
- (b) the intermediate section, which shall be known as division III and shall consist of grades VII, VIII and IX;
- (c) the high school section, which shall consist of grades X, XI and XII.

(3) Except as herein provided, every resident person 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, provided that the board may require satisfactory proof of age before admission.

(4) Notwithstanding the provisions of subsection (3), in rural and village districts children who are five years of age may be admitted to the school by resolution of the board.

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

(6) Any trustee, teacher or other person who interferes or attempts to interfere with the right of a pupil to attend school in violation of this Act is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.

R.S.S. 1953, c.169, s.229; 1960, c.60, s.9; 1964, c.19, s.9; R.S.S. 1965, c.184, s.246.

FEES

Fees

247(1) The board of a district or of a school unit shall not charge fees for the attendance at school of a child whose parent or lawful guardian is a resident, other than as a lodger or boarder, of the district.

(2) A child who is residing in a district in a foster home as defined in *The Child Welfare Act* shall, for the purposes of this Act, be deemed to be the child of a *bona fide* resident of the district.

(3) The fees payable in respect of a child whose parent or lawful guardian does not reside within the district or school unit in which the child is attending school shall be such as are provided for by the regulations.

(4) A board may make provision for the conveyance to and from school of a child in respect of whom fees are paid by the board or for payment in lieu of conveyance.

(5) The fees charged in accordance with the regulations mentioned in subsection (3), in respect of children enrolled in high school grades, shall in the case of each child be reduced by the amount of the non-resident grant earned under paragraph 3 of subsection (1) of section 3 of *The School Grants Act*.

1959, c.71, s.3; R.S.S. 1965, c.184, s.247.

EDUCATION OF NON-RESIDENT CHILDREN

Education of non-resident children

248(1) A person living in an area not organized 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 the board shall admit the child.

(2) The board may require that the application for admission be accompanied by a statement from the superintendent of the district that the accommodation of the school is sufficient for the admission of the child.

(3) The board may admit children to the school from any district, subject to the provisions of subsection (2).

R.S.S. 1953, c.169, s.231; 1958, c.61, s.7; 1959, c.71, s.4; R.S.S. 1965, c.184, s.248.

Children resident in another district

249(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 that 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 subsection (2) of section 248.

(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.

(4) Where the school in the district in which the parent or legal guardian of such child resides is closed sections 216 and 255 shall apply *mutatis mutandis*.

R.S.S. 1953, c.169, s.232; 1957, c.53, s.11; R.S.S. 1965, c.184, s.249.

Agreement between boards

250(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 thereof 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) This section does not apply in the case of a child classified in Grade VIII except with the consent of the parent or legal guardian of the child.

R.S.S. 1953, c.169, s.233; R.S.S. 1965, c.184,
s.250.

Arrangements between boards

251 If a child resides outside 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 but within the limits therein set forth of the school of an adjoining district, and fails to attend school eighty per cent of the teaching days in any month, or if 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.

R.S.S. 1953, c.169, s.234; R.S.S. 1965, c.184,
s.251.

Application of nonresident to have property assessed

252(1) A person not residing 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, on the report of the superintendent that the accommodation of the school room is sufficient for the admission of the children of that person, the board shall receive his application and cause the said property to be placed on the assessment roll of the district, by giving written notification to the assessor of the school district or municipality, as the case may be, 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) When 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. 1953, c.169, s.236; R.S.S. 1965, c.184,
s.252.

Power to establish central board of trustees

253(1) Subject to the approval of the minister, the boards of any group of two or more districts included in a school unit and the board of the school unit may, in accordance with the regulations under clause (j) of paragraph 1 of section 3, establish a central board of trustees for the central administration, control and supervision of those districts.

(2) A majority of the members of a board established under subsection (1) shall constitute a quorum.

1955, c.46, s.12; 1959, c.71, s.6; R.S.S. 1965, c.184, s.253.

Powers and duties of central board

254 The central board of trustees shall have the same duties and powers *mutatis mutandis* as a board of trustees elected under the provisions of this Act; provided that the central board shall not have power to elect a delegate or delegates under the provisions of section 79 of *The Larger School Units Act*.

R.S.S. 1953, c.169, s.239; 1958, c.61, s.8; R.S.S. 1965, c.184, s.254.

