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c 330 Public Schools Act

Ontario

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CHAPTER 330

The Public Schools Act

1. In this Act,

(a) "board" means a board of public school trustees;

(b) "elector" in a municipality means a person entered on the last revised voters' list as qualified to vote at municipal elections and who is not a supporter of a separate school, and in a school section in territory without municipal organization means a person who is entered on the last revised assessment roll for the school section as a public school supporter, and who is not disqualified under this Act, and who is not a supporter of a separate school;

(c) "ratepayer" means a person entered on the last revised assessment roll as a public school supporter for the school section or municipality. R.S.O. 1950, c. 316, s. 1, cl. (a, d, h); 1953, c. 90, s. 1, part.

2. The regulations, though not specially referred to, apply to any matter or thing contained in this Act, so far as they are consistent with this Act. R.S.O. 1950, c. 316, s. 2.

3. Nothing in this Act authorizing the levying or collecting of rates on taxable property for public school purposes applies to the supporters of Roman Catholic separate schools, except that all taxable property continues to be liable to taxation for the purpose of paying any liability incurred for public school purposes while the property was subject to taxation for such purposes. R.S.O. 1950, c. 316, s. 3.

4. Until altered under the authority of this Act, all public school sections continue as they now exist, and all trustees duly elected and all officers duly appointed continue in office, and all agreements, contracts, assessments and ratebills here-tofore duly made in relation to public schools and existing when this Act takes effect continue subject to the provisions of this Act. R.S.O. 1950, c. 316, s. 4.

5.—(1) Subject to section 6, a person who has attained the age of five years on or before the 31st day of December in any year has the right to attend, after the 1st day of September of the following year, a public school in the school section
in which he and his parent or guardian reside or a public school in another section for which the board has made provision under section 6 unless,

(a) his parent or guardian is a separate school supporter; or

(b) he is unable by reason of mental or physical defect to profit by instruction; or

(c) he has been promoted to a grade beyond the grade required to be operated in the public school; or

(d) he has attained the age of twenty-one years.

(2) Where a question arises as to whether or not a person can profit by instruction in a public school, the matter shall be referred to a committee appointed by the Minister for that purpose, and the decision of the committee is final.

(3) It is the responsibility of the parent or guardian to submit evidence that the child has a right to attend the school, including proof of age.

(4) Where a board operates a kindergarten in a school, the age at which the child has the right to attend kindergarten in that school is lower by one year than that stated in subsection 1.

(5) Where the board operates a junior kindergarten in a school, the age at which the child has the right to attend junior kindergarten in that school is lower by two years than that stated in subsection 1.

(6) The board may charge a fee, not in excess of the net cost per pupil per day in the preceding year, to be prepaid monthly by the parent or guardian for attendance in kindergarten or junior kindergarten of pupils who have not attained the age stated in subsection 1. 1960, c. 96, s. 1, part, amended.

6.—(1) In this section,

(a) "gross cost per pupil per day" shall be determined by dividing the cost of operation of day schools of the board for the preceding year by the actual aggregate attendance for that year;

(b) "net cost per pupil per day" shall be determined by subtracting the legislative grant received by the board, except the grant on fees paid to another board and on the cost of night school, from the cost of operation of day schools of the board for the preceding year and dividing the remainder by the actual aggregate attendance for that year.
(2) Subject to section 5, where a child and his parent or guardian reside in a school section in a residence that is assessed to the support of public schools or in a trailer for which fees are paid for the support of public schools, the child shall be admitted to a public school by the board of that section without the payment of a fee.

(3) Subject to section 5, where a child whose parent or guardian is not a separate school supporter moves with his parent or guardian into a residence that is assessed for separate school purposes, and the date upon which the assessment for the current year may be changed to the support of public schools has passed, upon the filing of a notice of change for support of public schools with the clerk of the municipality, the child shall be admitted to a public school by the board of the section without the payment of a fee.

(4) Subject to section 5, a child, who resides with his parent or guardian in a residence that is assessed to the support of public schools; and who may be excused from attendance at the school because of distance, as provided in *The Schools Administration Act* and as certified by the inspector, may be admitted to another public school whose inspector certifies that there is sufficient accommodation for him, upon the prepayment monthly by the parent or guardian of a fee not in excess of the net cost per pupil per day in the preceding year and the board of the section in which he resides shall refund to the parent or guardian the amount of taxes paid by him in the current year for the support of public schools up to but not exceeding the amount of fees paid for the current year.

(5) Subject to section 5, where a child resides with his parent or guardian in a residence that is assessed to the support of public schools and a public school in a neighbouring school section is more accessible to the residence than the school that he is required to attend, as certified by the inspector of the school section in which the child resides, and the inspector for the neighbouring school certifies that there is sufficient accommodation for such non-resident pupil for the current school year, the child shall be admitted to the school for that school year upon the prepayment monthly by the parent or guardian of a fee not in excess of the net cost per pupil per day in the preceding year, and the board of the section in which he resides shall refund to the parent or guardian the amount of taxes paid by him in the current year for the support of public schools up to but not exceeding the amount of fees paid for the current year.
(6) Where a parent or guardian who resides in a school section wishes to enrol his child in a public school in another school section and does not qualify for the privilege under subsection 3, 4 or 9, the child may be admitted by the board upon the prepayment monthly by the parent or guardian of a fee not in excess of the net cost per pupil per day in the preceding year.

(7) Subject to section 5, a child whose mother,
(a) resides in Ontario;
(b) is the sole support of the child;
(c) is not assessed as a supporter of a public or separate school in any school section; and
(d) boards her child in a residence that is assessed to the support of public schools and that is not a children's boarding home as defined in The Children's Boarding Homes Act,
shall be admitted to a public school in the section in which he resides without the payment of a fee.

(8) A child who is a ward of a children's aid society shall be admitted to a school by the board of the school that was supported by the assessment of the residence in which he resided with his parent or guardian in the year in which he became a ward and no fee shall be charged by the board.

(9) Where a child who is in the custody of a corporation, society or person and who is not qualified for admission under the other provisions of this section resides in a school section and the public school inspector certifies that there is sufficient accommodation in a school in that section for the current school year, the board of such section shall admit the child to such school upon the prepayment monthly by the corporation, society or person of a fee not in excess of the net cost per pupil per day in the preceding year.

(10) Where a parent or guardian wishes to enrol his child in a public school in a school section, other than the one in which he resides, and he is assessed for public school purposes in that school section,
(a) as an owner; or
(b) for business assessment; or
(c) as an owner and for business assessment,
for an amount at least equal to the total assessment for public school purposes in that school section divided by the average daily attendance of resident pupils in the preceding
year, the child shall be admitted to a public school by the board of that section without the payment of a fee.

(11) Where a child resides on land that is exempt from taxation for school purposes, he shall be admitted to a public school that is accessible to him and for which the inspector has certified that there is sufficient accommodation for the current school year, and fees shall be paid in accordance with the regulations respecting the education of such pupils.

(12) A public school board may by agreement with another public school board furnish education for the pupils of the other board and for that purpose may charge a fee not in excess of the gross cost per pupil per day for the preceding year. 1960, c. 96, s. 1, part.

7.—(1) No pupil in a public school shall be required to read or study in or from a religious book, or to join in an exercise of devotion or religion, objected to by his parent or guardian.

(2) Subject to the regulations, pupils shall be allowed to receive such religious instruction as their parents or guardians desire. R.S.O. 1950, c. 316, s. 7.

8.—(1) Judges, members of the Assembly, and members of municipal councils, are school visitors in the municipalities where they respectively reside, and every clergyman is a school visitor in the municipality where he has pastoral charge.

(2) School visitors may visit public schools, may attend any school exercises, and at the time of a visit may examine the progress of the pupils and the state and management of the schools, and give such advice to the teachers and pupils and any others present, as they deem expedient. R.S.O. 1950, c. 316, s. 8.

9.—(1) All lands that before the 24th day of July, 1850, were granted, devised or otherwise conveyed to any person or persons in trust for common school purposes and held by such person or persons and their heirs or other successors in the trust, and have been heretofore vested in the public school trustees of the school section or municipality in which the lands are respectively situate, continue to be vested in such trustees, and continue to be held by them and their successors upon the like trusts and subject to the same conditions and for the estates upon or subject to or for which the lands are now respectively held.

(2) Notwithstanding subsection 1, lands originally granted or conveyed by the Crown for common school purposes and
Selection and change of school site by rural board

Selection and change of school site by rural board

Arbitration when trustees and ratepayers differ as to site

Reconsideration of award, and duration

Where failure to appoint arbitrator

10.—(1) Whenever it is deemed expedient by or it is the duty of a rural school board to erect a new school building, or to change the site of an existing schoolhouse, or where a petition in that behalf is presented by 25 per cent of the ratepayers of the school section, the board shall select a school site and shall thereupon call a special meeting of the ratepayers to consider the site selected by the board, whether it be the present site or a new site, and, if a majority of the ratepayers present at the meeting by resolution approve of it, the site shall be adopted by the board and no site shall be adopted by the board until so approved, except as provided in subsections 2, 3 and 4.

(2) In case a majority of the ratepayers present at the special meeting differ from the board as to the suitability of the site selected by it, each party shall then and there choose an arbitrator, and the inspector or, in case of his inability to act, any person appointed by him to act on his behalf shall be a third arbitrator, and the three arbitrators or a majority of them present at any lawful meeting shall make and publish their award, and may, in and by the award, approve of the site selected by the board or may change the boundaries thereof or may select such other site as the arbitrators or the majority of them deem more suitable for the purpose.

(3) With the consent or at the request of the parties to the reference, the arbitrators, or a majority of them, have authority, within one month from the date of their award, to reconsider the award and within two months thereafter to make and publish a second award, which award, or the previous one, if not reconsidered by the arbitrators, shall be binding upon all parties concerned for at least five years from the date thereof, but, if the boundaries of the section have been altered before any action has been taken by the board to purchase the site, proceedings under this section may be taken for the selection of a site as if no award had been made.

(4) If the board or the majority of the ratepayers present at a public school meeting neglect or refuse, where there is a difference in regard to the selection of a school site, to appoint an arbitrator as provided in this section, the inspector, with the arbitrator appointed, shall meet and determine the matter, and the inspector, in case of such refusal or neglect, has a
second or casting vote if he and the arbitrator appointed do not agree. R.S.O. 1950, c. 316, s. 10.

(5) Where the area of a rural school site is less than two acres, the board may without reference to a meeting of the ratepayers enlarge the site to not more than two acres.

(6) This section does not apply to a school site in a township area. 1960, c. 96, s. 2.

11.—(1) Where not already so subdivided, the municipal council of every township shall subdivide the township into school sections so that every part of the township is included in some section, and shall distinguish each section by a number.

(2) Where the land or property of any person is situate within the limits of two or more sections, the parts so situate shall be assessed and returned upon the assessment roll separately according to the divisions of the school sections within the limits of which the same are situate.

(3) No section shall be formed that contains less than fifty children between the ages of five and twenty-one whose parents or guardians are residents of the proposed section unless the proposed section is more than four square miles in area, provided that a smaller area, although it contains a less number of such children, may be formed into a school section where, because of lakes or other physical conditions, a section convenient for school purposes containing an area of more than four square miles cannot be formed.

(4) Every township clerk shall prepare in triplicate a school map of the township showing the divisions of the township into school sections and parts of union school sections, and shall furnish one copy to the county clerk, for the use of the county council, one to the public school inspector and retain the other in his office for the use of the township council, and shall furnish annually, on or before the 1st day of December, to the local inspector, on request, information in writing of the acreage, the assessed value, the rate for school purposes and the school population between the ages of five and twenty-one years of each section or part of a union section within the township. R.S.O. 1950, c. 316, s. 65.

(5) All parts of a school section, except a township school area, shall be adjoining. 1959, c. 83, s. 5.

12.—(1) Where, in the opinion of the Minister, it is desirable to establish and maintain a public school on lands held by the Crown in right of Canada or Ontario, or on any lands that are exempt from taxation for school purposes, the Minister may designate any portion of such lands as a rural school.
section, and may appoint as members of the board such persons as he may deem proper.

(2) The board so appointed is a body corporate by the name indicated in the order establishing the rural school section and has all the authority of a board of public school trustees for the purposes of this Act. R.S.O. 1950, c. 316, s. 66.

13. The council of a township may pass a by-law,

(a) to unite two or more school sections in the same township into one section;

(b) to alter the boundaries of a school section within the township, to divide an existing school section into two or more sections, to unite any part or parts of an existing section with another section or sections, or with a new section, or to unite parts of existing sections so as to form a new section, provided that all of the public school boards to be affected by the proposed by-law have been given notice thereof. 1960, c. 96, s. 3.

