

THE UNIVERSITY OF MANITOBA

LEGISLATION AND REGULATIONS AFFECTING PRIVATE
SCHOOLS IN ONTARIO AND WESTERN CANADA

BY

ANN ELIZABETH BRIGGS

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ABSTRACT

The purpose of this study was to examine the statutory provisions for private schools in the five western Canadian provinces, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia. Particular attention was directed towards laws governing the administration of private schools, financial support to private schools from public funds and exemptions from compulsory school attendance laws for private school pupils. Case law was discussed when it had a significant effect on laws relating to private schools.

A review of the literature revealed a paucity of material pertaining to school law in general and laws governing private schools in particular. Reports or studies were not readily accessible to educators. Frequently the valuable information in these documents was seen to be in need of updating and revision.

The autonomy of individual Canadian provinces with respect to education was evident from analyzing laws governing the education of students in private or independent schools. Considerable inter-provincial variation exists with respect to the legal requirements which govern the establishment, operation and inspection of private schools, together with the certification of teachers in these schools.

Further interprovincial differences occur with regard to channelling public funds to private schools from the provincial treasury. There are no legislative requirements in Ontario for the province to offer financial aid to private schools. The statutes and regulations of all four western provinces govern the extent to which

public funds are directed towards the education of private school students.

Ontario and the western provinces all exempt students from compulsory attendance laws in order for them to receive their education in recognized private schools.

Legal confrontations between parents and school administrators have occurred when parents elected to send their children to private schools which did not meet the requirements of the Ministry of Education. As a result of legal action Alberta parents in 1978 gained the right to send their children to private schools which failed to receive the approval of the provincial government. This ruling precipitated immediate changes in pertinent provincial laws governing private schools in that province.

A brief discussion was given to public controls over private schools in terms of the accountability of private schools which receive grants from the public treasury. Some consideration was given to legal controls ensuring that all private school students had equal educational opportunity.

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Chapter 1

INTRODUCTION

BACKGROUND INFORMATION

In recent years, considerable controversy and animosity have been created within many communities due to the issues of private school education. The regulatory authorities have been forced to re-examine the statutes and regulations governing private schools. Community pressures, together with increases in the number of private schools, their diversity of educational approach and the greater enrolment of students to these institutions, necessitated a review of the laws applicable to private schools.

The number of private schools in Ontario and the western provinces increased by five percent from 1975-76 to 1976-77.¹ When the statistics were analyzed for each individual province, the greatest increase in the number of newly opened private schools occurred in Ontario and Manitoba, which reported increases of six percent and twenty-one percent respectively. The overall pupil enrolment also rose by five percent during the same period of time.² Manitoba, Saskatchewan and Alberta reported more than seven percent increase in pupil attendance at private schools during this period.

When public and private school enrolments were compared for the 1977-78 academic year, it was apparent that approximately three percent of students were enrolled in private schools in Ontario and the four western provinces.³ Further examination of the enrolment

figures for public and private schools from 1971-72 to 1977-78, revealed that student enrolments in the public schools had declined by nearly four percent while those in private schools had increased by twenty-five percent.⁴ These figures suggested an upsurge of parental interest in private school education within recent years.

Parents elect to send their children to private schools for a variety of reasons. McMaster, who examined this question in Canada in the 1930's suggested that some parents preferred the academic programme, religious training and discipline which the private schools offered.⁵ Krashaar believed that parents who select private schools in preference to the public schools based their decisions on their own academic, religious, social, racial or ethnic convictions.⁶ He acknowledged that discipline, values and the relatively small size of many private schools were additional factors which influenced parental decisions.

The increased interest in private schools led to re-examination of legislation to ensure that satisfactory educational standards were achieved in these institutions. In Canada, all public and most private schools come under the jurisdiction of the provincial legislative authority. There is considerable variation between Canadian provinces with regard to the laws relating to private education. Some provinces, such as British Columbia, have explicit guidelines for the operation of private schools. In other provinces, such as Manitoba, such laws are nebulous and non-specific, and it is reported that some parents with no formal educational training teach their children in their own "private schools" at home.⁷

It is difficult to ascertain the legal requirements applicable

to private schools in Ontario and the western provinces, as the necessary sources of information are diverse and scattered. At the present time private schools in Canada appear to have considerable freedom with respect to the education they offer students. It is the intent of this study to locate the rules and regulations which apply to private schools in Ontario and the western provinces. The study will attempt to compile this information from an examination of the statutes and regulations.

STATEMENT OF THE PROBLEM

This study focussed attention on statutory provisions for private schools in the five western Canadian provinces: Ontario, Manitoba, Saskatchewan, Alberta and British Columbia. The purposes of the study were:

1. To analyze current provincial legislation and regulations as they applied to private schools;
2. To make interprovincial comparisons in such statutory provisions;
3. To examine case law applicable to private schools.

Elements relating to legislation and regulations which were of concern in this study were identified as follows:

- (a) The administration of private schools, including
 - (i) the legal definition of private schools;
 - (ii) the establishment of private schools;
 - (iii) the operation of private schools;
 - (iv) the inspection of private schools;
 - (v) the classification of private schools;

- (vi) the certification of teachers in private schools.
- (b) Public support to private schools in the form of
 - (i) direct grants;
 - (ii) shared services arrangements;
 - (iii) transportation privileges;
 - (iv) free textbooks;
 - (v) capital grants.
- (c) School attendance legislation affecting private schools.

SIGNIFICANCE

Legal requirements for private schools were mentioned in various statutes and regulations of the five Canadian provinces studied. In Manitoba, it was necessary to consult The Department of Education Act, The Public Schools Act, The School Attendance Act, and Manitoba Regulations, in order to obtain information on attendance, transportation, shared services arrangements, textbooks and school inspection. Similarly in Alberta and Saskatchewan these laws were divided between the statutes and regulations. Ontario and British Columbia each elected to concentrate most of the laws relating to private education in one legislative act. Unlike other provinces, British Columbia has gathered the requirements relating to private schools and published the Independent Schools Support Act, of 1977. The present study assembled into one document, current information from a variety of sources relating to private schools in each province.

The compilation of legal requirements of private schools will give administrative personnel the opportunity to examine and compare

the legislation and regulations of the different provinces. This material may prove useful when it becomes necessary for provinces to formulate new legal requirements for private schools.

Many studies have been made on the history of education in Canada, but little attention has been given to the history of school law. It is anticipated that the findings of this thesis will contribute to knowledge of the history of provincial legislation in Canada, particularly in the area of private schools.

It is necessary for a regular examination to be made of the legal requirements governing or affecting private schools. Frequent review of educational statutes and regulations will help to ensure that students' rights and privileges as Canadian citizens are not neglected.

DELIMITATIONS

The delimitations of this study were as follows:

1. Provincial legislation and regulations pertaining to private elementary and secondary schools in Ontario and western Canada were discussed in this study. Private schools in the Northern Territories and eastern Canada were excluded. In addition, Inuit and Indian schools which were under the jurisdiction of the federal government were excluded.

2. Nursery schools and colleges of higher education were excluded as the ages of pupils attending these educational institutions were outside the boundaries of this study. Private correspondence schools and private tutoring organizations were excluded as both use a special system of education which appeared

atypical of public schools. The facilities and educative methods differ from the conventional classroom situation. Private schools for handicapped students were excluded from this work as the operation, staffing and financing of these specialist schools differed from other private schools.

3. An examination was made of pertinent legislation in various education acts, public school acts and school administration acts which involved financing private schools directly from public funds. Financing private schools through provisions in municipal acts, or other provincial acts not related to education was excluded from the study. Consideration was not given to the indirect financing of private schools through tax benefits and charitable donations to religious organizations.

4. The major emphasis of the work was the study of provincial statutes and regulations as they relate to private schools in Ontario and western Canada. Case law was used when particular cases appeared to have a significant effect on the law governing private schools. Similarly appropriate citations were made to the Canadian Bill of Rights and the Human Rights Legislation, when they affected the educational laws of the province.

5. Literary material relating to private schools usually referred to examples of the United States and did not include many pertinent Canadian examples. An analysis of American cases revealed the material had little bearing on the Canadian situation. Hence a review of literature referring to American examples was rejected for this study.

6. Data for the study were collected to May 1979. Changes in

the law after that time were outside the boundaries of the thesis.

LIMITATIONS

The limitations of the study were as follows:

1. There was a notable paucity of material on this topic in the literature. A review of Canadian literary sources offered little discussion on aspects of provincial legislation and regulations affecting private schools in Canada.
2. Analysis of the findings and their implications for schools and school administrators were influenced by the experience and interests of the author, whose background is in education rather than law.
3. The analysis of the provincial laws relating to private schools involved subjective judgement on the part of the writer. An attempt was made to overcome this deficiency by including appropriate legal citations.
4. The primary sources of information for this study were the statutes and regulations for each province. As the writer had no direct involvement or professional experience in Ontario, Saskatchewan, Alberta or British Columbia, there was a greater chance of error in the interpretation of the laws of these provinces. An attempt was made to correct this shortcoming by personal correspondence with each Department of Education, and in the case of Ontario and British Columbia through personal interviews by a representative of the author.
5. Occasionally, the Department of Education or a school board in a province may have entered into negotiation with a private

school in order that pupils might receive free textbooks or transportation privileges. As a result a number of private schools may have accepted indirect financial aid which had not been legally authorized by the provincial government. Some of these arrangements were discussed in this study.

DEFINITIONS

In the opinion of the writer, most published definitions of 'private or independent school' were inadequate, as they failed to reflect the meaning of the term as it applied to this study.

The salient terms used in this thesis are defined as follows:

1. 'Private or independent school' - refers to an elementary and/or secondary school maintained by a non-public organization, and administered by a board of governors who admit students on the basis of religious, academic, social, economic, racial or ethnic qualifications; the school is operated in part by tuition fees and may be required to adhere to certain educational laws of the province in return for financial support from public funds.

The terms 'private schools' and 'independent schools' were used synonymously throughout the study. This is due to the fact that the laws of Ontario, Manitoba, Saskatchewan and Alberta elect to use the term 'private schools' in the statutes and regulations, whereas the legislature of British Columbia has indicated a preference for the term 'independent schools.'

2. Legislation* - is the result of government action in "giving or enacting laws."⁸

3. Regulation* - is a rule or order prescribed by a legally authorized or competent authority which relates to action of those under its control. Once a regulation is made by a recognized authority it is given the "force of law."⁹

Private schools discussed in this study may be classified according to one or more of the following categories:

- (a) Non-public schools;
- (b) Parochial schools;
- (c) Denominational schools;
- (d) Traditional independent schools.

These four categories of private schools are briefly clarified.

Non-public schools - this is a synonymous term used for private schools.

Parochial schools - this term refers to private schools operated and financed by a parish church.

Denominational schools - refers to a category of private schools which are affiliated with a church or religious organization. Examples of these institutions include: Roman Catholic schools; Anglican schools; Mennonite schools and Hebrew schools.

Traditional independent schools - includes non-denominational private schools, frequently associated with the privileged members of society, offering an elitist form of education to many generations

*For further explanation of the terms "legislation" and "regulations," see Chapter 2.

within the same family group. Such schools include: St. John's Ravenscourt (1820), Upper Canada College (1829), Bishop Strachan School (1867).

METHODOLOGY

Primary and secondary literary sources, microfilms and tapes were consulted in appropriate Winnipeg libraries. Many provincial statutes and regulations were examined in the Law Library of the University of Manitoba. When documents were unavailable in Manitoba, they were obtained from each province through the provincial Department of Education, the Queen's Printer or the Provincial Legislative Library.

A school administrator who was familiar with private education in the province was consulted at each Department of Education for clarification of the legislation and regulations. In addition, provincial schedules and application forms associated with the establishment, operation and inspection of private schools were obtained from these consultants. Further information relating to private schools, in the form of reports, guidelines or handbooks were obtained from the school trustees, the teachers' association and appropriate organizations for independent schools in each province.

ORGANIZATION OF THE STUDY

The thesis was organized according to the following format. Chapter 2 examined Canadian literature which pertained to the study. The third chapter examined current laws with respect to the administration of private schools. The fourth chapter analyzed the

legislation regarding use of public funds to give financial support to private schools. This support included shared services arrangements, transportation and free textbooks. Chapter 5 examined exemptions from compulsory school attendance laws for private school students, and cases which resulted in parental disregard for provincial attendance laws. The sixth chapter offered a brief discussion on public controls of private schools. Finally Chapter 7 included a summary, conclusion and recommendations which resulted from the work.

Legislation and regulations for each province were discussed on an east-to-west basis, beginning with issues in Ontario and ending with those of British Columbia. This order was rearranged when two or more provinces had no pertinent laws on the topic reported. All bibliographic citations were located at the end of each chapter.

FOOTNOTES

1. Statistics Canada, Private Elementary and Secondary Schools, 1976-77 (Ottawa: Queen's Printer, 1977), p. 7.
2. Ibid.
3. Statistics Canada, Elementary-Secondary School Enrolment, 1977-78 (Ottawa: Queen's Printer, 1979), p. 41.
4. Ibid., pp. 41 and 53.
5. Thomas A. McMaster, "A Study of Private Schools in Canada" (unpublished Master's thesis, University of Manitoba, 1940), p. 56.
6. Otto F. Krashaar, American Non-Public Schools: Patterns of Diversity (Baltimore: The John Hopkins University Press, 1972), p. 104.
7. Winnipeg Free Press, December 3, 1977, p. 4.
8. H.C. Black, Black's Law Dictionary (5th ed., rev.; Minnesota: West Publishing Co., 1979), p. 809.
9. W.E. Baldwin, ed., Bouvier's Law Dictionary (Cleveland: Banks-Baldwin Law Publishing Co., 1948), p. 1040.

Chapter 2

THE LITERATURE

Pertinent literature which affects or discusses private schools has been reviewed. The main emphasis of the study is on literary material from primary sources such as provincial statutes and regulations. The secondary sources used include books, reports and journal publications.

Presentation of the information obtained has been subdivided into two main sections of this chapter. In the first section, a brief explanation is given of the three legal authorities which affect private schools. Documentation from these authorities form the primary sources used in this study. In the latter part of the chapter a review has been made of literature pertaining to private schools in Ontario and western Canada.

LEGAL JURISDICTION OVER PRIVATE SCHOOLS

There are three branches of government in Canada¹ which affect private schools. All three groups contribute to the primary sources cited in this work. The branches are identified as follows:

- (a) The Legislature;
- (b) The administrative branch of government; and
- (c) The Judiciary.

The Legislature

A major purpose of the legislature is to enact laws. When

these laws apply to the country as a whole they are passed by parliament, the federal legislature. An example of a federal statute cited in this study is the Juvenile Delinquents Act. The individual provincial legislatures are responsible for enacting laws which relate to the specific regions of the country under their jurisdiction. The Independent Schools Support Act of British Columbia is an example of a provincial statute cited in the study.

In many cases of conflict between federal laws and provincial laws the federal laws generally take precedence over provincial laws. There are exceptions, when provinces are supreme in their areas of constitutional responsibility. Such an example is found in educational matters which are governed by the provincial legislature.

Each provincial government has enacted laws relating to education. Changes occur in the provincial statutes which entail revision of certain sections of an act. Current legislation may be obtained by checking the original acts and the annual amendments. This process is lengthy so for the sake of convenience each provincial government periodically gathers all the statutes of a province and publishes the amended version of the acts in an indexed multivolume edition. Consolidated versions of the provincial statutes were published as follows: Ontario 1970, Manitoba 1970, Saskatchewan 1978, Alberta 1970, and British Columbia 1960. Ontario has since revised the provincial educational laws with The Education Act of 1974, and Saskatchewan followed with The Education Act of 1978. Alberta has produced a series of amendments to the education acts as they relate to private schools. British Columbia enacted new legislation and set a precedent with the Independent Schools Support Act of 1977. During

1979 Manitoba is in the process of revising the education acts by presenting proposed statutes before the legislature in the form of Bill 22 and Bill 23. All these statutes and Bills have laws directly relating to private schools. The following example of a footnote citation illustrates how information on a particular law may be located.

R.S.S., 1978, c. 17, ss. 156 (a).

R.S.A. - Revised Statutes of Saskatchewan,

1978 - year,

c. 17 - Laws pertaining to education are located in Chapter 17
of the volume,

ss. 156 (a). - The particular act cited in the text is detailed in
section 156, subsection (a).

Statute law is general in concept, therefore it is often necessary for subordinate legislation, which includes regulations and orders in council² to be made so that the provincial statutes can be administered effectively. Regulations may be made by the Lieutenant Governor in Council or the Minister of Education, or some other agency but the authority which legitimizes these laws is derived from the Legislative Assembly. "All such instruments derive their authority from the statute which creates the power, and not from the executive body by which they are made."³

The Legislative Assemblies of Manitoba, Saskatchewan, Alberta and British Columbia have regulations which directly relate to private schools. These are cited in the footnotes as follows:

A.R. 148/78. ss. 7.

A.R. - Alberta Regulation,

148/78 - The 148th regulation made in Alberta during 1978,

ss. 7. - The particular reference cites section 7 of the regulation.

The Administrative Branch
of Government

In western Canada, the responsibility for administering laws pertaining to private schools rests with the Minister of Education, or the local school board. All laws which they administer carry a rank of authority, which may be identified as "mandatory" or "discretionary." A mandatory directive is preceded by the term "shall." This dictates that the Minister of Education or a school board must conform with the requirements of the law. When a law is discretionary it is preceded by the term "may."⁴ In this situation the Minister of Education or school board may or may not elect to carry out the provisions of the law. Laws governing private schools include both mandatory and discretionary clauses.

The Judiciary

The judiciary is involved in resolving any apparent conflict between jurisdictions. When conflict arises between the established laws of the country it is sometimes necessary to approach the court in order to receive a legal ruling and settle the dispute.⁵ Frequently the authority which hears the disagreement is a judge whose main function is to interpret the established laws. He must determine whether each issue is *intra vires*, within the power of a particular law, and must be upheld, or *ultra vires*, outside the authority of the law,⁶ and invalid. When a decision is made by the court, judgment is passed. Subsequently, a case may be summarized in an established set of judicial reports. Thereupon the original case may

set a precedent and for future reference can be cited as an authority.⁷

Case law can clarify or result in modification of legislation. Four examples of cases which involved private schools have been included in this thesis. Each case illustrates a point of issue which involves different groups of laws in the country, such as conflict between federal and provincial laws. The judgements in three of the cases serves to clarify and reinforce the legislation as it existed at the time of the dispute. The fourth case has resulted in changes in the existing laws. An amendment to the established laws of the province of Alberta has been passed as a result of the case of Regina v. Wiebe.