CONVEYANCE OF SCHOOL CHILDREN

*From One District to Another***Agreement by boards for education of children of another district**

255(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 terms 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 the 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 the resident ratepayers of the district who 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 signatures of the resident ratepayers signing the petition shall be verified by the affidavit of a subscribing witness thereto.

R.S.S. 1953, c.169, s.240; R.S.S. 1965, c.184, s.255.

*Within the School District***Cost of conveyance**

256(1) A board may make due provision, subject to the regulations of the department, 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 the 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. 1953, c.169, s.241; R.S.S. 1965, c.184, s.256.

Distance for conveyance

257(1) Subject to subsection (2), the board of every school district having an area of thirty-six square miles or more shall provide for the expense of the conveyance to and from school once a day each way of all pupils, being the children of resident ratepayers whose residence is distant therefrom more than one and one-half miles as measured by the nearest road allowance.

(2) Subsection (1) does not apply where the school district has been included in a school unit pursuant to section 91 and section 93 or 96 of *The Larger School Units Act*, if the agreement mentioned in the said section 91 makes provision for the conveyance of pupils which in the opinion of the parties thereto is adequate.

R.S.S. 1953, c.169, s.242; R.S.S. 1965, c.184, s.257.

Regulations for conveyance

258 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. 1953, c.169, s.243; R.S.S. 1965, c.184, s.258.

PENALTIES AND PROHIBITIONS

Fulfilment of contracts

259 If 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 the contract unless he shows to the satisfaction of the court that he made reasonable efforts to have the board carry out its contract.

R.S.S. 1953, c.169, s.244; R.S.S. 1965, c.184, s.259.

Liability of trustees

260 If the board of any district:

- (a) wilfully contracts liabilities in the name of the district greater or other than as provided or allowed by this Act;

(b) appropriates any of the moneys of the district for purposes other than are provided or allowed by this Act;

(c) uses the funds of the district directly or indirectly in paying a teacher for teaching a language other than those prescribed outside of school hours, or pays any portion of a teacher's regular salary in consideration for such service;

any two ratepayers of the district may recover as a debt for the school district 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 those trustees over and above the amount provided by this Act, in addition to the total amount of moneys that have been misappropriated by those trustees.

R.S.S. 1953, c.169, s.245; R.S.S. 1965, c.184, s.260.

False report or register

261 If a trustee knowingly signs a false report or if a teacher keeps a false school register or knowingly makes a false return, he is guilty of an offence and liable on summary conviction to a fine not exceeding \$20.

R.S.S. 1953, c.169, s.246; R.S.S. 1965, c.184, s.261.

Wrongful retention of property of district

262(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, is guilty of an offence and liable on summary conviction to a fine not exceeding \$20 for each day during which he wrongfully retains possession of the 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 it in the hands of some person mentioned in the notice.

Non-compliance with Act or regulations

(2) A person required by this Act or by the regulations 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, is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.

R.S.S. 1953, c.169, s.247; R.S.S. 1965, c.184, s.262.

Misconduct of returning officer

263 A returning officer of a district or proposed district acting under this Act, who knowingly and wilfully prejudices 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, is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$100.

R.S.S. 1953, c.169, s.248; R.S.S. 1965, c.184, s.263.

Disturbing school or meetings

264 Any agent or salesman who as such enters the school premises 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 authorized 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, is 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. 1953, c.169, s.249; 1959, c.71, s.7; R.S.S. 1965, c.184, s.264.

False returns

265 Except where herein other wise provided, a 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, is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

R.S.S. 1953, c.169, s.250; R.S.S. 1965, c.184, s.265.

Explosives and firearms

266 No pupil shall bring to the school premises explosives or firearms, and any parent or guardian allowing his child to do so is guilty of an offence and liable on summary conviction to a fine not exceeding \$20.

R.S.S. 1953, c.169, s.251; R.S.S. 1965, c.184, s.266.

Failure to give notice of meeting

267 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, is guilty of an offence and liable on summary conviction to a fine not exceeding \$5.

R.S.S. 1953, c.169, s.252; R.S.S. 1965, c.184, s.267.