14. Where in the opinion of the inspector a change in the assessment, population or otherwise has so materially affected a school section that a readjustment of the boundaries thereof is required, or where part of a school section has been added to a city or town, the council of the municipality in which the section or the remaining portion of the section is situate may pass a by-law for the readjustment of the boundaries of the school section or remaining part of the school section notwithstanding the passing of a by-law or the publication of an award within five years affecting the limits of the section or part of the section or adjoining sections. R.S.O. 1950, c. 316, s. 14 (4).

15.—(1) The council of a county, at the request of a majority of the councils of the townships in the county for a readjustment of the boundaries of the school sections in the county, shall appoint arbitrators as provided by section 48.

(2) The council of a county may in like manner appoint arbitrators at the request of the council of any township in the county to readjust the boundaries of the school sections in the township.

(3) The arbitrators shall take action and make their award and the same may be put into effect notwithstanding that any time limit in connection with the operation of a previous award or change of boundaries has not expired. R.S.O. 1950, c. 316, s. 14 (6-8).
16. Every urban municipality is a school section unless it forms part of a township school area or union school section. "New.

17.—(1) A by-law of a municipal council for the establishment or alteration of a school section shall be passed before the 1st day of July in any year and, subject to subsection 2, shall become effective on the 1st day of January of the following year except that for the purposes of the election of trustees it shall be effective on the day of nomination for trustees for the school section.

(2) A by-law of a municipal council to establish a school section or a township school area or to alter the boundaries of a school section or a township school area shall not come into force until it has been approved by the Minister.

(3) The township clerk shall send a copy of the by-law immediately after the passing thereof to the secretary of the board of every school section affected thereby, to the inspector and to the Minister. 1960, c. 96, s. 5.

18.—(1) The trustees of every rural school section are a corporation by the name of "The Public School Board of Section No..............of the Township of..............in the County of.............." (inserting the number of the section and the names of the township and county).

(2) For every rural school section there shall be three trustees, each of whom, in rotation, shall, except as herein otherwise provided, hold office for three years and until his successor has been elected.

(3) The persons qualified to be elected trustees are any person who is a British subject, of the full age of twenty-one years, not disqualified under this Act and who is,

(a) a resident ratepayer whose taxes for school purposes are neither overdue nor unpaid; or

(b) the husband, wife, son or daughter of a person assessed as the owner of a farm if resident on the farm with the assessed owner, provided that all taxes for school purposes payable with respect to the farm are neither overdue nor unpaid,

and no person not so qualified shall be elected or competent to act as trustee.

(4) For the purposes of subsection 3, "farm" means not less than twenty acres of land in the actual occupation of the owner thereof. R.S.O. 1950, c. 316, s. 67.
19.—(1) At the first election in every new rural school section, the first trustee elected shall hold office for three years, the second for two years, and the third for one year, or in case of a poll being taken the trustee receiving the highest number of votes shall hold office for three years, the trustee receiving the number of votes next to the highest shall hold office for two years, and the other trustee shall hold office for one year.

(2) Where two or more trustees have received an equal number of votes, the chairman shall give a casting vote or votes.

(3) The first year in each case shall be deemed to commence at the date of such first election and extend till the date fixed by this Act for holding the second annual meeting of ratepayers thereafter. R.S.O. 1950, c. 316, s. 68.

20. A school corporation does not cease to exist by reason of the want of trustees, but, if there are no trustees, any two electors of the section, or the inspector, by giving six days notice, to be posted up in at least three of the most public places of the section, may call a meeting of the electors who shall elect three trustees in the manner prescribed by this Act. R.S.O. 1950, c. 316, s. 69.

21.—(1) A meeting of the electors of every rural school section except a township school area that includes part or all of an organized municipality for the purpose among other things of electing trustees shall be held annually on the last Wednesday in December, or, if that day is a holiday, on the next day following, commencing at the hour of 10 o’clock in the forenoon, or, if the board by resolution so directs, at the hour of 1 o’clock or 8 o’clock in the afternoon, at such place as the board by resolution determines, or, in the absence of such resolution, at the schoolhouse of the section. R.S.O. 1950, c. 316, s. 71 (1), amended.

(2) Where the annual meeting of electors cannot conveniently be held as provided for in subsection 1, the electors, at a regular meeting or at a special meeting called for that purpose, may pass a resolution naming another day for the holding of the annual meeting, and, upon receiving the Minister’s approval, the annual meeting shall be held on that day in each year thereafter, unless with the Minister’s approval some other day is similarly named; provided that no subsequent alteration of the day for holding the annual meeting may be made until at least three annual meetings have been held on the day previously named and approved.

(3) Where a new section is formed, the clerk shall fix the place for the first meeting and shall call the meeting for the
fourth Wednesday after the time for appealing against the by-law forming the section has expired or after the final disposition of the appeal, if any, by causing notices to be posted up in three of the most public places in the new section at least six clear days before the date when the meeting is to be held.

(4) The meeting shall be held at the same hour and conducted in the same manner as the annual meeting in organized sections.

(5) At any time after the election of trustees in a new school section, proceedings may be taken under this Act to raise money for and acquire a school site, erect school buildings and provide school equipment.

(6) When any school meeting has not been held on the proper date, the inspector, or any two electors in the section, may call a meeting of the electors by giving six clear days notice, to be posted up in at least three of the most public places in the school section, and the meeting so called has all the powers and shall perform all the duties of the meeting in the place of which it is called.

(7) The electors present at a school meeting shall elect one of their number as chairman and shall appoint a secretary who shall record the minutes of the meeting and perform such other duties as are required of him by this Act.

(8) The chairman shall submit all motions to the meeting in the manner desired by the majority and is entitled to vote on any motion, and in case of a tie the motion shall be declared to be negatived, and he shall decide all questions of order, subject to an appeal to the meeting. R.S.O. 1950, c. 316, s. 71 (2-8).

(9) The business of every school meeting may be conducted in the following order:

1. Receiving and disposing of the annual report of the trustees.
2. Receiving a report from the trustees on the insurance on the buildings and equipment.
3. Receiving and disposing of the last annual report of the municipal auditor.
4. Where the ratepayers have provided for a local audit, receiving and disposing of the report of the local auditors.
5. If deemed necessary, providing for a local audit and the election of a local auditor for the ensuing year.

7. The election of trustees. 1956, c. 73, s. 3.

(10) Where a special meeting of the electors of a rural school section is called, the meeting shall be held at the hour of 10 o’clock in the forenoon, or, if the board by resolution so directs, at the hour of 1 o’clock in the afternoon or 8 o’clock in the afternoon, at such place as the board shall by resolution determine, or, in the absence of such resolution, at the schoolhouse of the section. R.S.O. 1950, c. 316, s. 71 (10).

22.—(1) Every person who is a ratepayer in a rural school section, and every other person who is qualified to vote at municipal elections and who resides in the rural section and is not a supporter of separate schools, is entitled to vote at an election of trustees in the section and on every question submitted to a school meeting except a question involving expenditure of money on capital account.

(2) On a question involving the expenditure of money for a permanent improvement, only such persons as are qualified to vote on money by-laws under The Municipal Act and are public school supporters are entitled to vote in the school section.

(3) A person who is not a British subject or who is a citizen or subject of any foreign country is not entitled to vote at an election of school trustees in a rural school section or upon any school question. R.S.O. 1950, c. 316, s. 72.

23.—(1) A poll may be demanded by any two electors at a meeting for the election of trustees or for the settlement of any school question in a rural school section, and the poll shall be granted by the chairman forthwith if demanded within ten minutes after the result of a vote has been declared by the chairman.

(2) Where a poll is granted, the secretary shall enter in a poll book the name and residence of each elector offering to vote within the time prescribed and shall furnish him, at the time of voting, with a ballot paper on the back of which he has placed his initials, and shall provide a pencil for the marking of the ballot paper.

(3) Ballot papers shall be pieces of plain white paper of uniform size.

(4) A voter shall mark his ballot,

(a) in the election of a trustee, by marking the name of the trustee thereon; and
(b) on a question, by marking the word "for" or "against" thereon.

(5) Each voter shall mark his ballot paper in a compartment or other place provided for the purpose that is so arranged that the manner in which he marks his ballot is not visible to other persons and shall thereupon fold it so that the initials of the secretary can be seen without opening it and hand it to the secretary who shall, without unfolding it, ascertain that his initials appear upon it and shall then in full view of all present, including the voter, place the ballot in a ballot box or other suitable container that has been placed and is kept upon a table for the purpose.

(6) Every candidate may appoint a person to act as his scrutineer during the election. R.S.O. 1950, c. 316, s. 73 (1-6).

(7) If objection is made to the right of any person to vote, the chairman, if the name of the person appears on the assessment roll or on the voters' list, shall require the person, where he votes as a ratepayer, to make the following declaration:

1. I, A.B., declare and affirm that I am an assessed ratepayer in school section No. 
2. That I am of the full age of twenty-one years;
3. That I am a natural born (or naturalized) subject of Her Majesty, and am not a citizen or subject of any foreign country;
4. That I am a supporter of the public school in said school section No.
5. That I have a right to vote at this election (or on the question submitted to this meeting),

or shall require the person, where he votes as an elector, who is not a ratepayer, to make the following declaration:

6. I, A.B., declare and affirm that I am entered on the assessment roll (or voters' list) of this municipality as entitled to vote at municipal elections;
7. That I am of the full age of twenty-one years;
8. That I am a natural born (or naturalized) subject of Her Majesty, and am not a citizen or subject of any foreign country;
9. That I am not a supporter of any separate school;
10. That I have been a resident of school section No. for the six months last past;
11. That I have a right to vote at this election (or on the question submitted to this meeting),

and after making such declaration the person making it is entitled to vote. 1956, c. 73, s. 4.

(8) The poll shall not close before noon, but may close at any time thereafter when a full hour elapses without any vote.
being polled, and shall not be kept open later than 4 o’clock in the afternoon.

(9) When the meeting is held in the evening, the electors may decide, by resolution, that the poll shall be conducted forthwith or at 10 o’clock on the following morning, and, if conducted in the evening, the poll shall close after ten minutes have elapsed without any vote being recorded.

(10) When the poll is closed, the chairman and secretary shall count the votes polled for the respective candidates or affirmatively and negatively upon the question submitted, and, if there is a tie, the chairman shall give a second or casting vote.

(11) In the case of an election of trustees, the chairman shall then declare the candidate elected for whom the highest number of votes has been polled, and in case of a vote on a school question he shall declare the question adopted or negatived as the majority of votes is in favour of or against the question.

(12) A correct copy of the minutes of every school meeting and a copy of the poll book, where a poll has been taken, all of which shall be signed by the chairman and secretary, shall be forthwith transmitted by the chairman to the inspector.

(13) A statement of the result of the vote shall be certified by the chairman and secretary and, in the case of an election of trustees, the statement shall be signed by any scrutineers present at the counting of the ballots and a copy thereof shall be delivered or mailed to each candidate.

(14) Every person upon receiving notice that he has been elected trustee shall be deemed to have accepted the office unless a notice to the contrary is delivered by him to the chairman within twenty days after the election.

(15) Where complaint is made to the inspector by an elector that the proceedings for the election of a trustee or that the proceedings or any part thereof of a school meeting have not been in conformity with this Act, the inspector shall investigate the complaint and confirm the election or proceedings if found to be in substantial accordance with this Act, or set the same aside if found not to be in substantial accordance therewith, and in the latter event he shall appoint a time and place for a new election or for the reconsideration of the school question, but no complaint shall be entertained unless made in writing to the inspector within twenty days after the holding of the election or meeting, and it is not incumbent upon the inspector to set aside such election or any proceeding for want of formal compliance with this Act if he is satisfied that the result of such election or proceeding has not been affected thereby.
(16) The clerk of the municipality shall supply a list of the persons qualified to vote when required by the board or when required by the inspector in the case of an investigation with regard to the election of a trustee or the proceedings of a school meeting. R.S.O. 1950, c. 316, s. 73 (8-16).