In an attempt to locate relevant cases involving private schools or private school students in Canada, a search has been made of the following references: The Canadian Abridgment (second edition); The Canadian Abridgment (Cumulative Supplement); Canadian Current Law; Dominion Report Service; Canadian Encyclopedic Digest (Western, second edition); Canadian Encyclopedic Digest (Ontario, third edition). If a particular case has been published a brief summary of the case may be given in the indices along with a reference to a more detailed account which may be located in one or more of the reports.

The conventional format has been used to cite these cases in the footnotes.

R. v. Wiebe. (1978) 3 W.W.R., 36 at page 53.

R. v. Wiebe - refers to a legal case involving the Crown
 (Regina) against the defendent Elmer Wiebe,
1978 - cites the year judgement was given,
3 W.W.R., 36 at page 53. - This citation may be located in the

third volume of the Western Weekly Reports. The case begins on page 36 and the citation used in the study is found on page 53.

LITERARY REVIEW OF SECONDARY SOURCES

There is a paucity of published Canadian information which is directly related to educational law in general and legal requirements for private schools in particular. The shortage of available literature in the field of educational law was not helped by the fact that the few existing studies have not been published. Frequently, these reports and dissertations were not readily available to the student interested in school law and could only be secured through interlibrary loan or the generosity of the author.

Unlike many other doctoral dissertations in school law, those of Bargen,⁸ Enns⁹ and McCurdy¹⁰ have been published. Each thesis was revised and published in book form, with the result that all three books have become standard reference texts for the Canadian student interested in school law. The usefulness of these works was limited with respect to this study. From the positive point of view, each book provided a guide to legal principles encompassing school law, and offered an organizational approach to arrange material in this study. Unfortunately Enns and McCurdy contained no reference to private schools. Bargen cited the Ulmer case and discussed private schools as an exemption from compulsory school attendance laws.

The most recent study of private education in Canada was undertaken by Carolyn Gossage.¹¹ The historical development of independent schools was traced from the eighteenth century to the present day. The book provides an invaluable source of information on

the traditional type of Canadian independent school which offered an education for the elite.

There were two studies in Alberta which investigated the financing of private education. The first, by Konrad in 1961,¹² showed that private schools operating in the province received no direct assistance from the provincial government. A later study by Ludwig¹³ revealed that by 1971, private schools in Alberta not only received direct aid from the provincial government, but also received many forms of indirect financial benefit. These benefits took the form of municipal grants, property tax exemptions for private school buildings, provisions for teachers' pensions and a fifteen percent discount on the purchase of recognized textbooks.

The need for continual revision on the study of legal aspects of education was evident from Milikail's discussion on financial support for denominational schools in Saskatchewan. Within a year of the publication of the paper, Manitoba granted financial support to private denominational schools providing they received Ministerial approval. As a result some aspects of the discussion became obsolete.¹⁴

Prior to the implementation of the Independent Schools' Support Act, in British Columbia, the B.C. Teachers' Federation commissioned a short report which reviewed the provisions of the proposed legislation. (This was introduced into the Legislature in 1977 as Bill 33.) In the latter part of this report Spragge compared some of the laws relating to private schools in other Canadian provinces.¹⁵ The main areas of interest were finance, attendance and separate schools.

During the fall of 1978, the Superintendent of Independent Schools in British Columbia, in his address on Provincial Relations with Independent Schools, summarized the salient features of the Independent Schools Support Act of British Columbia, and the germane laws of all other Canadian provinces.¹⁶

Public funding of independent schools in British Columbia formed the basis of a research programme directed by Donald Erickson. This study was commissioned by the U.S. government and involved an international team of researchers. The initial investigation took the form of a baseline survey, which assessed the situation in British Columbia before the Legislature directed public funds to independent schools. Later studies will enable an investigator to determine the outcome of government aid to these schools.

An inherent feature of Erickson's interim report was the conceptualization of two models, 'The Gemeinschaft Model' and 'The Professionalism Model.' The former model focussed attention on the internal relationships within independent schools enabling them to successfully achieve their desired goals.¹⁷ It predicts that students' and teachers' commitment to the schools will decline as a result of legislation and regulations imposed on independent schools which accepted financial aid from the provincial government.

In contrast to 'The Gemeinschaft Model,' 'The Professionalism Model' predicts that increased financial support through higher teachers' salaries and improved facilities in independent schools will result in greater dedication to work and improved student performance.¹⁸ Further investigation will determine whether independent schools in British Columbia will retain their distinctive

characteristics as a result of the government aid legislation.

Undoubtedly this research and its implications will affect funding of private schools.

SUMMARY

Literary materials for this study were located, analyzed and reviewed. Primary sources involved statutes, regulations and cases. A brief explanation was given of how documents from each source affect private schools.

A review of the literature revealed a need for more research in the area of school law in Canada. Earlier studies require updating and existing reports should be published and made accessible to all educators interested in school law. The deficiencies are particularly apparent when legislation regarding private schools is considered.

FOOTNOTES

1. Frederick Enns, The Legal Status of the Canadian School Board (Toronto: Macmillan, 1963), p. 12.
2. Sherburne G. McCurdy, The Legal Status of the Canadian Teacher (Toronto: MacMillan, 1968), p. 17.
3. Elmer A. Driedger, "Subordinate Legislation," The Canadian Bar Review, XXXVIII, No. 1 (1960), 2 quoting from The Zamora.
4. Enns, op. cit., p. 23.
5. P.F. Bargen, The Legal Status of the Canadian Public School Pupil (Toronto: MacMillan, 1961), p. 11.
6. Enns, op. cit., p. 5.
7. McCurdy, op. cit., p. 7.
8. P.F. Bargen, The Legal Status of the Canadian Public School Pupil (Toronto: MacMillan, 1961).
9. Frederick Enns, The Legal Status of the Canadian School Board (Toronto: McMillan, 1963).
10. Sherburne G. McCurdy, The Legal Status of the Canadian Teacher (Toronto: MacMillan, 1968).
11. Carolyn Gossage, A Question of Privilege, Canada's Independent Schools (Toronto: Peter Martin Associates, Ltd., 1977).
12. Abram C Konrad, "Public Support of Private Education" (unpublished Master's thesis, University of Alberta, 1961).
13. Johan B. Ludwig, "Control and Financing of Private Education in Alberta: The Roles of Parents, the Church and State" (unpublished Master's thesis, University of Alberta, 1970).
14. J.S. Malikail, "Tax Support for Denominational Schools" Saskatchewan Journal of Educational Research and Development, 8:21-28, Fall, 1977, p. 22.
15. J.A. Spragge, "Public Funding of Private Schools" (report prepared for the British Columbia Teachers' Federation, Vancouver, B.C., June, 1977).

16. Joe Phillipson, "Other Education in Canada," C.E.A. Convention, Quebec, September 27, 1978.
17. Donald A. Erickson, Lloyd MacDonald, Michael E. Manley-Casimir and Patricia L. Bush, Characteristics and Relationships in Public and Independent Schools, C.O.F.I.S. Baseline Survey Interim Report (San Francisco: Center for Research on Private Education, 1979), p. 9.
18. Ibid., p. 47.

Chapter 3

PROVINCIAL JURISDICTION OVER THE ADMINISTRATION OF PRIVATE SCHOOLS

The British North America Act granted to each province the authority to formulate its own laws with respect to education. (See Appendix A.) Since the Act was passed in 1867, the five western provinces have incorporated into their statutes and regulations various clauses which relate to the administration of private schools. Six main issues are identified in this chapter concerning the authority each provincial government has with respect to the administration of private schools. These issues are listed as follows:

1. The provincial definition of the term 'private school;'
2. The establishment of private schools;
3. The operation of private schools;
4. The inspection of private schools;
5. The classification of private schools;
6. The certification of teachers in private schools.

Since the second world war, specific laws governing private schools have appeared in the statutes of most provincial governments. In Alberta statutory laws giving the province jurisdiction over these schools were first enacted in 1945. Other provinces followed this example, and laws relating to private schools appeared in the statutes of Ontario in 1962, Manitoba in 1965, British Columbia in 1977 and Saskatchewan in 1978. With few exceptions the original laws have

undergone minor modification over the years. For this reason, legal jurisdiction over private schools since 1945 has been included with current legislation and regulations in this thesis.

Current legislation concerning the administration of private schools in Ontario and western Canada may be located in a number of provincial statutes. The autonomy of the individual province with respect to education is reflected both in the title of the statutes and the number of acts and regulations which must be consulted in order to obtain all current references to the administration of private schools. (See Table 1, below.) British Columbia has one major statute, the Independent Schools Support Act, which covers aspects relating to the five issues previously identified. In contrast, Alberta has The Department of Education Act, The School Act, The Private Schools Regulations and the School Grants Regulations which must be consulted in order to obtain the necessary data.

Table 1

Current Provincial Statutes Which Relate to the
Administration of Private Schools

Province	Statute	Year
Ontario	The Education Act	1974
Manitoba	The Public Schools Act	1970
	The Statute Laws Amendment Act	1978
Saskatchewan	The Education Act	1978
Alberta	The Department of Education Act	1970
	The Legislative Assembly Amendment Act	1974
	The Department of Education Amendment Act	1976
British Columbia	Independent Schools Support Act	1977
	Miscellaneous Statutes Amendment Act	1978

Before proceeding with the analysis of the provincial laws it is necessary to examine the definition each province has formulated for private and independent schools.

LEGAL DEFINITIONS OF PRIVATE SCHOOLS

Although private or independent school has been defined in this study, this definition differs from those formulated by each provincial government. All five western provinces define the term used in their statutes and/or regulations.

In 1962 an amendment to The Department of Education Act was passed in the Ontario legislature which establishes the following definition of the term "private school."

'Private school' means a school at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any day other than a school holiday for five or more pupils of compulsory school age, whether or not instruction is also provided for pupils of other ages, in any of the subjects of the elementary or secondary school courses of study, except a school operated by the Government of Ontario or by an elementary or secondary school board or a board of education.¹

This definition has undergone minor modification since it first became law. However, the present Education Act of Ontario retains the length of the school day and the minimum number of pupils in the school, in the current definition of the term.

'Private school' means an institution at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school as defined in this section.²

Manitoba followed the example set by Ontario and in 1965 amended The Education Department Act, and The Public Schools Act to include laws which pertained to private schools in the province. The statutes of Manitoba defined a private school which might be entitled to enter into shared services arrangements as follows:

. . . a school, other than a public school, that is located in a school district, school area or school division where there is a total public school enrolment in both secondary and elementary public schools of not less than five thousand pupils, and that, (a) if an elementary school, has at least one classroom for each of the grades from I to grade VIII inclusive, and has a total enrolment of at least two hundred pupils; or (b) if a secondary school, has at least one classroom for each of the grades from IX to grade XII inclusive, and has a total enrolment of at least sixty-five pupils; or (c) if a combined elementary and secondary school, complies with the requirements set out in both clauses (a) and clause (b).³

Many private schools in the province did not meet these specifications, so The Public Schools Act included a list of private schools "in Schedule C."⁴ This schedule comprises a list of schools which are recognized as private schools, but which do not always conform to the definition above. A school may be recognized as a private school in the province providing it is named in the statute. (For the current list of private schools in Manitoba, see Appendix F.)

The Minister of Education in Manitoba has proposed a new definition of private school in Bill 23, which is currently before the legislature. If the new law is passed in Manitoba a private school will be defined as follows:

. . . any school, other than a public school, which provides a curriculum and a standard of education equivalent to that provided by the public schools.⁵

The definition of private school which appeared recently in The Education Act of Saskatchewan specifies the length of the school

day in private schools, and acknowledges that these schools are operated and maintained privately.

'Private school' means an institution in which instruction is ordinarily provided between the hours of nine o'clock in the forenoon and four o'clock in the afternoon on any school day for pupils who are enrolled in any of the subjects or courses of study authorized under this Act, and which is owned, controlled and administered by a person that is not a public authority.⁶

In 1945, the legislature of Alberta passed laws in respect of private schools in the province and The Department of Education Act was amended to include the following definition of the term private school:

'Private school' means a school other than a school as defined in section 2 which offers or purports to offer instruction in courses established by the Department or courses substantially the same.⁷

The original definition of private school in Alberta has undergone more changes than the equivalent definition in any other province.

Current Alberta laws define 'private school' in the statutes and the regulations. These definitions are referred to as the basic definition and the specific definition in this study. All private schools in Alberta meet the requirements of the basic definition in the Act, but fewer private schools comply with the specific requirements of the regulations and are eligible to receive grants. The specific definition of private school as it applies to the School Grants Regulations is directly concerned with public funding of private education and is discussed in Chapter 4. The definition of private school under The Department of Education Act means a school that:

(a) provides instruction in courses, other than courses in an early childhood services program, which are prescribed or approved by the Minister, or

(b) provides instruction to pupils excused from attendance at school of a board under section 134 of The School Act, but does not include a school operated by a board under The School Act or by the Government of Alberta or Government of Canada.⁸

The statutes of British Columbia first defined private school in the Independent Schools Support Act of 1977. This original definition forms the basis for the current legislation for the province. Like Saskatchewan and Alberta the laws of British Columbia recognize that an independent school is operated by a non-public body. An independent school in British Columbia:

- (i) is not a public school,
- (ii) is maintained and operated in the Province by an authority, and
- (iii) functions as an elementary school, secondary school, or both.⁹

In some cases it may be seen that current laws relating to private schools bear striking resemblance to the original laws of the province. In Manitoba if the original definition is compared with the current definition, no change has occurred in the wording of this statute over the past fourteen years. The definition of private school in Ontario has undergone slight modification over the years. The current version is shorter than the original but retains the time of instruction, the minimum number of pupils and the span of the programme. This is not the case in Alberta where statutes and regulations affecting private schools have undergone greater metamorphosis than in any other province. The original definition has taken a dichotomous path to provide a basic definition encompassing all private schools in the province, and a specific definition under which a proportion of private schools become eligible to receive

public funds. A comparison of evolution of these laws has been made in Table 2.

Table 2
Interprovincial Comparison of the Evolution of
the Definition as it Applies to Private
Schools

Province	Definition		
	Original	Current	Change
Ontario	1962	1974	minor modification
Manitoba	1965	1965	none
Saskatchewan	1978	1978	none
Alberta	1945	1976	basic definition
		Reg. 171/76 Am. 153/79	specific definition
British Columbia	1977	1977	none

LEGAL JURISDICTION OVER THE ESTABLISHMENT OF PRIVATE SCHOOLS

The legal jurisdiction over the establishment of private schools differs between provinces. Manitoba, Saskatchewan and British Columbia have no legislation or regulations incorporating specific requirements which must be met by a non-public organization wishing to establish a private school. In contrast, Ontario and Alberta have a number of mandatory requirements with regard to the establishment of private schools. (See Table 3, page 31.)

Table 3

Interprovincial Comparison for Official Approval
Required Prior to the Establishment of
Private School

Province	Authority Granting Approval	Requirements for Approval	Penalty for Non-Compliance
Ontario	Minister	1. Submit notice of intention to operate.	1. \$25 per day for operating. 2. \$200 for false statement.
Manitoba	not specified	not specified	not specified
Saskatchewan	not specified	not specified	not specified
Alberta	Minister	1. Submit names of governing body. 2. State reason for school. 3. Provide Ministerial approved premises.	\$500
British Columbia	not specified	not specified	not specified

Legal Authority Allocated to the
Lieutenant Governor in Council

Alberta is the only province to specify the role of the provincial cabinet with respect to the private schools. The statutes of Alberta provide the provincial cabinet with the authority to make regulations which control private schools in the province:

The Lieutenant Governor in Council may make regulations governing the establishment, administration, operation and management of private schools or any class of private schools.¹⁰

Legal Authority Allocated to the
Minister of Education

Alberta and Ontario delegate the authority of the Minister of Education with respect to private schools. Proprietors of private schools in Ontario must inform the Minister of Education before the school can become established.

No private school shall be operated in Ontario unless notice of intention to operate the private school has been submitted in accordance with this section.¹¹

Furthermore the same act stipulates that documentation must "include such particulars as the Minister may require."¹² These particulars are submitted to the Ministry of Education on a preprinted form. (See Appendix B.)

Alberta has made major changes in the legislation relating to private schools since the original laws were first enacted. Although the statutes were consolidated in 1959¹³ and 1970¹⁴ the laws at that time bore a remarkable resemblance to the original statutes of 1945. Major changes occurred in 1976¹⁵ when the current statutes detailing the establishment of private schools were passed. Further changes in the regulations relating to private schools in Alberta followed in 1978.

Pursuant to the statutes an Order in Council was passed in 1946 which gave rise to the private school regulations of 1957. These regulations stated:

No private school shall be established or conducted unless and until the approval of the Minister of Education, in writing, shall have been obtained.¹⁶

A modification of this law existed in Alberta until it was repealed in 1978.¹⁷ Repeal of the law resulted from a court ruling in which legal

recognition was granted to private schools in the province which did not conform with the existing educational laws. (See Chapter 5.)

Since 1976 the legislation of Alberta has stated that private schools could only be established and operated with the approval of the Minister of Education:

No person shall,

(a) operate a private school until it has been approved by the Minister, or

(b) continue to operate a private school after the Minister has suspended or revoked his approval.¹⁸

The Alberta regulations qualify the statutes and permit "one or more persons or any other organization, religious or otherwise"¹⁹ to establish private schools with Ministerial approval. Proprietors wishing to establish these schools must provide the Minister with the names of the governing board and "the reason for the establishment of the school."²⁰ Further details must be included in the Ministerial form entitled "Application to Establish a Private School." (See Appendix B.)

No private school can open in Alberta until the Minister has granted approval that the "schools shall be conducted in buildings or premises which meet the requirements of the Minister."²¹

Under the statutes of Alberta the Minister of Education has power to refuse or withdraw his consent for the establishment or operation of a particular private school.

The Minister may,

(a) approve or refuse to approve, or

(b) suspend or revoke his approval of, a private school.²²

The Alberta regulations detail the conditions under which the Minister

of Education may withhold approval for the establishment of any private school. The Minister has the authority to request "additional information,"²³ from an organization desiring to establish a private school if, in his opinion, it might have an adverse effect on the community.

The Minister at his discretion may withhold approval of any application and in so doing may give consideration to such factors as to him may appear relevant, including the size of the community in which it is proposed to establish the school and the probable effect upon presently existing schools.²⁴

Penalties for Non-Compliance with the Law

Alberta and Ontario are the only provinces to carry a penalty clause in the statutes for persons who establish a private school in contravention of the law. In Ontario, private school administrators are liable to prosecution for contravening the legislation by opening a school without filing an 'intention to operate a private school' with the Department of Education.

Every person concerned in the management of a private school that is operated in contravention of subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$25 for every day such school is so operated.²⁵

There is a fine of not more than \$200 for anyone convicted who "knowingly makes a false statement in a notice of intention to operate a private school."²⁶

Like Ontario, Alberta has laws which stipulate fines for persons who open a private school without Ministerial approval. A person found guilty of this offence in Alberta is liable "to a fine not exceeding \$500."²⁷ (See Table 3, page 31.)

