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c 368 Adolescent School Attendance Act

Ontario

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CHAPTER 368.

The Adolescent School Attendance Act.

1. In this Act,—

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|---|---|
| | Interpreta-
tion. |
| (a) "Adolescent" shall mean a person of either sex who is not more than eighteen years of age, and who is exempted from school attendance under <i>The School Attendance Act</i> ; | "Adolescent."
Rev. Stat.,
c. 367. |
| (b) "Guardian" in addition to having the meaning ascribed in law, shall mean and include any person who has received into his home an adolescent child of another person and which adolescent is resident with him or in his care or legal custody; | "Guardian." |
| (c) "Minister" shall mean Minister of Education; | "Minister." |
| (d) "Regulations" shall mean regulations made under the authority of <i>The Department of Education Act</i> or of this Act; | "Regulations."
Rev. Stat.,
c. 356. |
| (e) "School" shall mean a school organized under <i>The Public Schools Act, The Separate Schools Act, The Continuation Schools Act, The High Schools Act</i> or <i>The Vocational Education Act, R.S.O. 1927, c. 333, s. 1; 1932, c. 42, s. 24.</i> | "School."
Rev. Stat.,
cc. 357, 362,
359, 360, 369. |

2.—(1) Every adolescent between fourteen and sixteen years of age shall attend school for the full time during which the schools of the municipality in which he resides are open each year unless excused for the reasons hereinafter mentioned.

Compulsory
attendance
from 14
to 16.

(2) The obligation to attend school under this section shall not apply to any adolescent if—

Exceptions.

- (a) he is unable to attend school by reason of sickness, infirmity, or other physical defect;
- (b) he is employed on the authority of a home permit or of an employment certificate as hereinafter provided;
- (c) he has passed the matriculation examination of an approved university or has completed, to the satisfaction of the Department of Education, a course

of study which may be regarded as the equivalent of the requirements of such examination; or

(d) he is in attendance at some other educational institution approved by the Minister.

Exceptions in rural school sections.

(3) The obligation to attend school under this section shall not apply to any adolescent whose parents or guardians reside in a rural school section and whose services are required in the household or on the farm of his parents or guardians, and adolescents exempt under this section shall not be required to obtain home permits as provided in subsection 1 of section 3. R.S.O. 1927, c. 333, s. 2.

Home permits.

3.—(1) Where, in the opinion of the school attendance officer, the services of an adolescent between fourteen and sixteen years of age are required in any permitted occupation in or about the home of his parent or guardian, he may be granted by an attendance officer, on the written application of his parent or guardian, a home permit to engage in such services.

Employment certificates.

(2) Where, in the opinion of the school attendance officer, the services of an adolescent between fourteen and sixteen years of age are required in some permitted gainful occupation for the necessary maintenance of such adolescent or some person dependent upon him, he may be granted by an attendance officer, on the written application of his parent or guardian, an employment certificate to engage in such services. R.S.O. 1927, c. 333, s. 3.

Hours during which employment prohibited.

4. No adolescent between fourteen and sixteen years of age shall be employed by any person during the hours from 8 a.m. to 5 p.m., unless he holds a home permit, or an employment certificate, as provided for in section 3. R.S.O. 1927, c. 333, s. 4.

Part-time courses between 14 and 16.

5. Every adolescent between fourteen and sixteen years of age who holds either a home permit or an employment certificate, shall attend part-time courses of instruction, approved by the Minister, for an aggregate of at least four hundred hours each year, distributed as regards times and seasons as may best suit the circumstances of each locality, when such part-time courses of instruction are established in the municipality in which he is employed. R.S.O. 1927, c. 333, s. 5.

Between 16 and 18.

6.—(1) Unless excused for reasons hereinafter mentioned, every adolescent between sixteen and eighteen years of age shall attend part-time courses of instruction, approved by the

Minister, for an aggregate of at least three hundred and twenty hours each year, distributed as regards times and seasons as may suit the circumstances of each locality, when such courses of instruction are established in the municipality in which he resides or is employed.

(2) The obligation to attend part-time courses of instruction under this section shall not apply to any adolescent if—

Exceptions.

- (a) he is unable to attend such courses by reason of sickness, infirmity, or other physical defect;
- (b) he has passed the matriculation examination of an approved university or has completed, to the satisfaction of the Department of Education, a course of study which may be regarded as the equivalent of the requirements of such examination;
- (c) he is in full-time attendance at a public or a separate school, a high school, a university, or other school approved by the Minister;
- (d) he is shown to the satisfaction of the public school inspector in the municipality in which he resides to have been, up to the age of sixteen, under full-time instruction in a school recognized by the Department of Education as efficient, or under suitable and efficient full-time instruction in some other manner. R.S.O. 1927, c. 333, s. 6.

7. No adolescent between sixteen and eighteen years of age in a municipality in which part-time courses of instruction approved by the Minister are maintained shall be employed by any person unless he holds either a school dismissal card or a school registration card to be issued as provided in the regulations. R.S.O. 1927, c. 333, s. 7.

