

The School Ordinance

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Chapter 29 of *The Ordinances of the
North-West Territories, 1901*
(effective September 1, 1901).

NOTE:

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

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1901
CHAPTER 29

An Ordinance respecting Schools

[Assented to June 12, 1901]

The Lieutenant Governor by and with the advice and consent of the Legislative Assembly of the Territories enacts as follows:

SHORT TITLE

Short Title

- 1 This Ordinance may be cited as "*The School Ordinance*".

C.O., , c.75, s.1.

INTERPRETATION

Interpretation

- 2 In this Ordinance except the context otherwise requires:

Department

1. The expression "**department**" means the Department of Education;

Commissioner

2. The expression "**commissioner**" means the Commissioner of Education;

Council

3. The expression "**council**" means the Educational Council;

Inspector

4. The expression "**inspector**" means any school inspector appointed under this Ordinance;

District

5. The expression "**district**" means any school district erected or constituted as such at the date of the coming into force of this Ordinance and any school district hereafter erected or constituted under the provisions hereof;

Rural district

6. The expression "**rural district**" means any school district situated wholly outside the limits of any town or city municipality or any village:

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

Village district

7. The expression "**village district**" means any school district situated wholly or in part within the limits of any village;

Town district

8. The expression "**town district**" means any school district situated wholly or in part within the limits of any town or city municipality;

Ratepayer

9. The expression “**ratepayer**” means any person of the full age of twenty-one years whose name appears on the last revised assessment roll of the district and who has paid all taxes due by him to the said district;

Resident ratepayer

10. The expression “**resident ratepayer**” means:

(a) In any proposed district any person of the full age of twenty-one years actually residing therein and who has so resided therein and owned or been the occupant of assessable property therein for a period of at least two months immediately prior to the date of the first school meeting;

(b) In any established district in which there has been no revised assessment roll of the district any person of the full age of twenty-one years actually residing therein and who has so resided therein and owned or been the occupant of assessable property therein for a period of at least two months immediately prior to the date of any school meeting;

(c) In any other district any person of the full age of twenty-one years actually residing therein whose name appears on the last revised assessment roll of the district and who has paid all taxes due by him to such district;

Board

11. The expression “**board**” means the board of trustees of any district;

Teacher

12. The expression “**teacher**” means any person holding a legal certificate of qualification.

C.O., c.75, s.2.

DEPARTMENT OF EDUCATION

Organisation

3 There shall be a department of the public service of the Territories called the Department of Education over which the member of the Executive Council appointed by the Lieutenant Governor in Council under the seal of the Territories to discharge the functions of the Commissioner of Education for the time being shall preside.

(2) The Lieutenant Governor in Council may appoint such officers, clerks and servants as are required for the proper conduct of the business of the department and for the purposes of this Ordinance all of whom shall hold office during pleasure.

Functions

4 The department shall have the control and management of all kindergarten schools, public and separate schools, normal schools, teachers’ institutes and the education of deaf, deaf mute and blind persons.

Administration

5 The commissioner shall have the administration, control and management of the department and shall oversee and direct the officers, clerks and servants thereof.

Regulations of the Department

6 The commissioner with the approval of the Lieutenant Governor in Council shall have power:

1. To make regulations of the department—

Schools and courses of study

(a) For the classification, organisation, government, examination and inspection of all schools herein before mentioned;

School buildings and grounds

(b) For the construction, furnishing and care of school buildings and arrangements of school premises;

Examination of teachers

(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;

Teachers' institutes

(d) For a teachers' reading course and teachers' institutes and conventions;

Text books and apparatus

2. To authorise text and reference books for the use of the pupils and teachers in all schools herein before mentioned as well as such maps, globes, charts and other apparatus or equipment as may be required for giving proper instruction in such schools;

School Libraries

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

Normal Schools

4. To make due provision for the training of teachers.

*Powers of the Commissioner***Powers of commissioner**

7 It shall be the duty of the commissioner and he shall have power:

Appeals, disputes and complaints

1. To appoint one or more persons to inquire into and report upon any appeal, complaint or dispute arising from the decision of any board or inspector or other school official or upon the condition of one or more schools or upon the financial condition of any district or upon any other school matter; and such person or persons shall have power to take evidence under oath or by affirmation; and the commissioner upon receipt of such report shall make such order thereon as to him shall seem proper;

Official trustees

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

Unorganised districts

3. To appoint some person to inquire into and report upon the conditions existing in any portion of the Territories that may not have been erected into a school district and subject to the provisions of this Ordinance in that behalf to take such action thereon as to him may seem expedient; and such person shall receive such remuneration as the Lieutenant Governor in Council may determine;

Cancel certificates

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

Advice to trustees

5. To cause to be prepared and printed recommendations and advice on the management of schools and districts for trustees and teachers;

Forms

6. To prepare suitable forms and give such instructions as may be necessary for making all reports and carrying out the provisions of this Ordinance;

Call meetings

7. To appoint some person to call any school meeting required to be held under this Ordinance when there is no person authorised to call such meeting or when the person so authorised neglects or refuses to act;

Plans for Schools

8. To cause to be prepared plans of buildings suitable for schools of one or two rooms;

Annual report

9. To report annually to the Lieutenant Governor in Council upon all schools and institutes hereafter mentioned with such statements and suggestions for promoting education generally as he may deem expedient;

10. To make any provision not inconsistent with this Ordinance that may be necessary to meet exigencies under its operation.

C.O., c.75, ss.6, 7, 8, 9, 10.

EDUCATIONAL COUNCIL

Members

8 There shall be an educational council consisting of five persons at least two of whom shall be Roman Catholics to be appointed by the Lieutenant Governor in Council; who shall receive such remuneration as the Lieutenant Governor in Council shall determine.

Term of office

(2) On the first constitution of the council three of the members shall be appointed for three years and two for two years; and thereafter each member appointed shall hold office for two years.

C.O., c.75, s.4.

Meetings

9 An annual meeting of the council shall be held in the month of July at such time and place as the commissioner shall appoint.

(2) Additional meetings of the council may be called at any time by the commissioner.

(3) At each meeting of the council the council shall appoint a chairman and a secretary.

Subjects for consideration

10 All general regulations respecting the inspection of schools, the examination, training, licensing and grading of teachers, course 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.

C.O., c.75, s.4(2).

Report of Council

11 The council shall consider such matters as may be referred to it as hereinbefore provided or by the commissioner and may also consider any question concerning the educational system of the Territories as to it may seem fit and shall report thereon to the Lieutenant Governor in Council.

FORMATION OF PUBLIC SCHOOL DISTRICTS

Conditions necessary for erection of district

12 Any portion of the Territories may be erected into a public school district provided that—

(a) It does not exceed five miles in length or breadth exclusive of road allowances;

(b) It contains four persons actually resident therein who on the erection of the district would be liable to assessment and twelve children between the ages of five and sixteen inclusive;

Special cases—other boundaries permitted

Provided however that in special cases the commissioner may permit the boundaries of any district to exceed five miles in length or breadth or either.

C.O., c.75, s.12.

Committee for erection of district

13 Any three residents in any area fulfilling the requirements of the next preceding section may be formed or may form themselves into a committee to procure its erection into a district and may petition the commissioner for such erection.

Petition

(2) The petition shall be in form prescribed by the commissioner.

C.O., c.75, ss.13, 14.

*First School Meeting***Notice of first school meeting**

14 On receiving the approval of the commissioner to the limits and name of any proposed district a notice calling a meeting of the ratepayers shall be posted up by the petitioners in at least five widely separated places within such limits one of which shall be the post office therein if there be such post office and if there be no post office therein a sixth notice shall be posted in the nearest post office thereto at least two weeks prior to the date of said meeting.

Form

(2) The notice may be in form prescribed by the commissioner.

C.O., c.75, s.16.

Proof of posting

15 Satisfactory proof that the notices have been posted up as hereinbefore provided shall be furnished by solemn declaration in form prescribed by the commissioner.

C.O., c.75, s.16(2).

First Meeting / Chairman / Secretary

16 At one o'clock in the afternoon standard time of the day appointed in the notice calling the first school meeting the resident rate payers present shall elect one of their number as chairman to preside over their proceedings and shall also appoint a secretary who shall record the minutes of the meeting and perform such other duties as may be required of him by this Ordinance.

C.O., c.75, s.17.

Chairman to sign declaration

17 The chairman shall upon his appointment sign the declaration provided in form A in the schedule to this Ordinance.

Ratepayers to sign declaration / Ratepayer's right to vote

18 After the election of a chairman any person wishing to take any part in the meeting or vote thereat shall be required to sign in the presence of the chairman and secretary the declaration provided in form A in the schedule to this Ordinance and no person shall be allowed to take part in the meeting or vote thereat unless and until he shall have signed such declaration.