LEGAL JURISDICTION OVER THE OPERATION
OF PRIVATE SCHOOLS

Ontario, Saskatchewan, Alberta and British Columbia have made laws in respect of the operation of private schools. With the exception of Manitoba, all five western provinces have laws which include the duties of the governing body of each school. Only in Alberta have significant changes occurred in laws respecting the operation of private schools and these modifications²⁸ were precipitated by court action.

It is mandatory in Ontario for private schools to resubmit to the Ministry each year an intention to continue operating.

Every private school shall submit annually to the Ministry on or before the 1st day of September a notice of intention to operate a private school.²⁹

Attached to this form is the request for statistical information relating to the operation of each school which must be completed by the principal, headmaster or governing body of a private school. The person is required to:

. . . make a return to the Ministry furnishing such statistical information regarding enrolment, staff, courses of study and other information as and when required by the Minister.³⁰

Ontario is the only province to carry a penalty or fine should a report requested by the Minister not be completed within the allocated time period. Thus:

. . . any such person who fails to make such return within sixty days of the request of the Minister is guilty of an offence and on summary conviction is liable to a fine of not more than \$100.³¹

The Education Act of Saskatchewan clearly specifies the content of the information which must be submitted by the governing body of a private school to the Minister of Education.

The governing body of every private school or other educational institution which provides educational services to pupils in courses of instruction prescribed under this Act shall, when required by the minister, furnish information to the department in such form as he may prescribe with respect to the pupils, teachers, curriculum of studies, facilities and equipment of that school or other educational institution.³²

Alberta is the only province to have made significant changes in the laws governing the operation of private schools. In 1957* a regulation existed in Alberta giving the Minister authority to:

. . . revoke or suspend the approval of any private school if in his opinion it is not being conducted in accordance with these regulations or if, in his opinion, its presence in any community is impeding the development of school facilities in such community.³³

By 1974, this clause had been reduced to read "the Minister may revoke or suspend his approval of a private school in his discretion"³⁴ and in 1978 the regulation ceased to exist.

Other changes in the laws have occurred. In 1957* if a private school operated in Alberta in an area where public school facilities were available, the private school was forbidden to "offer work above grade VIII unless more than one teacher is employed."³⁵ Also, private schools in 1957* were expected to follow "the program of studies of the Department of Education."³⁶ Furthermore, the law stated that "the time devoted to instruction shall be equivalent to that required in public schools, and the same standard of attainment shall be expected as of public schools."³⁷ A modified form of these regulations continued until 1978, when The Private Schools Regulations were amended and all private schools in the province received

*Before 1957, these regulations were issued in the form of an Order in Council.

classification from category 1 to category 4. This classification reflected the terms of the earlier regulations. Private schools which met the Ministerial requirements with respect to courses of study, standard of instruction and qualification of teachers received category 1 recognition. Since 1978 private schools which followed courses of study prescribed by the department and thus met the minimal standards as specified by the regulations were declared to be category 4 schools.³⁸

A recent addition to the regulations governing private schools in Alberta requires the governing body of each school to "submit to the Minister any information that the Minister considers necessary."³⁹

Generally the governing body of a private school or its representative is required by law to report to the Minister of Education on matters relating to the organization and administration of each private school. Only in Alberta was it mandatory for the Minister to report annually to the Lieutenant Governor in Council upon all schools, private schools and vocational or technical institutions with such statements as he considers necessary.⁴⁰ This law was repealed in 1974.⁴¹

The operation of an independent school in British Columbia is conducted by an "authority." This is the governing body of the school and is defined as follows:

- (i) a society incorporated under the Societies Act, or
- (ii) a corporation incorporated under a private Act, or
- (iii) a person designated in the regulations to be an authority for the purpose of operating a school in the Province on a non-profit basis.⁴²

The Independent Schools Support Act of British Columbia includes

duties of the governing body of an independent school. As these requirements are closely associated with the classification of independent schools, they are discussed on page 45.

LEGAL JURISDICTION OVER THE INSPECTION OF PRIVATE SCHOOLS

All provinces have a law which gives the Minister of Education authority to inspect private schools (See Table 4, page 38). In Manitoba and Saskatchewan the Minister is the sole authority in terms of inspecting such schools, whereas in Ontario, Alberta and British Columbia the Minister of Education may designate his authority to subordinates.

Table 4

Interprovincial Comparison of the Inspecting
Authority for Private Schools and the
Delegation of that Authority
to Subordinates

Province	Inspecting Authority	Authority Delegated to:
Ontario	Minister	supervisory officers
Manitoba	Minister	not specified
Saskatchewan	Minister	not specified
Alberta	Minister	"one or more persons"
British Columbia	Minister	Inspector of Independent Schools

Laws Governing the Appointment of Inspectors of Private Schools

Ontario, Alberta and British Columbia have enacted laws which

govern the appointment of the inspector of private schools.

The statutes of Ontario and Alberta grant the Minister the power to appoint subordinate officers to inspect private schools. In Ontario the Minister can "direct one or more supervisory officers to inspect a private school."⁴³ Similarly the statutes of Alberta state that the Minister may "appoint in writing a person to examine or inspect,"⁴⁴ private schools. This statement is reiterated in the private school regulations of Alberta, "The Minister may appoint one or more persons to inspect and report on the operation of a private school."⁴⁵

British Columbia is the only province to use the term "Inspector" in the legislation whereas this title is implied in the laws of other provinces. The Independent Schools Support Act, of British Columbia clarifies the duties of the Inspector, stating that he "is responsible to the minister for the administration of this Act."⁴⁶ Furthermore, the law gives the Minister written authority to "delegate powers and duties vested in him under this Act to the inspector."⁴⁷

In addition to the position of inspector the Independent Schools Support Act of British Columbia permits the appointment of other employees "as may be considered necessary to carry out duties,"⁴⁸ under the law. Furthermore a person may be designated "to act as inspector during the inspector's absence."⁴⁹ This person once appointed has the full power of the Inspector of Independent Schools in British Columbia.

Laws Governing the Inspection
of Private Schools

The Minister of Education has the authority to appoint subordinates to visit private schools. In the case of Ontario, Alberta and British Columbia this authority is specified in the statutes. These inspectors, supervisory personnel or field officers report to the Minister on the operation of the schools and the standard of education which pupils receive.

The statutes of Ontario are explicit with respect to the inspection of private schools. Supervisory personnel are authorized to:

. . . enter the school at all reasonable hours and conduct an inspection of the school and any records or documents relating thereto.⁵⁰

Ontario is the only province to carry a penalty clause for any person who "obstructs or attempts to prevent or obstruct any such entry or inspection."⁵¹ The offender if convicted is "liable to a fine of not more than \$200."⁵²

Manitoba legislation permits the Minister of Education to "inquire into the qualification of teachers and the standard of education of any private school."⁵³ Furthermore the Minister is required to supply the board of trustees or other authority with a written report of the result of the inquiry. A copy of this report must be sent to the school inspector and the school attendance officer of the school district in which the private school is situated.⁵⁴ This clause may cease to exist in its present form if the new education Bills become law. A modification of this statement is incorporated into the proposed Education Administration Act under the

section entitled "Powers of the Minister." It is cited as follows:

The Minister may,

at his discretion or upon request of the authority in control of a private school, inquire into the qualification of the teachers and the standard of education provided by the private school.⁵⁵

The detail provided in Ontario and Manitoba legislation contrasts with that in Saskatchewan. The laws of Saskatchewan are brief and non-directive in terms of the inspection of private schools.

Every school or educational institution mentioned in subsection (1) shall be subject to any inspection that the minister considers necessary.⁵⁶

The Alberta statutes are succinct, and a person appointed by the Minister may examine and inspect,

(a) the financial condition, or

(b) the administrative condition, or

(c) any other matter connected with the management, administration or operation of a board, private school or early childhood services program and the person appointed by the Minister may examine, inspect and take copies of

(d) all books of record and account,

(e) all bank books, and

(f) any other paper, document or things.⁵⁷

These materials must be made available for inspection, then a report is made to the Minister who takes whatever action is deemed appropriate. Finally, the Minister "may require the examination of pupils enrolled in any private school or category of private school."⁵⁸ This can be enforced by regulation, and would cover many of the laws governing private school inspection in Alberta. (See also the classification of private schools, page 45.)

In British Columbia the provision for inspecting private

schools is detailed and is also discussed in terms of the classification of private schools on page 45, and teacher certification on page 48. The Inspector of Independent Schools in this province appoints one or more External Evaluation Committees in order to ensure independent schools within the province meet the requirements of the legislation. Thus:

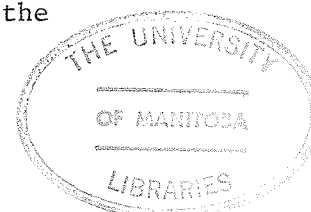
- The inspector may, for the purposes of section 6(c),
- (a) constitute one or more external evaluation committees,
 - (b) name the persons to be members of a committee, and
 - (c) prescribe the duties of those committees.⁵⁹

Supplementary material relating to the work of the External Evaluation Committees may be located in Appendix E, which contains circulars distributed to independent schools from the Ministry of Education. These circulars are produced by the Inspector of Independent Schools.

Unlike other provinces, the statutes of Ontario and Alberta allow private schools to appeal to the Minister of Education and request inspection.

The statutes of Ontario permit the governing body of a private school to approach the Minister in order for an "inspection of the school in respect of the standard of instruction,"⁶⁰ to be made. The Minister is permitted to "charge a fee for such inspection,"⁶¹ a situation which is unique to Ontario. The governing body of a private school in Ontario can appeal to the Minister of Education and request an inspection of the teachers in the school. These teachers would require "the recommendation of a supervisory officer for certification purposes."⁶²

In Alberta inspection is implied in the statement, "the



governing body of a private school may apply to the Minister to change its classification."⁶³ It is unlikely the Minister would reclassify a private school without a report from his official representatives.

Recognition of High School
Courses in Private Schools

There are no specific requirements which must be met in order for students attending private schools in Manitoba and British Columbia to graduate from high school. (See Table 5.) Students

Table 5

Interprovincial Comparison of the Requirements
for High School Graduation from Private
Schools

Province	Requirements
Ontario	A private school must: <ol style="list-style-type: none"> 1. employ qualified teachers, 2. follow an approved program of instruction, 3. be inspected by the Department.
Manitoba	not specified
Saskatchewan	A private school must: <ol style="list-style-type: none"> 1. be supervised by the Department, 2. follow an approved program of instruction, 3. employ qualified teachers, 4. meet the Department's requirements for evaluating pupil's work
Alberta	A private school must: <ol style="list-style-type: none"> 1. be a category 1 private school 2. meet the standards of instruction set by the Department for a category 1 private school.
British Columbia	not specified

attending private schools in Ontario, Saskatchewan and Alberta may qualify for credit in a particular high school course providing certain specified conditions are satisfied.

Private school teachers at the high school level in Ontario must satisfy the Minister that they hold the necessary qualifications and the courses they teach must be approved by the Ministry. (See Appendix B.) In order for students to graduate from private schools in Ontario:

The Minister may, on the request of any person operating a private school, provide for inspection of the school in respect of the standard of instruction in the subjects leading to the secondary school graduation diploma and to the secondary school honour graduation diploma.⁶⁴

Conditions applied in Saskatchewan are similar. The provincial regulations permit pupils enrolled in private schools to become eligible for Division IV credits in the graduation programme under the following conditions:

- (a) the school is under the supervision of the department; and
- (b) the department has approved the program and courses of study for pupils receiving instruction in Division IV, the qualifications of the teachers instructing those pupils and the arrangements for evaluating the work of those pupils.⁶⁵

Some private school students in Alberta may receive high school standing in the courses they follow. This recognition is granted to students in category 1 and category 3 (See page 48) private schools but not to students attending category 4 private schools.

Thus:

. . . pupils instructed at the senior high school level in a private school are eligible for senior high school credit only in respect of instruction in a category 1 private school or a category 3 private school.⁶⁶

LEGAL JURISDICTION OVER THE CLASSIFICATION
OF PRIVATE SCHOOLS

In Ontario, Manitoba and Saskatchewan private schools are not subdivided or categorized for any official purpose by any directive in the acts or regulations. In contrast with these provinces, British Columbia in 1977, and Alberta in 1978, developed a sophisticated system whereby private schools are inspected and classified.

The classification of private schools in Alberta and British Columbia has a significant effect on the proportion of funds which each school is eligible to receive. To qualify for public money, private schools in Alberta and British Columbia must undergo detailed inspection on a regular basis and conform with specific standards for independent schools which are detailed in the statutes and regulations.

The Minister of Education in Alberta lost the right to impose specified standards on private schools in the province as a result of the Holdeman Mennonite controversy which was brought before the courts in 1977-78. (See Chapter 5.) Soon after the case was heard The Private Schools Regulations were amended, and all independent schools were subdivided into four categories. Private elementary and secondary schools in Alberta were allocated to one of the aforementioned categories. Category 1, 3 and 4 private schools are discussed in this study.*

Private schools in Alberta which conform to the minimal standards specified in the regulations receive a category 4 rating,

*A category 2 private school relates to handicapped students which is outside the boundaries of this thesis.

whereas similar schools in British Columbia would receive a Group 1 classification. Each province uses a different system for recognizing private schools which conform with all the specifications of the statutes. In Alberta these schools have a category 1 rating and in British Columbia they receive Group 2 classification.

Private Schools Which Conform
with Minimal Requirements

The laws of both provinces specify minimal standards which must be attained in order for private schools to receive a rating. The basic requirement for category 4 private schools in Alberta demands that the school:

(i) follows courses of study

(A) prescribed by the Minister under section 12(2)(a) of The School Act, or

(B) approved by the Minister under section 12(2)(b) of The School Act and for the purposes of this paragraph the governing body of a private school shall be deemed to be a board mentioned in section 12(2)(b) of that Act, and

(ii) is not a category 1, 2 or 3 private school.⁶⁷

Unlike Alberta, the legislation in British Columbia has no reference to school programmes, the law merely requires school facilities to be adequate. In addition, Group 1 independent schools in British Columbia are required to prove their worth over a consecutive five year period before they can receive government classification and funding. Furthermore the statutes of British Columbia specifies that group 1 independent schools must satisfy the inspector that:

(a) no program is in existence or is proposed at the school that would, in theory or in practice, promote or foster doctrines of:

- (i) racial or ethnic superiority, or
- (ii) religious intolerance or persecution, or
- (iii) social change through violent action.⁶⁸

Private Schools Which Conform
with all Requirements

In order to qualify for a higher level of classification in Alberta and British Columbia, private schools must first meet the minimum standards for basic recognition. In addition to this requirement, Alberta schools must employ "as a teacher only a person possessing a valid certificate of qualification issued under The Department of Education Act."⁶⁹ Furthermore schools are required to comply "with any standards prescribed by the Minister under section 12 of The School Act for junior high schools and senior high schools."⁷⁰

The statutes of British Columbia specify that elementary and secondary independent schools which receive a higher level of classification, must first satisfy the inspector and seek approval for the school curriculum and pupil evaluation programme. Furthermore school personnel must assist with the external evaluation of the programmes, (See Appendix E) operation and administration of the school. Independent school must agree to participate in learning assessment programmes which have been established by the Minister or a local school board. Finally the authority of the school must comply with the law in respect of teacher certification. (See Appendix A.)

If a particular independent school in British Columbia fails to receive the desired classification, the authority can make a final appeal to the Minister, "where the inspector has refused to grant Group 1 or Group 2 classification."⁷¹ Should this appeal fail there

is little recourse as the decision of the Minister is final.

Most private schools in British Columbia fall into one of the above two groups, while private schools in Alberta are allocated to one of four categories. There is no equivalent group in British Columbia for category 3 private schools in Alberta which operate in French or another approved language.

Private language schools in Alberta must be approved by the Minister. A school in this group is characterized as:

a category 3 private school where it

(i) is established for the purpose of giving instruction in a language other than English,

(ii) operates at times other than normal operating hours of schools of a board under The School Act, and

(iii) offers instruction in a language at the senior high school level and for that purpose follows courses of study in that language prescribed or approved for schools under Section 12(2) of The School Act, and employs as a teacher only a person possessing a valid certificate of qualification issued under The Department of Education Act.⁷²

The language of instruction offered in category 3 private schools is generally recognized to be French, Ukrainian or German. Once the students are enrolled in these schools they may be eligible to receive senior high school credit providing "the pupil completes a program in an accredited senior high school in accordance with schedule 1."⁷³ (See Appendix D.)

LEGAL JURISDICTION OVER THE CERTIFICATION OF TEACHERS IN PRIVATE SCHOOLS

Considerable disparity exists between provinces with regard to laws governing the certification of private school teachers. No laws exist in Manitoba and Saskatchewan which relate to the certification

of teachers in such schools.

A new clause was introduced into the statutes of Ontario in 1974 which provides "for the inspection of a teacher in such school or centre who requires the recommendation of a supervisory officer for certification purposes."⁷⁴

The regulations of Alberta have changed significantly with respect to the certification of teachers. In 1957* the following clause was operative:

teachers employed in private schools shall possess valid Alberta teaching certificates of appropriate class or, in exceptional cases, equivalent academic and professional qualifications acceptable to the Minister.⁷⁵

By 1974 this regulation was amended to read:

all teachers employed in private schools shall possess appropriate teaching certificates unless the Minister in writing otherwise orders.⁷⁶

Current regulations have undergone further revision. As a result of judicial ruling private schools in Alberta can employ staff who do not hold valid teaching certificates.

British Columbia is the only province in western Canada to enact laws detailing how teachers in private schools can become certified. Unlike all other provinces, British Columbia defines the term private school teacher. Thus:

'teacher' means a person employed to give tuition or instruction or to administer or supervise instructional service in an independent school.⁷⁷

Furthermore the legislation governing independent schools in British Columbia is quite explicit with regard to precise interpretation of

*This regulation superceded O.C. 4/46.

the term "certified" as it applies to a teacher in an independent school. Thus certified means:

(i) holding a valid and subsisting teacher's certificate of qualification or letter of permission issued under the Public Schools Act, or

(ii) having taught in a public school or independent school in the Province on a full time basis for 10 or more years, or

(iii) certified by the inspector on the recommendation of an independent schools teacher certification committee.⁷⁸

Unlike all other western provinces, the Provincial Government of British Columbia has made provision for experienced staff in private schools to be certified, based on a recommendation from a teacher certification committee. (For further details relating to the certification of teachers, See Appendix E.) Thus:

. . . subject to the regulations, the inspector may grant certification to a teacher on the recommendation of an independent schools teacher certification committee.⁷⁹

It is interesting to note that certification is granted by the Inspector of Independent Schools, whereas the committee who serve to evaluate a teacher's performance is formed on the authority of the Minister of Education. Thus, the Minister may:

(a) constitute one or more independent schools teacher certification committees, and

(b) name the persons to be members of a committee.⁸⁰

When teacher certification has not been granted by the Inspector, a teacher "may appeal to the minister whose decision is final."⁸¹

There is no legislation or regulation in any other province in western Canada which attempts to offer clear guidelines to teachers in private schools in terms of receiving certification. Certified teachers in all other provinces must receive academic and professional

training through the recognized channels.

