

1937

c 364 Training Schools Act

Ontario

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CHAPTER 364.

The Training Schools Act.

1. In this Act,—

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| | Interpre-
tation. |
| (a) "Board" shall mean The Ontario Training Schools Board; | "Board." |
| (b) "Boy" shall mean any male youth a resident in Ontario who is normal in mind and body and capable of receiving an education and training that will enable him to earn a living; | "Boy." |
| (c) "Department" shall mean the Department over which the Minister has charge; | "Depart-
ment." |
| (d) "Girl" shall mean any unmarried female youth a resident in Ontario who is normal in mind and body and capable of receiving an education and training that will enable her to earn a living; | "Girl." |
| (e) "Inspector" shall mean an inspector appointed under <i>The Department of Public Welfare Act</i> for the purposes of this Act; | "Inspector."
Rev. Stat.,
c. 61. |
| (f) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; | "Minister." |
| (g) "Municipality" shall mean a county, city or separated town, except that in a territorial district it shall mean a city, town, village or township; 1931, c. 60, s. 2, cls. (a-g). | "Municipality." |
| (h) "Regulations" shall mean regulations made under this Act; | "Regu-
lations." |
| (i) "Superintendent" shall mean superintendent of a training school; | "Superin-
tendent." |
| (j) "Training school" shall mean a training school for boys or girls established under this Act. 1931, c. 60, s. 2, cls. (i-k). | "Training
school." |

2.—(1) Training schools for boys and girls may be established in Ontario to provide the boys or girls admitted therein with a mental, moral and vocational education and training and with profitable employment.

Establish-
ment of
training
schools.

Designation. (2) A training school established under this Act shall bear such name or other designation as the Lieutenant-Governor in Council may give. 1931, c. 60, s. 3.

Properties vested in the Crown. **3.** All real and personal property acquired by purchase, gift or otherwise pertaining to a training school shall be vested in the Crown represented therein by the Minister of Public Works. 1931, c. 60, s. 4.

Revenues and expenditures. **4.** The cost of establishing and maintaining training schools shall be paid out of such moneys as may be appropriated for such purpose by the Legislature and all revenues from whatsoever source derived by or pertaining to training schools shall form part of the Consolidated Revenue Fund of Ontario. 1931, c. 60, s. 5.

Gifts. **5.** Any municipal corporation and any association, corporation or individual may make gifts of real or personal property to a training school. 1931, c. 60, s. 6.

School wardship over boys and girls. **6.—(1)** Every boy or girl admitted to a training school shall upon admission become a ward of the training school until he or she becomes of age and shall be subject to the control of the Board and superintendent in the same manner and to the same extent as in the case of a guardian appointed by statute or by any court or by any will or instrument and all rights and powers of the parent or any such guardian over a boy or girl so admitted shall upon admission cease and determine unless the Minister provides that the wardship of the training school shall cease upon the boy or girl leaving the school or at any time after leaving the school. 1931, c. 60, s. 7 (1); 1932, c. 53, s. 37 (1).

Restoration of other wardship. (2) When the Minister provides that the wardship of a training school shall cease, the boy or girl shall, after leaving, become a ward of that person who but for the wardship of the training school was or would have been in law his or her guardian. 1931, c. 60, s. 7 (2); 1932, c. 53, s. 37 (2).

Establishment of Board. **7.** For the purposes of the training schools established under this Act there is established an advisory board of fifteen members which shall be known as "The Ontario Training Schools Board." 1931, c. 60, s. 8.

Appointment of members of Board. **8.** The members of the Board shall be appointed by the Lieutenant-Governor in Council with the powers and for the purposes hereinafter prescribed. 1931, c. 60, s. 9.

9. The members of the Board shall be appointed for a period of three years except that a member appointed to fill a vacancy shall be appointed for the unexpired term of that member whose office has become vacant. 1931, c. 60, s. 10.

Period
of office.