Penalty for false declaration

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

Declaration to be forwarded to commissioner

(3) Any declaration made under the provisions of this section shall be forwarded by the chairman to the commissioner.

Chairman not to vote

19 The chairman may not vote on any question whether the same is to be decided by a show of hands or a poll but in case of a tie he must give a casting vote.

C.O., c.75, s 20.

Poll for formation of district

20 Upon his appointment and before any other business is transacted except as provided in section 18 of this Ordinance 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.

Chairman presides / Secretary records votes

21 On the taking of the poll the chairman shall preside and the secretary shall record the votes as they are given in the form prescribed by the commissioner.

C.O., c.75, ss.24, 25.

Closing poll

22 The poll shall remain open for one hour at the end of which time it shall be closed by the chairman who shall then sum up the votes.

C.O., c.75, s.25.

Nominations for trustees

23 If the result of the poll is favourable to the formation of the district 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.

Qualification of candidates

24 The persons nominated for the position of trustees shall be resident ratepayers of the proposed district and shall be able to read and write.

C.O., c.75, s.31.

How nominated

25 Each candidate for the position of trustee shall be nominated by a mover and a seconder both of whom shall be resident ratepayers of the proposed district.

C.O., c.75, s.28.

Time for nomination

26 Nominations shall be received by the chairman for thirty minutes after he first calls for the same.

C.O., c.75, s.22(3).

Acclamation

27 In case the number of nominations does not exceed three the chairman shall declare the persons nominated to be elected.

C.O., c.75, s.29.

Poll for election of trustees

28 If more than three candidates are nominated the chairman shall at the close of the time for nominations declare a poll open for the election of trustees.

C.O., c.75, s.22.

Chairman to preside

29 On the taking of the poll the chairman shall preside and the secretary shall record the votes as they are given in the form prescribed by the commissioner.

C.O., c.75, ss.24, 25.

Ratepayer's vote

30 Every resident ratepayer shall have three votes but shall in no case vote more than once for any one candidate at the same election.

C.O., c.75, s.18(2).

Closing poll

31 The poll shall remain open for one hour at the end of which time it shall be closed by the chairman who shall then sum up the votes and declare the result.

C.O., c.75, s.25.

Chairman to forward minutes to department

32 Within ten days after the date of the first school meeting the chairman shall send to the department certified copies of—

- (a) The minutes of the meeting;
- (b) The poll for the erection of the district;
- (c) The poll for the election of trustees;
- (d) The notice calling the meeting.

Order for Erection of School District

Commissioner may order erection of district

33 Upon receipt of the returns mentioned in the next preceding section and upon being satisfied that all the requirements and provisions of this Ordinance with reference to the formation of the district have been complied with the commissioner may order the erection of the proposed district into a school district and assign to it a name and number.

Notice in official gazette

(2) Notice of erection of the district shall be published in the official gazette; and such notice shall be conclusive evidence of the erection of the district and that all the necessary formalities have been complied with.

C.O., c.75, s.41.

Investigation of disputed election, etc.

34 Whenever complaint is made that the election of any trustee or that the proceedings or any part thereof of any first or other school meeting in any rural district have not been in conformity with this Ordinance the commissioner may upon receiving the complaint of any ratepayer verified by solemn declaration of the complainant investigate the matter and render any decision in and about the same as to him shall appear proper.

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

Name of School District

Name of district

35 Every district created under this Ordinance shall be entitled "The School District No. of the North-West Territories."

Alteration of name

(2) The commissioner may from time to time alter the name of any district upon the petition of the board of such district and notice of such alteration shall be published in the official gazette but in such cases the seal theretofore used by such district shall continue to be the seal thereof until changed by the board.

Effect of change

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

C.O., c.75, ss.11, 56.

FIRST BOARD OF TRUSTEES

Term of Office

Terms of office of trustees elected at first school meeting

36 The trustees elected at the first school meeting in any district shall hold office as follows: The trustee receiving the greatest number of votes shall hold office until the third annual meeting of the district is held; the trustee receiving the next greatest number of votes until the second annual meeting is held; and the trustee receiving the lowest number of votes until the first annual meeting is held;

Provided that in case there is no vote taken the trustees elected shall respectively hold office in the order in which they are nominated until third, second, and first annual meeting of the district is held;

Provided further that if any two or more trustees elected receive an equal number of votes they shall respectively hold office in the manner provided in the next preceding provision;

Provided further that 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.

C.O., c.75. s.30.

Declaration of Office

Declaration of office

37 Every trustee shall before the first meeting of the board is held make the following declaration before the chairman of the meeting at which he was elected or a justice of the peace or commissioner for taking affidavits:

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 190.....

A.B.,
Trustee.

Certificate of declaration

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

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

C.D.,
Chairman, J.P., or Commissioner.

Dated this day
of 190.....

C.O., c.75, s.33.

Organisation of Board

First meeting of board

38 Upon the erection of a district the trustee elected for the longest term shall be notified of the erection of the district by the commissioner; and he shall thereupon within ten days after receipt of such notice call a meeting of the board in the manner provided by this Ordinance 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 may be necessary.

1900, c.26, s.4.

FORMATION OF SCHOOL DISTRICT BY COMMISSIONER

Erection of district on order of commissioner

39 In case any portion of the Territories not exceeding five miles in length or breadth exclusive of road allowances has not been erected into a school district the commissioner may order the erection of such portion into a district provided that it contains:

- (a) Twenty children between the ages of five and sixteen inclusive;
- (b) Ten persons actually residing therein who on the erection of the district would be liable to assessment;
- (c) Six thousand acres of assessable land;

and notice of the erection of any such district shall be published in the official gazette which notice shall be conclusive evidence that the district has been duly erected and constituted in accordance with the provisions of this Ordinance.

Election of trustees

40 In case of the erection of any district in accordance with the provisions of the next preceding section the commissioner 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; and the election held shall be conducted in the manner provided for the election of trustees at a first school meeting; and the trustees elected shall within ten days after their election take the declaration of office and meet to organise the board as hereinbefore provided.

SCHOOLS

c. 29

SEPARATE SCHOOLS

Separate Schools / Assessments

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

C.O., c.75, s.36.

Petition for erection

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

C.O., c.75, s.37.

Qualification of voters

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

C.O., c.75 s.38.

Notice of ratepayers' meetings / Subsequent proceedings

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

C.O., c.75, s.39.

Rights and liabilities of separate school districts

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

Assessment

(2) Any person who is legally assessed or assessable for a public school shall not be liable to assessment for any separate school established therein.

C.O., c.75. s.40.

SCHOOL SITE

In rural district

46 In every rural district the board shall acquire a site in the centre of the district or as near thereto as the road allowances and the securing of a dry, healthy and suitable location will permit; but in the event of it not being found convenient to have the school site located exactly in the centre of the district the board before acquiring any other site shall petition the commissioner to have it located elsewhere, and such petition shall be accompanied by a plan of the district showing:

- (a) The proposed site;

- (b) The quarter sections upon which the resident ratepayers live;
- (c) The quarter sections upon which the children between the ages of five and sixteen inclusive reside;
- (d) The position of the travelled roads, bridges and physical features such as lakes, sloughs, rivers and creeks.

C.O., c.75, s.72(2) in part.

In town or village district

47 In every town or village district the board may select such site as in its judgment is desirable subject to ratification by the ratepayers in the case of debentures being issued.

C.O., c.75, s.72(2) in part.

ALTERATION IN LIMITS OF SCHOOL DISTRICTS

Alteration of boundaries

48 The commissioner may by order notice of which shall be published in the official gazette alter the boundaries of any district by adding thereto or taking therefrom or divide one or more existing districts into two or more districts or unite portions of any existing district with another district or with any new district in case it has been satisfactorily shown that the rights of ratepayers under section 14 of *The North-West Territories Act* to be affected thereby will not be prejudiced and that the proposed changes are for the general advantage of those concerned.

C.O., c.75, s.52.

Security of debentures

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

C.O., c.75, s.53.

Adjustment of assets and liabilities

50 Upon the alteration of the boundaries of any district due provision shall be made for the settlement and adjustment of the assets and liabilities of the same between the districts into which the same may be divided or between the same and the portions thereof added to or taken therefrom; and the commissioner may cause the necessary inquiries to be made in order to ascertain and determine the due proportion of such assets and liabilities and the best method of settling and adjusting the same as aforesaid and may in his discretion appoint one or more persons to make such inquiries and report thereon and may prescribe and declare the terms of such settlement and adjustment and the manner in which the same shall be carried into effect and in cases in which by the terms of such settlement and adjustment any rates or taxes are required to be levied or collected upon property in any division of such district or taken from such district may prescribe by whom, at what times and in what manner such rates and taxes shall be raised, levied and collected and 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 such settlement and adjustment shall be paid.