24.—(1) It is the duty of the secretary of a rural school section, except a township school area that includes part or all of an organized municipality,

(a) to call a special meeting of the board at the request in writing of two trustees or of five electors, specifying the objects for which the meeting is to be held, and to state the objects of the meeting in the notice calling the meeting;

(b) to give notice in writing, before the 15th day of January in each year, to the inspector and to the clerk of the municipality of the names and post office addresses of the trustees and of the teachers employed, and to give reasonable notice in writing from time to time of any changes;

(c) to give the notice required by this Act of each annual meeting of the ratepayers of the section, to call a special meeting of the ratepayers when directed by the board, or, on the request in writing of five electors, for filling any vacancy in the board, for the selection of a new school site, or the appointment of a school auditor, or for any other lawful school purpose, and to cause notices of the time and place and of the objects of the meeting to be posted up in three or more public places in the section at least six clear days before the time of holding the meeting; and

(d) to cause to be prepared for the annual meeting of the ratepayers a report for the year then ending to be signed by the trustees and by either or both of the auditors of the section containing a summary of the proceedings of the board during the year, a detailed account of all school moneys received and expended during the year and any further information that may be required by the Minister or by the regulations. R.S.O. 1950, c. 316, s. 102, part; 1954, c. 79, s. 9, amended.

(2) Where the secretary of a rural school section is a trustee, the board may pay only such compensation for his services as is approved by the electors at an annual or special meeting of electors. R.S.O. 1950, c. 316, s. 103; 1954, c. 79, s. 10, amended.
Local auditors of rural schools  
R.S.O. 1960, c. 249

25.—(1) In addition to the audit required under The Municipal Act, the ratepayers of a rural school section at an annual or special meeting held before the 15th day of December may provide for a local audit of the school accounts and, when a local audit is provided for, there shall be two auditors, one of whom shall be elected by the ratepayers and the other appointed by the school board before the 15th day of December. 1956, c. 73, s. 6.

(2) Where an auditor refuses or is unable to act or dies, another may be elected or appointed in his place.

(3) If from any cause at any time after the 1st day of December there are not two auditors willing, able and authorized to act, the inspector on the written request of any two ratepayers shall appoint one or both auditors as the case may require.

(4) The board or the secretary and treasurer shall lay all accounts before the school auditors or one of them, together with the agreements, vouchers, contracts and books in their possession, and the board and the secretary and treasurer and each of them shall afford to the auditors all the information in his or their power as to the receipts and expenditures that the auditors or either of them may require.

(5) The auditors, or one of them, shall on or immediately after the 1st day of December in each year appoint a time, before the day of the next ensuing annual school meeting, for examining the accounts of the school section. R.S.O. 1950, c. 316, s. 104 (2-5).

(6) It is the duty of the auditors to examine into and decide upon the accuracy of the accounts of the section, and whether the board has duly expended for school purposes and accounted for the moneys received by it, and to submit the accounts with a full report thereon at the next annual school meeting.

(7) Any difference of opinion between the auditors on any matter in the accounts shall be decided by the inspector.

(8) If both auditors object to the lawfulness of any expenditure, they shall report the matter to the annual meeting, and shall submit it to the Minister, whose decision is final. R.S.O. 1950, c. 316, s. 105.

(9) The auditors or either of them may require the attendance of all persons interested in the accounts, and of their witnesses, with such books, papers and documents as the auditor or auditors may direct, and may administer oaths to such persons and witnesses. R.S.O. 1950, c. 316, s. 106.
An auditor who has entered upon an audit may complete the same although he has not done so within the time prescribed by this Act. R.S.O. 1950, c. 316, s. 107.

No action to set aside an award made under this Act shall be undertaken by or at the instance of the board of a rural school section, that is not a township school area that includes part or all of an organized municipality, without the consent of the majority of the ratepayers of the section present at a special meeting duly called to consider the advisability of such action being brought. R.S.O. 1950, c. 316, s. 11, amended.

Every board in urban municipalities is a corporation by the name of “The..............Public School Board”, prefixing to the words “Public School Board” the name of the municipality for which the board is elected.

Any ratepayer in an urban municipality who is a British subject, and who resides in the municipality, or in the case of a city or town, within one mile from the boundaries of the municipality, and who is of the full age of twenty-one years and not disqualified, may be elected a public school trustee and every trustee, except as otherwise provided herein, shall continue in office until his successor has been elected and a new board organized, but no person who is not a British subject shall be elected or competent to act as trustee.

The husband or wife of a person assessed as actual owner or tenant of land in the municipality for an amount sufficient to entitle him or her to vote at municipal elections shall be deemed a ratepayer within the meaning of subsection 2, but is not eligible for election or to sit or vote as a member of the board while his or her wife or husband is a member of the board. R.S.O. 1950, c. 316, s. 74 (1-3).

A person is not eligible to be elected as a trustee or to sit or vote as a member of the board if any portion of the taxes levied for school purposes for the preceding year or years on the property in respect of which the person qualifies is overdue or unpaid at the time of the opening of the nomination meeting; provided that this subsection does not apply where the person is a tenant of the property and the taxes in respect thereof are, under the terms of the tenancy, payable by the owner of the property. R.S.O. 1950, c. 316, s. 74 (4); 1953, c. 90, s. 8.

Where an urban municipality becomes incorporated, the board having jurisdiction over the school property within the urban municipality before such incorporation shall, for the purposes of the public schools in the urban municipality,
exercise all the powers and perform all the duties of a board of an urban municipality until a board is organized in such urban municipality. R.S.O. 1950, c. 316, s. 75 (1), amended.

(NOTE.—As to elections in a union school section, including an urban municipality and a portion of a township, see section 53.)

29.—(1) Except as provided in section 30, the trustees of a school board of an urban municipality shall be elected by a general vote of the electors for a term of two years with one-half of the trustees retiring each year.

(2) The number of trustees on the board shall be determined by the population of the municipality as shown on the assessment roll for the year preceding the year in which the election is held as follows, where the population was,

(a) less than 10,000, six trustees;
(b) 10,000 or more but less than 50,000, eight trustees;
(c) 50,000 or more but less than 100,000, ten trustees;
(d) 100,000 or more, twelve trustees.

(3) Where it becomes evident from the assessment roll of a municipality that the number of trustees on a school board should be increased or decreased, the trustees in office shall continue in office until the end of the year and the proper number of trustees shall be elected to take office on the 1st day of January of the following year. 1960, c. 96, s. 15, part.

30.—(1) A school board for an urban municipality that is divided into wards may, in the manner provided in section 31, be changed to a board comprising two trustees for each ward, one of whom shall retire each year, elected by the electors of that ward.

(2) A school board of an urban municipality that is divided into five or more wards may, in the manner provided in section 31, be changed to a board comprising one trustee for each ward elected by the electors of each ward for a period of two years.

(3) A school board of an urban municipality that is divided into wards may, in the manner provided in section 31, be changed to a board elected in the manner provided in section 29. 1960, c. 96, s. 15, part.

31.—(1) The composition and election of a board of an urban municipality that is divided into wards may be changed from the composition and election mentioned in any one of the
subsections in section 30 to that provided in any other sub-
section in that section provided that,

(a) a resolution for a change is supported by a majority
of the trustees of the board and is approved by
resolution by the council of the municipality before
the 1st day of July in any year; or

(b) where such a resolution for a change is not approved
by the council before the 1st day of July, the board
may require the council to submit the resolution to
the electors at the next municipal election.

(2) Where a township area board is to be established to
replace more than one public school board or where a board
of education is to be established to replace a public school
board or a board of education is to be dissolved and replaced
by a public school board, the trustees required to support a
resolution under clause a of subsection 1 shall be the elected
trustees in the municipality and, where there is more than one
public school board concerned, any such board may require
council to submit a resolution to the electors under clause b
of subsection 1.

(3) At the election following the passing of the resolutions
by the board and council or following a favourable vote of
the electors on the question, a new board shall be elected to
take office on the 1st day of January of the following year.

(4) A change in the method of election may not be made
under this section unless,

(a) the board has been elected in its present form for a
period of four years; or

(b) a board of education is being established or a public
school board is being established following the dis-
solution of a board of education. 1960, c. 96, s. 15,
part.

32. At the first election of the trustees of an urban school
board and at the first election of trustees held after a change
in the composition of the board, where one-half of the trustees
of the board are to retire at the end of the first year,

(a) in the case of an election by general vote, the elected
trustees who received the lowest number of votes
shall retire at the end of the first year; and

(b) in the case of an election by wards, the elected
trustee who received the lowest number of votes in
each ward shall retire at the end of the first year,
and, in the case of a tie vote or of an acclamation, the clerk of
the municipality shall determine the order of retirement by lot. 1960, c. 96, s. 15, part, amended.

33. Every person named in the last revised voters' list as being entitled to vote at municipal elections is entitled to vote at the election of school trustees in urban municipalities, excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools. R.S.O. 1950, c. 316, s. 79.

34.—(1) The board of an urban municipality shall be elected by ballot, and the election shall be held at the same time and place and by the same returning officer or officers and conducted in the same manner as the municipal nominations and elections of aldermen or councillors, and the provisions of The Municipal Act respecting the time and manner of holding the election, including the mode of receiving nominations for office and the resignation of persons nominated, mutatis mutandis apply to the election. 1953, c. 90, s. 10, part; 1960, c. 96, s. 16.

(2) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the wards or polling subdivisions, containing the names of the candidates in the same form mutatis mutandis as those used for aldermen or councillors, and a ballot shall be delivered only to a person who is a supporter of the public schools under the jurisdiction of the board to which the candidate is seeking election.

(3) In no case shall a ballot be delivered to any person who is entered on the list of voters as a separate school supporter or by reason of being the wife or husband of a separate school supporter. 1953, c. 90, s. 10, part.

35.—(1) Where the office of trustee of a rural school section becomes vacant from any cause, the remaining trustees shall forthwith hold a new election to fill the vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected. R.S.O. 1950, c. 316, s. 83 (1).

(2) Subject to subsection 4, where a vacancy occurs from any cause in an urban school board or a township school area board and the remaining trustees constitute a majority of the membership of the board, a majority of the remaining trustees shall, at the first regular meeting after the vacancy occurs, elect some qualified person to fill the vacancy and the person so elected shall hold office for the remainder of the term for which his predecessor was elected, and in the case of an
equality of votes the chairman of the meeting has a second or casting vote.

(3) Subject to subsection 4, where a vacancy occurs from any cause in an urban school board or a township school area board and the remaining trustees do not constitute a majority of the membership of the board, a new election shall be held to fill the vacancies, and every member so elected shall hold office for the remainder of the term for which his predecessor was elected, and, where at any such election any vacancy is for a longer term than the remaining vacancy or vacancies, the candidate having the largest number of votes at the election shall fill the vacancy for the longer term, and in case of a tie the clerk of the municipality shall determine the order of retirement by lot. 1953, c. 90, s. 12, part.

(4) In the case of an urban school board or a township school area board,

(a) any vacancy that occurs within one month of the time for the next ensuing election shall not be filled in the manner provided by subsection 2 or 3, but the office shall remain vacant until the election, and if the term of the vacant office then expires a new trustee shall be elected, or if the term does not then expire some duly qualified person shall be elected at the election to fill the vacancy for the remainder of the term;

(b) any vacancy that occurs after the election but before the new board is organized shall be filled immediately after the new board is organized in the manner provided in subsection 2 or 3, as the case may be;

(c) where there are a number of vacancies and the vacancies are for terms of different lengths, the vacancies for the longer terms shall be filled by the candidates having the most votes;

(d) where the number of candidates who are nominated is the same as the number of vacancies, and the terms differ, the clerk of the municipality shall determine the order of retirement by lot. 1953, c. 90, s. 12, part, amended.

(5) Where the inspector reports that no persons duly qualified are available or that the electors have failed to elect trustees, the Minister may appoint as members of the board such persons as he may deem proper, and the persons so appointed shall have all the authority of a board as though they were eligible and duly elected according to this Act. R.S.O. 1950, c. 316, s. 83 (4); 1958, c. 88, s. 11.
36.—(1) A trustee of a rural section may resign by giving notice in writing to each of the other trustees.

(2) Where, after the resignation of a rural school trustee, he has continued to act for three months without his right to do so having been called in question by proceedings to vacate his seat or for the holding of a new election, he shall be deemed to have continued to be a trustee, notwithstanding his resignation, and shall hold office for the remainder of the term for which he was elected.

(3) A member of an urban board may resign by giving written notice of his resignation to the secretary.

(4) A retiring trustee is exempted from serving for four years next after leaving office, but he may, with his own consent, be re-elected. R.S.O. 1950, c. 316, s. 86.

37.—(1) Every complaint respecting the validity or mode of conducting the election of a trustee or the return made by a returning officer in an urban municipality or in a township for which a township school area board has been established shall be made to the judge of the county or district court within twenty days after the election, and he shall, within a reasonable time, in a summary manner hear and determine the complaint, and may cause the assessment rolls, collector’s rolls, poll books and other records of the election to be brought before him, and may inquire into the facts by oral testimony or upon affidavit, and may cause such persons as he deems expedient to appear before him and give evidence.