Employment of adolescent.

8. Every urban municipality with a population of 5,000 and over shall, and any other municipality or school section may, through the authorities hereinafter named, establish and maintain part-time courses of instruction for the education of adolescents between fourteen and eighteen years of age. R.S.O. 1927, c. 333, s. 8.

Establishment of part-time courses.

9. The subjects of the courses of study for adolescents shall be selected from those prescribed by the Department of Education for the public and separate schools, the high schools, the art, industrial, and technical schools and classes, the commercial high schools and the commercial departments of the high schools, and the agricultural and household science departments in high schools. R.S.O. 1927, c. 333, s. 9.

Courses of study.

Control of
part-time
courses.

10.—(1) Subject to the regulations of the Department of Education courses for adolescents in the public and separate schools respectively, shall be provided by and shall be under the control of the boards of such schools, and those in the continuation schools and the high schools shall be provided by and shall be under the control of the boards of said schools.

Courses for
study under
Rev. Stat.,
c. 369.

(2) Where schools or classes have been established under *The Vocational Education Act*, the courses of study for adolescents engaged in trades or in industrial or manufacturing occupations, shall be provided by and shall be under the control of the advisory vocational committee.

Advisory
commercial
committee.

(3) In a municipality where there is a commercial high school or a commercial department in a high school, the courses for adolescents engaged in commercial occupations shall be provided by and shall be under the control of the advisory commercial committee. R.S.O. 1927, c. 333, s. 10.

Hours of
instruction.

11. Classes providing part-time courses of instruction for adolescents shall be in session for the same number of days in each year as the high schools of the Province, and such classes shall not open before 8 a.m. nor close later than 5 p.m. R.S.O. 1927, c. 333, s. 11.

Inspection.

12. The part-time courses for instruction for adolescents shall be subject to such inspection as the Minister may prescribe. R.S.O. 1927, c. 333, s. 12.

Suspension
of employ-
ment during
hours of
instruction.

13. The employment of any adolescent who is under an obligation under this Act to attend part-time courses of instruction shall be suspended on any day when his attendance at such courses is required, not only during the period for which he is required to attend the courses, but also for such additional time as is necessary for him to travel to or from the school where instruction is given. R.S.O. 1927, c. 333, s. 13.

Time of
instruction
included in
legal hours
of employ-
ment.

14. The time spent by an adolescent in attendance at part-time courses of instruction shall be reckoned as a part of the number of hours per day or per week that such adolescent may be lawfully employed. R.S.O. 1927, c. 333, s. 14.

Offences and
penalties.

15.—(1) Every person who—

(a) employs an adolescent who does not hold either

(i) a home permit or an employment certificate as defined in section 3; or

- (ii) a school dismissal card or a school registration card as defined in section 7 ; or
- (b) employs an adolescent at any time during which his attendance is by this Act required at part-time courses of instruction ; or
- (c) employs such adolescent for such a number of hours as with the number of hours during which the adolescent is required to attend such courses will exceed in any day or week the number of hours during which such adolescent may be lawfully so employed ; or
- (d) being a parent or guardian of an adolescent, has conduced to or connived at the failure on the part of an adolescent to attend part-time courses of instruction as required under this Act, or suffers or permits such adolescent, through want of proper care or control, to violate any of the obligations of this Act ;

shall incur a penalty not exceeding \$5 for the first offence, and in the case of a second or subsequent offence in relation to the same adolescent or another adolescent, shall incur a penalty not exceeding \$25.

(2) The penalties imposed by this section shall be recoverable under *The Summary Convictions Act* and shall be applied to such purposes as the Minister may direct. R.S.O. 1927, c. 333, s. 15. Application of penalties. Rev. Stat., c. 136.

16. The school attendance officer in the municipality in which an adolescent is employed may revoke the home permit, the employment certificate, or the school registration card of an adolescent who fails to attend part-time courses of instruction as required by the provisions of this Act. R.S.O. 1927, c. 333, s. 16. Revocation of home permits, etc.

17. It shall be the duty of a school attendance officer appointed under the provisions of *The School Attendance Act* to enforce in his municipality the provisions of this Act and for such purpose he shall have and may exercise the powers conferred on him under *The School Attendance Act*. 1932, c. 42, s. 25. Duty of attendance officer. Rev. Stat., c. 367.

18. No penalty shall be imposed in respect to the absence of an adolescent from any part-time course of instruction established under this Act on a day regarded as a holy day Absence on holy days.

by the church or religious denomination to which the adolescent belongs. R.S.O. 1927, c. 333, s. 18.

Application
of legisla-
tive appro-
priation.

19. Municipalities maintaining such part-time courses of instruction for adolescents as are approved by the Minister as to organization, control, location, equipment, courses or study, qualifications of teachers, methods of instruction, conditions of admission, employments of pupils, and expenditures of money, may receive reimbursement from sums appropriated by this Legislature for this purpose or for technical or agricultural education, in amounts and under conditions prescribed in the regulations. R.S.O. 1927, c. 333, s. 19.