C.O., c.75, s.53(2).

DISORGANISATION OF SCHOOL DISTRICTS

Disorganisation of districts / Adjustment of assets and liabilities

51 The Lieutenant Governor in Council may by order notice of which shall be published in the official gazette declare that on and after a day therein to be named any district shall be disorganised and thereupon the same and the board thereof shall cease to have or enjoy any of the rights, powers and privileges vested in such corporations by this Ordinance; and upon any such disorganisation of a district the commissioner may appoint one or more persons to adjust and settle the assets and liabilities of such district; and such person or persons so appointed shall have full power and authority to sell and dispose of and convert into money all the assets and property of such district and apply the same so far as the same will extend: first in payment of the liabilities of the said district; and second in payment of his or their remuneration as hereinafter mentioned and divide the surplus if any *pro rata* among the ratepayers of the said district entitled to share therein and in case the amount so realized shall be insufficient to pay and satisfy the liabilities of the said district and his or their remuneration then such person or persons shall have full power and authority to assess, levy, collect and enforce payment in the same manner as boards, assessors, collectors and treasurers are authorised to do by *The School Assessment Ordinance* of such sum or sums of money as may be required to pay and satisfy such indebtedness or any balance thereof remaining unpaid and all expenses connected therewith including his or their remuneration which shall be fixed by the commissioner.

C.O., c.75, s.55.

UNION OF PUBLIC AND SEPARATE SCHOOL DISTRICTS

Union of public and separate school districts

52 If in any area there exist a public school district and a separate school district and it is resolved by the ratepayers of each of such school districts at a public meeting of such ratepayers respectively called for the purpose of considering the question that it is expedient that such districts should be disorganised for the purpose of the union of the same and the erection of such area into a public school district the commissioner may by order notice of which shall be published in the official gazette disorganise such existing districts and erect such area into a public school district with such nature as he may decide upon; and thereafter the commissioner may make such orders, provisions, and appointments as to him shall appear proper for the carrying into effect of such disorganisation and the erection of the public school district and as to all matters incident thereto and necessary for the establishment and operation of the same as a public school district and for the carrying out therein of all the provisions of this Ordinance and for the adjustment, arrangement and winding up of all the affairs of such disorganised districts and for the settlement of their liabilities and disposition of their assets.

Provided that unless the liabilities of such disorganised districts are not otherwise liquidated the same shall be assumed by and imposed upon such newly created district and any debentures issued by the disorganised districts or either of them shall have force and effect upon the newly established district and the property and rates thereof as they had upon the district by which they were respectively issued and its district may authorise and direct the levy and collection of such rate or rates as may from time to time be necessary for the discharging of any liability or debenture indebtedness of a disorganised district assumed by or imposed upon such new district.

C.O., c.75, s.54.

ANNUAL SCHOOL MEETING

In Rural and Village Districts

Time and place of meeting

53 An annual meeting of the ratepayers of every rural and village district shall be held in the school house or some other suitable place within the district not later than the fifteenth day of January in each year commencing at the hour of ten o'clock in the forenoon standard time.

C.O., c.75, s.43.

Public notice of meeting

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

C.O., c.75, s.43.

Chairman and secretary

55 At the time herein before provided 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 some one appointed by the chairman shall record the minutes of the meeting and perform such other duties as may be required of him by this Ordinance.

(2) In the absence of the chairman the ratepayers present shall forthwith elect one of their number to preside.

C.O., c.75, s.44.

Chairman's vote

56 The chairman may not vote on any question whether the same is to be decided by a show of hands or a poll but in case of a tie he must give a casting vote.

Qualification of voters

57 Any ratepayer whether resident or not who has paid all taxes due by him to the district 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.

Ratepayer to sign declaration

58 The chairman shall if requested by any ratepayer or of his own accord require any person wishing to vote for the election of a trustee to subscribe to the declaration in form B(a) or B(b) in the schedule to this Ordinance; and any person subscribing to such declaration shall be permitted to vote at such election.

Witness

(2) Every such declaration shall be subscribed to in the presence of the chairman and secretary who shall subscribe their names as witnesses thereto;

Penalty for false declaration

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

(4) All declarations made under the provisions of the next preceding section shall be retained by the chairman.

Order of business

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

1. Reading and approving minutes of the last annual meeting;
2. Receiving and considering the statements prepared by the teacher, trustees, treasurer, collector and auditor;
3. Receiving and considering the inspector's report;
4. Miscellaneous business;
5. Election of trustees.

C.O., c.75, s.46.

Statements and reports to be read at annual meeting

60 The chairman upon taking his place shall immediately call upon the secretary to read 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 school was kept open during each term succeeding the last annual meeting;
 - (b) The total number of children attending school during that period 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 standard or class;
 - (f) The subjects taught in the school and the number of children studying each;
 - (g) The number of scholars suspended or expelled for misbehaviour or other causes;
 - (h) The date upon which the public examination of the school was held and the number of visitors present.

Trustees'

2. A statement prepared by the trustees showing:
 - (a) The names of the trustees;
 - (b) The officers of the district appointed by the trustees and their salaries;
 - (c) The vacancies created in the board during the year giving the causes thereof with an account of the elections held to fill such vacancies and the results thereof;
 - (d) The engagements entered into during the year by the board as well as an account of those entailed upon them by their predecessors;
 - (e) 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;
 - (f) 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 whether paid directly to the teachers or not;
 - (b) The amounts of money paid out by the district with particulars of payment;
 - (c) The amounts of money due by the district from all sources with particulars;
 - (d) The amounts of money due by the district and the terms and times of payments.

Tax collector's

4. A statement prepared by the collector of taxes and signed by him giving the following particulars:
 - (a) The number of acres of land assessed or in the case of village districts the total assessed value of the 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 which are due together with a statement of the amount owing by each ratepayer.

Auditor's

5. The auditor's report.

Inspector's

6. The inspector's report received since the next preceding annual meeting was held.

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Other statements

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

C.O., c.75, s.45.

Nominations for trustee

61 So soon as the other business of the district has been transacted or at two o'clock in the afternoon of the day of the meeting if the other business be not then concluded the chairman shall call for nominations for the office of trustee.

C.O., c.75, s.22(3) in part.

Qualifications of candidates

62 Each person nominated for the office of trustee shall be a resident ratepayer of the district who has paid all taxes due by him to such district and is able to read and write.

C.O., c.75, s.31.

Qualifications of mover and seconder

63 Each candidate shall be nominated by a mover and seconder each of whom shall be a resident ratepayer of the district and shall have paid all taxes due respectively by him to such district.

C.O., c.75, s.28.

Time of nominations

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

C.O., c.75, s.22(3) in part.

Acclamation

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

C.O., c.75, s.29.

Poll for election of trustee

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

C.O., c.75, s.22 in part.

Chairman presides

67 On the taking of the poll the chairman shall preside and the secretary shall record the votes as they are given as in form C in the schedule to this Ordinance.

C.O., c.75, ss. 24, 25.

Closing poll

68 The poll shall remain open for two hours at the end of which time it shall be closed by the chairman who shall sum up the votes and declare the result.

C.O., c.75, s.25.

Copy of minutes for department

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

C.O., c.75, s.68.

*In Town Districts***Time and place for meeting**

70 An annual meeting of the ratepayers of every town district shall be held at the same time and place as may be appointed for the nomination of councillors or aldermen.

C.O., c.75, s.57.

Notice to municipality / List of ratepayers not in municipality

71 The trustee of every town district shall give notice to the secretary treasurer of the municipality on or before the fifteenth day of November in each year of the number of vacancies required to be filled to make the board complete; and they shall on or before the first day of December in each year furnish the secretary treasurer of the municipality with a list of the resident ratepayers within any portion of the district which is not included in the limits of the municipality which list shall be delivered to the returning officer by the said secretary treasurer.

Supporters of separate schools to be distinguished / No ballot to S.S.S.

(2) In the list of qualified voters to be delivered to the returning officer by the secretary treasurer of the municipality before the opening of the poll the secretary treasurer shall place opposite the names of any persons on the said list who have been returned to him as supporters of separate schools the "S.S.S.", and the returning officer shall not deliver to any such person a ballot paper for public school trustees.

C.O., c.75, ss.59, 61.

Municipal procedure to be used

72 In every case in which notice is given as aforesaid the nomination and election of trustees shall be held at the same time and place and by the same returning officer or officers and conducted in the same manner as municipal nominations and elections of councillors except as to qualification to vote which shall be as provided for in this Ordinance; and the provisions of *The Municipal Ordinance* respecting the time for receiving nominations and for opening and closing the poll, the mode of voting, corrupt or improper practices, vacancies and declarations of office shall *mutatis mutandis* apply to the election of school trustees.