(2) The judge may confirm the election or set it aside, or declare that some other candidate was duly elected, or may order a new election, and may order the person found by him not to have been elected to be removed, and if the judge determines that any other person was duly elected he may order such person to be admitted, and if the judge determines that no person was duly elected he shall order a new election to be held, and he shall in all cases report his decision to the secretary of the board. R.S.O. 1950, c. 316, s. 84.

(3) Section 142 of The Municipal Act applies mutatis mutandis to every election of trustees in an urban municipality or in a township for which a township school area board has been established and to any proceeding relating to such election. 1959, c. 83, s. 6.

38. In the case of an election of trustees in an urban municipality or in a township for which a township school area board has been established, the provisions of The Municipal Act as to bribery and undue influence apply, and, in every
case in which an election is complained of on those grounds, the inquiry by the judge in reference thereto shall be by oral testimony only. R.S.O. 1950, c. 316, s. 85.

39. The clerk of a municipality is not eligible to be a member of a public school board having jurisdiction in the whole or any part of the municipality. 1953, c. 90, s. 15.

TOWNSHIP SCHOOL AREAS

40.—(1) The council of a township may by by-law, passed with the consent of a majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole or any portion of the township as a township school area, and, when the by-law becomes effective, the school sections that are included in the township school area cease to exist and the boards having jurisdiction therein are dissolved. 1959, c. 83, s. 1.

(2) The council of a township may include a union school section or part thereof in a township school area if the council of each other municipality containing a portion of the union school section by resolution assents thereto on or before the 31st day of August in the year in which the by-law establishing the township school area is passed, and, where the whole of the union school section is included, all parts thereof shall be regarded as part of the township for public school purposes.

(3) Where the by-law provides for the inclusion of the whole of a union school section and the other municipalities do not assent to the inclusion of the union school section or any part thereof on or before the 31st day of August, the by-law shall not be effective in respect of the union school section, and the by-law shall be amended accordingly on or before the 30th day of September.

(4) If the other municipalities assent to the inclusion of only a part or parts of the union school section, the by-law shall be effective only in respect of the part or parts, and the by-law shall be amended, if necessary, to conform to the assent, on or before the 30th day of September. 1953, c. 90, s. 3 (1), part.

(5) Where the whole or part of a union school section is included in a township school area, the union school section shall be dissolved on the 1st day of January of the year following that in which the by-law is passed and the provisions of section 42 with respect to the adjustment of rights and claims apply, and where only part of the union school section is included the remaining part or parts shall, subject to subsection 3 of section 11, be established as a school section.
or union school section or shall be added to a township school area or another school section or sections or a union school section or sections in accordance with this Act. 1953, c. 90, s. 3 (1) part; 1960, c. 96, s. 6 (1).

(6) Where a township school area includes a union school section, the clerk of each township any portion of which forms part of the union school section shall furnish to the clerk of the township in which the area is formed a certified copy of the list of voters qualified to vote on school matters in that portion of the township. R.S.O. 1950, c. 316, s. 15 (3).

(7) The council of a township may by by-law add all or part of a school section or union school section to a township school area already established, and subsections 1 to 6 apply mutatis mutandis. 1953, c. 90, s. 3 (2).

(8) The council of a township that includes part or all of a township school area may, by by-law passed before the 1st day of July in any year, detach any portion of the township school area and, subject to subsection 3 of section 11, may establish such portion or any part thereof as a school section, union school section or township school area or attach such portion or any part thereof to a township school area, or to an adjoining school section, or to a union school section. 1957, c. 101, s. 6 (1), part; 1960, c. 96, s. 6 (2), amended.

(9) Where the township school area from which a portion is detached comprises two or more municipalities or parts thereof or where the portion detached or any part thereof is attached to a township school area, or to an adjoining school section, or to a union school section, part or all of which is situated in a municipality other than a municipality having jurisdiction in the township school area from which the portion is detached, a by-law passed under subsection 8 shall not be effective unless it is approved by resolution passed before the 31st day of August of the same year by the council or councils of the municipalities concerned. 1957, c. 101, s. 6 (1), part.

(10) The council of each of two or more contiguous townships may, by by-law passed with the consent of a majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole or any portion of the township to form a township school area with the whole or any portion of the contiguous township or townships and subsections 1 to 7 apply mutatis mutandis.

(11) The council of each of one or more contiguous townships, and of a village or town that is contiguous to one or more of them may, respectively, by by-law passed with the consent of a majority of the whole number of members of each council before the 1st day of July in any year, set apart the
whole or any portion of the township or townships and the whole of the adjacent village or town, which together shall form a township school area, and subsections 1 to 7 apply mutatis mutandis.

(12) The council of the township or the councils of the municipalities,

(a) establishing a township school area; or

(b) by which a township school area has been established, may include in the area or may add to the area, as the case may be, any portion of territory without municipal organization if the board of every school section in such portion so included or added consents thereto, and the territory so included or added shall for all public school purposes be deemed to be a part of the municipality having the largest assessment within the area, and the officers thereof shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to the territory so deemed part of the municipality as with respect to the part of the municipality actually within the township school area. R.S.O. 1950, c. 316, s. 15 (5-7).

(13) There shall be a board of public school trustees for every township school area which shall consist of five members. R.S.O. 1950, c. 316, s. 15 (9), amended.

(14) The persons who may be trustees on a board,

(a) for a township school area that does not include an urban municipality, shall have the qualifications required for trustees of a rural school section; and

(b) for a township school area that includes an urban municipality, shall have the qualifications required for trustees of an urban board or for trustees of a rural school section. 1957, c. 101, s. 6 (2).

(15) Where a township school area includes only the whole of one township that is divided into wards, the composition and election of the board may be changed in the manner provided in section 31 to that provided for a school board of an urban municipality. 1960, c. 96, s. 6 (4).

(16) The trustees of every township school area shall hold office until their successors are elected and a new board is organized.

(17) The election of school trustees for the township school area shall be by ballot and shall be held for the year in which the by-law takes effect and for each year thereafter, at the
same time and place as the annual municipal elections of the township, and as nearly as may be in the same manner as an election of members of a municipal council, and the clerk of the township shall be the returning officer at each election, and except as otherwise provided herein all the provisions of this Act applicable to the election of trustees by ballot apply as nearly as may be to the election of school trustees under this section.

(18) Where a township school area is formed under subsection 10 or 11,

(a) the nominations for school trustees of the township school area shall be conducted by the returning officer of the municipality that has the largest equalized assessment, or, where there is no equalized assessment, the largest local assessment, in the township school area, and shall be held at the same time and place as nominations for municipal councillors in that municipality;

(b) the election of such school trustees shall take place in each municipality during the same hours and on the same day as the annual municipal elections in the municipality in which the nominations were held in the same manner as nearly as may be as the election of the members of a municipal council;

(c) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announcement of the vote; and

(d) if at the first election two or more trustees receive an equal number of votes or all of the trustees are declared elected by acclamation, the clerk of the municipality in which the nominations were held shall determine which of the trustees shall hold office for two years and his determination shall be notified to the board in writing and shall be entered in the minutes of the board.

(19) Of the trustees elected at the first election, the three trustees receiving respectively the highest, second highest and third highest number of votes shall hold office for two years and the two remaining trustees shall hold office for one year.

(20) After the first election, an election shall be held in each year to fill the places of trustees whose terms of office have expired, and the trustees elected shall hold office for two years.
(21) In case, at the first election of trustees, two or more trustees receive an equal number of votes, or all the trustees are declared elected by acclamation, the clerk of the municipality shall determine which of such trustees shall hold office for two years, and his determination shall be notified to the board in writing and shall be entered on the minutes of the board. R.S.O. 1950, c. 316, s. 15 (10-15).

(22) The board of a township school area has the powers of an urban public school board and of a rural public school board. R.S.O. 1950, c. 316, s. 15 (16), amended.

(23) Every board of trustees of a township school area is a corporation by the name of "The Public School Board of the Township School Area of......." (inserting the number, if any, and the name of the municipality or such other designation as the by-law may provide). 1957, c. 101, s. 6 (5).

(24) Upon the election and organization of a board of public school trustees for a township school area, the board of public school trustees for every school section then in existence in the township school area is dissolved and all the real and personal property vested in the board of any such school section is vested in and becomes the property of the board of the township school area.

(25) The board of the township school area is responsible for and shall discharge all liabilities and obligations of each of the school sections included in the township school area, and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the township school area. R.S.O. 1950, c. 316, s. 15 (19, 20).

(26) Where a township school area is formed under subsection 10 or 11, the auditor of the municipality that has the greatest equalized assessment shall be the auditor of the township school area books. R.S.O. 1950, c. 316, s. 15 (22), amended.

(27) No by-law passed under this section comes into force until the Minister has approved of it and has made an order under subsection 5 of section 42. 1957, c. 101, s. 6 (6).

(28) All the powers and duties of the board of a school section that becomes part of a township school area are vested in and imposed upon the board of the township school area. R.S.O. 1950, c. 316, s. 15 (25, 26).

41.—(1) An inspector may, before the 1st day of July in any year, with the approval of the Minister and the consent of the boards concerned, form two or more school sections in territory
without municipal organization or parts thereof into a township school area and may include any other part of territory without municipal organization therein or decrease or increase the area thereof. 1958, c. 88, s. 4, part.

(2) The formation of the township school area shall take effect as from the 1st day of January next following the approval of the Minister, but the boards of trustees of the rural school sections shall continue in office until a board for the township school area has been elected and organized as provided by this section.

(3) There shall be a board of five public school trustees for every such township school area and the board may exercise such powers and perform such duties with respect to the public schools of the area as a board constituted under section 40.

(4) The first meeting of the ratepayers for the election of trustees shall be held at a time and place to be named by the inspector, and shall be conducted as nearly as may be in the same manner as the election of trustees in a rural school section.

(5) All subsequent elections of school trustees for the township school area shall be by ballot, and the board of trustees of the area shall exercise all the powers and may perform all duties of a municipal council in relation to the nomination and election of trustees and the assessment and collection of taxes for the township school area. R.S.O. 1950, c. 316, s. 16 (2-5).

(6) Every board of trustees of a township school area formed under this section is a corporation by the name of “The Public School Board of the Township School Area of...........” (inserting the name selected by the inspector and approved by the Minister). 1958, c. 88, s. 4, part.

(7) For the purposes of township school areas formed under this section, and except as to matters provided for in this section, sections 21 to 23, 40 and 56 to 61 apply mutatis mutandis. R.S.O. 1950, c. 316, s. 16 (7).

42.—(1) All rights and claims between parts of a municipality or municipalities comprising the several school sections united into a township school area or added to or detached from a township school area shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Minister within three months after the passing of the by-law or by-laws establishing, altering or dissolving the township school area. R.S.O. 1950, c. 316, s. 17 (1), amended.

(2) The Minister and any referee appointed by him have and may exercise such jurisdiction and powers as may be necessary for the purpose of the valuation, adjustment and determination of all or any of such rights and claims.
(3) A referee appointed under this section shall proceed to hear and report to the Minister upon such rights and claims as the Minister may from time to time direct, and he shall submit his report to the Minister within three months of his appointment or within such further time as the Minister may allow, and he shall be paid for his services such fee as the Minister may direct.

(4) Upon the report of the referee being filed with him, the Minister shall consider the report and may hear such representations in respect thereof as he may see fit, and before adopting the report he may refer it back to the referee for his further consideration.

(5) The Minister may adopt, vary or amend the report and his decision is final and not open to question or appeal and is binding upon each municipality and the ratepayers of each municipality and of any school section affected thereby. R.S.O. 1950, c. 316, s. 17 (2-5).

(6) The council of each municipality, all or a portion of which is included in a township school area, shall annually impose and levy such special rates against the rateable property in the municipality, that is within the township school area, as may be directed by the Minister for the purpose of adjusting any rights and claims determined under this section. R.S.O. 1950, c. 316, s. 17 (7).

(7) For the purpose of evaluating, adjusting and determining all rights and claims,

(a) between parts of a municipality or municipalities and parts of territory without municipal organization formed into a township school area under subsection 12 of section 40; and

(b) between school sections within township school areas formed under section 41,

subsections 1 to 6 apply mutatis mutandis. R.S.O. 1950, c. 316, s. 17 (9).

43.—(1) Where a township school area consists of more than one municipality or parts thereof, section 55 applies mutatis mutandis, except that the meeting of the assessors shall be called by the assessor of the municipality having the largest population within the township school area according to the last revised assessment rolls.

(2) Where the assessors disagree, the inspector of the township school area and the assessors shall be arbitrators to determine the matter. R.S.O. 1950, c. 316, s. 41.
44. Every consolidated school section heretofore established is a township school area. 1960, c. 96, s. 7.