Although many teachers in Canadian independent schools have certification, there is no law at the present time in which it is mandatory for teachers in all private schools to hold professional qualifications. British Columbia approaches this ideal by ensuring that teachers employed in schools receiving "Group 2 classification" are "certified within 5 years after the date of application for Group 2 classification,"⁸² of the school.

SUMMARY

All provinces have defined the term private school in the statutes and/or regulations. In the final analysis there appears to be little consensus among the definitions, with the exception of the recently revised Act of Saskatchewan, where the definition of private school is similar in content to that of Ontario. The definition of private school in the Alberta statutes is deficient and the term is redefined in the regulations to cover private schools eligible to receive grants. British Columbia has produced a concise definition of the term independent school but fails to convey that many of these schools benefit from financial support from public funds.

The legislation regarding establishment of private schools varies among the provinces. The laws of Manitoba, Saskatchewan and British Columbia are non-specific in terms of the establishment of private schools. Ontario and Alberta have certain legal specifications which must be met before private schools are permitted to open in the province. In both cases, the Minister of Education is responsible for administering the laws of the province.

Operation of private schools is under provincial control. Ontario, Saskatchewan, Alberta and British Columbia have laws which govern the operation of private schools. It is the responsibility of the Minister of Education to administer these laws in Ontario, Saskatchewan and Alberta, but this authority has been delegated to the Inspector of Independent Schools in British Columbia. In Alberta the original laws governing the operation of private schools have been changed significantly. Frequently these changes have been precipitated by court action.

All provinces recognize the necessity for the Minister of Education to inquire into the standard of education in private schools operating under their jurisdiction. In Ontario, Saskatchewan, Alberta and British Columbia, the law permits the Minister to delegate his authority to subordinates, who inspect and report on the operation of private schools. British Columbia is the only province to recognize the term 'Inspector of Independent Schools' although many provinces refer to the inspection of independent schools. Manitoba attempts to avoid the term 'inspector' or 'inspection' even though it is implied in the statutes.

Inspection may constitute part of the classification process for private schools. Both Alberta and British Columbia have evolved sophisticated systems for classifying private schools in the province. This action was stimulated in British Columbia by a general need and in Alberta by judicial ruling. The significance of this classification is closely related to private school receiving financial support from public funds.

Finally there is considerable disparity among provinces with

regard to the qualifications of teachers and the standard of instruction offered in private schools. There is no legal requirement for teachers in private schools to hold professional certificates, although there are laws which encourage this ideal. British Columbia is the only province to offer certification to teachers in private schools on the basis of experience or committee recommendation. All other provinces grant teacher certification solely through the usual channels of professional training at a recognized university.

FOOTNOTES

1. R.S.O., 1961-62, c. 31, ss. 1 (ca).
2. R.S.O., 1974, c. 109, ss. 1. (1). 40.
3. R.S.M., 1965, c. 22, ss. 157A.
4. Ibid.
5. Manitoba, 28. Eliz. II, 3rd Sess., Bill 23, (1979). ss. 1 (g).
6. R.S.S., 1978, c. 17, ss. 2 (bb).
7. R.S.A., 1945, c. 21, ss. 7a (1).
8. R.S.A., 1976, c. 14, ss. 4 (a). 8 (1)(a)(b).
9. S.B.C., 1977, c. 71, ss. 1.
10. R.S.A., 1976, c. 14, ss. 4 (b).
11. R.S.O., 1974, c. 109, ss. 15 (1).
12. Ibid., ss. 15 (3).
13. R.S.A., 1959, c. 95, ss. 8 (1)(2)(3)(4).
14. R.S.A., 1970, c. 96, ss. 8 (1)(2)(3)(4).
15. R.S.A., 1976, c. 14, ss. 4. 8 (1)(2)(3)(4)(5).
16. A.R. 292/57, ss. 1.
17. A.R. 243/70. Am. by A.R. 98/74 and 140/78. ss. 3.
18. R.S.A., 1976, c. 14, ss. 4 (c), 3 (a)(b).
19. A.R. 243/70. Am. by A.R. 98/74 and 140/78. ss. 4.
20. Ibid., ss. 5.
21. Ibid., ss. 7.
22. R.S.A., 1976, c. 14, ss. 4 (3) (3.1) (a)(b).
23. A.R. 243/70. Am. by A.R. 98/74 and 140/78. ss. 5.
24. Ibid., ss. 6.

25. R.S.O., 1974, c. 109, ss. 15 (4).
26. Ibid., ss. 15 (9).
27. R.S.A., 1970, c. 96, ss. 8 (4).
28. A.R. 243/70, Amended by A.R. 98/74 and A.R. 140/78.
29. R.S.O., 1974, c. 109, ss. 15 (2).
30. Ibid., ss. 15 (5).
31. Ibid.
32. R.S.S., 1978, c. 17, ss. 361 (1).
33. A.R. 292/57, ss. 10.
34. A.R. 243/70., Am. by A.R. 98/74, ss. 10.
35. A.R. 292/57, ss. 6.
36. Ibid., ss. 7.
37. Ibid.
38. A.R., 243/70. Am. by A.R. 98/74, and A.R. 140/78. ss. 8.
39. Ibid., ss. 10.1 (1).
40. R.S.A., 1970, c. 96, ss. 13.
41. R.S.A., 1974, c. 39, ss. 13.
42. R.S.B.C., 1978, c. 28, ss. 9 (a).
43. R.S.O., 1974, c. 109, ss. 15 (6).
44. R.S.A., 1970, c. 96, ss. 10. (1).
45. A.R., 243/70, Am. by A.R. 98/74 and A.R. 140/78, ss. 10.1 (2).
46. S.B.C., 1977, c. 71, ss. 2 (3).
47. Ibid., ss. 2.
48. Ibid., ss. 1.
49. Ibid., ss. 4.
50. R.S.O., 1974, c. 109, ss. 15.(6).
51. Ibid.

52. Ibid.
53. R.S.M., 1978, c. 49, ss. 86.
54. Ibid.
55. 1979, 28. Eliz., II. 3rd. Sess., Bill 23, 3 (1)(e).
56. R.S.S., 1978, c. 17, ss. 361 (2).
57. R.S.A., 1976, c. 14, ss. 10 (1)(a)(b)(c)(d)(e)(f).
58. A.R., 243/70, Amended by A.R. 98/74, and A.R. 140/78, ss. 10.1 (4).
59. S.B.C., 1977, c. 71, ss. 4 (a)(b)(c).
60. R.S.O., 1974, c. 109, ss. 15 (7).
61. Ibid.
62. Ibid., ss. 8.
63. A.R. 243/70, Amended by A.R. 98/74 and A.R. 140/78, ss. 10.1 (3).
64. R.S.O., 1974, c. 109, ss. 15 (7).
65. S.R., 1/79, ss. 48 (2)(a)(b).
66. A.R. 243/70, Amended by A.R. 98/74 and A.R. 140/78, ss. 10 (1).
67. Ibid., ss. 8 (d)(1)(A).
68. S.B.C., 1977, c. 71, ss. 5 (a)(i)(ii)(iii).
69. A.R. 243/70, Amended by A.R. 98/74 and A.R. 140/78, ss. 8 (a)(ii).
70. Ibid., ss. 8 (a)(iii).
71. S.B.C., 1977, c. 71, ss. 12 (1).
72. A.R. 243/70, amended by A.R. 98/74, and A.R. 140/78, ss. 8 (c).
73. Ibid., ss. 10 (2).
74. R.S.O., 1974, c. 109, ss. 15 (8).
75. A.R. 292/57, ss. 8.
76. A.R. 243/70, Am. by A.R. 98/74, ss. 8 (c).
77. S.B.C., 1977, c. 71, ss. 1.

78. Ibid.
79. Ibid., ss. 3 (2).
80. Ibid., ss. 3 (1)(a)(b).
81. Ibid., ss. 12 (2).
82. Ibid., ss. 6 (e)(ii).

Chapter 4

PROVINCIAL JURISDICTION OVER DIRECTING PUBLIC FUNDS TO PRIVATE SCHOOLS

Government funding of private schools has always been a controversial issue in Canada. This is due to the fact that channelling public funds into private education arouses strong emotional feelings within the general population. The political, social, and religious implications of financially supporting private schools have never been completely resolved. The media are particularly successful in awakening public dissent during periods of economic restraint and when educational policy suffers severe criticism.

Financial aid to private schools may exist in more than one form. The most direct method of funding private education is through operational and/or capital grants to the governing bodies of private schools. The schools may receive additional financial help through free textbooks, free transportation or sharing the facilities and equipment available in nearby public schools. Legislation relating to the funding of private education is located in the statutes, (See Table 6, page 59) and regulations for each province.

This chapter analyzes the financing of private schools from public funds. The main issues which relate to financial support for private schools are centred around the following areas:

1. Legal jurisdiction governing financial support to private schools through direct grants and shared services agreements;

2. Legal jurisdiction governing transportation for private school pupils;

3. Legal jurisdiction governing free textbooks for private school pupils;

4. Legal jurisdiction governing capital grants to private schools.

A study has been made of provincial laws which, in the past twenty years directed funds to private schools. The main emphasis of the chapter involves an interprovincial comparison of current laws governing financial aid to independent schools.

Table 6

Current Provincial Statutes Relating to Financial
Support to Private Schools from Public Funds

Province	Name of Statute	Year
Ontario	nil	nil
Manitoba	The Public Schools Act	1970
	An Act to Amend the Public Schools Act	1978
Saskatchewan	The Education Act	1978
Alberta	The School Act	1970
British Columbia	The Independent Schools Support Act	1977
	Miscellaneous Statutes	1978
	Amendment Act	
	Companies Act	1973
	Companies Amendment Act	1974

LEGAL JURISDICTION GOVERNING FINANCIAL SUPPORT
TO PRIVATE SCHOOLS THROUGH DIRECT GRANTS AND
SHARED SERVICES AGREEMENTS

As the method of financing private schools is highly individual and complex for each province, financial support to private schools is discussed under the heading of each named province. The analysis begins with Ontario, then Manitoba, Saskatchewan, Alberta and ends with British Columbia.

Ontario

For many years there has been no provision in the laws of Ontario for private schools to benefit either directly or indirectly from financial support provided by the provincial government.¹

Manitoba

Unlike Ontario, Manitoba has channelled government funds to private schools for some years. In 1965 private schools in the province could benefit indirectly from this government aid by way of the shared services arrangements.² In some cases these agreements between public and private schools have continued to the present time. Since 1978, the provincial government has financed private schools with direct grants. This formed part of new legislation which offered financial support to private schools on a per pupil basis. Some schools have elected to continue shared services agreements, whereas others have opted for direct grant funding.

All financial agreements with private schools are negotiated through the school board. This legislation is discretionary, hence school boards can either elect or decline to enter into agreements

with private schools. Each agreement between a school board and a private school must first receive Ministerial approval. Once Ministerial sanction is given, the school board undertakes the responsibility of administering the shared services or direct grants to the private schools.

Shared Services Agreement. Under the terms of the shared services agreement private schools may make:

. . . use of the facilities and resources of the school district or school division, other than transportation facilities and resources, by or for the benefit of children enrolled in the private school either while in the private school or while in a public school operated by the school district or school division.³

The school district or school division would receive a grant from the provincial government which would include a sum of money "in respect of facilities and resources . . . a school district or school division used"⁴ under the agreement made, "for the benefit of children enrolled in a private school."⁵

Direct Grants to Private Schools. Private schools may obtain a grant from the school division "in respect of instruction and services that are offered to children enrolled in a private school."⁶ These grants are secured only:

Where the Minister is satisfied that

(i) the private school teaches a sufficient number of courses prescribed under The Education Department Act to ensure that children enrolled in the private school receive an education of a standard equivalent to that received by children in public schools, and

(ii) the teachers teaching the prescribed courses to children enrolled in the private school hold a valid and subsisting certificates issued under The Education Department Act.⁷

When the consent of the Minister has been obtained, a school

division, or school district may, if it so desires, "enter into an annual agreement with a private school."⁸ The school district or school division may elect to give private schools a direct grant.

The terms of this grant are specified in the statutes:

the payment to the private school of moneys received by the school district or school division, by way of grants under the regulations, in respect of instruction and services that are offered by the private school to children enrolled in the private school and that are the same as instruction and services that are regularly offered by the school district or school division to children enrolled in the public schools.⁹

As with the shared services grant the school district or school division receives the grant which has been authorized by the Minister of Education. The grant is then administered by the school board in accordance with the specifications stated in the regulations.

Before the grant can be obtained from the provincial treasury, a statement from the chairman and secretary-treasurer of the school division must be forwarded to the Minister of Education. This statement must provide the Minister with "all the necessary information for the calculation of the grant."¹⁰

Once the Minister of Education has approved the private school, and the school division or school district has entered into an agreement with the private school, the Minister of Finance is required to pay the school district or school division a grant. This grant has been individually calculated for each private school according to the following formula which is specified in the regulations:

$$\frac{p}{23} \times \frac{n}{s} \times \$10,000.00$$

In this formula,

(a) "p" is the number of pupils,

(b) "n" is the number of periods of instruction undertaken in

the school by the participating private school pupils per week or per instructional cycle; and

(c) "s" is the total number of periods of instruction per week or per instructional cycle scheduled in the school.¹¹

This grant would not exceed \$434 per qualifying pupil. (See Table 7, below.)

The Minister has power to reduce the grant if he believes there is "partial but not complete compliance with the applicable standards, conditions and requirements."¹²

Table 7

Interprovincial Comparison in Per Pupil Grants to
Qualifying Private School Students for 1978-79

Province	Grade	Maximum Per Pupil Grant
Ontario	1-12	nil
Manitoba	1-12	\$434
Saskatchewan	9-12	\$850*
Alberta	1-6	\$577
	7-9	\$605
	10-12	\$693
British Columbia	1-12	Group 1 \$150
	1-12	Group 2 \$500

*This amount is approximate. The figure has been calculated as a percentage, (53.1%) of the per pupil grant payable to students in public high schools. The city rate for Division IV pupils was expressed as \$1,602 in 1979.

Saskatchewan

The procedure for funding private schools in Saskatchewan

differs from Manitoba. Since 1965 the Department of Education has financed private high schools in Saskatchewan, from grades X to XII. In 1977 an amendment was made to the regulations which enabled grade IX students attending secondary high schools to qualify for a private school grant. Grants from 1970 are summarized on Table 8.

Table 8

Intraprovincial Development of Government Funding
to Private Schools in Saskatchewan Since 1970*

Regulation/Year	Per Pupil Grant	
	Dollars	Percentage of Full Grant Available to Public School Pupils
153/70	\$110	
169/71	\$135	
104/72	\$150	
80/73	\$225	
147/74	\$317	
114/75		43.22
106/76		43.32
141/77		48.22
192/78		53.10 (1978)
		56.50 (1979)

*Grants were initiated in 1965.

Current Saskatchewan regulations specify that grants are paid "to assist in the operation of private high schools with respect to Saskatchewan residents in grades 9 to 12 inclusive."¹³ Thus elementary students attending private schools in Saskatchewan do not benefit from direct financial aid from the provincial government.*

In order to qualify for a government grant, private high schools must meet the following conditions as they are specified in the regulations:

(i) the school shall have been in operation for a period of not less than five years;

(ii) the school shall have had an enrolment during each of the preceding two years of operation of not less than 60 pupils in Grades 9, 10, 11 and 12;

(iii) the school shall meet the requirements and regulations of the department in respect to courses of study, qualifications of teachers, operating schedules and supervision by the department;

(iv) the school shall furnish the Minister with any information he may require relative to finances, structure and administration of the school.¹⁴

Once these regulations are met private high schools in Saskatchewan may be entitled to receive government funding.

Under the terms of The Education Act of Saskatchewan the Minister of Education is permitted to offer aid to private schools in the form of a legislative grant. The Minister has the authority to provide sums of money for:

. . . such other expenditures, including fees and other

*The Department of Education finances special grants to National Defence Schools based in Saskatchewan and Developmental Centres for Multiple-Handicapped Students. These grants are paid to non-public institutions.

payments on behalf of pupils attending schools or institutions outside the division or otherwise outside the jurisdiction of the board of education, as may from time to time be recognized.¹⁵

Laws governing the payment of these grants are located in the regulations. Basically there are two forms of grant available to private schools:

- (i) foundation grants; and
- (ii) capital grants.

In addition to the major expenses involved in the foundation grants and the capital grants, the government will also fund private schools which operate in a language other than English. Government funds may be indirectly used to support driver education programmes in private schools. These grants are paid by the government subject to private schools meeting the specifications detailed in the regulations.

Foundation Grants to Private Schools. Private schools may receive a proportion of the equivalent funds distributed to public high schools. Thus:

In 1979 grants to private high schools shall be paid at a rate equal to the percentage of recognized expenditures covered by departmental grants.¹⁶

Foundation grants are calculated as a percentage of the recognized expenditure in the foundation grant formula for the appropriate grade and division. This applies to "the rural or urban rate as the case may require."¹⁷

Under the amended regulations based upon the Foundation Grants Act of 1970, the proportion of the per pupil grant allocated for private school students was specified for 1977-79 as follows:

The percentage applied . . . shall be 48.22 in 1977, 53.10 in 1978 and 58.00 in 1979.*¹⁸

In 1978 this sum amounted to a per pupil grant of approximately \$850
(See Table 7, page 63.)

Language Grants to Private Schools. Saskatchewan regulations permit private schools to operate in French or "an approved language," providing these private schools comply with the laws of the province.

The Lieutenant Governor in Council may declare that a school has been authorized to offer instruction in a language other than English, upon the recommendation of the Minister of Education. This approval may be granted after "a request has been submitted to him by the governing body of a private school."¹⁹

Once this approval is secured a private school may be eligible to receive a grant in accordance with the following regulations:

The department may make a grant to a board of education or to a private school to pay for approved implementation and recognized incremental costs associated with a Type A or Type B designated program.²⁰

The Saskatchewan regulations permit a choice of two programmes to be offered in these schools, either 'Type A' or 'Type B'. Should a private school elect to follow the 'Type A' programme the school must comply with the following laws:

"Type A" designated programme means a program of instruction:

(i) in which French shall be the language of instruction for all courses of study except English;

(ii) in which provisions may be made for complementary activities in which emphasize French-Canadian culture;

*The rate for 1979 has been changed to 56.5 per cent of the per pupil grant.²¹

(iii) where the administration and operation of the program may be conducted in French, but the intent of administrative and operational procedures and directives shall be communicated in English where it is so requested by parents or members of the teaching staff; and

(iv) which may be conducted in a school where only a Type A program is offered.²²

Alternatively a private school may elect to follow a 'Type B' program which:

. . . means a program of instruction which consists of various courses of study, some of which are taught exclusively in the French language, so that more than 50 per cent but less than 80 per cent of the instructional time is devoted to instruction given in the French language.²³

The regulations specify the authorized alternative language of instruction is generally recognized to be French, but approval may be found for, "the use of a language other than English as a language of instruction."²⁴ The regulation also states that if the approved language is used "for up to fifty percent of the time,"²⁵ the programme may be funded subject to approval of a special resolution.