C.O., c.75, s.60.

Ballot for trustee election

73 A separate set of ballot papers shall be prepared by the returning officer containing the names of the candidates nominated for school trustees of the same form as those used for councillors except in the substitution of the words "school trustee" for "councillor" or "alderman" on said ballot paper.

C.O., c.75, s.63.

Objection to vote

74 In case any objection is made to the right of any person to vote at an election of trustees in any town district the returning officer may require the person whose right of voting is objected to make the following oath or affirmation:

Oath

I *A.B.*, do solemnly swear or affirm that I am a *bona fide* resident ratepayer of (*give name of district in full*) and have paid all taxes due by me to the said school district; that I am of the full age of twenty-one years; that I have not before voted at this election; and that I have not received any reward either directly or indirectly nor have I any hope of receiving any reward for voting at this time and place. So help me God.

NOTE:—*In the case of an affirmation the words “So help me God” shall be omitted.*

And every person making such declaration shall be permitted to vote for the election of trustees.

C.O., c.75, s.62.

Reports and statements for annual meeting / May not be read / May be published

75 At the annual meeting held in any town district the reading of any or all of the reports mentioned in section 60 of this Ordinance may be omitted upon a resolution being passed to that effect by the ratepayers present but any ratepayer of the district shall have access to such reports and statements either during or after the meeting is held; and the board if it deem it advisable or upon being authorised to do so by resolution of the ratepayers at the annual meeting may have any or all of such reports or statements or any parts of them except the inspector’s reports printed in a newspaper published in the district.

C.O., c.75., s.58.

Return for department

76 Within ten days after the annual election of trustees in any town district is held 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.

C.O., c.75, s.68.

*Contested Elections in Town and Village Districts***Contested elections**

77 In case the validity of the election of any school trustee in any town or village district is contested the same may be tried by a judge of the supreme court in chambers; and any ratepayer of the district may be the relator for the purpose; and the judge shall in such case have the like powers as in case of contested elections of councillors under *The Municipal Ordinance*; and the proceedings and rules which obtain in such cases shall *mutatis mutandis* is to be followed and observed in such contested elections of school trustees.

C.O., c.75, s.35.

DEFERRED SCHOOL MEETINGS

Provisions when prescribed meetings are not held / Notice and powers of later meeting

78 In case from want of proper notice or other cause any first, annual or school meeting required to be held under this Ordinance is not held at the proper time it shall be the duty of the secretary of the board when required to do so by any two resident ratepayers or by the commissioner to call a meeting of the ratepayers by posting notices in the manner prescribed by the Ordinance 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.

C.O., c.75, s.42.

SPECIAL MEETINGS OF RATEPAYERS

Special meetings

79 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 Ordinance.

C.O., c.75, s.72(15).

Notice of and how called

80 It shall be the duty of the secretary of the board to call any special meeting when required to do so:

- (a) By the board;
 - (b) By the commissioner;
 - (c) By an inspector;
 - (d) In town and village districts by a request in writing signed by ten resident ratepayers;
 - (e) In rural districts by a request in writing signed by a majority of the resident ratepayers.
- (2) The notices calling a special meeting shall set forth the purpose of the meeting and shall be posted in the manner provided for notices of meetings in rural and village districts.

C.O., c.75, s.72(15).

Transaction limited to notice

81 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.

AUDIT

Audit in rural and village districts

82 The books and accounts of every rural and village district shall be audited in each year prior to the annual meeting by an official auditor in the manner prescribed by the regulations of the department.

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(2) The fee payable for such audit shall be in the case of rural districts \$3 and in the case of village districts \$5 and shall be paid out of the funds of the district.

C.O., c.75, s.66.

Audit in town districts

83 In every town district it shall be the duty of the auditor of the municipality to audit the books and accounts of such district in each year for which he shall receive no special remuneration out of the funds of the district.

C.O., c.75, s.67.

BOARD OF TRUSTEES

Number of Members

Rural and village districts / Town districts

84 In rural and village districts there shall be three trustees each of whom after the first election shall hold office for three years and in town districts there shall be five trustees each of whom after the first election shall hold office for two years;

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

C.O., c.75, ss.64, 65.

Trustees a Body Corporate

Corporate name

85 The trustees of every district shall be a corporation under the name of “The Board of Trustees for the School District No. of the North-West Territories”.

C.O., c.75, s.69.

Organisation of Board

Declaration of office

86 Within ten days after his election at any meeting other than the first school meeting every trustee shall make the declaration of office provided for in section 37 of this Ordinance.

C.O., c.75, s.33.

Time of first meeting

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

C.O., c.75, s.78(2).

Appointment of officers / Salaries

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

(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 but not treasurer or secretary treasurer.

C.O., c.75, ss.78(1), 88.

Board Meetings

How called

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

C.O., c.75, s.81(2).

Notice

90 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 such notice to each trustee or in the absence from his residence of any trustee to any adult person thereat;

Regular meetings

Provided that the board of any district may at any meeting at which all the members of the board are present decide by resolution to hold regular meetings of the board and such 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.

C.O., c.75, s.80; 1900, c.26, s.9.

Waiver of notice

(2) The board may by unanimous consent waive notice of meeting and hold a meeting at any time which consent shall be subscribed to 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. hereby waive notice of this meeting.

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

C.O., c., 75, s.81.

Corporate acts

91 No act or proceeding of any board shall be deemed valid or binding on any party which is not adopted at a regular or special meeting at which a quorum of the board is present.

Quorum

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

C.O., c.75, s.80.

One trustee not to act

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

Motions

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

Votes of trustees

94 At all meetings of the board all questions shall be decided by the majority of the votes and the chairman shall have the right to vote but in case of an equality of votes the question shall be decided in the negative.

Chairman pro tem

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

C.O., c.75, ss.78(2), 79.

Duties of Trustees and Their Officers

Duties of trustees

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

Appoint officers

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

Procure seal

2. To procure a corporate seal for the district;

Reports

3. To see that all the reports and statements required by this Ordinance or by the commissioner 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 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 Ordinance 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;

Property

6. To take possession and to have the custody and safekeeping of all the property of the district;

School accommodation

7. To provide adequate school accommodation for the purposes of 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 or houses, furniture, fences and all other school property; to keep the well, closets and premises generally in a proper sanitary condition; and to make due provisions for properly lighting, heating, ventilating and cleaning the school room or 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 in order such house;

Drinking water

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

Privies

10. To provide separate buildings for privies for boys and girls. The buildings shall be erected in the rear of the school house at least ten feet apart their entrances facing in opposite directions or otherwise effectually screened from each other;

Stable

11. To erect and keep in order if deemed advisable suitable stabling accommodation;

Insurance

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

Library

13. To provide when deemed expedient a suitable library for the school and to make regulations for its management;

Reference books and apparatus

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

Authorised texts

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

Indigent persons

16. 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 and other supplies at the expense of the district;

Engage teacher

17. To engage a teacher or teachers duly qualified under the regulations of the department to teach in the school or schools in its charge on such terms as it may deem expedient; the contract wherefor shall be in writing and may be in form prescribed by the commissioner and a certified copy of such contract shall forthwith be transmitted to the department;

Suspend or dismiss teacher

18. To suspend or dismiss any teacher for gross misconduct, neglect of duty or for 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

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

Teachers' salary

20. To provide for the payment of teachers' salaries at least once in every three months;

Management of school

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

Admit Std. I pupils

22. To provide in the case of graded schools when deemed expedient at what times pupils may be admitted to Standard I;

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Disputes

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

Suspend or expel pupils

24. To suspend or expel from school any pupil who upon investigation by the board is found to be guilty of truancy, 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;

Truancy

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

General

26. To perform such other duties as may be required by this Ordinance or the regulations of the department.

C.O., c.75, s.72.

Duties of chairman

96 It shall be the duty of the chairman of the board:

1. To have the general supervision of the affairs of the district;
2. To certify all accounts against the district passed by the board before such accounts are paid by the treasurer.

C.O., c.75, s.82.

Duties of secretary

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

Minutes

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

Correspondence

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

Books and papers of district

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

Reports to department

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

Call meeting of board

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

Produce books and papers

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

Prepare statement

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

Notices

8. To give the notice required by this Ordinance of each annual meeting of the ratepayers and to call special meetings of the ratepayers as provided by section 80 of this Ordinance.

C.O., c.75, s.83.