UNION SCHOOL SECTIONS

45.—(1) In a county a union school section may be formed between parts of two or more adjoining townships, or a union may be formed between parts of one or more townships and an adjoining urban municipality not being a city or a separated town, and in such case the union shall be considered an urban municipality. R.S.O. 1950, c. 316, s. 32 (1).

(2) A union school section may be formed, altered or dissolved on the petition of five ratepayers from each of the municipalities concerned to their respective councils asking for the formation, alteration or dissolution of the section. R.S.O. 1950, c. 316, s. 32 (8).

(3) Each of the councils so petitioned shall, within thirty days of the receipt of the petition, appoint an arbitrator who shall not be a member of the council, and the clerk of each municipality concerned shall send a notice of the appointment to the inspector in the municipality and each such inspector shall also be an arbitrator. 1958, c. 88, s. 5.

(4) A council may act upon a petition addressed to the councils concerned or to any two or more of them jointly if the petition is signed by five ratepayers of the municipality acting thereon.

(5) Where there would otherwise be an even number of arbitrators, the judge of the county or some person named by him shall be added, and, where the arbitration affects two or more counties, the judge of the county that has the largest population according to the last federal census or some person named by him shall be added.

(6) The arbitrators, or a majority of them, may make and publish the award.

(7) The first meeting of the arbitrators shall be called by the senior inspector, who shall give ten days notice in writing of the meeting to the clerks of the municipalities concerned who shall forthwith notify the arbitrators appointed by their respective councils. R.S.O. 1950, c. 316, s. 32 (10-13).

(8) The award of the arbitrators may deal with a greater or smaller area or areas than the area or areas specified in the petition. 1959, c. 83, s. 2 (1).

(9) Where the arbitrators determine upon the formation of a new union section or upon the alteration of the boundaries of an existing union section, they shall in their award set
(10) In the event of the transfer of any land from an existing union section to some other section, the arbitrators shall in their award set forth to what other section the transfer shall be made.

(11) Where the arbitrators determine upon the dissolution of an existing union section, they shall set forth in their award the section or sections to which the land composing the union section shall be attached.

(12) Where the arbitrators are of opinion that it would be in the interests of the parties concerned, and that it is practicable so to do, they may form part of the territory of a section into a new section, or form a new union section, and they shall indicate the land of which such section or union section shall be composed, and the remainder of the union section shall be disposed of as herein provided.

(13) Where a new union section is formed or an existing union section is altered, the arbitrators shall determine and fix the proportion that the part in each municipality shall be liable to contribute towards the erection of the schoolhouse and the maintenance of the school and other necessary expenses.

(14) The arbitrators shall value and adjust, in an equitable manner, all rights and claims consequent upon the formation, alteration or dissolution of a union section between the respective municipalities, school sections and ratepayers concerned, and shall also determine in what manner and by what municipality or municipalities or by what parts thereof the same shall be paid and the money to be paid by one part of the municipalities or school sections concerned to the union section so formed or altered, and the disposition of the property of the union section, and any payment by one part to the other, and the right of any ratepayer affected by the award.

(a) Where the award directs the payment of any sum of money by one municipal corporation to another, the corporation liable may pass a by-law for borrowing the money by the issue and sale of debentures, and it is not necessary to obtain the assent of the electors to any such by-law, or to observe the other formalities in relation thereto prescribed by The Municipal Act. R.S.O. 1960, c. 249

(b) The debentures and the money to be raised annually for the payment thereof is chargeable only upon the property of ratepayers who are the supporters of public schools.
The debentures may be for such amount and for such term of years, not exceeding thirty, as the council sees fit, or the council may make the principal and interest payable in annual or other instalments in the manner provided by The Municipal Act. R.S.O. 1950, c. 316, s 32 (14-19).

Where a new union section is formed, the inspector authorized under subsection 7 to call the first meeting of the arbitrators shall call the first meeting of electors for the election of trustees, and shall proceed as the clerk of the municipality is directed to proceed in the case of the formation of a new section under this Act, and the trustees may at any time after their election raise money for and may acquire a school site, erect school buildings and provide school equipment. R.S.O. 1950, c. 316, s. 32 (20, 21), part.

Such union, alteration or dissolution, except as herein otherwise provided, does not take effect until the 1st day of January after the award or a certified copy thereof is filed with the clerks of the municipalities concerned. R.S.O. 1950, c. 316, s. 32 (21), part, amended.

Subject to subsection 18, the proportion of liability determined by the arbitrators shall continue in force for a period of five years following the formation or alteration of the boundaries of the union school section and in the fifth year the assessors shall determine the apportionment as provided in section 55.

If, in the second, third or fourth year following the formation or alteration of a union school section, the assessment for public school purposes has decreased as the result of the formation of a separate school, or the assessment of the part of the union school section in one of the municipalities has increased or decreased to the extent of 10 per cent of the assessment at the date of the last apportionment, the trustees or five ratepayers of the union school section may petition the council prior to the 1st day of November in any year to appoint arbitrators to reconsider and determine the apportionment, and the proceedings shall be the same as in the case of a petition under subsection 2. R.S.O. 1950, c. 316, s. 32 (22, 23, 26, 27), amended.

In a territorial district,

(a) a union school section may be formed consisting of,

(i) all or part of two or more organized townships,

or

(ii) a town or village and all or part of one or more organized townships, or
(iii) territory without municipal organization and one or more of a town or village or all or part of one or more organized townships;

(b) for the purpose of the formation, alteration or dissolution of such a union school section the petition of the ratepayers for the part of the union school section not included in an urban municipality or organized township shall be presented to the inspector;

(c) the arbitrators shall be one person appointed by each of the councils of the organized municipalities concerned, the inspector of the district and the judge of the county or district court or some person named by him, and they have all the powers of the board of arbitrators mentioned in this section, all of which, so far as applicable, applies to the subject matter of this subsection;

(d) each of the councils petitioned by five or more ratepayers shall, within thirty days of the receipt of the petition, appoint an arbitrator who shall not be a member of the council, and the clerk of each municipality concerned shall send a notice of the appointment to the inspector in the municipality. R.S.O. 1950, c. 316, s. 32 (25); 1959, c. 83, s. 2 (2), amended.

46.—(1) A union school section may be formed consisting of a part of a township or parts of two or more townships and an adjoining city or separated town where the suburban school section or sections concerned, by a majority vote at a meeting of the ratepayers in such section or in each of such sections regularly called, approves of such formation, and such union is also approved by the urban board, and the union shall take effect on the 1st day of January next after the union has been confirmed by by-laws passed by the councils of the township and the city or separated town respectively, at the request of the boards of the suburban school section or sections and of the city or separated town. R.S.O. 1950, c. 316, s. 32 (2); 1960, c. 96, s. 9.

(2) Where a union school section is established under subsection 1, the council of each municipality concerned shall appoint an arbitrator and the arbitrators shall meet before the 1st day of December in each year and shall determine what proportion of the annual requisition made by the board for school purposes shall be levied in the following year upon and collected from the taxable property of the public school supporters of the union school section in each municipality.
(3) The arbitrators shall notify the board and the municipalities concerned by registered mail of their decision forthwith after the making thereof.

(4) If the board or the council of any municipality concerned is not satisfied with the decision of the arbitrators, the board or any such council, within ten days of the receipt of the decision, may appeal to the judge of the county or district court of the county or district in which the union school section or any part thereof is situated and the judge shall determine the apportionment and his decision is final.

(5) If the arbitrators do not reach a decision on or before the 1st day of December, the board shall appeal to the judge of the county or district court of the county or district in which the union school section or any part thereof is situated and the judge shall determine the apportionment and his decision is final. 1957, c. 101, s. 8, part.

(6) Except as otherwise provided in this section, the provisions of section 45 with respect to the alteration or dissolution of a union school section apply to the alteration or dissolution of a union school section formed under this section. New.

47.—(1) Where an urban municipality forms part of a union school section, the board of trustees is a corporation by the name of “The Public School Board of ............................................................ and Union School Section Number(s) ........................................ of ...........................................................” (inserting the name of the urban municipality in the first blank, the section numbers in the second blank and the names of the other municipalities in alphabetical order in the third blank).

(2) Where parts of two or more townships form a union school section, the board of trustees is a corporation by the name of “The Public School Board of Union School Section Numbers ........................................ of .................................................. and .........................................” (inserting the names of the municipalities and numbers, the name of the municipality in which the school is located appearing first and the rest in alphabetical order).

(3) For the purposes of subsections 1 and 2, each township council shall by by-law designate that portion of the union section within the township by a number not already used in the township for a school section. 1957, c. 101, s. 8, part.

48.—(1) Where the territory that it is proposed to form into a union section or the union section that it is proposed to alter or dissolve lies wholly within a county, the board or any five ratepayers in the territory or union section concerned, or
the inspector or inspectors, may within one month after the making thereof an appeal in writing to the county council from any award made by the arbitrators either for or against the formation, alteration or dissolution of the section or against the neglect or refusal of the township council or councils concerned to appoint arbitrators as provided in section 45.

(2) On receipt of such appeal, the county council has power to appoint not more than three arbitrators, who shall neither be ratepayers in the territory or school section concerned, nor members of the municipal councils concerned, and the arbitrators have all the powers of arbitrators appointed under section 45 and the decision of a majority of them is final.

(3) The first meeting of the arbitrators shall be called by the county clerk. R.S.O. 1950, c. 316, s. 33.

49.-(1) Where territory that it is proposed to form into a union school section or the union school section that it is proposed to alter or dissolve lies in a territorial district or in two or more counties or includes a city or separated town, the board or any five ratepayers in the union school section or territory concerned, or any inspector or inspectors, may at any time appeal to the Minister from any award made by arbitrators for or against the formation, alteration or dissolution of the section or against the refusal or neglect of the council or councils concerned to appoint arbitrators as provided in section 45.

(2) The Minister may in his discretion alter, determine or confirm the award or, where no award has been made, he may appoint not more than three arbitrators who have all the powers of arbitrators appointed under section 45, and a decision of a majority of them is final.

(3) The first meeting of the arbitrators shall be called by the Minister. R.S.O. 1950, c. 316, s. 34, amended.

50. The collectors of each municipality in which a part of a union section is situate shall collect the school rates for that part, and the amount collected from the ratepayers in each part of the union section shall be paid by the respective collectors to the treasurer of the municipality in which such part of the union section is situate, and the treasurer shall pay over the same without any charge or deduction to the board entitled thereto. R.S.O. 1950, c. 316, s. 35.

51.-(1) Where a township is divided into two or more townships, all school sections that, in consequence of the division, are situate partly in each of the newly formed town-
ships shall be deemed union sections until otherwise altered under this Act. R.S.O. 1950, c. 316, s. 36, amended.

(2) The councils of the newly formed townships shall by by-law designate a number for each school section and each part of a union school section within the municipality and each township school area the largest part of which lies within the township. *New.*

**52.** Every union school section shall, for the purpose of the election of trustees, be deemed one section, and with respect to inspection shall be deemed to be within the municipality in which the schoolhouse is situate, or, if there are two or more schoolhouses, then in that municipality within which a schoolhouse is situate that has the largest amount of property assessed for public school purposes. R.S.O. 1950, c. 316, s. 37.

**53.**—(1) Where a union school section includes an urban municipality divided into wards and part of an adjoining township, the board shall by resolution determine in which ward or wards the electors of the township shall vote for the election of school trustees and on other school questions, and in the absence of any such resolution, then such part of the township shall be considered for all election purposes as attached to the adjacent ward, and if two or more wards are adjacent, any such elector may vote in either of such wards.

(2) The clerk of the township shall furnish to the clerk of the urban municipality a certified copy of so much of the last revised voters' list of the township as contains the names of electors qualified to vote in that portion of the union school section lying within the township. R.S.O. 1950, c. 316, s. 38.

**54.**—(1) Where part of a township becomes incorporated as or is annexed to and becomes part of an urban municipality, such part shall for all school purposes be deemed to be part of the urban municipality, provided that when the part incorporated or annexed comprises or includes part only of a school section, the municipalities concerned, unless determined by agreement after the incorporation or annexation, shall each appoint an arbitrator who, with the judge of the county or district court, shall value and adjust in an equitable manner the rights and claims of all parties thereby affected, and shall determine by which municipality or part thereof the same shall be paid or settled.