10. The Lieutenant-Governor in Council may from time to time appoint one of the members of the Board to be the chairman thereof and another member to be the secretary thereof. 1931, c. 60, s. 11.

Chairman
and
secretary.

11.—(1) The Board shall meet from time to time at the call of the chairman or at the call of the Minister.

Meetings
of Board.

(2) The Board shall act in an advisory capacity to the Minister and when requested by him so to do shall consult with him as to the administration of this Act and of training schools and shall assist the Minister by its recommendations in respect thereto.

Advisory
powers of
Board.

(3) The Minister may from time to time appoint committees of the Board to act on behalf of the Board in respect to any training school.

Committees.

(4) The Board or its committees appointed hereunder shall have power to and shall from time to time visit and inspect training schools to investigate and ascertain the condition of the same and the welfare of the boys or girls therein, particularly in respect to matters of moral, scholastic, occupational and recreational natures and as to their wardship, care, treatment, conduct and discipline, and the Board or committee shall report to the Minister upon every visit and inspection which it may make, with any recommendations resulting therefrom.

Visiting and
inspecting
training
schools.

(5) The necessary travelling and other expenses incurred by the members of the Board may be paid out of the moneys appropriated by the Legislature for training schools. 1931, c. 60, s. 12.

Travelling
expenses.

12.—(1) Subject as in this Act may otherwise be provided, when any boy or girl is admitted to a training school, that municipality to which such boy or girl belongs shall be liable to the Department for and shall pay the sum of seventy-five cents per day towards the cost of maintenance and education of such boy or girl for each actual day's stay of the said boy or girl in the training school. 1931, c. 60, s. 13 (1); 1935, c. 52, s. 3 (1).

Municipal
per diem
liability.

(2) For the purposes of this section, a boy or girl shall be deemed to belong to the municipality in which such boy or girl has last resided for the period of one year, but in the absence of

Where boy
or girl
belongs.

evidence to the contrary, residence for one year in the municipality in which the boy or girl was taken into custody shall be presumed.

Where mother's residence taken.

(3) Where the boy or girl has not resided in any municipality in Ontario for one year, the municipality in which the boy's or girl's mother has last resided for one year shall be deemed liable for maintenance.

Periods to be excluded in fixing time.

(4) In the computation of the time in subsections 2 and 3, the time during which the boy or girl, or the mother of such boy or girl, was an inmate of a children's, infants', maternity or other boarding home, a correctional or charitable institution, a hospital or any home or institution for custodial, medical or other care or supervision shall not be regarded, and the time during which the mother has resided in a municipality while her child was an inmate of any such home or institution shall likewise be disregarded.

Other cases.

(5) In all other cases, the judge shall determine the municipality to which the boy or girl belongs. 1935, c. 52, s. 3 (2).

Notice of admission to municipality.

(6) Upon admission to a training school of any boy or girl, the superintendent shall by registered letter notify the clerk of the municipality in which such boy or girl is or is represented to be a resident, of such admission, giving such particulars as may be ascertainable to enable the clerk to identify the boy or girl.

Notice disputing liability.

(7) Unless the clerk of a municipality within fifteen days after the date of mailing any such notice to him, shall by registered letter notify the superintendent from whom such notice was received that the boy or girl referred to therein was not a resident in the municipality at the time of admission, such municipality shall be liable for the charges provided for in this section.

Information to be furnished.

(8) The clerk of a municipality when notifying a superintendent that a boy or girl is not a resident in the municipality shall furnish such information as he may have ascertained with respect to such boy or girl. 1931, c. 60, s. 13 (2-4).

Placing out of boys and girls.

(9) The Board and superintendent with the approval of the Minister, may permit any boy or girl upon leaving a training school, to live at a foster home or at the dwelling of any trustworthy and respectable person, and the control of the Board and superintendent shall not thereby be abated or diminished, and the municipality in which such boy or girl was resident at the time of admission to such school shall be liable to the Department in the same amount as provided in subsection 1 for each

actual day's stay of the said boy or girl in such foster home or other dwelling. 1933, c. 59, s. 35.