Under the terms of the Saskatchewan regulations, private schools may be eligible to receive a grant for students who are given instruction in any approved language other than English. Thus:

the department may make a grant, calculated in accordance with clause (f) of Schedule B under section 51, to a board of education or a private school for each full-time equivalent pupil in a program for which a language of instruction other than English has been authorized.²⁶

Further provision in the same regulations require the Department of Education to cover any costs of travel and accommodation which may be incurred by students who receive instruction in French, some distance from their home. Where a pupil:

. . . is enrolled in a designated program in a designated school located outside the attendance area of the school he would

otherwise be eligible to attend, the department shall make grants to a board of education or a private school to pay for recognized costs of travel and accommodation incurred by such pupil.²⁷

Driver Education Programmes in Private Schools. The Saskatchewan regulations, with certain named specifications, approve courses on driver education which may be offered to students enrolled in private schools. This form of instruction refers to a:

. . . course approved by the department and offered by a board of education or the governing body of a private school, consisting of classroom instruction, in car instruction, practice driving, observation time, and may include simulation instruction.²⁸

A student who is eligible to partake in driver education refers to:

. . . any pupil who has attained the age of 15 years, and is enrolled in a school, or a private school.²⁹

Alberta

Before 1968 private schools in Alberta did not receive government funding, although parents could receive payment from the government to assist them in educating their children. Thus:

. . . the board of a district or division may (a) pay all or a portion of the fees payable by a parent or guardian resident therein, and

(b) pay to the parent or guardian of a pupil, in order to assist him to defray the cost of the education of that pupil at a private school or institution that maintains instructional standards approved by the Minister, a sum not exceeding that which would be payable for fees if the private school or institution had power to charge fees in the same manner as a board.³⁰

Since 1968, Alberta has offered financial support to private schools which comply with the specific requirements of the regulations. The salient features of the grant regulations which directly relate to funding are summarized in tabular form on page 70.

At the present time elementary and secondary private schools

Table 9
Intraprovincial Development of Government
Funding to Private Schools in Alberta

Regulation/year	Per Pupil Grant		Reading Materials Grant	
	Grade	Amount	Grade	Amount*
164/59		nil		nil
145/68	1-12	\$100		nil
176/70	Elementary High School	\$100 \$150	1-6	\$2
266/70	1-12	\$150	1-6	\$2
182/71	1-12	\$150	1-6	\$2
196/72	1-12	\$160	1-6	\$2
150/73	1-12	\$172	1-6	\$2
155/74	1-6 7-9 10-12	\$207 \$238 \$332	1-6	\$2
61/75	1-6 7-9 10-12	\$246 \$271 \$370	1975 only library grant	\$5
Ministerial Order 1976	1-6 7-9 10-12	\$335 \$368 \$469		\$2
1977	1-6 7-9 10-12	\$469 \$515 \$610	1-6	\$2
1978	1-6 7-9 10-12	\$577 \$605 \$693	1-6	\$2.15

*per pupil

in Alberta may receive government grants providing they meet the criteria specified in the School Grants Regulations.

The Alberta Regulations clearly define the type of private school which might be eligible to receive public financial support. This 'specific definition' requires that a private school:

(i) is classified as a category 1 private school under The Private Schools Regulations being Alberta Regulation 243/70, as amended,

(ii) offers instruction at either the elementary, junior high or senior high levels and provides instruction:

(A) at the elementary and junior high levels for at least 240 minutes per day exclusive of recesses and time taken to change classes and at least 760 hours in a school year commencing in 1979 or subsequent years, and

(B) at the senior high level for at least 25 hours per credit.

(iii) for every twenty-five full time or full time equivalent pupils employs at least one full time teacher who holds a valid certificate of qualification issued under The Department of Education Act,

(iv) has been in operation for a minimum of three years, from the date of approval as a private school under the Department of Education Act, and

(v) is not being operated for the monetary gain of any person or group of persons.³¹

As Alberta grants to category 1 private schools are paid on a per pupil basis the same regulation defines the term 'private school pupil.' This is cited as follows:

private school pupil means a person

(i) attending a private school during normal hours for schools in Alberta between the hours of 8:00 a.m. and 6:00 p.m. Monday to Friday,

(ii) who is at least five years six months of age but less than nineteen years of age on September 1 in the school year in which he is counted,

(iii) whose parents are ordinarily resident in Alberta,

(iv) who is not a pupil under this Order, and

(v) who is not an Indian enrolled in a school of a board or a private school that receives payment from the Government of Canada in respect of that person.³²

This definition is reiterated in Schedule 2 of Alberta Regulations 153/79 dealing with school grants.

It can be seen that a private school in Alberta may meet the requirements which are stipulated in the regulations, yet all the pupils attending the school may not be eligible to receive a grant.

When the above criteria are met, the Minister of Education authorizes the Department of Education to ensure per pupil grants are distributed to private schools.

Direct Grants to Private Schools. The per pupil grant which is payable for each qualifying student attending private schools is detailed in the regulations as follows:

(a) for those private school pupils in grades I to VI inclusive, \$682;

(b) for those private school pupils in grades VII to IX inclusive, \$715;

(c) for those private school pupils in grades X to XII inclusive, \$32.75 per credit enrolment unit* to a maximum of \$818.**³³

A further provision in the grants order stipulates that:

a private school pupil registered in a class which is not

*Credit enrolment unit or C.E.U. means an individual teacher person contact time of one credit in a course approved by the Minister.

**These grants were announced in May 1979 and apply to the 1979-80 academic year.

equivalent to one of the grades referred to in subsection (1) shall, for the purpose of subsection (1), be deemed to be enrolled

(a) in grades I to VI if he is at least 5 years 6 months but less than 12 years of age, or

(b) in grades VII to IX if he is at least 12 years but less than 15 years of age, or

(c) in grades X to XII if he is 15 years of age or more.³⁴

Thus grants to private schools are based upon the grade in which a pupil is enrolled, but the Minister has stipulated that private school pupils, as far as the Department of Education is concerned, are placed in their grade according to their age group. This would prevent a student of elementary age being accelerated into high school in order for the private school to receive a higher level of funding.

Private School Opening Grants Paid to Public School Boards.

The Alberta regulations are unique in that provision is made for public school boards to receive a grant from the provincial treasury when a private school opens within their jurisdiction. The introduction of this grant appears to be a direct result of the ruling by Provincial Judge H.C. Oliver, which permitted Holdeman Mennonites to continue operating their own private schools in the province, without the approval of the Minister of Education. It is important to recognize that this grant is not intended to provide support for the newly opened private school. The grant is payable to the public school board and is designed to lend financial support to those public schools which are suddenly faced with a sharp drop in school population, as a result of a private school opening in the community. The public school board may be paid a grant:

Where a school other than a school of a board

(a) is located within the geographic boundaries of the district, division or county of a board, and

(b) during the 1977-78 school year or in any subsequent school year, commences operation and is subsequently approved by the Minister as a private school classified as a category 1 or a category 4 private school.³⁵

Alberta has set a precedent as there is no reference to a similar grant being issued to public school boards in Ontario, Manitoba, Saskatchewan or British Columbia.

Grants for Extension Programmes in Private Schools. Alberta has produced laws relating to extension programmes in private schools. As this form of instruction is associated with grants, the Alberta regulations have elected to define the terms as follows:

"extension program" means a program in education which:

(i) is offered by

(A) a board, or

(B) the governing body of a private school approved under The Department of Education Act,

(ii) provides instruction for persons who are neither pupils nor Indians,

(iii) consists of subjects conforming with any prescription or approval given by the Minister or his delegate under section 12 (2) of The School Act, or consists of special education in specialities under section 5,

(iv) is taught by a teacher

(A) who possesses a valid certificate of qualification as a teacher, issued under The Department of Education Act, and

(B) who is paid in accordance with a contract between the teacher and the board or in accordance with the salary schedule of the board for instruction in extension programs, and

(v) is approved by the Deputy Minister prior to its operation in any school year.³⁶

The governing body of a private school is eligible to apply for a grant for students in an extension programme. The following grant does not apply to special education extension students:

. . . with respect to an extension program offered by the governing body of a private school there may be paid

(a) the sum of \$28 per credit enrolment unit* in respect of instruction of day, evening or summer extension students at the high school level;

(b) the lesser of

(i) \$7 per hour, and

(ii) an amount per hour determined by the arithmetic product of \$7 times $1/12$ times the number of extension students taught in each class, for the instruction of day, evening or summer extension students at elementary or junior high level.³⁷

These grants are paid in respect of subjects offered for senior high school credit. Instruction in these courses must be offered for at least thirteen hours per credit, or 32.5 hours in a three credit course.³⁸

The actual amount paid to the governing body of a private school is controlled by the following regulation:

. . . the sum of payments to any board or private school in respect of extension students attending extension programs operated during any one year period commencing September 1 in the year 1978 shall not exceed

(i) 128.7% of the amount payable to that board or private school for extension students attending extension programs operated during the period September 1, 1975 to August 31, 1976 where a board or private school operated an extension program during the period September 1, 1975 to August 31, 1976, or

(ii) where the board or private school did not operate an extension program during the period September 1, 1975 to

*C.E.U. - means an individual teacher-person contact time of one credit in a course approved by the Minister.

August 31, 1976, an amount specified by the Deputy Minister.³⁹

There is a limitation on the amount of funds available to private schools in an extension programme grant. This is stated as follows:

No grant shall be paid under this section in respect of an evening extension student who is counted as a private school pupil under section 24 or as a pupil under the School Foundation Program Fund Regulations during the school year in which the program is operated.⁴⁰

British Columbia

Since 1977, the Province of British Columbia has offered financial assistance to private schools, providing the schools conform with the specifications of the statutes.

In order for Group 1 and Group 2 private schools to obtain a grant in British Columbia, the governing body must first meet the administrative requirements which are detailed in the statutes. Not all students attending independent schools in British Columbia are entitled to receive a grant towards their education. Thus, statutes offer clear directives with regard to the term "qualifying pupil," which

means a person

(i) enrolled in an independent school to receive tuition through it for at least 135 days related to the school year, as prescribed by the regulations, for which a grant application is made under this Act, and

(ii) of school age as determined under the Public Schools Act during that school year or, where enrolled in kindergarten, not more than one year under school age as determined under the Public Schools Act during that school year.

who has a parent or guardian resident in the Province, and

(iii) has a parent who is a Canadian citizen or has been lawfully admitted to Canada under the Immigration Act (Canada) for permanent residence, or

(iv) had a parent who, at the time of the death of that

parent, satisfied the requirements of paragraph (iii).⁴¹

Reports are required to confirm enrolment and attendance of qualifying pupils in the private schools. In the early months of the academic year the governing body of a private school must furnish the Inspector of Independent Schools with:

a report in prescribed form by November 15 of the school-year for which a grant is claimed stating the number of qualifying pupils enrolled and in attendance at the school as of October 31 of that school-year.⁴²

Towards the end of the same academic year the authority must deliver to the Inspector:

an audited report by June 15 of the school-year for which a grant is claimed stating the number of qualifying pupils who have received 135 or more days of tuition through the school as of May 15 of that school year.⁴³

The latter report must be prepared by a qualified auditor who is "a person qualified under Sec. 203 of the Companies Act."⁴⁴ This reference is stated as follows:

The auditor of a reporting Company shall be

(i) a person who is a member, or a partnership whose partners are members in good standing of The Canadian Institute of Chartered Accountants, or the Certified General Accountants' Association of British Columbia; or

(ii) a person who is certified by the board established under Section 203A.⁴⁵

The auditor is responsible for calculating the final "number of 'qualifying pupils'" for an independent school.

Grants to private schools are prescribed by the Lieutenant-Governor in Council, who may state:

(a) the percentage to be used to calculate the grant under section 9 to an authority for an independent school for which it has Group 1 classification, and

(b) the percentage to be used to calculate the grant under

section 9 to an authority for a school for which it has Group 2 classification.⁴⁶

Payment of the grants to independent schools is authorized by the Minister of Finance and administered by the Inspector of Independent Schools. (See Table 10.)

Table 10

Interprovincial Comparison in the Authority
Appointed to Approve and Administer Grants
to Private Schools

Province	Authority
Ontario	nil
Manitoba	Approval from: Minister of Education Agreement with: Board of Trustees
Saskatchewan	Agreement with: Minister of Education
Alberta	Agreement with: Minister of Education
British Columbia	Prescribed by: Lieutenant Governor in Council Payment authorized by: Minister of Finance Administered by: Inspector of Independent Schools

The value of the grant is calculated for each school.

Independent schools which are eligible to receive a grant must qualify for "a percentage applicable to the school."⁴⁷ In 1978 the regulations specified that:

. . . the percentages to be used to calculate grants under section 9 be prescribed as follows:

Group 1, 9 per cent.

Group 2, 30 per cent.⁴⁸

This percentage refers to "the average operating cost for a pupil in

the public schools of the school district in which the independent school is located."⁴⁹ The value approximated to a per pupil grant of \$150 and \$500 respectively. (See Table 7, page 63.) Both percentages are subject to change as the average operating cost for a pupil in the public school alters.

Once the grants are prescribed by the Lieutenant Governor, the Minister of Finance is required to pay the appropriate sum to the governing body of each independent school which has received Group 1 or Group 2 classification. This sum of money is calculated by multiplying the following, (a), (b), (c):

- (a) "the number of qualifying pupils."⁵⁰
- (b) "the percentage applicable to the school."⁵¹
- (c) "the average operating cost."⁵²

Grants are calculated each year and paid to the authority of the independent school:

. . . during the following school-year in accordance with a schedule of payments set by the minister, the first payment being by August 1 and the last by March 31.⁵³

Once a grant has been received by the authority of an independent school in British Columbia it must be administered in accordance with the Act. Thus, the governing body of the independent school which has received Group 1 classification is entitled to use the grant "to pay any operating expenses of the school other than remuneration of teachers."⁵⁴ There is no law forbidding the governing body of a private school which receives Group 2 classification from using the grant to pay teachers' salaries. The legislation merely states "the authority may use the grant to pay operating expenses of that school."⁵⁵

Grants to independent schools may be discontinued on the direction of the Inspector of Independent Schools or at the request of the authority operating the private school. The Inspector has the power to ensure that instalments of the grant to an independent school are "reduced or discontinued,"⁵⁶ if these schools "ceased to comply with a standard described,"⁵⁷ in the statutes. When payment of a grant to a Group 1 or Group 2 private school has been reduced or discontinued, the authority of the school "may appeal to the minister whose decision is final."⁵⁸ Should further disagreement arise it would become a matter for the courts to settle. As previously noted, the grant may also be discontinued at the request of the private school. The authority of an independent school may notify the Inspector in writing that it wishes to terminate "a Group 1 or Group 2 classification granted to it."⁵⁹ Furthermore this authority may request the Inspector to "order that a grant to it, or further instalments under its grant, be reduced or discontinued."⁶⁰

LEGAL JURISDICTION GOVERNING FINANCIAL SUPPORT TO PRIVATE SCHOOLS FOR TRANSPORTATION PURPOSES

The use of public funds for the purpose of transporting private school students is not universally supported by provincial governments. Ontario, Saskatchewan and British Columbia have no laws under which private school students are entitled to transportation privileges, although some private school students in British Columbia use busing facilities provided by the local school board for public school students. For some years, the laws of Manitoba and Alberta have permitted private school students to be transported to and from

school. (See Table 11.) "Transported pupil" and "Eligible passenger" are defined in the regulations of Manitoba and Alberta respectively. These terms refer to the type of student who is entitled to use transportation provided by the school division.

Table 11

Interprovincial Comparison in the Year Government
Grants Were First Available to Private Schools
in the Twentieth Century

Province	Year of Initial Grant			
	Direct Grants	Shared Services	Transportation	Textbooks
Ontario	nil	nil	nil	nil
Manitoba	1978	1965	1965	1965*
Saskatchewan	1965	nil	nil	nil
Alberta	1968	nil	1976	1970**
British Columbia	1965	nil	nil	nil

*Print and Non-print materials grant.

**Reading materials grant grades I to VI.

Manitoba

As transportation agreements are essentially financial arrangements between the school board and the private school, Ministerial consent must be obtained. Thus, the statutes of Manitoba state that the school board may:

. . . provide, under the supervision and control of the board, to children enrolled in the private school, transportation from points on a regular public school bus route operated by the board to other points on the same route.⁶¹

The Manitoba regulations have defined the term "transported pupil" as it applies to a private school student as:

. . . a child enrolled in a private school who, under an agreement, is transported from a point on a regular school bus route operated by the board of a school district, area, or division to another point, on the same route.⁶²

The cost of transporting private school pupils is covered by a grant paid to the school division or school district "in respect of transportation provided by the school district or school division."⁶³

Alberta

As in Manitoba, private school pupils may be eligible for public transportation but the conditions for eligibility differ. Once private school pupils qualify to receive transportation in Alberta, the arrangements are similar for all other "eligible passengers" in the province. The term eligible passenger as it applies to private school pupils is defined in the Alberta regulations as:

(i) a pupil,

who

(v) resides within the jurisdiction of a board and attends a school or another board, a private school . . . with which the board has a tuition agreement or transportation agreement in respect of that person,

(viii) resides in unorganized territory and attends a school of another board or a private school with which the board has a subsisting transportation agreement.⁶⁴

Private school pupils are eligible to receive transportation from the government providing the board has "jurisdiction over the person."⁶⁵

That is, the board, with permission from the Minister has entered "into an agreement with . . . the operator of a private school for the provision of educational services."⁶⁶

LEGAL JURISDICTION GOVERNING FINANCIAL SUPPORT TO
PRIVATE SCHOOLS IN THE FORM OF FREE TEXTBOOKS

There is considerable disparity among provincial governments with respect to directing public funds to private schools for the purchase of textbooks. (In this study textbooks include reading materials and non-print matter.) The laws of Ontario, Saskatchewan and British Columbia contain no reference to students receiving free textbooks or print and non-print materials. In British Columbia, independent school students have enjoyed the privilege of receiving free textbooks for some years,⁶⁷ but the agreement has not been legitimized by law. Manitoba and Alberta have for some time enacted laws governing the allocation of free textbooks to students in private schools. (See Table 11, page 81.)