Duties of treasurer

- 98** It shall be the duty of the treasurer or secretary treasurer of the board:

Treasurer's bond / Renewal of bond / Liability of trustees

1. To give security to the board before entering upon his duties by a bond signed and acknowledged in duplicate before a commissioner, notary public or justice of the peace and such security shall be given by at least two solvent sureties jointly and severally to the satisfaction of the board or he may furnish in lieu thereof a guarantee bond from any guarantee company authorised to do business in Canada to the amount of any moneys for which the treasurer may at any time be responsible whether arising from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the district and such security shall be renewed at the beginning of each year or renewed at other times of changed whenever renewal or change is required by the board. The members of any board failing to take such bond or security from its treasurer shall be jointly and severally liable for his default to the extent of the sum for which such bond should have been taken.

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

Form of bond

Such bond may be in form prescribed by the commissioner and a duplicate copy thereof shall be forthwith transmitted by the board to the department;

Receive school moneys

2. To receive all school moneys collected from the ratepayers or other persons for the purposes of the district of which he is treasurer and to disburse such moneys in the manner directed by the board;

Pay accounts

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

Keep cash book

4. To keep in a cash book provided for the purpose a complete and detailed record of all moneys received and disbursed for school purposes including government grants which may have been paid directly to the teacher;

Receipts

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

Close books

6. To close and balance on books of the district at the end of the school year which shall be on the 31st day of December in each and every year;

Produce books and vouchers

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

Prepare statement

8. To prepare at the end of each year and in the manner provided by this Ordinance a statement of the finances of the district to be submitted to the annual meeting of the ratepayers;

Reports to department

9. To faithfully prepare and duly 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 commissioner and in such form as may be provided by the commissioner.

C.O., c.75, ss.90, 91.

*Half Yearly and Yearly Returns***Returns to department**

99 The board of every district shall cause to be prepared by the proper officers of the district and transmitted to the department the half yearly and yearly returns respecting attendance and classification of pupils and the finances of the district which returns shall be in form prescribed by the commissioner.

Penalty for neglect to forward returns / Liability of trustees

2. In case the board of any district neglects or refuses to have prepared and transmitted to the department such half yearly and yearly returns within thirty days from the close of the half year or year as the case may be such district shall forfeit the sum of \$10 out of any government grant which may have been earned and to which the district is entitled for each week that the returns are delayed and the trustees through whose neglect or refusal such sums have been forfeited shall be jointly and severally responsible for the amount thus lost to the district which amount may be recovered by action in the supreme court of the Territories by any person authorised by the commissioner to bring such action.

C.O., c.75, s.116(4).

*Resignation of Trustees***Notice of resignation**

100 Any trustee wishing to resign may do so by sending notice in writing to the remaining member or members of the board who shall immediately take the necessary steps to fill the vacancy and such resignation shall only take effect upon the election of a new trustee.

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

C.O., c.75, s.74.

*Disqualification of Trustees***Seat vacated by conviction for crime, etc.**

101 Any trustee who is convicted of any felony or misdemeanour or becomes insane or absents himself from the meetings of the board for three consecutive months without being authorised by resolution entered upon its minutes or ceases to be an actual resident within the district for which he is a trustee shall *ipso facto* vacate his seat and the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election to fill any vacancy thus created.

Seat vacated by interest in contract with corporation

102 No trustee shall take or possess any pecuniary interest, profit or promise or expected benefit in or from any contract, agreement or engagement either in his own name or in the name of another with the corporation of which he is a member or shall receive or expect to receive any compensation for any work, engagement, employment or duty on behalf of such corporation except as secretary, treasurer, secretary treasurer or for a school site.

(2) Any trustee violating any of the provisions of this section shall thereby forfeit his seat and the remaining trustees shall declare the seat vacant and it shall thereby become vacant and an election to fill the vacancy so created shall be held forthwith.

C.O., c.75, s.71.

*Elections to Fill Vacancies***Time of election**

103 When any vacancy is created in the board of any village or rural district it shall be the duty of the remaining trustee or trustees in office to forthwith call a special meeting of the ratepayers of the district to elect the required number of trustees to complete the board:

Provided that if any vacancy is not filled within one month the commissioner may appoint some qualified person to fill the same.

C.O., c.75, s.75.

Conduct of election—rural and village districts

104 In rural and village districts the election of a trustee to fill any vacancy shall only be held at a special meeting called for the purpose and in the same manner as at the annual meeting except that nominations shall be received by the chairman for thirty minutes from ten o'clock in the forenoon and the poll shall remain open for two hours after nominations close.

Town districts

(2) In town districts the election of a trustee to fill any vacancy shall be held in the same manner as is provided by this Ordinance for the annual election of trustees in town districts.

C.O., c.75 (2).

Term of office of new trustee

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

BORROWING POWERS OF DISTRICT*By Note***For current expenses**

106 The board of any district may by resolution authorise its chairman and treasurer to borrow from any person, bank or corporation such sum of money as may be required to meet the expenditures of the district until such time as the taxes levied for the current year are available and such loan shall be repaid out of and shall be a first charge upon the taxes which are collected for the year in which the loan was made and may be secured by the promissory note or notes of the chairman and treasurer given on behalf of the board.

C.O., c.75, s.77.

For school grounds and buildings

107 The board of any district may upon receiving the approval of the commissioner borrow a sum of money not to exceed \$500 for the purposes of securing or improving a school site or purchasing, repairing, erecting, furnishing or adding to any school building or for all or any of the said purposes:

Provided that any such loan shall be made repayable in equal annual instalments with interest not to exceed eight per cent. per annum and may be extended over a period of not more than five years; and any such loan may be secured by the promissory note or notes of the chairman and treasurer given on behalf of the board.

C.O., c.75, s.76.

*By Debenture***Bylaw to raise money by debenture**

108 Should it appear desirable to the board of any district that a sum of money should be borrowed upon the security of the district for the purchase or improvement of a school site or a site for the teacher's house or for the erection, purchase or improvement of a teacher's house or of a school building or buildings or for furnishing such school buildings or for the purchase of suitable play grounds for the children attending the school or schools of the district or for the payment of any existing debenture indebtedness or for all or any of the said purposes it shall pass a bylaw to that effect which may be in form D in the schedule to this Ordinance or to the like effect and which shall be under the corporate seal of the district.

C.O., c.75, s.197.

Repayment of loan / Power to issue debentures

109 In any case of passing a bylaw for contracting a debt by borrowing money for any purpose mentioned in the next preceding clause the board shall make the principal of the debt repayable by equal instalments during the currency of the period within which the debt is to be discharged; and may issue the debentures of the corporation for the amounts and payable at the times corresponding with such instalments together with interest annually as may be set forth and provided in the bylaw.

Sanction of ratepayers

110 Before proceeding to borrow such sum of money the board shall receive the sanction of a majority of the votes of the ratepayers of the district voting thereon as hereinafter provided.

C.O., c.75, s.197.

Notice of Polling

111 The board shall give notice in form E in the schedule to this Ordinance or to the like effect of the time and place of the polling by notices posted up in at least five widely separated and conspicuous places throughout the district at least fourteen clear days before the polling one of which notices shall be posted in the post office situated within the district and should there be no such post office a sixth notice shall be posted in the post office nearest thereto.

C.O., c.75, s.198.

Copy of bylaw and notice for department

112 A certified copy of the bylaw and of the notice of polling shall be forwarded forthwith to the commissioner by the secretary of the board.

C.O., c.75, s.199.

Returning officer and poll clerk

113 The chairman of the board or some person appointed by it shall be returning officer for the poll to be taken and the secretary of the board or some person appointed by the returning officer shall be poll clerk.

C.O., c.75, s.200.

Opening poll

114 At the time and place appointed in the notice the returning officer shall declare the poll open and the poll clerk shall record the votes as they are given in a poll book which may be in form F in the schedule to this Ordinance.

C.O., c.75, s.201 in part.

Post notice

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

C.O., c.75, s.201.

Voters

116 Every ratepayer except the returning officer whose name appears on the last revised assessment roll of the district and who has paid all taxes due by him to the district shall be entitled to vote on the bylaw.

C.O., c.75, s.201 in part.

Scrutineers

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

C.O., c.75, s.201 in part.

Voter's declaration

118 The returning officer shall if requested by any ratepayer or of his own accord require any person tendering a vote to subscribe to the declaration in form B(c) in the schedule to this Ordinance and any person subscribing to such declaration shall be permitted to vote.

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

(3) All declarations made under the provisions of the next preceding section shall be retained by the returning officer.

Record refusal to take declaration

119 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 it again or vote.

Penalty—false declaration

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

Closing poll

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

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

C.O., c.75, s.291 in part.