13. The corporation of a county shall have the right to recover not exceeding one-half of the charges paid by it in respect of any boy or girl for which it is liable under this Act from the corporation of the township, town or village forming a part of the county in which such boy or girl was a resident at the time of admission to a training school. 1931, c. 60, s. 14.

County's
right to
contribution.

14. When under this Act the charges for any boy or girl in a training school are payable by a municipality, the superintendent shall from time to time render to the clerk of the municipality statements of account of any such charges with full particulars thereof and if the amount of any such account is not paid within a reasonable time after the same has been rendered, it may be recovered as a debt in any court of competent jurisdiction. 1931, c. 60, s. 15.

Statements
of account
to be
rendered.

15. Upon payment by a municipality of any account rendered to it under this Act, such municipality may recover from any person liable in law in respect to such boy or girl, the amount of the payment so made, and the same may be recovered as a debt in any court of competent jurisdiction. 1931, c. 60, s. 16.

Municipal
right of
recourse.

16. Upon payment by a municipality of any charges under this Act by reason of a boy or girl having been assumed to be a resident in such municipality and it being ascertained that such boy or girl was not a resident therein but at the time of admission to a training school was a resident in another municipality in Ontario, the municipality which made the said payment may recover the amount thereof as a debt from the municipality in which such boy or girl was a resident and upon payment by that municipality it shall be entitled to exercise the rights of recovery conferred under section 15. 1931, c. 60, s. 17.

Municipal
right of
recourse
against
proper
municipality.

17. If a boy or girl escapes or remains absent without leave from a training school, any officer or servant of the training school or any other person at the request of such officer or servant may without warrant within forty-eight hours after such escape or after such absence becomes known, and within one month where a warrant in form prescribed by the regulations has been issued by the superintendent, retake such escaped or absent boy or girl and return him or her to the training school. 1931, c. 60, s. 18.

Recapture
of escaped
boys and
girls.

Regulations. **18.** Subject to the approval of the Lieutenant-Governor in Council the Minister may make regulations for the following purposes,—

- (a) for the appointment of superintendents and such officers and employees of training schools as may be deemed necessary and for fixing the salaries and remuneration of such persons as may be so appointed;
- (b) for fixing the age at which and the conditions under which boys and girls may be admitted to a training school and the period during which any boy or girl may be kept at a training school and the conditions under which he or she may leave or be discharged therefrom;
- (c) for regulating the conduct, discipline, training and education of the boys and girls admitted in residence to a training school and for providing for their religious, moral, educational and vocational training and instruction;
- (d) for providing for the use in a training school of such products as may be produced on the premises of the school, and for the sale of any surplus products or articles produced or manufactured on the said premises;
- (e) for the remuneration to be paid to any boy or girl for faithful service; and
- (f) generally for the management and direction of the affairs and maintenance of training schools. 1931, c. 60, s. 19.

Judges' and magistrates' orders for admission.

19. Where under any Act a boy or girl may be committed to a place of detention or imprisonment the judge or magistrate before whom such boy or girl is charged or appears may with the approval of the Minister in lieu of making any order of committal make an order for admission of such boy or girl to a training school. 1931, c. 60, s. 20.

Bowmanville School continued.

R.S.O. 1927, c. 282.

20. The Boys Welfare Home and School heretofore established at Bowmanville under *The Boys' Welfare Home and School Act* is continued as a training school for the purposes and under the provisions of this Act and shall be known as "The Ontario Training School for Boys," and the provisions of this Act shall apply in respect to all boys now at the said school as if they had severally been admitted thereto immediately after this Act comes into force. 1931, c. 60, s. 21.

21. Any person who contravenes or is a party to contra-^{Penalty.}vention directly or indirectly of any of the provisions of this Act or the regulations shall incur a penalty of not less than \$5 and not exceeding \$500, recoverable under *The Summary* ^{Rev. Stat.}
Convictions Act. 1931, c. 60, s. 22. _{c. 136.}