(2) The award is final, and any money found due, either by agreement or under the award, shall be deemed public school money and is payable out of the property taxable for public school purposes in that part of the school section situate within the indebted municipality.
Sec. 55 (2)  

PUBLIC SCHOOLS  

Chap. 330  279

(3) Section 65 does not apply to the money required to be paid under the award or agreement, and debentures may be issued to be payable out of the property so taxable without calling a special meeting of the electors and upon the terms and conditions set forth in a by-law of the council of the municipality.

(4) Subject to the provisions of this Act as to the alteration of school boundaries and the formation of union school sections, where a part of a township so incorporated or annexed includes part only of a school section, the part remaining constitutes a school section by the same name as before the incorporation or annexation, and the school corporation continues, and the trustees who are in office at the time of the incorporation or annexation continue in office until their successors are elected and are the board of public school trustees for the part of the section not so included in the urban municipality, and the trustees may resume office or be elected for the section in case the board has been disbanded, and action may be taken by the township council at any time, as provided by this Act, to readjust the boundaries of the portion of the section that is not included in the urban municipality.

(5) Where urban municipalities become united, all the assets and liabilities of the board of each municipality are vested in and assumed by the board of the united municipality. R.S.O. 1950, c. 316, s. 39.

55.—(1) Except in the case of union school sections established under section 46, as often as the assessment of the part of a union section situate in one municipality has increased or decreased to the extent of 10 per cent of the amount of its assessment at the date of the last apportionment and has maintained such increased or decreased assessment for the second consecutive year, and, in any case, at the expiration of five years from the last apportionment, the assessors of the municipalities in which a union section is situate shall, before the 1st day of December, meet and determine what proportion of the annual requisition made by the board for school purposes shall be levied commencing in the following year upon and collected from the taxable property of the public school supporters of the union section situate in each of the municipalities in which the section lies, provided that upon the recommendation of the assessors and with the approval of the Minister, an apportionment may be made in any year. 1957, c. 101, s. 9, part.

(2) Where the assessment of a union school section is materially altered by reason of any land therein becoming
exempt from taxation for public school purposes, the assessors at their next meeting shall revise the apportionment. 1957, c. 101, s. 9, *part*.

(3) The meeting of the assessors shall be called by the assessor of the municipality in which the schoolhouse is situate.

(4) Where there are more assessors than one, the head of the municipal corporation shall name the assessor who shall act. R.S.O. 1950, c. 316, s. 40 (4, 5).

(5) Notice of the determination shall be given forthwith to the secretary of the board, the clerk of each municipality and the public school inspector. R.S.O. 1950, c. 316, s. 40 (6), amended.

(6) If the assessors do not reach a decision on or before the 1st day of December, the inspector in whose inspectorate the school of the union section is situate, and the assessors, shall be arbitrators and shall determine the matter and report to the secretary of the board and to the clerk of each municipality on or before the 31st day of December.

(7) Where the union school section is composed of parts of two adjoining counties and the assessors do not reach a decision on or before the 1st day of December, the inspector of the township in which the school of the union section is situate shall act with the assessors as arbitrators.

(8) The decision of a majority of the arbitrators is final until the next apportionment takes effect. 1957, c. 101, s. 9, *part*.

(9) The assessors or, in the case of an arbitration, the arbitrators, on the request in writing of the inspector or of five ratepayers may, within one month after the report of the determination or award to the secretary of the board, correct any omission or error in the terms in which the determination or award is expressed. R.S.O. 1950, c. 316, s. 40 (10).

(10) The cost of proceedings under this section, including the fees of assessors and arbitrators, shall be paid by the municipalities in accordance with the apportionment under subsection 1. 1957, c. 101, s. 9, *part*.

**SECTIONS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION**

56.—(1) Subject to the approval of the Minister, the inspector may form any part of territory without municipal organization into a school section. 1960, c. 96, s. 10 (1).

(2) The school section shall not exceed thirty-six square miles in area and, subject to this restriction, the boundaries
may, with the approval of the Minister, be altered by the Inspector from time to time. 1953, c. 90, s. 5 (1).

(3) The inspector on the petition of any head of a family who has a child attending school and who lives in one school section on land contiguous to another school section may alter the boundaries of the sections so as to transfer such land from one section to the other, but the transfer does not relieve the land from any taxation required to meet a liability incurred prior to the transfer, nor shall it be made unless in the opinion of the inspector it is more convenient for the child to attend the school in the section to which the transfer is requested. R.S.O. 1950, c. 316, s. 44 (3).

(4) Any alteration of the boundaries of a school section under this section takes effect on the 1st day of January. 1953, c. 90, s. 5 (2), amended.

(5) After the formation of a school section, any two rate-payers in the section may, by notice posted for at least six clear days in not less than three of the most public places in the section, appoint a time and place for a meeting for the election of three school trustees for the section. R.S.O. 1950, c. 316, s. 44 (4).

(6) The trustees elected at such meeting or at any subsequent school meeting of the school section have the powers and are subject to all the obligations of public school trustees, and may at any time after their election take the proper steps, in accordance with this Act, to raise funds for and purchase a school site and erect school buildings and provide equipment for the school. R.S.O. 1950, c. 316, s. 44 (5); 1953, c. 90, s. 5 (3).

(7) The trustees are a corporation and, where the school section includes part or all of one or more unorganized townships, shall be known as "The Public School Board of School Section No. of the unorganized Townships of in the Territorial District(s) of " (inserting a number selected by the inspector, the name of the township in which the school site is located, the names of other townships in alphabetical order and the name(s) of district(s))" and, where the school section includes only unsurveyed territory, shall be known as "The Public School Board of in the Territorial District(s) of (inserting a name selected by the inspector and the name(s) of the district(s))". 1960, c. 96, s. 10 (2).

57.—(1) The inspector shall divide the school sections into groups of three or as near thereto as practicable, and shall notify the secretary of each section of the group to which it belongs, and the grouping may be changed from year to year as the inspector may direct.
(2) The treasurers of the boards in a group constitute a court for the revision of the school assessment rolls of the sections in the group and for the hearing and determination of any appeals against the same, and the members of the court shall be paid reasonable travelling expenses by their respective boards for their attendance.

(3) Where, from the sparseness of settlements, it would be inconvenient for a court of revision to meet for the revision of the assessment roll of any school section, the inspector, on the request of any board, may assume or may, by writing, appoint some other person to assume the functions of a court of revision for the section on behalf of which the request is made, and all the proceedings of the inspector or other person appointed by him in the matter are subject to this Act and have the same effect as if made in a court of revision constituted under subsection 2. R.S.O. 1950, c. 316, s. 45.

58.—(1) The board shall, annually, at their first meeting, and not later than the 1st day of March in each year, appoint an assessor, who may be one of themselves, to prepare an assessment roll for the school section, and the secretary shall submit a certified copy of the roll to the proper court for revision.

(2) Where a new school section is formed after the 1st day of March in any year, the appointment of an assessor shall be made as soon after its formation as possible.

(3) The assessor shall notify every person assessed by leaving a notice containing the particulars of his assessment at his place of residence, or, if a non-resident, by sending the notice by registered mail to his last known address, or, if his address is unknown, by posting up the notice in the post office nearest to the land assessed.

(4) The assessor is subject to the provisions of The Assessment Act with regard to the equitable rating of all taxable property in the section, and shall, before returning his assessment roll to the secretary of the board, attach thereto a certificate signed by him and verified upon oath according to the form prescribed in The Assessment Act.

(5) The assessor shall return the assessment roll to the secretary not later than the 30th day of September of the year in which the assessment is made. R.S.O. 1950, c. 316, s. 46 (1-5).

(6) Where in any year it appears to a school board that the assessment roll will not be returned on the 30th day of September, the board may, by resolution passed with the approval of the Minister, extend the time for the return of that assessment roll for such period not exceeding sixty days

Court of revision

When inspector to act as court of revision

Annual assessment roll

Appointment of assessor for new section

Notice of assessment

Assessor to make oath
R.S.O. 1960, c. 23

Return of roll

Extension of time for return of roll
subsequent to the 30th day of September as appears necessary, and when such a resolution is passed the time for closing the court of revision for that year is thereby extended for a period corresponding to that for which the time for the return of the assessment roll is extended. 1956, c. 73, s. 2 (1).

(7) A copy of the roll so certified shall be open to inspection by all persons interested at some convenient place in the school section, notice whereof signed by the secretary shall be posted up by him in at least three of the most public places in the section, and shall state the place and the time at which the court will hear appeals against the assessment.

(8) The notice shall be posted up for at least three weeks before the time appointed for hearing the appeals, and shall be sent by registered mail to the last known addresses of non-resident ratepayers.

(9) Subject to subsections 10 and 11, all appeals and the proceedings thereon shall be the same as nearly as may be as in the case of appeals to a court of revision from municipal assessments, and the court of revision has the same powers as municipal courts of revision.

(10) The notice of appeal shall be given to the treasurer of the board within one month after the delivery, mailing and posting up of the notice provided for by subsection 3.

(11) The court may appoint a competent person to be its clerk for each school section or one for all the school sections.

(12) The assessor, when making his assessment, shall enter in a book to be provided by the board the name, age and residence of every child between the ages of five and twenty-one years resident in the section and the name and residence of such child's parents or guardian, and shall, with the assessment roll, return the book to the secretary, and the secretary shall include a copy of the particulars entered in the book in his annual report to the inspector. R.S.O. 1950, c. 316, s. 46 (6-11).

(13) An appeal to the district judge lies at the instance of the board, the assessor or any person assessed, not only against a decision of the court of revision on an appeal to such court but also against any omission, neglect or refusal of such court to hear or decide an appeal, and an appeal lies to the Ontario Municipal Board from a decision of the district judge, and sections 75 to 80 and 82 to 90 of The Assessment Act apply mutatis mutandis to every such appeal. R.S.O. 1950, c. 316, s. 46 (12); 1956, c. 73, s. 2 (2).

(14) The district judge is entitled to receive from the board as his expenses for holding court for the purpose of hearing appeals from the court of revision under this section, except
where court is held in the district town, the same sums as he is allowed for holding courts for revising voters' lists.

(15) Subject to subsection 13, the roll, as finally passed and signed by the chairman of the court of revision, is binding upon the trustees and ratepayers of the school section until the roll for the succeeding year is passed and signed as aforesaid.

R.S.O. 1950, c. 316, s. 46 (13, 14).

50.—(1) Where any part of territory without municipal organization forms part of a school section that includes part or all of one or more organized municipalities, such part of the territory without municipal organization shall for public school purposes be deemed to be annexed to the organized municipality that has the greatest assessment for public school purposes in the school section, and the officers thereof shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to the part of the territory without municipal organization forming part of the school section as with respect to any part of the school section that lies within the organized municipality.

(2) The council of the organized municipality in preparing the estimates of the sums required to be raised by assessment and taxes under this section with respect to the part of territory without municipal organization that forms part of such a school section shall,

(a) make allowance for the abatement of and discount on taxes, for uncollectable taxes and for taxes that it is estimated will not be collected during the year in such part of the territory without municipal organization; and

(b) include the proper proportion of the salaries and expenses of the officers making the assessments and collecting the taxes having regard to the ratio that the assessment in that part of the territory without municipal organization bears to the total assessment of the union section. 1958, c. 88, s. 7.

60.—(1) In territory without municipal organization, the board of a school section may issue debentures for the purchase of a school site and the erection of a schoolhouse for such amounts and for such term of years, not exceeding thirty, as the board sees fit, or the board may direct that the principal and interest shall be repayable by annual or other instalments in the manner provided in The Municipal Act, provided that the issue of the debentures has been sanctioned at a special meeting of the ratepayers of the section.
(2) The debentures shall be signed by the trustees and sealed with the corporate seal of the board, and are a charge upon the taxable property of the public school supporters of the section. R.S.O. 1950, c. 316, s. 48.

61.—(1) The board of a school section may appoint some competent person, who may be a member thereof, to collect the school rates imposed by them upon the ratepayers of the section, or the sums that the inhabitants or others may have subscribed, and may pay to the collector at the rate of not less than 5 per cent and not more than 10 per cent on the money collected by him, and every collector shall give security satisfactory to the board, and the security shall be lodged for safe keeping with the inspector.

(2) A collector has the same powers in collecting the school rate or subscriptions, and is under the same liabilities and obligations and shall proceed in the same manner in the school section, as a township collector in collecting rates in a township as provided in The Assessment Act.

(3) The collector shall, on or before the 8th day of April in the year following the year in which a school rate becomes due and payable, make a return to the sheriff of the district showing each lot or parcel assessed upon which the school rates have not been fully paid, the name of the person assessed as owner or occupant and the amount of school rates chargeable against the lot or parcel and in arrear at the date of the return with the year for which the rates so in arrear were imposed.

(4) The sheriff shall enter in a book to be kept by him for that purpose the particulars furnished by the collector.