Use of unauthorized textbooks

268 Any teacher, trustee or other person who uses or causes to be used an unauthorized text or reference book, either in the place of or to supplement an authorized text or reference book upon the same subject, is guilty of an offence and liable on summary conviction to a fine not exceeding \$10:

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

R.S.S. 1953, c.169, s.253; R.S.S. 1965, c.184, s.268.

Display of emblems of religious denominations prohibited

269(1) No emblem of any religious faith, denomination, order, sect, society or association, shall be displayed in or on any 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 religious faith, denomination, order, sect, society or association.

(2) A teacher violating subsection (1) is guilty of an offence and his certificate may be suspended or cancelled by the minister, and he is also liable on summary conviction to a fine not exceeding \$50.

(3) A trustee violating subsection (1), or permitting a violation thereof, is guilty of an offence and liable on summary conviction to a fine of not less than \$25 nor 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 a 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 non-payment of grants under subsection (4), may be recovered for the district in the manner provided by section 260.

R.S.S. 1953, c.169, s.254; R.S.S. 1965, c.184, s.269.

Teacher not a trustee

270 A teacher shall not hold the office of school trustee in the district in which he is employed as teacher.

R.S.S. 1953, c.169, s.255; R.S.S. 1965, c.184, s.270.

Commission for sales

271(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 whatever 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 trustee, teacher or officer.

(3) Any person violating subsection (1) or (2) is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.

R.S.S. 1953, c.169, s.256; R.S.S. 1965, c.184, s.271.

Recovery of fines

272 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. 1953, c.169, s.257; R.S.S. 1965, c.184, s.272.

Application of penalties

273 All moneys accruing from fines or penalties under this Act shall, unless otherwise provided, belong to the consolidated fund.

R.S.S. 1953, c.169, s.258; R.S.S. 1965, c.184, s.273.

ORDERS

Orders not invalid for irregularity

274 No order purporting to be made under this Act, and being within the powers conferred thereby, shall be deemed invalid on account of non-compliance with any of the conditions required by this Act as preliminary to the order; and no misnomer, inaccurate description or omission in an order shall in any way suspend or impair the operation of the Act with respect to the matter so misdescribed or omitted.

R.S.S. 1953, c.169, s.259; R.S.S. 1965, c.184, s.274.

Correction of error in orders

275 Any misdescription or other error in an order made by the minister or in an order made or proclamation issued by the Lieutenant Governor in Council under 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 the correction as of the date on which it was made or issued by any subsequent order.

R.S.S. 1953, c.169, s.260; R.S.S. 1965, c.184, s.275.

MISCELLANEOUS

Power of minister to declare district's status

276 The minister may, by order, notice of which shall be published in the *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. 1953, c.169, s.261; R.S.S. 1965, c.184, s.276.

Confirmation of existing districts

277 All school districts heretofore erected or purporting to be so are hereby confirmed as districts legally established 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 those school districts are hereby confirmed and declared to be legal and valid charges upon the school property and rates of the districts issuing the debentures, notwithstanding any defect or irregularity in any proceeding in respect of or preliminary to the erection of the districts or alterations of the boundaries thereof or the issuing of the debentures.

R.S.S. 1953, c.169, s.262; R.S.S. 1965, c.184, s.277.

Limitation of action for damages

278 No action shall be brought against a school district for the recovery of damages after the expiration of six months from the date upon which damages were sustained, unless, upon application to a judge of the Court of Queen's Bench made not later than one year from that date and after seven days' notice to the school district, the judge allows the claim to be made.

R.S.S. 1953, c.169, s.263; R.S.S. 1965, c.184, s.278.

BOARDS OF EDUCATION

Boards may be established in certain cases

279(1) Where the boundaries of a high school district established under section 8 of *The Secondary Education Act* or under the corresponding section of any former *Secondary Education Act* are conterminous with the boundaries of a school district organized under this Act or any former *School Act* and no separate school district, the boundaries of which are conterminous with the boundaries of the high school district and the school district, has been organized, a board of education for the high school district and the school district may be established in accordance with the following sections.

(2) Where:

(a) the boundaries of a high school district established under section 8 of *The Secondary Education Act* or the corresponding section of any former *Secondary Education Act*; and

(b) the boundaries of a school district organized under this Act or any former *School Act*; and

(c) the boundaries of a separate high school district established under section 9 of *The Secondary Education Act* or section 8a of *The Secondary Education Act*, chapter 168 of *The Revised Statutes of Saskatchewan, 1953*; and

(d) the boundaries of a separate school district organized under this or any former *School Act*;

are conterminous, a board of education may be established for the high school district and the school district, and a board of education may be established for the separate high school district and the separate school district, in accordance with the following sections.