Manitoba

It is mandatory for a school board in which a private school is situated to requisition from the Manitoba Textbook Bureau "such authorized textbooks in regular use in public schools."⁶⁸ This request is made on behalf of the pupils attending a private school, and the books are paid for by the school division. The Minister may approve that any grant payable to the school division "under The Public Schools Act may be applied in whole or in part in or towards payment for the things so requisitioned."⁶⁹

There is a new clause in the proposed Bill 23 which is currently before the legislature. This law would require private schools to pay the school division promptly when "the cost of the supplies and materials exceeds any grants which may be earned by the

school division or school district in respect of the pupils enrolled in the private school."⁷⁰ Furthermore, the school division:

. . . shall not be required to requisition any additional supplies and materials for the private school until the excess cost is paid by the private school.⁷¹

Purchase of authorized textbooks is covered by the print and non-print materials grant in the Manitoba regulations. As the grant is payable on a per pupil basis, the regulations have defined the term 'average enrolment' as it applies to private school pupils. The average enrolment is calculated from the average of the total number of students:

. . . enrolled in private schools in the unitary division in each month in which the private schools are operated during the period in respect of which the average enrolment is material, if the students enrolled in private schools are provided with authorized textbooks free of charge; and if the private schools have requested the unitary division to provide the print or non-print instructional materials.⁷²

The board is required to pay for the expenditures on print and non-print materials. The amount is as follows:

. . . the grant shall be twelve dollars per annum for each pupil in the average enrolment of the unitary division.⁷³

Materials must be purchased through the Manitoba Textbook Bureau, and any "unexpended balance shall remain as a credit to be used by the unitary division for the purchase of print and non-print materials in subsequent years."⁷⁴ Another clause in the same regulations permits payment:

. . . to a unitary division for print and non-print instructional materials, in addition to the amount set out in section 14 . . . the lesser of

(a) four dollars for each pupil in the average enrolment of the unitary division; or

(b) the actual cost of the print and non-print instructional

materials purchased by the unitary division in addition to purchases made under section 14 in that year.⁷⁵

The Minister announced in a news conference in February 1979, that "the grant for print and non-print material has been increased to \$16 per pupil from \$12."⁷⁶ There has been no amendment to the existing regulations or an Order in Council with respect to the new grant. This change in the regulations will not mean an increase of funds for private school pupils. The change is purely administrative and requires that \$16 should be spent through the Manitoba Textbook Bureau instead of the mandatory \$12 and the discretionary \$4 of the current regulations.

Alberta

Like Manitoba, Alberta offers private school students a grant for reading materials. In Alberta this grant is provided for elementary students.

For the purpose of purchasing materials a private school may be paid the sum of \$2.30 per private school pupil in grades I to VI inclusive.⁷⁷

There is no legal requirement for provinces other than Alberta and Manitoba to channel public funds into print and non-print materials for private school pupils.

LEGAL JURISDICTION OVER CAPITAL GRANTS TO PRIVATE SCHOOLS

Providing that the basic requirements of the regulations are met private schools in Saskatchewan can apply to the provincial government for capital grants. These schools must furnish the Minister of Education with all cost estimates, and preliminary drawings for

review. If the capital grant receives approval, "the amount shall be equal to 10 per cent of the approved costs of facilities (including architects' fees) considered by the department to be eligible for such assistance."⁷⁸

SUMMARY

Of the five western provinces, Ontario is not required by law to offer direct grants, shared services arrangements, transportation or free textbooks to students enrolled in private schools. Manitoba, (1965, 1978) Saskatchewan, (1965) Alberta, (1968) and British Columbia (1977) have elected to support private schools with public funds.

The autonomy of each province is reflected in the method used to assess per pupil grants to private schools. Most provinces have minimal requirements which must be met before grants are distributed to private schools. In Manitoba the laws are less specific than in other provinces. Saskatchewan clearly states that private schools are required to conform with the specific laws of the province, as stated in the regulations, before pupils qualify for financial aid. Both Alberta and British Columbia demand that private schools and private school students conform with all the relevant laws before grants are directed into the schools. As a result not all pupils attending private schools in these provinces qualify for grants.

Further interprovincial variation occurs with respect to the authority which is appointed by law to sanction and administer grants to private schools. Manitoba, Saskatchewan and Alberta state that approval of grants to private schools is the prerogative of the

Minister of Education. In the case of Saskatchewan and Alberta the grant is administered by the Department of Education. In Manitoba the grant is administered by the board of trustees which is required to complete an annual agreement in order to channel public funds to private schools. If the trustees elect to decline formulating this agreement, some private schools in Manitoba, although approved of by the Minister of Education, will fail to receive, or cease to receive, financial support from government funds. Unlike other provinces, a hierarchy of authority may be identified in the statutes of British Columbia, through which grants are paid to independent schools. Firstly the Lieutenant Governor in Council prescribes the grants, the Minister of Finance authorizes the grants and the Inspector of Independent Schools administers, or terminates payment of the grants.

The provincial government in each of the four western provinces directs funds to private schools. In Saskatchewan this is limited to private schools where students from grades IX to XII are enrolled. Manitoba, Alberta and British Columbia fund both elementary and secondary independent schools. When these grants to private schools are calculated on a per pupil basis, there is considerable interprovincial variation in the size of the grant. The minimum per pupil grant recorded for Group 1 private schools in British Columbia is \$150 whereas the maximum per pupil grant is given to high school students in Saskatchewan--\$850.

Both Saskatchewan and British Columbia elect to express their grants as a percentage of the public school grant, whereas Manitoba and Alberta have a predetermined rate for private school students. In Manitoba the per pupil grant is variable and depends upon the type of

instruction offered in each school. In Alberta the rate is based upon the grade in which the student is enrolled, with the maximum grant being directed to high school students. British Columbia has chosen to offer a higher per pupil grant to independent schools which meet all the requirements of the statutes, and a lower rate to independent schools which meet the minimum expectations of the legislation.

Some provinces offer a number of grants to private schools in the province. In addition to the direct per pupil grant, Manitoba offers financial aid to some private schools which elect to enter into an agreement with public schools in respect to sharing facilities and services. Furthermore, Manitoba allows school boards to enter into transportation arrangement with private schools. It is mandatory for school boards to administer the textbook grant to students enrolled in private schools in the province. In addition to the per pupil grant in Saskatchewan, the province finances private language schools, and capital grants for building purposes. Alberta supports direct grants to private schools, pupil transportations grants, textbook grants and extension programmes for private school students. Furthermore, the province offers financial aid to the public school board when private schools which open in the district are seen to have an adverse effect on the public school revenue.

In order for private schools to qualify for financial aid from the government, the schools are required to conform to specific laws pertinent to each province. As a result of this agreement, private schools may have lost some of their early independence and the provincial government has gained control over the education of these students within its jurisdiction.

FOOTNOTES

1. Personal Statement. The Education Officer. Supervision and Legislation. The Department of Education. Ontario. February 15, 1978.
2. R.S.M., 1965, c. 22, ss. 157 B. (2).
3. R.S.M., 1978, c. 38, ss. 3. 171 (2)(a).
4. Ibid., ss. 4. 171 (5)(b).
5. Ibid.
6. Ibid., ss. 4. 171. (5)(c).
7. Ibid., ss. 4. 171 (5)(c)(i)(ii).
8. Ibid., ss. 3. 171 (2).
9. Ibid., ss. 3. 171 (2)(b).
10. M.R. 215/78, ss. 4.
11. Ibid., ss. 3.
12. Ibid., ss. 5.
13. S.R., 1/79, ss. 44 (a).
14. Ibid., ss. 44 (a)(b).
15. R.S.S., 1978, c. 17, ss. 304 (2)(f).
16. S.R., 1/79, Part VIII. 2. Schedule B. ss. (15).
17. S.R., 1/79, ss. 44 (a).
18. S.R., 141/77, ss. B. 1. (2).
19. S.R., 118/79, ss. 32.2 (3).
20. Ibid., ss. 32.3 (1).
21. Personal Statement. The Director of Education Administration. Department of Education. Saskatchewan. 16, July 1979.
22. S.R., 118/79, ss. 32.1 (b)(i)(ii)(iii)(iv).

23. Ibid., ss. 32.1 (c).
24. Ibid., ss. 32.6 (1).
25. Ibid.
26. Ibid., ss. 32.6 (2).
27. Ibid., ss. 32.3 (2).
28. S.R., 1/79, Part III, ss. 31 (i).
29. Ibid., ss. 31 (1)
30. R.S.A., 1959, c. 297, ss. 32 (a)(b).
31. A.R. 171/76, Amended by A.R. 153/79 and Ministerial Order 1979
ss. 1 (o).
32. Ibid., ss. 1 (p).
33. Ibid., Part VI, ss. 24 (1).
34. Ibid., ss. 24 (3).
35. Ibid., Part XVI, ss. 59.
36. A.R., 171/76. Amended by A.R. 153/79 and Ministerial Order,
1979, ss. 1 (i).
37. Ibid., Part III, ss. 12 (2).
38. Ibid., ss. 13 (1)(d).
39. Ibid., ss. 13 (1)(c).
40. Ibid., ss. 13 (1)(a).
41. R.S.B.C., 1978, c. 28, ss. 9 (b).
42. S.B.C., 1977, c. 71, ss. 7 (1)(a).
43. Ibid., ss. 7 (1)(b).
44. Ibid., ss. 7 (2).
45. R.S.B.C., 1974, c. 19, ss. 203.
46. S.B.C., 1977, c. 71, ss. 8 (2)(a)(b).
47. Ibid., ss. 9 (1)(c).
48. B.C. Reg., 309/78.

49. S.B.C., 1977, c. 71, ss. 8 (3).
50. Ibid., ss. 9 (1)(a).
51. Ibid., ss. 9 (1)(c).
52. Ibid., ss. 9 (1)(b).
53. Ibid., ss. 9 (2).
54. Ibid., ss. 10 (1).
55. Ibid., ss. 10 (2).
56. Ibid., ss. 11 (1).
57. Ibid.
58. Ibid., ss. 12 (1).
59. Ibid., ss. 11 (2)(a).
60. Ibid., ss. 11 (2)(b).
61. R.S.M., 1970, ss. 171 (1).
62. M.R., 215/78, ss. 1 (c).
63. R.S.M., 1978, c. 38, ss. 4. 171. (5)(a).
64. A.R., 154/79, Schedule 1 (b)(i)(v)(viii).
65. Ibid., Schedule 1 (h)(i)(C).
66. R.S.A., 1970, c. 329, ss. 160 (a).
67. Statement by Mr. J. Phillipson. Inspector of Independent Schools. British Columbia. February 1978.
68. R.S.M., 1970, c. E-10, ss. 12 (5).
69. Ibid.
70. Manitoba, 28 Eliz. II, 3rd Sess., Bill 23, ss. 9 (7).
71. Ibid.
72. M.R., 170/77, ss. 13 (a).
73. Ibid., ss. 14 (a).
74. Ibid., ss. 14 (d).

75. Ibid., ss. 15 (a)(b).
76. Statement by the Hon. Mr. K. Cosens. Minister of Education.
Manitoba. February 2, 1978.
77. A.R. 171/76. Amended by A.R. 153/79 and Ministerial Order 1979.
Part VI, ss. 24 (2).
78. S.R. 1/79, ss. 44 (d).

Chapter 5

PROVINCIAL JURISDICTION OVER SCHOOL ATTENDANCE LAWS AS THEY RELATE TO PRIVATE SCHOOLS

All provinces have laws relating to school attendance in general and student attendance in private schools in particular. Compulsory attendance laws specify the age at which pupils must attend public schools in the province. The statutes provide for pupils attending private schools by 'excusing' or 'exempting' them from attendance at provincial public schools. Should a private school fail to receive government recognition, students attending that particular school are declared truant from the public school and court action follows, with the necessary penalties imposed on guilty parents or guardians.

An interprovincial comparison of the main issues included in this chapter involves a discussion of:

- a. Compulsory school attendance laws and the private schools;
- b. Enforcement of compulsory attendance legislation; and
- c. Legal cases associated with the violation of compulsory school attendance laws by parents of private school pupils.

In order to discuss exemptions from compulsory school attendance it is necessary to be familiar with the legislation requiring attendance. Legislation concerning school attendance in Ontario and the four western provinces is located in the appropriate act for each province. (See Table 12, page 94.) Further specifications which a province might have with respect to school

attendance may be found in the regulations.

Table 12

Provincial Statutes Which Relate to School
Attendance and Private Education

Province	Name of Statute	Year
Ontario	The Education Act	1974
Manitoba	The School Attendance Act	1970
Saskatchewan	The Education Act	1978
Alberta	The School Act	1970
British Columbia	Public Schools Act	1960
	Independent Schools Support Act	1977

The statutes of the five western provinces are not uniform with respect to the age at which students must begin their formal educational programmes and the age when pupils may withdraw from compulsory tuition. As a result there is considerable variation among provinces with respect to the number of years of education which students under their jurisdiction must receive. The laws governing compulsory school attendance in Ontario and western Canada have been summarized in Table 13 on page 95.

COMPULSORY SCHOOL ATTENDANCE LAWS AND
PRIVATE SCHOOLS

As many provinces allow students to receive an education outside the public school system, pertinent exemption clauses may be found in the statutes with respect to school attendance. It is necessary for a record of student attendance at another educational

institution other than the public school to be sent to the attendance officer in the area. This information provides administrators with the knowledge that students are receiving educational instruction on a regular basis.

Table 13

Provincial Requirements for Compulsory Education

Province	Age at Which Compulsory Education		Number of Years of Compulsory Education
	Begins	Ends	
Ontario	6	16	10
Manitoba	7	16	9
Saskatchewan	7	16	9
Alberta	6	16	10
British Columbia	7	15	8

Ontario

The statutes of Ontario, like those of other provinces, excuse private school students from attendance at public school. The Education Act of Ontario states:

a child is excused from attendance at school if, (a) he is receiving satisfactory instruction at home or elsewhere.¹

Manitoba

In Manitoba, a student is exempt from attending a public school providing:

he produces a certificate of a school inspector that in his opinion the child is being educated at home or elsewhere in a manner equal to the standard of the public schools of the

province.²

In addition to this clause the Manitoba government will not prosecute parents or guardians of students "in regular attendance at a private school,"³ providing "the private school affords an education equal to the standard of the public schools of the province."⁴ Should Bill 22 become law, the attendance laws which are currently applicable to private school students will be reduced to a brief statement. A person would not be liable to any penalty if:

the child is in regular attendance at a private school, as defined in The Education Administration Act.*⁵

The statutes of Manitoba require private schools to keep records of student attendance. The School Attendance Act states:

the principal of every private school shall report to the secretary treasurer of the district in which the private school is located, on the last day of each month during which the school is kept open, the name, age and address of every pupil on the register of the school who has not attended school regularly during the month, together with such other information as the school board may require for enforcement of this Act.⁶

Under the proposed legislation* the onus is on the principal of a private school to notify the school attendance officer if "a child who is enrolled at or is attending a private school is absent from that school contrary to the provisions of this Act."⁷

Saskatchewan

The Education Act of Saskatchewan permits students to receive their education outside the public school system providing the instruction given has been approved by an official school

*This Act is not law; in its present form it is before the legislature as Bill 22.

administrator. Thus:

a pupil may be exempted from attendance at a school, and no parent, guardian or other person shall be liable to any penalty imposed by this Act, where:

(a) the pupil is under a program of instruction approved by the director or superintendent at home or elsewhere.⁸

Unlike other provinces, attendance laws relating to private schools are written into the Saskatchewan regulations. Under certain specified conditions students attending these schools are said to comply with the attendance legislation located in The Education Act.

Thus:

a pupil of compulsory school age who is enrolled in a private school that:

(a) is under the supervision of the department; and

(b) instructs that pupil in accordance with a program and courses of study approved by the department;

is while attending that private school regularly complying with provisions of the Act respecting compulsory school attendance.⁹

Alberta

Legislation on school attendance in Alberta is similar to that of other provinces. The statutes of Alberta excuse student attendance at a public school providing:

. . . a Department of Education inspector or a Superintendent of Schools (whether appointed by a board or the Department of Education) certifies in writing that the pupil is under efficient instruction at home or elsewhere.¹⁰

Furthermore a pupil in Alberta is excused from attending public school if "he is attending a private school approved under The Department of Education Act."¹¹

In addition to the statutes the regulations require that "a private school shall maintain records of pupil enrolment and

attendance that are acceptable to the Minister."¹²

British Columbia

Students in this province are permitted to receive instruction outside the public school system. However the Public Schools Act of British Columbia differs from some other provinces as it adopts a negative attitude prior to stating certain exemptions which are permitted within the boundaries of the Act.

Upon the prosecution of any person under this section for an offence with respect to the non-attendance of any child at public school, proof of any of the following exemptions shall constitute a good defence:

(a) That a child is being educated by some other means satisfactory of the Justice or tribunal before whom the prosecution takes place.¹³

The legislatures of all five western provinces have included in their statutes provisions for students under their jurisdiction to be educated outside the public school system. The statutes of Ontario and Alberta express in a positive manner, that students may be 'excused' from the attendance requirements. In contrast, other provinces, namely Manitoba, Saskatchewan and British Columbia choose to express the exemptions in a negative manner, i.e., persons will not be liable to a penalty if students are receiving instruction elsewhere.

The Provincial Authority Which Approves Instruction Outside the Public School System

Discrepancies are found between the statutes in respect of the authority which is required to approve the instruction students receive outside the public system. For the four western provinces the

authority is named in the exemption from compulsory school attendance laws previously cited. Manitoba, Saskatchewan and Alberta are unanimous that an official school representative, either an inspector or a Superintendent of Schools must accept responsibility for administering the Act. British Columbia is unique, for in this province the Court and not an official educational administrator is the authority who will rule on the quality of instruction that is given in private schools. (See Table 14.)

Table 14

Interprovincial Comparison in Respect of the
Authority Which may be Required to Approve
Instruction Outside the Public School
System

Province	Authority
Ontario	Committee of Independent Inquiry which reports to the Provincial Attendance Officer
Manitoba	School Inspector (Education Administrative Consultant)*
Saskatchewan	Director or Superintendent
Alberta	Department of Education Inspector or Superintendent of Schools
British Columbia	Justice or Tribunal

*In Bill 22.

In the past, situations have arisen in Canada whereby parents desired their children to be educated at an independent school, which was not recognized by the Minister of Education or his representatives. (See page 106.) The resulting conflict between the parents and the

Department of Education had the children declared truant and the parents prosecuted. Ontario has written into its statutes provision to resolve such a truancy issue through the establishment of an independent inquiry and hearing.