Complaints re conduct of poll

122 Should any ratepayer of the district make a complaint in writing to the returning officer within three days next after the taking of the poll with regard to the manner in which the poll was conducted the right of any person to vote or the result of the voting the returning office shall forthwith notify such ratepayer in writing of the 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 and when all complaints which may have been made shall be heard.

Returning officer's returns to commissioner

123 In case no such complaint is duly lodged with the returning officer he shall at the expiration of three days after the taking of the poll forthwith forward to the commissioner 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 Ordinance or with such exception as he shall mention that the returns contained therein are correct and that no complaints as provided for by the next preceding section were received by him.

Proceedings before justice of peace

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

(2) The justice of the peace 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.

C.O., c.75, s.202.

Security for costs

125 Before proceeding to the hearing of any complaint the justice of the peace shall require the complainant to deposit with him such sum not being less than \$25 nor more than \$100 as may seem necessary to him to cover the costs of the hearing of the complaint which costs shall be paid according to the decision of such justice of the peace.

Proceedings essentially irregular

126 If it be found that the proceedings in taking the vote have been irregular in any essential particulars and that injustice has thereby been done the poll shall be declared null and void and of no effect and the justice shall forthwith forward to the department a full report to that effect.

Corrupt practices

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

C.O., c.75, s.204.

Return by justice of peace to department

127 When all complaints have been heard and decided upon and the corresponding alterations duly made in the poll book the justice of the peace shall finally sum up the votes cast and shall forward to the department a return in form G in the schedule hereto or to the like effect showing the total number of votes taken and the number remaining on each side after the recount.

C.O., c.75, s.205.

Approval of commissioner

128 Upon receipt of the return mentioned in section 123 or section 127 hereof and upon being satisfied that the several conditions required by this Ordinance have been complied with the commissioner may in writing authorise the board of trustees to borrow the sum or sums of money mentioned in the bylaw and shall publish notice of authorisation in the official gazette. The board may thereupon issue a debenture or debentures to secure the amount of the principal and interest of the loan so authorised or of any less sum upon the terms specified in the bylaw and the debenture or debentures and the coupons thereto shall when signed by the chairman and treasurer of the district be sufficient to bind the district and create a charge or lien against all school property or rates in the district.

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Limit of debentures

(2) The total face value of the debentures issued by any village or town district shall not be for a greater sum than one-tenth of the total assessed value of the real property within such district as shown by the last revised assessment roll of the district nor by any rural district for a greater sum than twenty five cents per acre for each acre assessed as shown by the last revised assessment roll of the district.

Term of debenture

(3) Debentures shall not run for a longer term than twenty years if the school buildings are of brick, brick veneer, concrete or stone nor for a longer period than ten years if the buildings are of frame or log.

Interest

(4) Debentures shall not carry interest at a greater rate than eight per centum per annum.

Date and form

(5) Debentures may be dated at any time within twelve months from the date on which notice of the authorisation of the loan appears in the official gazette and shall be in the form following or to the like effect:

\$ _____ Debenture No.

(Give full name of school district)

The board of trustees or official trustee as the case may be of (give full name of district) promise to pay the bearer at the _____ at _____ the sum of _____ dollars of lawful money of Canada in _____ equal installments from the date hereof with interest at the rate of _____ per cent. per annum on the terms and in the amounts specified in the coupons attached hereto.

A.B.,
Chairman.

C.D.,
Treasurer.
(Or Official Trustee.)

Dated this _____ day of _____ 190____.

COUPONS

Coupon No. _____

Debenture No. _____

The board of trustees (or official trustee) of _____ will pay to the bearer at the bank at _____ on the _____ day of _____, 190____, the sum of _____ dollars being the payment with the total interest at the rate of _____ per cent. per annum due on that date on school debenture No. _____.

A.B.,
Chairman.

C.D.,
Treasurer.
(Or Official Trustee.)

Registration

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

Commissioner shall countersign

130 The commissioner shall thereupon if satisfied that the requirements of this Ordinance 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 commissioner shall be conclusive evidence that the district has been legally constituted and that all the formalities in respect to such loan and the issue of such debenture have been complied with and the legality of the issue of such debenture shall be thereby conclusively established and its validity shall not be questionable by any court in the Territories but the same shall to the extent of the revenues of the issuing the sums be a good and indefeasible security in the hand of any *bona fide* holder thereof.

CONDUCT OF SCHOOLS

*Fees***Free school**

131 No fees shall be charged by the board of any district on account of the attendance at its school of any child whose parent or lawful guardian is a ratepayer of the district.

Fees for pupils above Standard V

Provided that if the board of any district maintains one or more departments in its school exclusively for pupils above Standard V as it may be defined from time to time by the regulations of the department it may charge the parent or lawful guardian of any pupil in attendance at any such department a fee not exceeding nine dollars for the first term and six dollars for the second term in any year if such parent or lawful guardian is a resident ratepayer of the district and in case such parent or lawful guardian is not a resident ratepayer of the district a fee not exceeding thirteen dollars for the first term and eight dollars for the second term and all such fees shall be payable at such time and in such amounts as may be determined by the board.

C.O., c.75, s.113.

*School Terms***Two terms**

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

C.O., c.75, S.106.

*Hours***School hours and recess**

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

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

C.O., c.75, s.105.

Vacation and Holidays

Summer and winter vacations

134 In any school open during the whole year there shall be seven weeks holidays of which not less than two or more than six shall be given in summer and not less than one nor more than five in winter to be appointed at the discretion of the board. The summer holidays shall fall between the second day of July and the thirty-first day of August and the winter holidays shall commence on the twenty-fourth day of December in all schools.

(2) The board of any district in which the school is open during the whole year may allow two weeks additional holidays.

(3) When a school is open only during a portion of the year the board may give holidays not to exceed two weeks beginning on the second day of July:

Provided that the commissioner may on proper representation being made to him allow the board to give holidays not exceeding two weeks at some other times.

C.O., c.75, s.107.

Holidays

135 Ash Wednesday, Good Friday, Easter Monday, Arbour Day (second Friday in May), the birthday of the reigning sovereign, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Christmas Day, New Year's Day and any day specially appointed as a holiday by the Governor General, the Lieutenant Governor of the Territories, the mayor of a city or town or the reeve of a rural municipality shall be holidays; and it shall be at the discretion of the board to permit any other holidays not exceeding one day at a time.

C.O., c.75, s.108.

Language to be Used

English language compulsory

136 All schools shall be taught in the English language but it shall be permissible for the board of any district to cause a primary course to be taught in the French language.

Other languages may be taught

(2) The board of any district may subject to the regulations of the department employ one or more competent persons to give instruction in any language other than English in the school of the district to all pupils whose parents or guardians have signified a willingness that they should receive the same but such course of instruction shall not supersede or in any way interfere with the instruction by the teacher in charge of the school as required by the regulations of the department and this Ordinance;

Special rate for the purpose

(3) The board shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors and all costs, charges and expenses of such course of instruction shall be collected by the board by a special rate to be imposed upon the parents or guardians of such pupils as take advantage of the same.

C.O., c.75, s.109.

*Religious Instruction***Religious instruction**

137 No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such 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.

Time for the Lord's prayer

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

C.O., c.75, s.110.

Attendance not compulsory during religious exercise

138 Any child shall have the privilege of leaving the school room at the time at which religious instruction is commenced as provided for in the next preceding section or on remaining without taking part in any religious instruction that may be given if the parents or guardians do desire.

C.O., c.75, s.111.

No pupil to be deprived of ordinary education

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

C.O., c.75, s.112.

*Kindergarten Classes***Ages and fees**

140 Kindergarten classes may be established in any school for the teaching and training of children between the ages of four and six years according to kindergarten methods and in such school a fee may be charged not exceeding \$1 per month for each pupil to cover cost of maintaining such department.

C.O., c.75, s.114.

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*Night Classes***How maintained**

141 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;

Fees

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.

C.O., c.75, s.115.

COMPULSORY EDUCATION

Schools to be open all year

142 In every district where there are at least fifteen children between the ages of seven and fourteen inclusive resident within a radius of one mile and a half from the school house it shall be compulsory for the board of such district to keep the school open for the whole year.

C.O., c.75, s.225.

Schools to be open six months

143 In every district where there are at least ten children between the ages of seven years and fourteen years inclusive it shall be compulsory for the board of such district to keep the school in operation at least six months in every year.

C.O., c.75, s.226.

Compulsory attendance

144 Every parent, guardian or other person resident in a school district having charge of any child or children between the ages of seven and twelve inclusive shall be required to send such child or children to school for a period of at least sixteen weeks in each year at least eight weeks of which time shall be consecutive; and every parent, guardian or other person who does not provide that every such child under his care shall attend school or be otherwise educated shall be subject to the penalties hereinafter provided.

C.O., c.75, s.227.