(3) Upon the establishment of a board of education it shall have all powers conferred, and perform all the duties imposed, upon a board of trustees of a high school district by *The Secondary Education Act* and upon a board of trustees of a school district, but in case of any conflict the provisions of *The School Act* shall apply.

1965, c.48, s.12; R.S.S. 1965, c.184, s.279.

Order for establishment of board of education

280 Subject to section 279, where the boards of trustees desirous of establishing a board of education submit to the minister, on or before the first day of July in any year, a joint resolution or separate resolutions requesting that the establishment of a board of education be provided for, the minister may, with the approval of the Lieutenant Governor in Council, by order provide for the establishment of a board of education for the districts represented by those boards.

1965, c.48, s.12; R.S.S. 1965, c.184, s.280.

Publication of notice of order

281(1) The minister shall cause notice of the order to be published in the *Gazette* not later than the first day of September next following the day on which the order is made.

(2) There shall be set forth in the notice the date on which the board of education shall assume its duties.

(3) Upon the publication of a notice pursuant to subsection (1), the boards of trustees for the school district and high school district named in the order may, during the period preceding the date on which the board of education will assume its duties, hold joint meetings, by agreement, for the purpose of planning school facilities, educational programs and such other matters as may be related to the reorganization.

(4) The members of the boards of trustees shall, at a joint meeting held under subsection (3), appoint a chairman from among their number who shall be chairman of the joint meetings.

(5) Decisions arising from the joint meetings mentioned in subsection (3) shall be binding on both boards of trustees when ratified by the resolution of each board.

1965, c.48, s.12; R.S.S. 1965, c.184, s.281.

Membership of board

282 A board of education shall consist of seven members, each of whom shall hold office until his successor is elected.

1965, c.48, s.12; R.S.S. 1965, c.184, s.282.

Qualifications of candidates and electors

283 Section 94 applies *mutatis mutandis* with respect to the qualifications of candidates for the office of member of a board of education and of persons who shall be eligible to vote at elections of members of a board of education.

1965, c.48, s.12; R.S.S. 1965, c.184, s.283.

First election

284 Upon the publication of a notice pursuant to section 281 the first election of members of the board of education shall be held on the day fixed for the election of councillors or aldermen next following the date of the publication of the notice, and the nomination and election of members of the board shall be conducted in the same manner as municipal nominations and elections of councillors or aldermen, and the provisions of the municipal law respecting the time for receiving nominations and for opening and closing the poll, the mode of voting, corrupt or improper practices, vacancies, declarations of office and all other proceedings incidental to the election apply *mutatis mutandis* with respect to the election of members of the board of education.

1965, c.48, s.12; R.S.S. 1965, c.184, s.284.

Term of office

285(1) At the first election of members of a board of education the four who obtain the highest number of votes shall hold office for a term of two years and the three who obtain the next highest number of votes shall hold office for a term of one year, and thereafter each member shall be elected for a term of two years.

(2) If at the first or any subsequent election, by reason of an equality of the number of votes, or for any other cause, there is doubt as to the term of office of a member elected, the matter shall be decided by the order of nomination, the person or persons first nominated being entitled to hold office for the longer term.

(3) If at the first or any subsequent election the number of persons nominated is equal to the number of members to be elected the terms of office shall be decided by the order of nomination, the person or persons first nominated being entitled to office for the longer term.

1965, c.48, s.12; R.S.S. 1965, c.184, s.285.

Subsequent elections

286 Subject to sections 284 and 285, the members of a board of education shall be elected in the manner prescribed by *The Town Act* or *The City Act*, as the case may require.

1965, c.48, s.12; R.S.S. 1965, c.184, s.286.

Commencement of term of office

287 Every person elected as a member of a board of education shall assume office on the first day of January next following the date of his election.

1965, c.48, s.12; R.S.S. 1965, c.184, s.287.

Name of board

288 A board of education shall be styled "The Board of Education for _____" (*the blank being filled in with the names and numbers of the districts under the jurisdiction of the board*).