Where the parent or guardian of a child considers that the child is excused from attendance at school under subsection 2 of section 20, and the appropriate school attendance counsellor or the Provincial School Attendance Counsellor is of the opinion that the child should not be excused from attendance, the Provincial School Attendance Counsellor shall direct that an inquiry be made as to the validity of the reason or excuse for non-attendance and the other relevant circumstances, and for such purpose shall appoint one or more persons who are not employees of the board that operates the school that the child has the right to attend to¹⁴ conduct a hearing and to report to him the result of the inquiry.

The Provincial Attendance Officer upon receiving the report, has the authority to:

direct that the child,

- (a) be excused from attendance at school; or
- (b) attend school.¹⁵

The five western provinces are divided in respect to the authority which has ultimate power to approve or disapprove of instruction outside the public school system. Manitoba, Saskatchewan and Alberta state this decision must remain with a school administrator, whereas British Columbia and Ontario favour the involvement of other personnel in the decision-making process.

ENFORCEMENT OF COMPULSORY ATTENDANCE LEGISLATION

Each provincial government has enacted legislation whereby parents and/or guardians are responsible for ensuring children under their care attend school regularly. Some legislatures have established a series of fines and/or terms of imprisonment for

offenders who habitually neglect or refuse to accept this responsibility. This section of the study has established who is appointed in each province to serve as attendance officer. Secondly an examination has been made of the provincial laws to determine the fines and terms of imprisonment which might be imposed on convicted offenders.

Appointment of School Attendance Officials

Various provincial statutes identify the position and duties of the school attendance officer.

Provision is made in The Education Act of Ontario for the provincial cabinet to appoint a Provincial School Attendance Officer.

The Lieutenant Governor in Council may appoint an officer, to be known as the Provincial School Attendance Counsellor, who shall, under the direction of the Minister, superintend and direct the enforcement of compulsory school attendance.¹⁶

The legislation of Ontario carries a further stipulation that "every board shall appoint one or more school attendance counsellors."¹⁷

Alternatively "two or more boards may appoint the same school attendance counsellor or counsellors."¹⁸ (See Table 15, page 102.)

In Manitoba, "the board of every district shall appoint one or more persons to act as school attendance officers for the enforcement of this Act."¹⁹ Thus it is mandatory for the school board to assume responsibility for administering this legislation.

Under Saskatchewan law, a Provincial Attendance Officer is appointed by the Department and is required to carry out duties which are authorized by the Minister.

The department may appoint a provincial attendance officer whose duties shall be prescribed by the minister and who shall

supervise the administration of the provisions of this Act pertaining to school attendance and provide counsel and assistance to boards of education and their appointed officials with respect to the maintenance of regularity of school attendance.²⁰

Furthermore, each school division in the province is required to appoint its own attendance counsellor.

Every board of education shall appoint a person, or designate a member of its staff, to be the local attendance counsellor for the division.²¹

Table 15

Interprovincial Comparison of the Appointment
and Position of School Attendance Officer

Province	Attendance Officer Appointed by	Position Held
Ontario	Lieutenant Governor	Provincial School Attendance Counsellor
	School Board	School Attendance Counsellor
Manitoba	School Board	School Attendance Officer
Saskatchewan	Department of Education	Provincial Attendance Officer
	School Board	Local Attendance Counsellor
Alberta	School Board	Not Specified
British Columbia	Not Specified	Not Specified

Alberta laws are less specific than many other provinces. Each school board is required to appoint an employee who would have "the responsibility of enforcing the provisions relating to compulsory attendance."²²

Responsibility for enforcing school attendance laws in British

Columbia rests with the board of each school district. However their main activity is directed towards the public schools. The Independent Schools Support Act, and the Public Schools Act do not specify who must enforce attendance at non-public schools.

Penalties for Parents or Guardians

All five provinces have enacted legislation which includes penalties imposed on parents or guardians found negligent in their duty of ensuring that compulsory school age children in their care attend school.

Ontario. The laws of Ontario impose a fine of \$100 or a bond for \$200 if parents or guardians are found guilty of contravening the school attendance laws.

(1) A parent or guardian of a child of compulsory school age who neglects or refuses to cause the child to attend school is, unless the child is legally excused from attendance, guilty of an offence and on summary conviction is liable to a fine of not more than \$100.

(2) The provincial judge may, instead of imposing a fine, require a person convicted of an offence under subsection 1 to submit to the Treasurer of Ontario a personal bond, in a form prescribed by the provincial judge, in the penal sum of \$200 with one or more sureties as required, conditioned that the person shall cause the child to attend school as required by this Part, and upon breach of the condition the bond is forfeit to the Crown.²³

Children who are habitually truant in Ontario are "adjudged to be juvenile delinquents,"²⁴ and are charged under the Juvenile Delinquents Act of Canada.

Should a provincial judge have reason to believe that the child before him "may have been excused from attendance at school,"²⁵ the judge has the authority to refer the case to "the Provincial

School Attendance Counsellor who shall direct that an inquiry shall be made."²⁶ As a result of the inquiry and hearing the Provincial School Attendance Counsellor is expected to "submit a report to the provincial judge."²⁷

Manitoba. Parents or guardians who are negligent with respect to ensuring that their children attend school are liable to fines and imprisonment in Manitoba. For the first offence, a parent or guardian upon conviction:

. . . is liable to a fine of not less than five dollars or more than twenty dollars, and in default of payment to imprisonment for a period not exceeding twenty days.²⁸

Like those of Ontario, the Manitoba statutes permit the defendant to give a bond to the court. The child must be sent to school within three days of the judgement.

For the second or subsequent offence the fine ranges from twenty to fifty dollars and the prison sentence "for a period not exceeding thirty days for each and every offence."²⁹

Should Bill 22 become law, the school attendance officer would have the authority to "serve the person having control or charge of the child with a notice in writing,"³⁰ which requires parents or guardians to ensure that their children attend school. Furthermore should a parent or guardian be found guilty of failing in their duty he/she may be liable "to a fine not exceeding \$500.00."³¹ The court may require "the person convicted to give a bond in the penal sum of \$500.00,"³² in lieu of a fine.

Saskatchewan. The laws of Saskatchewan contain a penalty clause which can be imposed on parents or guardians who permit

children to become truant from school. These penalties include a fine or a bond to be held by the Crown. Thus

(a) A parent, guardian or other person who neglects to discharge his duty and responsibility pursuant to subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$100.

(b) Upon a conviction for an offence under subsection (2), the magistrate or judge may, in his discretion, substitute for and in the place of a fine the requirement that the person so convicted post a bond in the penal sum of \$200, with such securities as may be required, on the condition that that person shall cause the pupil to attend school as required and, upon breach of that condition, the bond shall be forfeited to the Crown.³³

There is no increased fine or term of imprisonment for habitual offenders in Saskatchewan.

Alberta. Like Manitoba, the Province of Alberta imposes fines and terms of imprisonment on parents who are negligent with respect to school attendance.

A parent whose child contravenes any of the provisions of this Act relating to school attendance is guilty of an offence and is liable on summary conviction to a fine of not more than

(a) \$100 for a first offence,

(b) \$250 for a second offence, and

(c) \$500 for a third and every subsequent offence, and in default of payment to imprisonment for a term not exceeding 60 days.³⁴

Alternatively, should a parent or guardian be convicted of an offence in Alberta, the justice of the peace or magistrate may require:

. . . a bond in a sum of not more than \$1,000 with one or more sureties to be approved by him upon the condition that the person convicted will after the expiration of five days cause the child to attend school as required by this Act.³⁵

British Columbia. There is a penalty clause in the Public Schools Act of British Columbia for parents or guardians who neglect their duty and fail to ensure their children attend school. Thus:

. . . every parent or guardian who fails or neglects to cause any such child under his care to attend some public school during the regular school-hours every school-day is guilty of an offence and is liable, on summary conviction, to a fine not exceeding ten dollars, and each day's continuance of such failure or neglect shall constitute a separate offence.³⁶

Interprovincial differences in the statutes are most apparent where penalties are imposed on parents who refuse or neglect to conform with the school attendance laws. (See Table 16.) As the

Table 16

Penalties for Parents or Guardians who Neglect
to Conform with the School Attendance Laws

Province		Fine	Bond	Imprisonment
Ontario		\$100	\$200	-
Manitoba	1st Offence	\$ 5-\$20	\$100	20 days
	2nd Offence	\$20-\$50		30 days
		(\$500)*	(\$500)*	-
Saskatchewan		\$100	\$200	-
Alberta	1st Offence	\$100		60 days
	2nd Offence	\$250	\$1,000	60 days
	3rd Offence	\$500		60 days
British Columbia		\$10 per day	-	-

*Proposed legislation in Bill 22.

statutes are revised for each province, the fines become larger. This is most significant in Bill 22 which proposes to revise The Public

Schools Act for Manitoba, where the maximum fine has increased from fifty dollars to five hundred dollars. It is also evident that prison sentences disappear in the Education Acts which have undergone revision. Saskatchewan removed the prison term of thirty days with the new Act in 1978, and Manitoba proposes to remove this penalty in Bill 22. Should this Bill be accepted by the legislature in its present form, Alberta will be the only province in western Canada to retain the imprisonment clause in the statutes.

COMPULSORY SCHOOL ATTENDANCE LAWS, PRIVATE
SCHOOLS AND THE COURTS

There have been many instances in the past when parents with strong religious convictions have withdrawn their children from the public school system and enrolled them in private schools. If the private schools have not been granted ministerial approval, this action could have violated the provincial school attendance laws, and the inevitable legal disagreement would follow in the court. The main areas of dispute are categorized as follows:

1. Federal laws conflicting with provincial laws;
2. Private schools challenging compulsory school attendance laws;
3. Religious freedom in conflict with compulsory attendance laws;
4. Human Rights legislation conflicting with provincial attendance laws.

One example of each of the four categories has been discussed briefly. The first three cases served to clarify and uphold existing

laws. The last case illustrates how judgement can set a precedent and ultimately change an existing provincial law. These subsequent changes in the laws relating to private schools have been identified.

Federal Laws Conflicting with Provincial Laws

On August 13th, 1873, Mennonites who emigrated from Russia to Canada were provided with an Order in Council from the Minister of Agriculture, which granted them religious and educational freedom. Section 10 of the document states:

that the Mennonites will have the fullest privilege of exercising their religious principles and educating their children in schools as provided by law, without any kind of molestation or restriction whatever.³⁷

Between 1907 and 1916 Houston School, Manitoba had been recognized at various times as a private school and as a public school. When the trustees of Houston School received a grant from the provincial government the school operated as a public institution. On other occasions, funds from the provincial treasury were declined and the school functioned as a private organization. In 1916, the trustees of Houston School ceased to accept public funds and returned to private school status. Whereupon in 1919 the government introduced its own teacher and operated the school under the public system. As a result the Mennonite families withdrew all children from the school,³⁸ and the following case was brought to court.

A Mennonite parent John Hildebrand in 1919 was charged with violating the school attendance laws by refusing to send his daughter to school. He challenged the provincial School Attendance Act, and questioned whether it was binding upon Mennonites. He claimed the

Order in Council rendered the provincial statutes *ultra vires*.³⁹

The court consulted the Manitoba Act of 1870, when the province first came into being. Section 22 of the Act stated "In and for the Province the said legislature may exclusively make laws in relation to Education."⁴⁰ The judge ruled that no federal statutes, nor order in council has jurisdiction over the education laws of the province. The Order in Council was held to be *ultra vires** and The School Attendance Act and The Manitoba Act *intra vires*.

Thus Mennonites who had emigrated from Russia at the end of the nineteenth century because of infringements upon their religious and educational freedom, lost these rights in Manitoba in 1919.

The ruling in this case serves to clarify that provincial laws take precedence over federal laws in educational matters within the province.

Private Schools Challenging Provincial Compulsory Attendance Laws

In 1923, Jacob Ulmer was charged with violating the compulsory education laws of Alberta.⁴¹ At that time his son was attending a private Lutheran School which had not received a written certificate of approval from the school inspector. Thus, the father of the student was charged with neglecting to send his child to a public school in the district.

*This is incorrectly stated by Audrey S. Brent in her paper entitled "The Right to Religious Education and The Constitutional Status of Denominational Schools." Saskatchewan Law Review, 40: 239-267, 1974-76 at page 256. The author declares the Order in Council to be *intra vires*.

The court declared the provincial school attendance laws were *intra vires*. Therefore children of school age were required with some exceptions to attend the public school in their district. As the inspector had not given his written approval of the private school in question, students were required to obey the law and attend the public school. Failure to comply with the statutes rendered the children truant and the parents liable to prosecution under the Act. Furthermore, the judge ruled that challenging the right of an inspector to withhold the certificate of approval for the private school, was not a question for that particular court to consider.

In this case, there was no provision in the education acts to allow the judge to rule whether the child received adequate instruction at home or elsewhere. This authority was the prerogative of the school administrators. Here the statutes of Alberta differ from those of other provinces such as British Columbia, in which the courts are permitted to decide whether the instruction a student receives outside the public school system is adequate, or Ontario where this decision rests with a committee of independent inquiry.

The autonomy of the education acts were realized in this case. At that time no legislation existed in Alberta to enable the judge to consider the rights of parents regarding the education of their children.

Religious Freedom in Conflict
with Compulsory Attendance
Laws

During the fifties, a Doukhobour father refused to send his child to school in British Columbia. The child who was habitually

truant from school was removed from his parents by order of the magistrate. The child was placed under the custody of the Superintendent of Child Welfare as directed by the Protection of Children Act. The parents appealed the magistrate's decision on the grounds he had:

. . . a fundamental right of freedom of religion and that they, having a scruple against their children receiving some of the instruction given at public school, therefore have, under this right of freedom of religion, the right to withhold their children from public schools.⁴²

Furthermore the parents claimed the Protection of Children Act infringed upon their religious rights.

The court ruled that the parents had no right or privilege under the provisions of section 93 of The British North America Act which would limit the authority of the provincial statutes. The parents were required to conform with the attendance laws of the province, and under the circumstances the magistrate was within the law committing the child to the Superintendent of Child Welfare. As no Bill of Rights existed in Canada or British Columbia at the time of the ruling the statutes stood, and the parents were convicted.

Provincial Human Rights Legis-
lation Conflicting with
Provincial School Attendance
Laws

Parental disenchantment with the public school system in Alberta reached its climax in 1977 when a large group of Mennonite parents withdrew their children from the public schools. The students were placed in private 'Christian' schools, under the control of the parents. The religious group belong to the fundamentalist sect of the Mennonite church, which disagreed with the academic programme and

the lack of discipline in the public schools.⁴³ The parents employed teachers who were not certificated^{44, 45} and the schools were not certified by the Minister of Education.

A Mennonite parent, Elmer Wiebe, was charged with violating the compulsory attendance laws of the province.⁴⁶ His children were declared truant from the public schools, as they were attending private schools which had not been approved by the Minister of Education. In his defence, *amicus curiae* claimed the Mennonite parents had freedom under The Alberta Bill of Rights, which states,

Whereas the free and democratic society existing in Alberta is founded upon principles that acknowledge the supremacy of God and upon principles, fostered by tradition, that honour and respect human rights and fundamental freedoms and the dignity and worth of the human person. . . .⁴⁷

The Canadian Bill of Rights and the Alberta Bill of Rights grant 'freedom of religion' in Canada. When educational standards and values are deeply embedded in religious principles, then in order to have freedom of religion, parents must have the right to select the way to educate their children. Judge Oliver criticized The School Act and The Education Department Act which gave administrators, that is, the Minister of Education and the Superintendent, ultimate decision-making powers:

under the school attendance laws as now in place in this province, no one in authority has to justify anything. . . . What the Crown should be prepared to justify--and they are silent on the subject--is legislation in a field so vital to the intimate concerns of the people as education, that ignores the courts and provides no recourse to them.⁴⁸

The judge approved of the legislation in British Columbia "where the courts are authorized to intervene and take part in the decision-making process."⁴⁹

According to Judge Oliver of Alberta, "the courts, not public officials, construe and apply the law."⁵⁰ This provision is not granted in either The School Act or The Department of Education Act in the province. In the opinion of Judge Oliver, the fact that the courts were excluded from contributing to the decision-making process in Alberta could well lead to discrimination. Under such circumstances when the provincial laws conflict with the Bill of Rights, then according to section 2 of the Act, the Bill of Rights would take precedence over the provincial statute. Thus:

. . . every law of Alberta shall, unless it is expressly declared by an Act of the Legislature that it operates notwithstanding The Alberta Bill of Rights, be so construed and applied as not to abrogate or infringe or to authorize the abrogation, abridgement or infringement of any of the rights or freedoms herein recognized and declared.⁵¹

In the final ruling the judge declared the offence against Elmer Wiebe was "one of absolute liability,"⁵² and there was sufficient evidence to prove the parents were guilty of contravening the attendance laws of the province. However, the judge rendered The Department of Education Act and The School Act "inoperative by reason of The Alberta Bill of Rights because it denies to the accused, Elmer Wiebe, freedom of religion, guaranteed by section 2 of The Alberta Bill of Rights."⁵³ Elmer Wiebe was declared to be not guilty, 'Christian' schools in Alberta were legitimized and within a few weeks of the case the Minister of Education revised the regulations relating to private schools in the province.

As a direct result of this action the regulations governing the administration (See Chapter 4) and financing (See Chapter 5) of private schools in Alberta underwent complete reformation. Current

Alberta regulations permit the establishment of schools which employ non-certificated teachers.

The recognition of 'Christian' schools in Alberta gives rise to some concern, for these schools are founded upon doctrines of religious intolerance. This in turn could violate the Human Rights legislation as the group exercise religious discrimination. Furthermore the British North America Act, which granted to each province the authority to formulate its own laws with respect to education, might itself be considered to be discriminatory, for the provisions in the Act give:

. . . one denominational group access to public education funds while systematically denying other religious based groups similar access.⁵⁴

SUMMARY

All five provinces have agreed that students are not required to attend public schools under certain conditions which are specified in the statutes. The legislation of Ontario, Manitoba, Saskatchewan and Alberta excuse or exempt students from compulsory attendance laws providing these students receive an education in an acceptable private school. British Columbia also exempts students from attendance at public schools providing the education they receive outside the public schools system is satisfactory to the court.

If parents elect to send their children to a private school and the provincial government is in conflict with the education offered by the school, the conflict may be resolved by a decision from the recognized authority. There is a notable interprovincial variation between the statutes with respect to the recognition of the

appointed authority. Manitoba, Saskatchewan and Alberta agree that this responsibility should remain with an educational administrator and British Columbia specifies that the court should rule in any disagreement. The Ontario legislation appears to offer a reasonable solution to the problem by appointing an independent inquiry to resolve the issue.

All five western provinces agree that parents or guardians are responsible for ensuring school age children receive an education. In Ontario, Manitoba, Saskatchewan and Alberta school attendance officers or counsellors are appointed by the school board and are responsible for carrying out the attendance requirements of the provincial act. In addition to the local attendance counsellors, Ontario and Saskatchewan have Provincial School Attendance Officers. Unlike other provinces the Public Schools Act of British Columbia specifies that school boards are required to enforce the attendance requirements for the public schools.