Trustees to lay complaints for non-attendance

145 It shall be the duty of the board of every district or any persons authorised by it after being notified that any parent, guardian or other person having control of any child or children neglects or violates the provisions of the next preceding section to make complaint of such neglect or violation to a justice of the peace and the person complained against shall on summary conviction be liable to a fine not exceeding \$1 for the first offence and double that penalty for each subsequent offence.

C.O., c.75, s.228.

Justice to investigate cause of non-attendance

146 It shall be the duty of the justice of the peace to ascertain as far as may be the circumstances of any party complained of for not sending his child or children to school or otherwise educating him or them and he shall accept any of the following as a reasonable excuse:

Excuses to be accepted

1. That the child is under instruction in some other satisfactory manner;
2. That the child has been prevented from attending school by sickness or any unavoidable cause;
3. That there is no school open which the child can attend within such distance not exceeding two and one-half miles measured according to the nearest passable road from the residence of such child;
4. That such child has reached a standard of education of the same or of a greater degree than that to be attained in the school of the district within which such child resides;
5. That such parent or guardian was not able by reason of poverty to clothe such child properly or that such child's bodily or mental condition has been such as to prevent his or her attendance at school or application to study for the period required.

C.O., c.75, s.229.

*Truancy***Truant officer / Regulations**

147 The board of any district may appoint a truant officer who shall for the purposes of this Ordinance be vested with police powers and it shall have authority to make regulations for the direction of such officer in the enforcement of the provisions of this Ordinance as it may deem expedient provided such regulations are not inconsistent with any of the provisions of this Ordinance and have been approved by the commissioner.

C.O., c.75, s.230.

Truant officer to lay complaint

148 If the parent, guardian or other person having the legal charge of any child shall neglect or refuse to cause such child to attend some school within five days after being notified as herein required unless excused from such attendance as provided in this Ordinance the truant officer shall make or cause to be made a complaint against such person before a justice of the peace and such person shall be liable on summary conviction to a fine not exceeding \$1 and costs for the first offence and double that penalty for each subsequent offence:

Provided that in other than town districts the provisions of the foregoing clauses relating to truancy shall not apply to children who may reside more than one mile from the school house.

C.O., c.75, ss.231. 232.

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TEACHER

*Qualification***Trustees to engage qualified teacher**

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

C.O., c.75, s.99.

*Engagement and Dismissal***Teacher must be engaged at board meeting**

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

Form of contract

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

C.O., c.75, s.72 in part.

Parties signed by

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

Dismissed teacher may appeal

153 Any teacher who has been suspended or dismissed by the board may appeal to the commissioner who shall have power to take evidence and confirm or reverse the decision of the board and in the case of reversal he may order the reinstatement of such teacher:

Provided that in case there is no appeal to the commissioner or in the event of an appeal if the decision of the board is sustained the teacher shall not be entitled to salary from and after the date of such suspension or dismissal.

*Payment of Teachers***Every three months**

154 Every teacher shall be paid the amount of salary due to him at least once in every three months and it shall be the duty of the board to make due provision for such payment.

C.O., c.75, s.103(3).

How to estimate teacher's salary

155 The salary of a teacher who has been engaged in any district for four months or more continuously shall be estimated by dividing the rate of salary for the year by 210 and multiplying the result obtained by the number of actual teaching days within the period of his engagement:

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

C.O., c.75, s.103(2).

Salary in case of sickness

156 Every teacher in case of sickness certified by a qualified medical practitioner shall be entitled to his salary during such sickness for a period not to exceed four weeks for the entire year which period may be increased by the board.

C.O., c.75, s.104.

Payment of salary

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

C.O., c.75, s.103 in part.

Duties of Teacher

158 It shall be the duty of every 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 according to the regulations of the department;

Time table

3. To keep in a conspicuous place in the school room a time table which shall show the classification of pupils, the subjects taught each day in the week, the length of each recitation period and the seat work given; and to submit such time table to the inspector for his approval and signature on the occasion of his visit to the school;

Register

4. To keep in the prescribed form the school registers and to give access to them to trustees, officers of the board, inspectors and any other person authorised thereto by the commissioner;

Promotions

5. To make at the end of each term or at any other time such promotions from one class or standard to another as he may deem expedient subject to the ratification of the inspector at his next visit;

Public examinations

6. To hold during each year a public examination of his school of which he shall give due notice to the board and through the pupils to their parents or guardians;

Monthly reports

7. 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;

Arbour Day

8. To encourage the observance of Arbour Day by holding suitable exercises, to take an interest in the cleanliness and tidiness of the school grounds and to secure the cooperation of trustees and parents in planting trees and shrubs about the school;

Sanitary condition of school room

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

Care of property

10. To exercise vigilance over the school property, 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;

Needed repairs

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

Privies

12. To see that the provisions of clause 10 of section 95 of this Ordinance 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 commissioner;

Contagious diseases

13. To notify the chairman of the board whenever he has reason to believe that any pupil attending school is affected with or exposed to small pox, cholera, scarletina, diphtheria, whooping cough, measles, mumps or other infections or contagious disease and to prevent the attendance of any pupil so affected or exposed or suspected of being affected or exposed until furnished with the written statement of a physical or the chairman of the board that such contagious or infectious disease does not exist or that all danger from exposure to any of them has passed away;

Suspend pupils

14. To suspend from school any pupil for violent opposition to authority and to forthwith report in writing the facts of such suspension to the board which may take such action with regard thereto as it may deem necessary;

Returns to department

15. To assist the board and its officers in making the prescribed returns to the department;

Give information re school

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

Give up property

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

Attend meetings

18. To attend all meetings of the teachers called by the principal where more than one teacher is employed.

C.O., c.75, s.102.

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

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

C.O., c.75, s.100.

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

C.O., c.75, s.101.

Teachers' Associations

Meetings subject to regulations

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

C.O., c.75, s.116(2).

EDUCATION OF NONRESIDENT CHILDREN

Application for education of nonresident children

162 The parent or lawful guardian of any child residing outside the limits of any district may apply to the board for the admission of such child to its school and it shall be the duty of the board to admit such child:

Inspector's statement required

Provided always that the board may demand that the application for the admission of any nonresident child be accompanied by a statement from the inspector of the district to the effect that the accommodation of the school is sufficient for the admission of such child;

Fees

Provided further that the board may demand from such parent or guardian the payment of school fees at a rate not exceeding four cents per day per family which fees shall be payable monthly in advance and shall be calculated according to the number of actual teaching days in each month.

Resident children

163 The parent or lawful guardian of any child residing within the limits of any district and who is not a ratepayer thereof may send his children to the school operated within the district subject to the second provision of the next preceding section.

Application of nonresident to have property assessed

164 Any person not living within a district may apply to the board of any district to have his or her property if not already included in any other district assessed in such district to secure the advantages of education for his children and in any such case on the report of an inspector that the accommodation of the school room is sufficient for the admission of the children of such person the board shall receive such application and place the said property on the assessment roll of the district and such property shall remain liable to assessment in such district until a new district is established including the said property; and for the purpose of enforcing payment of taxes and of all remedies therefor the said property shall be deemed to be within the school district on whose assessment roll it is placed.

C.O., c.75, s.12.

CONVEYANCE OF SCHOOL CHILDREN

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

165 Upon a petition hereinafter provided for being transmitted to the commissioner he may empower the board of any rural district to enter into an agreement with any other board or boards for the education of the children of its district upon such terms as may be mutually agreed upon and approved by such terms as may be mutually agreed upon and approved by him and the board entering into any such agreement shall have full power and authority to make the necessary levy and assessment for the purpose of carrying out the terms of the agreement and for providing for the conveyance of children to and from school under the provisions of *The School Assessment Ordinance*.

Provided that any such agreement may be terminated by any board a party thereto by giving notice on or before the first day of October in any year and upon such notice being given the agreement shall cease and determine on the last day of the month of December following.

(2) The petition for permission to enter into such an agreement may be in form prescribed by the commissioner and shall be signed by at least two-thirds of such resident ratepayers of the district as are the parents or guardians of children between the ages of five and sixteen years inclusive.

(3) The statements contained in the petition shall be verified by the affidavit of two of the subscribing petitioners and the signatures of the ratepayers signing the petition shall be verified by the affidavit of a subscribing witness thereto.

C.O., c.75, s.215.

Regulations for conveyance

166 The commissioner may subject to the approval of the Lieutenant Governor in Council make such regulations as are deemed necessary and expedient for the proper conveyance of the children as herein before provided and for the keeping of proper records of the number of children conveyed, the distance travelled, the cost of conveyance and such other information as may be desired.