1965, c.48, s.12; R.S.S. 1965, c.184, s.288.

Board of education a corporation

289 A board of education shall be a corporation and shall have a common seal and shall possess and exercise all the powers vested in corporations by *The Interpretation Act* so far as may be necessary for carrying out the provisions of this Act.

1965, c.48, s.12; R.S.S. 1965, c.184, s.289.

Assets and liabilities

290 On the day on which the first members of a board of education assume office:

- 1 the boards of trustees of the districts mentioned in the the order providing for the establishment of the board of education shall be deemed to have been dissolved;
- 2 all assets vested in those boards shall be vested in the board of education;
- 3 all debts and liabilities of those boards incurred by contract or in any other manner shall become and be obligations of the board of education and shall be deemed to have been assumed by it:

and on that day or at any time thereafter the board of education may execute in the name and on behalf of the said districts such transfers, assignments, conveyances or other documents as may be required to transfer effectively to the board of education title to any asset or assets vested in the board pursuant to this section, and may, subject to the approval of the minister, sell, lease or otherwise dispose of real property of the said districts.

1965, c.48, s.12; R.S.S. 1965, c.184, s.290.

Borrowing for capital purposes

291 Notwithstanding subsection (3) of section 279, for the purposes mentioned in section 147 a board of education shall have such powers and be subject to such requirements as are provided in sections 52 to 59 of *The Secondary Education Act*.

1965, c.48, s.12; R.S.S. 1965, c.184, s.291.

Application of certain provisions of Acts to board

292 Except as expressly provided in sections 279 to 291, a board of education shall:

- (a) have and exercise the rights, powers and privileges conferred by this Act upon a board of trustees of a school district;
- (b) be subject to the liabilities and methods of government imposed upon, or prescribed for or in respect of, a board of trustees of a school district by this Act.

1965, c.48, s.12; R.S.S. 1965, c.184, s.292.

Disestablishment of board

293(1) Upon receipt of a resolution from a board of education petitioning for its disestablishment the minister may by order, notice of which shall be published in the *Gazette*, declare that on the day specified in the order the board shall be disestablished, and thereupon the board shall cease to exist and cease to have any of the rights, powers and privileges vested in it by this Act.

(2) Upon the disestablishment of a board of education:

- (a) the minister may appoint one or more persons to adjust and settle the assets and liabilities of the districts that were represented by the board;
- (b) boards of trustees shall be elected for those districts pursuant to this Act or *The Secondary Education Act*, as the case may require;
- (c) each of the boards so elected shall:
 - (i) have and exercise the rights, powers and privileges conferred upon it by this Act or *The Secondary Education Act*, as the case may be;
 - (ii) be subject to the liabilities and methods of government imposed upon it, or prescribed for or in respect of it, by this Act or *The Secondary Education Act*, as the case may be.

1965, c.48, s.12; R.S.S. 1965, c.184, s.293.

SCHOOLS

c. 184

SCHEDULE

FORM A

(Section 13 (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 organization 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 13 of *The School Act*.

Dated this _____ day of _____, 19____.

Committee.

Secretary _____

P.O. _____

FOR HISTORICAL REFERENCE ONLY

SCHOOLS

FORM B

(Section 14 (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 14 (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 application will be made. If to the council of a rural municipality, the name and number must be given.

SCHOOLS

c. 184

FORM D

(Section 20 (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 description of the lands giving the sections, parts of sections, township, range and meridian).

Dated this _____ day of _____, 19_____.

Reeve.

Secretary.

Name of Municipality.

FORM E

(Section 24 (3))

FIRST SCHOOL MEETING

Public notice is hereby given that the first school meeting for the organization of the undermentioned lands into a new school district and for the election of trustees will be held on _____ the _____ day of _____, 19_____.

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 two hours. 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_____.

School Committee.

FOR HISTORICAL REFERENCE ONLY

FORM F

(Sections 24(4) and 31)

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 2 (n), 26 (2), 27 (1) and 31)

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 eighteen 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.

SCHOOLS

c. 184

Signatures of resident ratepayers	Property owned or occupied			
	Sec.	Tp.	Rge.	Mer.

Witnesses to the above signatures:

Chairman.

Secretary.