(5) The collector shall not receive any payment on account of school rates so in arrear after the expiration of two years from the date when the rates became due, but, in the case of payments made before the expiration of that period, the collector shall forthwith notify the sheriff thereof and the sheriff shall enter the payment against the proper lot or parcel in the book kept by him.

(6) After the expiration of such period, all such arrears are payable to the sheriff, who shall enter all payments in the book kept by him and shall return the amount paid to the treasurer of the board.

(7) When it appears from the entries in the book kept by the sheriff that any school rate is in arrear for three years from the 31st day of December in the year in which the rate became payable, the sheriff shall proceed to collect the same by the sale of the lands assessed, and the procedure in relation
to such sale and the provisions applicable to purchase by the municipality and to the redemption of lands thereafter and to deeds to be given by the sheriff to tax purchasers shall be the same as nearly as may be as in the case of the sale of lands for arrears of taxes in organized municipalities, and the board may in such cases exercise the power of purchase conferred upon a municipality. R.S.O. 1950, c. 316, s. 49.

62. In addition to any other remedy possessed by public school trustees in territory without municipal organization for the recovery of rates imposed under the authority of this Act, the trustees, with the approval of the inspector in writing signed by him, may bring an action in a court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. R.S.O. 1950, c. 316, s. 51.

BORROWING POWERS

63.—(1) Subject to the approval of the Ontario Municipal Board, the sums required by an urban board or a township school area board for permanent improvements may be raised on the application of the board by the issue of municipal debentures as provided herein.

(2) The application shall be made to the council or councils having jurisdiction in the area for which the board making the application was established, and in it the board may state the proposed terms of years, not exceeding thirty, within which the sum required is to be repaid.

(3) The council or, if more than one, each of the councils applied to, at its first meeting after receiving the application or as soon thereafter as possible, shall consider and approve or disapprove the application, and if a vote in any council results in a tie the application shall be deemed to be disapproved by that council.

(4) If the council, or a majority of the councils where there are more than one, approves of the application, the council of the municipality within which the school is or is to be situated shall raise the sum required by the issue of debentures in the manner provided in The Municipal Act, or if it so desires the council of any municipality may raise its proportion of the sum required by the issue of its own debentures or in a township school area a municipality other than the one in which the school is situated or is to be situated may raise the sum required by the issue of debentures.

(5) If the council, or half or a majority of the councils where there are more than one, disapproves of the application, the council or each of the councils on the request of the board shall submit the application to a vote of the electors of its
municipality, or of the part thereof included in the area for which the board was established, who are qualified under The Municipal Act to vote on money by-laws and who are supporters of public schools under the jurisdiction of the board, in the manner provided in The Municipal Act in the case of a money by-law.

(6) Where the board requests that the application be submitted by the council or each of the councils, as the case may be, to a vote of the electors, unless the board otherwise agrees, the vote shall be held within ninety days after the receipt of the request from the board.

(7) If a majority of the votes cast throughout the area for which the board was established is in favour of the application, the sum required to be raised by the issue of debentures shall be raised as provided in subsection 4, but without submitting the by-law to the electors.

(8) The council or councils having jurisdiction in the area for which the board was established or a majority of them may pass by-laws for the purpose of raising or borrowing money required by the board for permanent improvements without submitting the by-laws to a vote of the electors.

(9) A debenture may be for such term of years, not exceeding thirty, as the council or councils concerned or a majority of them deem proper, or the council or councils or a majority of them shall if the board has so requested and may, without such request, make the debenture debt payable by annual or other instalments in the manner provided in The Municipal Act.

(10) The council or councils of a municipality or municipalities liable for more than one-half of such debt shall be deemed to be a majority for the purposes of subsections 4, 5 and 8.

(11) The debentures and the money to be raised annually for payment thereof are chargeable only upon the property of ratepayers who are supporters of public schools under the jurisdiction of the board that requested the issue of debentures.

(12) Where a municipality has raised money for the purposes of a board by the issue and sale of debentures, or by the hypothecation of debentures or temporary financing pending the sale of debentures, it shall pay over such money to the board from time to time as the board may require. 1957, c. 101, s. 11, part.

(13) Where a township school area or a union school section that includes an urban municipality comprises two or more municipalities or parts thereof, subsection 6 of section 65 applies to such municipalities. 1958, c. 88, s. 9; 1959, c. 83, s. 3.
The council of a township over which a board of education has jurisdiction, upon the application of the board of education, has the same powers to pass by-laws for borrowing money by the issue and sale of debentures as are conferred on the council of an urban municipality under section 63 and section 63 applies mutatis mutandis. 1957, c. 101, s. 11, part. 64.

65.—(1) Every application of a rural school board, except a township school area board, for the issue of debentures for permanent improvements shall be made as provided in subsection 2 of section 63 but shall first be sanctioned, at a special meeting called for the purpose, by the ratepayers of the school section who are qualified under The Municipal Act to vote on money by-laws and who are supporters of the public schools under the jurisdiction of the board.

(2) Where there is more than one municipality having jurisdiction in a rural union school section, the application shall be sanctioned in accordance with subsection 1, unless the councils of each municipality, or of a majority of the municipalities where there are more than two which or part of which are included in the union school section, have approved of the application.

(3) The council or councils of a municipality or municipalities liable for more than one-half of such debt shall be deemed to be a majority for the purposes of subsection 2.

(4) Upon the application of a rural school board, the council of the municipality or, if more than one, the council of the municipality within which the school is or is to be situated shall raise the sum required by the issue of debentures in the manner provided in The Municipal Act, or if it so desires the council of any municipality may raise its proportion of the sum required by the issue of its own debentures.

(5) The council of a municipality under this section has the same powers to pass by-laws for borrowing money by the issue and sale of debentures as are conferred on an urban municipality by section 63, and subsections 9, 11 and 12 of section 63 apply mutatis mutandis. 1957, c. 101, s. 12.

(6) The corporation or corporations of any other municipality or municipalities forming, or any part of which forms, part of the union section shall, on the requisition of the clerk of the municipality by which the debentures were issued, pay its or their share of the loan, including interest as it comes due according to its or their liability as determined by section 55.

(7) The proportion of the moneys payable by the corporation of each of the municipalities is payable out of the taxable
property of the public school supporters therein lying within the school section.

(8) The expenses of preparing and publishing any by-laws or debentures, and all other expenses incident thereto, shall be paid by the school section on whose behalf the debentures were issued, and the amount of the expenses may be deducted from any school rates collected by the municipal council for the section.

(9) Notwithstanding any alterations that may be made in the boundaries of a school section, the taxable property of the public school supporters situate therein at the time when the loan was effected continues to be liable for the rate that may be levied for the repayment of the loan.

(10) When upon alteration of boundaries of a school section lands are included therein that are taxable property of public school supporters, such lands are subject to taxation for school purposes, including debenture rates, of the school section to which they are attached in the same manner and to the same extent as all other taxable property of public school supporters in the school section; provided that, if the lands so attached continue liable for debenture rates for the purposes of the school section from which they are detached, they are during the continuance of such liability, subject only to taxation for school debenture rates in the school section to which they are attached, to the amount by which such last-mentioned debenture rates exceeds the amount of the debenture rates for which they have continued liable. R.S.O. 1950, c. 316, s. 58 (5-9).

66.—(1) Subject to subsection 5 of section 10, a township school area board may, and any other rural school board with the approval of the ratepayers of the school section may, require the council to raise by one yearly rate such sums as may be necessary for the purchase or enlargement of a school site, or the erection of a schoolhouse, or an addition thereto, or a teacher's residence. R.S.O. 1950, c. 316, s. 59 (1); 1960, c. 96, s. 12.

(2) A municipal council shall not levy or collect during any one year more than one school rate except for one or more of the purposes mentioned in subsection 1. R.S.O. 1950, c. 316, s. 59 (2).

67. A rural school board may, with the consent of the ratepayers first obtained at a special meeting called for the purpose, by resolution authorize the borrowing from any municipal corporation of any surplus moneys of the corporation or in the Ontario Municipalities Fund for such term and at such rate of interest as may be set forth in the resolution
for the purpose of any permanent improvement, and any sum so borrowed shall be applied only to the purpose for which it was borrowed. 1960, c. 96, s. 13.

68. Where the issue of a debenture by a municipality for permanent improvements by a board has been approved by the Ontario Municipal Board and the council of the municipality borrows and advances money to the board before the sale of the debenture for the purposes of the undertaking for which the issue of the debenture is required, the council may charge the cost of such borrowing to the board for the period before the sale for which the money is borrowed or for a period of one year, whichever is the lesser. 1960, c. 96, s. 14.

RATES

69.—(1) The council of every local municipality shall levy and collect upon the taxable property of the public school supporters of the municipality, or of the sections in the case of rural schools, in the manner provided in this Act and in The Municipal Act and The Assessment Act, such sums as may be required by the board for school purposes, and shall pay them to the treasurer of the board from time to time as may be required by the board on the warrant of the proper inspector.

(2) In the case of a union school section formed of parts of townships, the sums levied and collected from the ratepayers by township councils shall be levied and collected by the several councils out of the taxable property of the public school supporters of the union school section, each in the proportion that such taxable property within its jurisdiction bears to the taxable property of public school supporters in the whole union section.

(3) Every municipal council shall annually account for all moneys collected for public school purposes, including any sum that has been collected in excess of the sums disbursed, on account of the public school or schools within the municipality or school section, and shall pay over the same to the school board of the municipality or of the section. R.S.O. 1950, c. 316, s. 61.

70. The council of every township may by by-law apportion among the school sections in the township the principal or interest of any investments held by the corporation for public school purposes according to the salaries paid to the teachers engaged by the respective boards during the past year, or according to the average attendance of pupils in each section who reside in the township during the same period. R.S.O. 1950, c. 316, s. 55, amended.
71.—(1) In addition to any sums that the council of a municipality may be bound to levy and collect under any section of this Act, the council of any municipality may make grants as it may deem expedient for the purposes of public schools within the municipality, and may assess, levy and collect the sums required to pay the grants by general rate upon all taxable property of public school supporters in the municipality.

(2) The purposes for which the rate mentioned in subsection 1 may be raised include, but are not limited to, the establishment and maintenance of school corporations, aiding new or weak schools or continuation schools or fifth classes in the municipality, or the supplementing of teachers' salaries or retiring allowances. R.S.O. 1950, c. 316, s. 62.

72. Every municipal council shall correct any errors or omissions that may have been made within the three years next preceding such correction in the collection of any school rate duly imposed or intended so to be to the end that no property shall escape from or be compelled to pay more than its proper proportion of the rate. R.S.O. 1950, c. 316, s. 63.

73.—(1) Where in any municipality situate in a county there are persons entered on the assessment roll as public school supporters and there is no public school to which public school rates levied by the council of the municipality can be applied, there shall be assessed, levied and collected annually on the property of all persons assessed as public school supporters in the municipality a rate equal to the average public school rate levied in the county for boards of public school trustees of villages, and of towns not separated from the county and of school sections, and the moneys so raised shall be set apart or invested by the council of the municipality in the manner provided by section 317 of The Municipal Act. R.S.O. 1950, c. 316, s. 64 (1).

(2) In urban municipalities situate in a territorial district where a like condition exists, the rates to be so levied on public school supporters shall be equal to those levied in the nearest urban municipality. R.S.O. 1950, c. 316, s. 64 (2); 1959, c. 83, s. 4 (1).

(3) In rural school sections in townships situate in a territorial district where a like condition exists, the rates to be so levied on public school supporters shall be equal to the average rate levied on public school supporters in the other rural school sections in the same township in which there is a public school, or, if there be none, then equal to the rate levied on public school supporters in the nearest rural school section.
outside the township in which there is a public school. R.S.O. 1950, c. 316, s. 64 (3); 1959, c. 83, s. 4 (2).

POWERS AND DUTIES OF BOARDS

74.-(1) A public school board shall,

(a) operate schools under its charge in accordance with the provisions of this Act, The Schools Administration Act, The Department of Education Act and the regulations thereunder; R.S.O. 1950, c. 316, s. 93, part, amended.

(b) prepare and submit to the municipal council on or before such time as the council may prescribe, estimates for the current year of all sums required to be provided to meet expenditures for the schools under its charge, and the estimates shall show the amount of any surplus or deficit remaining at the end of the preceding year and any revenues estimated to be derived by the board during the current year from all sources; R.S.O. 1950, c. 316, s. 93, cl. (r).

(c) keep open each school during the whole period of the school year, except where it is otherwise provided by this Act; R.S.O. 1950, c. 316, s. 93, cl. (f), part.