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

167 The board of any district may make due provision subject to the regulations of the department in that behalf for the proper conveyance of the school children resident within the district to and from school and it shall have power to provide for the cost of such conveyance in the same manner as is provided for the other expenditures of the district.

(2) The secretary of every district in which provision is made as aforesaid shall forthwith notify the commissioner.

PENALTIES AND PROHIBITIONS

Fulfilment of contracts

168 Any board or any member thereof that wilfully neglects or refuses to exercise or to assist in exercising all the corporate powers vested in such board by this Ordinance for the fulfillment of any contract or agreement made by it shall be personally responsible for the fulfilment of such contract or agreement.

Liability of trustees. Unauthorised contracts

169 Should the board of any district wilfully contract liabilities in the name of the district greater or other than as provided or allowed by this Ordinance or appropriate any of the moneys of the district for purposes other than are provided or allowed by this Ordinance the treasurer of the district or some other person authorised by the commissioner may recover as a debt in a court of competent jurisdiction from such board jointly or severally the sum or sums for which the district has been rendered liable through the action of such trustees over and above the amount so provided by this Ordinance in addition to the total amount of any moneys that have been misappropriated by such trustees.

C.O., c.75. s.96.

False report or register

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

Wrongful detention of property of district / Penalty

171 Any trustee, officer or employer of a district who after ceasing to hold office detains any money, book, paper or thing belonging to the district shall thereby incur a penalty not exceeding \$20 for each day during which he wrongfully retains possession of such money, book, paper or thing after having received notice in writing from the chairman of the board or from the commissioner requiring him to deposit the same in the hands of some person mentioned in such notice.

C.O., c.75. s.94.

Misconduct of returning officer

172 Any returning officer of any district or proposed district acting under the provisions of this Ordinance who shall knowingly and wilfully prejudice the result of any voting by preventing votes from being taken or by taking unlawful votes or by altering returns or books in any way or by any other means shall be liable to a penalty of not less than \$10 and not exceeding \$100.

C.O., c.75. s.95.

Penalty for disturbing school or meetings

173 Any person who wilfully disturbs, interrupts or disquiets the proceedings of any school meeting authorised to be held by this Ordinance or any one who 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 such school is kept or held or so near thereto as to disturb the order of exercises of the school shall be guilty of an offence for which he shall forfeit for the use of the district within which the offence was committed a sum not exceeding \$20.

SCHOOLS

c. 29

Trustee cannot be teacher

174 No school trustee shall be eligible to appointment as a teacher within the district of which he is a trustee; nor shall the teacher of any school hold the office of school trustee.

Recovery of fines

175 All fines, penalties and forfeitures mentioned in this Ordinance may be recovered and enforced with costs on summary conviction before a justice of the peace.

C.O., c.75, s.97.

Application of penalties

176 All moneys accruing from fines or penalties under this Ordinance unless otherwise provided belong to the general revenue fund of the Territories.

C.O., c.75, s.98.

MISCELLANEOUS

Town district may be declared Village district

177 The Lieutenant Governor in Council may by order notice of which shall be published in the official gazette declare that for the purposes of this Ordinance any town district shall be deemed to be a village district and thereafter all the provisions of this Ordinance relating to village districts shall apply thereto.

Confirmation of existing districts, etc.

178 All school districts heretofore erected or purporting so to be are hereby confirmed as districts legally established under this Ordinance with any alterations of boundaries made or purporting to have been made and all debentures issued by the trustees or commissioners of any such school districts are hereby confirmed and declared to be legal and valid charges upon the property of the districts issuing the same notwithstanding any defect or irregularity in any proceeding in respect of or preliminary to the erection of such districts or alterations of the boundaries thereof or the issuing of such debentures.

Repeal

179 *The School Ordinance* being chapter 75 of *The Consolidated Ordinances 1898* and chapter 26 of the Ordinances of 1900 amending the same as hereby repealed:

Provided however that sections 116 to 196 and 212 to 214 all inclusive shall continue in force until the first day of January, 1902.

180 This Ordinance shall come into force on the first day of September, 1901.

SCHOOLS

SCHEDULE

FORM A

Proposed School District of N.W.T.
(Proposed name of district)

The undersigned severally declare each for himself that he is of the full age of twenty-one years, that he actually resides within the above named proposed school district and that he has so 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.

Names.	Property owned or occupied.

Witnesses to above signatures:

.....
Chairman.

.....
Secretary.

Dated theday of 190...

SCHOOLS

c. 29

FORM B

(a)

(This form should be use for resident ratepayers in any established district not having a revised assessment roll.

The S.D. No. of the N.W.T.

The undersigned severally declare each for himself that he is of the full age of twenty-one years, that he actually resides within the above named district and that he has owned or been the occupant of assessable property therein for a period of at least two months prior to this date.

Names.	Property owned or occupied.

Witnesses to above signatures:

.....
Chairman.

.....
Secretary.

Dated theday of 190...

(b)

(This form should be used for resident ratepayers in any district that has a revised assessment roll.)

The S.D. No. of the N.W.T.

The undersigned severally declare each for himself that he is of the full age of twenty-one years, that he actually resides within the above named district, that his name appears on the last revised assessment roll of the district and that he has paid all taxes due by him thereto.

Names.	Property owned or occupied.

Witnesses to above signatures:

.....
Chairman.

.....
Secretary.

Dated theday of 190...

(c)

(This form should be used for ratepayers of any established district.)

The S.D. No. of the N.W.T.

The undersigned severally declare each for himself that he is of the full age of twenty-one years, that his name appears on the last revised assessment roll of the above named district and that he has paid all taxes due by him thereto.

Names.	Property owned or occupied.

Witnesses to above signatures:

.....
Chairman.

.....
Secretary.

Dated theday of 190...

FORM C

POLL BOOK

Election of Trustees for the S.D. No. of N.W.T.

Date of Poll; Poll opened; Poll closed

Name of voter.	Person voted for.	Remarks.

.....
Chairman.

SCHOOLS

c. 29

FORM D

BYLAW NO.

A bylaw relating to the issue of debentures of the (give full name of school district).

Whereas it is necessary and desirable that the sum of dollars should be borrowed on the security of the (give full name of district) for the purpose of (state purpose for which money is required) repayable to the bearer with interest at per centum per annum in equal consecutive annual instalments:

Now therefore the board of trustees of the said district enacts as follows:

- 1. That the necessary notices be given and proceedings had under The School Ordinance for receiving the sanction of the ratepayers of the said district to the loan and the issue of debentures therefor and that the voting thereon shall take place at on the day of 190....., pursuant to the provisions of the said Ordinance;
2. That if the said sanction be obtained and the commissioner of education shall empower in writing the said board to borrow the said sum pursuant to the said Ordinance then debentures of the said district will be issued payable to the bearer in equal consecutive annual instalments with interest at per centum per annum and shall be executed by the chairman and treasurer of this board.

Done and passed this day of 190.....

.....
Secretary.

.....
Chairman.

(SEAL).

FORM E

PUBLIC NOTICE

By the Board of Trustees of the S.D., No. of the N.W.T.

Whereas it is deemed expedient by the Board of Trustees of the S.D., No. of the N.W.T. that the sum of dollars should be borrowed on the security of the said district by the issue of debentures repayable to the bearer in equal consecutive annual instalments from the issue thereof with interest at the rate of per centum per annum for the following purposes namely: (State purposes for which loan is required as a bylaw).

Therefore notice is hereby given by the board of the said district that a poll will be opened at the on the day of 190..... at the hour of ten o'clock a.m. and will continue open until four o'clock p.m. of the same day when the votes of those duly qualified to vote thereon will be taken for or against raising the said sum of dollars by way of a loan on the security of the said district as herein before set forth.

The qualifications of voters is expressed in the following declaration which any person desiring to vote must take if required: "I, *A.B.*, declare that I am of the full age of twenty-one years, that my name appears on the last revised assessment roll of the district and that I have paid all taxes due by me to the district."

Of which all persons interested are hereby notified and they are required to govern themselves accordingly.

.....Chairman

Dated at thisday of 190.....

FORM F

POLL BOOK

Vote on debenture bylaw submitted to the ratepayers of S.D. on theday of 190.....

Poll opened at ten o'clock a.m. Poll closed at four o'clock p.m.

Name of voter.	Record of votes.		Remarks.
	For bylaw.	Against bylaw.	
Totals ...			

.....
Returning Officer.

FORM G

I the undersigned justice of the peace in and for the North-West Territories 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 190....., on the question of the issue of debentures on the security of the said district and having heard all complaints relative to the conduct of the voting beg leave to submit the following return of the votes.

Total No. of votes taken.		No. of votes on each side after the recount.	
For.	Against.	For.	Against.

.....
J.P.

Dated at this day of 190.....