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c 6 Adolescent School Attendance Act

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CHAPTER 6

The Adolescent School Attendance Act

1. In this Act,

(a) "adolescent" means a person of either sex who is not more than eighteen years of age, and who is exempted from school attendance under The School Attendance Act;

(b) "guardian", in addition to having the meaning ascribed in law, includes 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;

(c) "Minister" means Minister of Education;

(d) "regulations" means regulations made under The Department of Education Act or this Act;

(e) "school" means a school organized under The Public Schools Act, The Separate Schools Act, The Continuation Schools Act, The High Schools Act or The Vocational Education Act. R.S.O. 1937, c. 368, s. 1.

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.

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

(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.

(3) The obligation to attend school under this section does 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. 1937, c. 368, s. 2.

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.

(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. 1937, c. 368, s. 3.

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. R.S.O. 1937, c. 368, s. 4.

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 400 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. 1937, c. 368, s. 5.

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 320 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 does not apply to any adolescent if,

(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; or

(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. 1937, c. 368, 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. 1937, c. 368, s. 7.

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. 1937, c. 368, s. 8.

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. 1937, c. 368, s. 9.

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 such schools.

(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.

(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. 1937, c. 368, s. 10.

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. 1937, c. 368, s. 11.

12. The part-time courses for instruction for adolescents shall be subject to such inspection as the Minister may prescribe. R.S.O. 1937, c. 368, s. 12.

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. 1937, c. 368, s. 13.

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. 1937, c. 368, s. 14.

15.—(1) Every person who,

(a) employs an adolescent who does not hold either,
(i) a home permit or an employment certificate, or

(ii) a school dismissal card or a school registration card; or

(b) employs an adolescent at any time during which his attendance is by this Act required at part-time courses of instructions; 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 conducted 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 be guilty of an offence and on summary conviction shall be liable to a penalty of not less than $1 and not more than $20, and the penalties recovered under this section shall be applied to such purposes as the Minister may direct. R.S.O. 1937, c. 368, s. 15; 1944, c. 56, s. 1 (1).

(2) In any prosecution under this Act a certificate as to the attendance or non-attendance at school of any adolescent signed or purporting to be signed by the principal of the school shall be prima facie evidence of the facts stated therein without any proof of the appointment of such principal or of his signature. 1944, c. 56, s. 1 (2).

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 this Act. R.S.O. 1937, c. 368, s. 16.

17. Every school attendance officer appointed under The School Attendance Act shall 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. R.S.O. 1937, c. 368, s. 17.
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 by the church or religious denomination to which the adolescent belongs. R.S.O. 1937, c. 368, s. 18.

19. Municipalities maintaining such part-time courses of instruction for adolescents as are approved by the Minister as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils and expenditures of money, may receive reimbursement from sums appropriated by the Legislature for this purpose or for technical or agricultural education, in amounts and under conditions prescribed in the regulations. R.S.O. 1937, c. 368, s. 19.

20. Subject to the approval of the Lieutenant-Governor in Council, the Minister may make regulations providing for the issuing of home permits and employment certificates. 1945 (2nd Sess.), c. 8, s. 1.