c 136 The Secondary Schools and Boards of Education Amendment Act, 1972 (No. 2)

Ontario
CHAPTER 136

An Act to amend The Secondary Schools and Boards of Education Act

Assented to November 30th, 1972
Session Prorogued December 15th, 1972

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 8 of The Secondary Schools and Boards of Education Act, being chapter 425 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

(1) The provisions of section 31 in respect of the estimates of all sums required during the year for secondary school purposes by a board of a school division apply mutatis mutandis to the board of a secondary school district that is not a school division.

2. Subsection 5 of section 27 of the said Act is amended by striking out "the preparation of a voters' list and" in the sixth and seventh lines.

3. Section 31 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 75, section 7, is further amended by adding thereto the following subsections:

   (1b) The limitation on the sum that a board may allocate to a reserve fund under clause d of subsection 1 does not apply to revenue received by a board in any year from the sale or disposal of, or insurance proceeds in respect of, permanent improvements.

   (1c) The limitation on the sum that a board may include in its estimates for expenditures for permanent improvements under clause d of subsection 1 does not apply to expenditures from revenue received by a board in any year from the sale or disposal of, or insurance proceeds in respect of, permanent improvements.
improvements or to an expenditure from a reserve fund for the purpose for which such fund was established.

(5) The moneys raised for, or held in, a reserve fund by a board shall not, without the approval of the Minister, be expended, pledged or applied to any purpose other than that for which the fund was established and subsection 4 of section 308 of The Municipal Act does not apply to such moneys.

4. Clause a of subsection 16 of section 38 of the said Act is amended by striking out "territory without municipal organization" in the third and fourth lines and inserting in lieu thereof "a territorial district".

5. The said Act is amended by adding thereto the following section:

38a. Where the boundaries of a school division are to be altered effective on the first day of January next following the election of members of the board of the school division, the boundaries of the school division shall be deemed to have been so altered for all purposes relating to such election.

6. The said Act is amended by adding thereto the following section:

80.—(1) Where a school section in a territorial district is not a school division and includes all or part of a Roman Catholic separate school zone and the total enrolment of the pupils in the public schools in such section and in the separate schools in such zone exceeds 300, the public school board, with the approval of the Minister, may establish and operate a school or class for trainable retarded children and, except as otherwise provided in this section, this Part, except sections 70, 71 and 76, applies mutatis mutandis in respect of such school or class.

(2) Notwithstanding subsections 1 and 2 of section 73, the board that operates a school or class for trainable retarded children under subsection 1 shall establish an advisory committee for trainable retarded children consisting of:

(a) two members appointed by such board from among its members;
(b) one member appointed by the board of the separate school zone referred to in subsection 1 from among its members; and

c) two members appointed by the local association or, where no local association has been established, two members appointed by the board that operates the school or class, who shall not be members of such board.

7. (1) This Act, except sections 1, 3, 4 and 5, comes into force on the day it receives Royal Assent.

(2) Sections 4 and 5 shall be deemed to have come into force on the 1st day of July, 1972.

(3) Sections 1 and 3 come into force on the 1st day of January, 1973.

8. This Act may be cited as The Secondary Schools and Boards of Education Amendment Act, 1972 (No. 2).