Dated this _____ day of _____, 19____.

FORM H
(Section 29 (2))

POLL BOOK

Poll on organization of proposed school district

Date of Poll _____; Poll Opened _____; Poll Closed _____.

Name of resident ratepayers

Chairman.

Secretary.

FOR HISTORICAL REFERENCE ONLY

SCHOOLS

FORM I

(Section 29 (3))

POLL RECORD

Poll on organization of proposed school district

Date of Poll _____; Poll Opened _____; Poll Closed _____.

Number of votes for forming the district _____

Number of votes against forming the district _____

Chairman.

Secretary.

FORM J

(Section 30 (8))

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.

FORM K

(Section 47)

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.

SCHOOLS

c. 184

FORM L
(Section 49 (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.

Reeve.

Secretary.

Name and number of municipality.

FORM M
(Sections 13(3), 57(1) and 59)

CERTIFICATE OF NOTIFICATION

This is to certify that the board of trustees of the school districts and the resident
ratepayers required by *The School Act* to be notified of the petition (*or* application,
as the case may be) attached hereto have been duly notified thereof in accordance
with the said Act.

Dated this _____ day of _____, 19_____.

Signature of Applicant.

Note.—This certificate must accompany the application for an alteration or petition
for a new district when the same includes lands already within the boundaries of
an organized district.

FORM N

(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.

FORM O

(Section 57 (5))

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.

SCHOOLS

c. 184

FORM P
(Section 57 (7))

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.

FORM Q
(Section 84)

POLL BOOK

Election of Trustees for The _____ School District No. _____ of Saskatchewan.

Date of Poll _____; Poll Opened _____; Poll Closed _____.

Name of voter	Person or persons voted for	Remarks

Chairman.

FOR HISTORICAL REFERENCE ONLY

SCHOOLS

FORM R
(Section 88)

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 1 etc.
C.D.	1 1 1 etc.

Chairman.

FORM S
(Section 155 (3))

POLL BOX

Poll on debenture bylaw submitted to the ratepayers of The _____ School District No. _____ of Saskatchewan on the _____ day of _____, 19____.

Poll opened _____; Poll closed _____.

Names of ratepayers

Returning Officer.

Poll Clerk.

SCHOOLS

c. 184

FORM T

(Sections 159 and 161)

VOTER'S DECLARATION

The _____ School District No. _____ of Saskatchewan.

The undersigned severally declare each for himself that he is of the full age of eighteen 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 the _____ day of _____, 19____.

Note.—Strike out the words in italics if no assessment has been made.

FORM U

(Section 162 (1))

POLL RECORD

Poll on debenture bylaw submitted to the ratepayers of The _____ School District No. _____ of Saskatchewan on the _____ day of _____, 19____.

Poll opened _____; Poll closed _____.

Bylaw (*state object of bylaw*)

Number of votes for the bylaw

Number of votes against the bylaw

Returning Officer.

Poll Clerk.

FOR HISTORICAL REFERENCE ONLY

FORM V
(Section 168)

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, 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 W
(Section 183)

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 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.

Issue authorized.
The Local Government
Board.

Chairman.

} Registered and countersigned
this _____
day of _____, 19____.

Deputy Minister of Education.

SCHOOLS

c. 184

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 X
(Section 183)

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.

Issue authorized.
The Local Government
Board.

Chairman.

} Registered and countersigned
this _____
day of _____, 19____.

Deputy Minister of Education.

FOR HISTORICAL REFERENCE ONLY

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 Y

(Section 183)

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 authorized.
The Local Government
Board.

Chairman.

Registered and countersigned
this _____
day of _____, 19____.

Deputy Minister of Education.

FOR HISTORICAL REFERENCE ONLY

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 Z

(Sections 30,78 and 79)

DECLARATION

I, *A.B.*, do solemnly declare, that I am a 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 _____, 19____. } *A.B.*

Chairman (or J.P. or Commissioner for Oaths).

FORM AA

(Sections 30,78 and 79)

OATH OF ALLEGIANCE

I, *A.B.*, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II (*or reigning sovereign for the time being*), her heirs and successors according to law. So help me God.

Sworn before me
at _____
this _____
day of _____, 19____. } *A.B.*

Chairman (or J.P. or Commissioner for Oaths).