(d) provide and pay,

(i) the salaries of employees of the board,

(ii) repairs to buildings,

(iii) furnishings,

(iv) fuel

(v) light,

(vi) stationery,

(vii) equipment,

(viii) insurance

(ix) travelling expenses of trustees and officers of the board, and

(x) miscellaneous expenses incurred under the authority of the board. R.S.O. 1950, c. 316, s. 93, cl. (q).

(2) A public school board may,

(a) take possession of all property acquired or given for public school purposes and hold it according to the terms on which it was acquired or given;
(b) dispose, by sale or otherwise, of any school site or property not required in consequence of a change of site or other cause, and convey the same under the corporate seal of the board, and apply the proceeds thereof for school purposes or as directed by this Act; R.S.O. 1950, c. 316, s. 93, cl. (u).

(c) establish,

(i) kindergartens,

(ii) classes in industrial arts training and household economics,

(iii) school gardens, and

(iv) auxiliary and academic-vocational classrooms;

R.S.O. 1950, c. 316, s. 93, cl. (j), part.

(d) in cities of 100,000 population and over, provide, subject to the approval of the Minister, special classes for the instruction of the blind or deaf and dumb pupils residing within the municipality; R.S.O. 1950, c. 316, s. 93, cl. (zc).

(e) provide and pay for such equipment as may be necessary for the teaching of agriculture;

(f) contribute toward the support of rural school fairs: school fairs

R.S.O. 1950, c. 316, s. 93, cl. (zd).

(g) exempt any indigent person from the payment of school taxes or fees, in whole or in part, in which case it shall notify the clerk of the municipality of such exemption on or before the 1st day of August; R.S.O. 1950, c. 316, s. 93, cl. (p), part.

(h) provide for surgical treatment of children attending the school suffering from minor physical defects, where in the opinion of the teacher and, where a school nurse and medical inspector are employed, of the nurse and medical inspector, the defect interferes with the proper education of the child, and include in the estimates for the current year the funds necessary for cases where the parents are not able to pay, provided that no such treatment shall be undertaken without the consent of the parents or guardian of the child. R.S.O. 1950, c. 316, s. 93, cl. (zb).

(3) A public school board of a rural school section that is not a township school area shall,

(a) at the first meeting of the board, examine the school property, house, outbuildings, school furniture, maps and apparatus, with a view to ascertaining what repairs or improvements may be necessary;
(b) make suitable provisions for heating the schoolhouse and keeping the schoolhouse and premises in a clean and sanitary condition; and

c) ascertain and report to the Minister at least once in each year the names and ages of all children of school age who are blind or who are deaf and dumb and who would otherwise be required to attend the school under its charge. R.S.O. 1950, c. 316, s. 93, cls. (d, k), amended.

(4) A public school board of a rural school section may borrow on the promissory note of the board, under its corporate seal, at interest not exceeding 8 per cent per annum, such moneys as may be required for the payment of a secretary's salary and teachers' salaries until the taxes imposed therefor are collected. R.S.O. 1950, c. 316, s. 93, cl. (s), amended.

75. The board of a city may, when so requested in writing by a charitable organization having the charge of children of school age, employ and pay teachers for the education of such children and pay for and furnish school supplies for their use, whether or not such children are being educated in premises within or beyond the limits of the city, and any children being so educated are subject to this Act and the regulations. R.S.O. 1950, c. 316, s. 95.

GENERAL

76.—(1) A board or any five ratepayers of any one or more of the school sections concerned, may within twenty days, by notice filed in the office of the county clerk, appeal to the county council of the county in which the section or sections are situate against any by-law of the township council for the formation, division, union or alteration of their school section or sections, or against the neglect or refusal of the township council, on application being made to it by a board or any five ratepayers concerned, to form, unite, divide, or alter the boundaries of, a school section or school sections within the township.

(2) The time for appeal shall run from the date of the by-law complained of or from the date of the meeting at which the council refused to pass the by-law, or from the second meeting after which notice was received by the clerk of the application of the board or ratepayers asking for the by-law to be passed, as the case may be. R.S.O. 1950, c. 316, s. 21 (1, 2).
(3) On receipt of the notice of appeal, the county council shall either,

(a) dismiss the appeal; or

(b) appoint a board of arbitrators consisting of not less than three and not more than five competent persons, one of whom shall be the county judge or some person named by him, and one of whom shall be the inspector, and a majority of whom form a quorum, and the arbitrators shall hear the appeal and, subject to subsection 3 of section 11, shall form, divide, unite, or alter the boundaries of, the school section or school sections so far as to settle the matters complained of. 1954, c. 79, s. 3.

(4) Due notice of the alteration or of the determination of the arbitrators shall be given by the inspector to the clerk of the township and to the school boards concerned.

(5) In a territorial district, the appeal is to a board of three arbitrators composed of the judge of the district court or some person named by him, the inspector, and some person appointed by by-law or resolution of the township council, and

(a) the notice of appeal shall be given to the clerk of the township, the inspector and the judge;

(b) the township council, at its first meeting after service of the notice upon the township clerk, shall appoint their arbitrator, and the clerk of the township shall forthwith notify the inspector of the appointment;

(c) the judge, upon receipt of the notice of appeal, shall notify the inspector in writing of his willingness to act as arbitrator, or shall name some person to act in his stead and notify the inspector in writing of the appointment; and

(d) when the board is complete, the judge or his nominee shall convene the first meeting of the board and he shall be chairman thereof. R.S.O. 1950, c. 316, s. 21 (4, 5).

(6) The alterations or determination of such matters, except as otherwise provided herein, do not take effect before the 1st day of January in the year following that in which the award is made, and shall continue in full force for the period of at least five years, and thereafter until changed under this Act. R.S.O. 1950, c. 316, s. 21 (6), amended.

(7) No person shall be nominated or appointed arbitrator who is a member of the township council or who was a member of the boards of the township.
at the time at which the council passed or refused or neglected to pass the by-law. R.S.O. 1950, c. 316, s. 21 (7).

77.—(1) Except as provided in sections 40 and 42, on the formation, dissolution, division or alteration of any school section or sections in the same township, the inspector and two other persons appointed by the township council shall, as arbitrators, value, adjust and determine in an equitable manner all rights and claims consequent upon such formation, dissolution, division or alteration between the respective parts of the township affected, and the determination of the arbitrators or of any two of them is final. R.S.O. 1950, c. 316, s. 29 (1); 1956, c. 73, s. 1, amended.

(2) Where there are more inspectors than one, the township council shall name the inspector who is to act. R.S.O. 1950, c. 316, s. 29 (2).

78.—(1) When a school section or a union school section has existed in fact for three months and upwards and whether it has been formed in accordance with the provisions of the law or not, it shall be conclusively deemed to have been legally formed and shall continue to exist, subject however to this Act as far as applicable, as if such section had been formed thereunder, unless in the meantime proceedings have been taken calling in question the legal status of the section and notice thereof has been given to the persons who, according to the practice of the court in which the proceedings are taken, ought to be served with notice thereof, and such proceedings result in its being determined that the section has not been legally formed.

(2) Where the boundaries of one or more school sections have been altered by the award of a board of arbitrators under this Act and the award has not been acted upon for a period of two years, the Minister may cancel the award and may direct the appointment of new arbitrators or may himself appoint arbitrators for the reconsideration of the matter, and, where the arbitrators are appointed by the Minister, their award is not subject to any appeal.

(3) Where an award is cancelled by the Minister as provided in subsection 2, the cancellation shall be deemed to have had effect from the time of the making of the award.

(4) No proceeding in or in relation to the formation, alteration or dissolution of a rural school section or of a union school section, and no arbitration or award in reference thereto or as to any matter that by this Act is to be or may be determined by arbitration shall be deemed to be invalid or shall be set aside because of the failure to comply with the provisions of
this Act applicable to the proceeding, arbitration or award, unless, in the opinion of the tribunal before which the proceeding, arbitration or award is called in question, the same, if allowed to stand, will cause substantial injustice to be done to the persons affected thereby, or some of them.

(5) Should any question arise touching the validity of the proceedings in or in relation to the formation, alteration or dissolution of a rural school section or of a union school section, or touching the selection, adoption or change of a school site, or touching any by-law of the council of any municipal corporation in any way relating to such matters or any or either of them, or touching any arbitration or award heretofore or hereafter had or made under this Act, the same shall not be raised or determined by action or proceeding in the Supreme Court, but shall be raised, heard and determined upon a summary application to the judge of the county or district court of the county or district in which the school section or some part thereof is situate, and the decision of the judge is final unless special leave to appeal therefrom is given by the Supreme Court or a judge thereof, and if such leave is given an appeal lies to the Supreme Court upon questions of law only, upon and subject to such terms and conditions as the Court or judge giving the leave prescribes.

(6) Where the question touches an arbitration or award to which the judge has been a party, the application shall be heard and determined by the judge of the county or district court of the adjoining county or district that has the largest population according to the last federal census. R.S.O. 1950, c. 316, s. 31, amended.

79.—(1) Where it appears to the Minister that owing to the condition of the roads or other causes the public school in any school section in any township is inaccessible during certain months of the year to any of the pupils entitled to attend the school, the Minister may require the council to form a new school section or the board to provide a second school in their section, or to provide transportation to and from the school for such pupils.

(2) The Minister may provide that the second school be opened during such months of the year as he may deem necessary and may prescribe the area from which pupils shall have the right to attend the second school. R.S.O. 1950, c. 316, s. 43 (1, 2).

(3) Section 3 of The Schools Administration Act does not apply to a school established under this section, but nothing herein relieves the pupils attending the second school from attendance at the public school of the school section during...
those periods of the school year in which the second school is closed, nor relieve the board of the school section from the duty of providing school accommodation for such pupils during such periods. R.S.O. 1950, c. 316, s. 43 (4); 1958, c. 88, s. 6.

80.—(1) A public school board may provide for the admission of pupils of the section to the public schools of any other school section or to an Indian school under the supervision of a public school inspector, subject to the approval of the Minister and of the board of such other school section or authority having control of the Indian school, and the accommodation provided under such arrangement shall be taken in lieu of the accommodation that the board is required by this Act to make for the pupils of the section.

(2) Where a public school board has arranged under subsection 1 for the admission of all the pupils of the school section to the public schools of another school section, the board may close the schools of the section for the period during which such arrangement is in effect. R.S.O. 1950, c. 316, s. 91 (2); 1959, c. 83, s. 8 (1), amended.

(3) Where in any school section there are for two consecutive years less than eight persons between the ages of five and fourteen years residing therein, the Minister may direct that the public school of the section shall no longer remain open, and the school shall thereupon be closed until the Minister otherwise directs. R.S.O. 1950, c. 316, s. 91 (1).

(4) The board may levy and collect upon the taxable property of the section such further sum as may be necessary to pay the fees of pupils attending the schools of another school section or Indian schools and to pay for the conveyance of the pupils to and from such schools as well as such other sums as the board may deem expedient or as may be required by the Act. R.S.O. 1950, c. 316, s. 91 (5).

81.—(1) A by-law of a municipal council for forming, altering or dissolving a school section, and an award made by arbitrators appointed to consider an appeal from a township council with respect to any matter authorized by this Act, is valid and binding, notwithstanding any defect in substance or form or in the manner or time of passing or making the same, unless notice of an application to quash the by-law or to set aside the award is given to the township clerk within one month after the publication of the by-law or award, and the same is subsequently quashed or set aside.

(2) The by-law or award shall be deemed to be published when a copy thereof is served upon the secretary of each board of trustees affected thereby.
(3) Arbitrators appointed under any of the provisions of this Act shall make their award within one month from the time when the last arbitrator was appointed; provided, however, that the county or district judge may extend the time for making an award upon application to him by the arbitrators either before or after the time for making the award has expired. R.S.O. 1950, c. 316, s. 42.

82. No by-law of a municipal council passed after the 14th day of April, 1892, for exempting any part of the rateable property in the municipality from taxation in whole or in part shall be held or construed to exempt the property from school rates of any kind. R.S.O. 1950, c. 316, s. 52.

83.—(1) The clerk of every township shall give to the inspector, when requested by him, a statement of the assessed value of each school section as shown by the last revised assessment roll and, at the request of any board, shall furnish the board with a statement showing the several parcels or lots of land composing the school section, the assessment of each parcel or lot and the amount of taxes entered on the collector’s roll against each parcel or lot, and the cost of preparing this statement shall be paid by the board applying for the same.

(2) The clerk of every township in which a school section is situate that is wholly or in part united to an urban municipality, shall give to the clerk of the urban municipality such information as may be required regarding population and assessment in connection with the section. R.S.O. 1950, c. 316, s. 54.