Negligent parents who fail to ensure their children attend school are liable to fines and/or imprisonment if found guilty of contravening the legislation. Interprovincial variation exists in respect to the amount of fine imposed and the sum of the bond which may be given to the court. Only Manitoba and Alberta retain the imprisonment clause in the statutes.

For many decades, religion has proved to be the underlying cause of a number of legal confrontations between parents of private school pupils and provincial school administrators. As a result of their religious convictions, parents have withdrawn their children from the public school system and enrolled them in private schools

which have not been recognized by the province. Under the provisions of the attendance legislation these children have been declared truant from public schools and the parents prosecuted.

In their defence parents have challenged Canadian laws. Up to 1978, parents were found guilty of violating the attendance laws of the province. They were duly fined and/or imprisoned. In addition, to these legal penalties these parents were required to conform with the decision handed down by the court, which frequently required returning children to the public school system. Early in 1978, the Human Rights legislation of Alberta upheld the decision of parents to educate their children in private schools which did not conform with the educational laws of the province. This judicial ruling prompted immediate changes in the existing educational laws which governed private schools in the province.

FOOTNOTES

1. R.S.O., 1974, c. 109, ss. 20 (2)(a).
2. R.S.M., 1970, c. S-20, ss. 6 (1)(b).
3. Ibid., ss. 6 (1)(a).
4. Ibid., ss. 6 (1)(a)(i).
5. Manitoba, 28 Eliz. II, 3rd Sess., Bill 22, ss. 261 (1)(a).
6. R.S.M., 1970, c. S-20, ss. 19.
7. Manitoba, 28 Eliz. II, 3rd Sess., Bill 22, ss. 266 (3).
8. R.S.S., 1978, c. 17, ss. 156 (a).
9. S.R. 1/79, ss. 48 (1)(a)(b).
10. R.S.A., 1970, c. 329, ss. 134 (1)(a).
11. Ibid., ss. 134 (1)(e).
12. A.R., 243/70, Amended by A.R. 98/74, A.R. 140/78, ss. 9.
13. R.S.B.C., 1960, c. 319, ss. 121 (2)(a).
14. R.S.O., 1974, c. 109, ss. 23 (2).
15. Ibid., ss. 23 (2)(a)(b).
16. R.S.O., 1974, c. 109, ss. 23 (1).
17. Ibid., ss. 24 (1).
18. Ibid., ss. 24 (2).
19. R.S.M., 1970, c. S-20, ss. 9 (1).
20. R.S.S., 1978, c. 17, ss. 159.
21. Ibid., ss. 160.
22. R.S.A., 1970, c. 329, ss. 148.
23. R.S.O., 1974, c. 109, ss. 29 (1)(2).
24. Ibid., ss. 29 (5).

25. Ibid., ss. 29 (7).
26. Ibid.
27. Ibid.
28. R.S.M., 1970, c. S-20, ss. 22 (2).
29. Ibid., ss. (3).
30. 1979, 28 Eliz. II, 3rd Sess., Bill 22, ss. 268 (1).
31. Ibid., ss. 268 (3).
32. Ibid., ss. 268 (4).
33. R.S.S., 1978, c. 17, ss. 155 (2)(3).
34. R.S.A., 1970, c. 329, ss. 1971 (1)(a)(b)(c).
35. Ibid., ss. 172.
36. R.S.B.C., 1960, c. 319, ss. 121 (1).
37. Minister of Agriculture, Dominion Order in Council, August 13, 1873, ss. 10.
38. Winnipeg Free Press, July 17, 1919, p. 1.
39. R.v. Hildebrand (1919), 30 Man. R. 149 at p. 153.
40. The Manitoba Act, 1870, c. 3, ss. 22.
41. R.v. Ulmer, (1923) 1, D.L.R., 304 C.A.
42. Perepolkin v. Superintendent of Child Welfare, (1957), 23 W.W.R. 592, C.A. at p. 603.
43. I. Quirk and E. Briggs, "Issues Relating to the Newly Opened 'Christian' Schools in Manitoba," unpublished report, December 1977.
44. Ibid.
45. Winnipeg Free Press, January 9, 1978, p. 4.
46. R.v. Wiebe, (1978) 3 W.W.R. 36.
47. R.S.A., 1972, c. 1, ss. 2.
48. R.v. Wiebe, op. cit., p. 53.
49. Ibid., p. 52.

50. Ibid., p. 54.
51. R.S.A., 1972, c. 1, ss. 2.
52. R.v. Wiebe, op. cit., p. 41.
53. Ibid., p. 62.
54. Joe Fris, ed., "Report on Unity in Education," The Canadian Administrator, (November, 1978), p. 5.

Chapter 6

STATUTORY CONROLS OVER PRIVATE EDUCATION

The purpose of this chapter is to offer a brief discussion of some issues, previously identified in the study, which centre around the current concern regarding statutory control of private education. From an examination of the provincial laws relating to private schools in Ontario, Manitoba, Saskatchewan, Alberta and British Columbia it is evident that all private schools are subject to some government controls. Since the British North America Act of 1867 granted to each province the authority to formulate its own laws with respect to education, (See Appendix A) it is not surprising that public control over private education varies from province to province.

Reasons for Public Control of Private Schools

The provincial statutes require a certain degree of public control over private education. This control derives from two major factors, namely the exemption from compulsory school attendance for private school students and the financial support of private schools from public funds.

Legislation regarding exemption from compulsory school attendance permits students to attend private schools, providing certain legal conditions are met by the organizations. (See Chapter 5.) Generally such conditions specify the standard of education which must be achieved by private schools. In Ontario and British Columbia

the standard of education a pupil receives outside the public school system must be "satisfactory."^{1, 2} The statutes of Saskatchewan require this form of instruction to be "approved,"³ while those of Alberta state such instruction must be "efficient."⁴ Under the terms of the Manitoba legislation a pupil is exempt from attending a public school providing the education he/she receives is "equal to the standard of the public schools in the province."⁵ Provincial school administrators could be required to assess the educational programmes offered by private schools in order for such schools to comply with the attendance requirements of the provincial statutes.

A second reason for exercising control over private schools centres around the issue of funding private schools from the provincial treasury. (See Chapter 4.) When public money is directed towards independent schools, it is to be expected that legislation will follow which requires these organizations to become accountable to the public for the resources they receive.

Identification of Public Controls Over Private Schools

Public controls over private schools may be identified in the following four areas:

- a. Health and safety standards of the premises;
- b. Specification of educational standards, including curriculum content and pupil evaluation policies;
- c. Requirements relating to administrative procedures for private schools; and
- d. The social, political and religious doctrines perpetuated by private schools.

Health and safety standards of the premises. All provinces have certain statutory laws and regulations which relate to safety standards of buildings, public health and sanitation requirements and fire controls. For Manitoba such legislation may be located in The Public Health Act,* The Public Buildings Act,* and The Fires Prevention Act.* Private schools cannot operate in substandard or inadequate facilities. Unlike other provinces, Alberta has incorporated such requirements into the regulations governing private schools.⁶

Inspection of educational standards in private schools. The inspection of educational standards in private schools provides the public with a method of ensuring that private schools are responsible for the public funds they receive. Evidence of private schools being accountable for public resources is seen by examining the statutes which are detailed in earlier chapters. Thus, in some areas of Canada these organizations may be required to submit to government inspection before schools receive the desired grant. This inspection may be specified in the legislation and regulations to include an examination of the curriculum content, a study of pupil testing procedures and an assessment of the qualifications of the teaching staff.

Furthermore, some provinces such as Alberta and British Columbia will not make payment of a grant unless each private school within its jurisdiction has satisfied the administrators that the school and pupils attending the school are qualified to receive

*The analysis of this Legislation has been excluded from the study. See Delimitations, Chapter 1.

financial aid. These qualifying terms are itemized in the statutes and regulations, and provide a method through which the provincial government is able to extend controls over private schools.

Administrative requirements for private schools. Administrative requirements have been introduced by many provinces as a method of extending controls over private schools. Frequently these procedures have been itemized in the statutes or regulations. As a result of these laws private schools in all provinces are required to complete forms and/or reports which pertain to the establishment, operation and maintenance of these organizations. Provinces such as Manitoba require monthly attendance reports to be sent to the attendance officer. Many of the western provinces which direct public funds to private schools require detailed information from the schools before the institutions receive government grants. (See Appendix C.)

Social, religious and political doctrines perpetuated by private schools. Private schools in British Columbia can only receive public funds if these organizations are able to satisfy the Inspector of Independent Schools that the school does not promote or foster doctrines of social violence, religious intolerance, or ethnic superiority.⁷ This relatively new law which has been enacted by the British Columbia legislature introduces a new form of public control over private education.

Consequences of Public Controls Over Private Education

Some obvious advantages and disadvantages are realized from exercising public controls over private schools. In provinces such as

Ontario and Alberta as a result of the inspection of private high schools, students may be eligible to graduate with a recognized certificate or diploma.

Independent school teachers in British Columbia may become eligible to receive certification based on their experience in the private schools. This certification may be obtained through the recommendation of an appointed Teacher Certification Committee.

There is increasing public pressure on private schools to become more accountable for the financial support which they receive from public funds. Increased government aid and the consequent accountability has led to some loss of autonomy by the schools. The results of a research project directed by Donald A. Erickson⁸ will reveal whether private schools lose their unique and individual characteristics as a result of meeting more stringent legal requirements of the province in order to receive financial support.

Another issue relating to the consequences of public controls over private schools concerns the subject of equal educational opportunity. Under the present system of directing public funds to private schools, not all private school students in the western provinces have access to this form of public support. The withholding of public aid to private schools which are approved or recognized by a provincial government authority may have a significant effect upon the education which students attending these schools receive. Lack of funds may result in the inability of private schools to offer adequate facilities and to hire professional teachers. When public funds are withheld from these schools, the students may not have the same educational opportunity as their contemporaries in funded

institutions. Under such circumstances the school board or the provincial government may be viewed as discriminating against some private educational institutions. Some provinces have attempted to resolve this dilemma. The Independent Schools Support Act of British Columbia offers a smaller per pupil grant to private schools meeting the basic requirements of the statutes, and a larger per pupil grant to private schools which are under greater public control.⁹ There remain in the province a few independent schools which do not receive any financial support.

Finally, provincial statutes other than those directly concerned with education can affect government controls over private schools. In a recent case involving The Alberta Bill of Rights and the educational laws of the province, a problem was created for the Department of Education when a contradiction between these laws occurred. This conflict forced legislators and administrators to rewrite the educational laws governing private schools in order to ensure the Bill of Rights no longer infringed upon the school legislation and regulations.

SUMMARY

Private schools survive because they foster an alternative form of education to the public school system. These independent organizations frequently offer their students a religious, cultural, linguistic or academic emphasis which is not readily available from the majority of public schools. There is a need for each provincial government to review the current laws relating to private schools to ensure that all students attending these schools receive an education

which meets a minimum standard specified by the province. If provincial statutes and regulations become too prescriptive, the inevitable situation will arise in which independent schools will become indistinguishable from public schools.

FOOTNOTES

1. R.S.O., 1974, c. 109, ss. 20 (2)(a).
2. R.S.B.C., 1960, c. 319, ss. 121 (2)(a).
3. R.S.S., 1978, c. 17, ss. 156 (a).
4. R.S.A., 1970, c. 329, ss. 134 (1)(a).
5. R.S.M., 1970, c. S-20, ss. 6 (1)(a).
6. A.R., 243/70, Am. by A.R. 98/74 and 140/78, ss. 7.
7. S.B.C., 1977, c. 71, ss. 5 (a)(i)(ii)(iii).
8. Donald A. Erickson, Lloyd MacDonald, Michael E. Manley-Casimir and Patricia L. Bush, Characteristics and Relationships in Public and Independent Schools, C.O.F.I.S., Baseline Survey Interim Report (San Francisco: Center for Research on Private Education, 1979).
9. S.B.C., 1977, c. 71, ss. 8.

Chapter 7

SUMMARY CONCLUSIONS AND RECOMMENDATIONS

This chapter includes a review of the work which has been undertaken and the deductions which have emerged as a result of the investigation. Finally, suggestions have been made for the practical application of the research.

THE PROBLEM RESTATED

The purpose of the study was to examine the statutory provisions which govern private schools in Ontario, Manitoba, Saskatchewan, Alberta and British Columbia. An interprovincial comparison was made of those laws affecting private schools and case law was studied when legal ruling was seen to affect private schools. Statutes and regulations in the following areas were analyzed:

1. The administration of independent schools, which includes the provincial definition of independent school, the establishment, operation and inspection of private schools, the classification of private schools, together with teacher certification in these schools;
2. Financial support of private schools from public funds including direct grants, shared services arrangements, transportation privileges, free textbooks and capital grants;
3. Exemptions from school attendance laws for private school pupils.

GATHERING THE DATA

The major part of the work consisted of examining current statutes and regulations for each province. Once these were obtained, it was possible to trace earlier laws either to the time they were first enacted or to Confederation.

Most statutes were available in the Law Library of the University of Manitoba, but older regulations proved more difficult to secure. When they were unobtainable in Manitoba they were acquired through the Provincial Archivist and the Department of Education for the particular province concerned.

Additional materials, such as application forms to open a private school, forms to apply for provincial grants, and a list of private schools were supplied by the Department of Education in each province. This information is included in the appendix of the study.

SUMMARY OF MAJOR FINDINGS

The results of the study may be summarized as follows:

The Literature

There is a notable absence of Canadian material relating to educational law and private schools.

Current Laws Governing Private School Administration

Current laws governing private school administration vary in specificity among the provinces. Statutory provisions in Manitoba, Saskatchewan and British Columbia are nebulous with regard to the establishment of private schools. In contrast, Ontario and Alberta

have more specific laws which control and direct the opening of private schools in the province. Furthermore, these provinces include penalties if the laws are disregarded.

The provinces differ in legislation pertaining to the operation of private schools. Manitoba has no detailed laws governing the operation of these institutions whereas such legislation has been enacted by the provincial governments of Ontario, Saskatchewan, Alberta and British Columbia. The Minister of Education assumes responsibility for administering these laws. The exception is British Columbia, in which province the Minister has delegated his responsibility to the Inspector of Independent Schools.

Private schools are directed and maintained by independent governing bodies. Unlike other provinces, British Columbia defines "the authority" or governing body of a private school in the statutes. Many provinces incorporate some of the duties of the governing body into the laws relating to private schools.

Some provincial statutes have given the Minister of Education power to inquire into the operation of private schools. Provision is made in many statutes for the Minister to delegate this authority to subordinates. British Columbia has elected to identify the position and duties of Inspector of Independent Schools in the legislation. Other provinces are less specific in this respect, and some, such as Manitoba avoid using the title of 'Inspector.'

Private school inspection is characteristic of many Canadian provinces. In Alberta and British Columbia this inspection is a significant step towards the classification of independent schools into two or more categories. As a result of this classification

process, some schools are entitled to receive grants from the provincial government. The inspection of private schools may result in the organizations receiving public funds. Courses taught in the schools may be recognized for high school credit and teachers at these schools may be eligible to receive certification.

British Columbia differs from the other provinces as it makes provision for some teachers in private schools to receive recommendation for certification. These teachers may obtain their certificates as a result of their experience and not necessarily on the basis of academic qualification.

Current Laws Governing the Allocation of Public Funds to Private Schools

Unlike Ontario, the provinces of Manitoba, Saskatchewan, Alberta and British Columbia elect to channel public funds into private education. Such laws were established in Manitoba in 1965 and 1978, Saskatchewan in 1965, Alberta in 1968 and British Columbia in 1977.

Considerable differentiation exists between provinces with respect to the minimal requirements which must be attained before private schools are entitled to receive grants. In Manitoba and Saskatchewan the onus is on the schools to meet the requirements of the law, whereas other provinces such as Alberta require private schools and private school pupils to meet qualifying standards before payment to a school is made.

Further differences between the four western provinces are seen in the agency appointed to sanction and administer grants to

private schools. In most cases this is the prerogative of the Minister of Education, and funding is administered by the Department of Education. The exception is Manitoba, for in this province each board of trustees elects or declines to negotiate the financing of approved private schools.

Considerable interprovincial variation occurs with respect to allocation of funds to private schools. In Saskatchewan and Alberta private schools are eligible to receive the full per pupil grant providing they meet all the requirements of the law. In contrast to this situation private schools in Manitoba and British Columbia may be eligible to receive a percentage of the per pupil grant, providing that the school and pupils meet certain legal specifications. The Manitoba government calculates this amount as a percentage of the full grant, while British Columbia adopts a two tier system with each level carrying a predetermined flat rate. Pupils either qualify for the minimum grant or the maximum grant.

In order that the governing body of a private school receives a grant in Manitoba and Saskatchewan, the onus is on the school to meet the requirements of the law. This is not the case in Alberta and British Columbia where the per pupil grant is paid on the condition that the school and each pupil attending the school are qualified to receive it.

An interprovincial comparison in the per pupil grant to private schools in western Canada indicates a marked disparity in the amount of the grant. For the 1978-79 academic year, secondary pupils in Saskatchewan received greater financial support from the provincial government than similar students in other provinces. Alberta,

Manitoba and British Columbia made more significant contributions to private school pupils as their grant extended to elementary and secondary students.

Although the per pupil grant for Manitoba is lower than in other provinces, consideration must be given to the fact that the provincial government has generated funds to support shared services agreements, transportation and free textbooks. Not all private school students in other provinces benefit from this additional source of revenue. Like Manitoba, Alberta supports student transportation and has a small reading materials allowance for elementary students.

Current Laws Governing the
Exemption from Compulsory
School Attendance for
Private School Pupils

All provinces have laws relating to compulsory school attendance, but variation exists between the provinces in regard to the number of years that pupils are required to attend school.

Similarly, all provinces carry exemptions in the statutes which permit students to receive an education outside the public school system. There is considerable interprovincial variation with respect to the authority which approves the education outside the public school. This authority has been identified as the Minister of Education or an investigating committee or a provincial court judge. When approval is not granted, students may be declared truant from the public school and the parents or guardians liable to prosecution. If convicted these parents are liable to fines and imprisonment as stated in the statutes.

For many decades incidents have arisen whereby the religious

convictions of parents prompted them to remove their children from the public school system. Frequently, this has caused violation of the compulsory attendance laws and subsequent court action.

Until 1978, provincial education laws had always been upheld and parents were found guilty of contravening the attendance laws of the province. This situation was reversed in Alberta in 1978, when The Alberta Bill of Rights took precedence over the existing laws of the province. The ruling of the court prompted an amendment to the provincial laws which governed private schools.

CONCLUSIONS

The generalizations which have emerged as a result of this study are as follows:

1. There is considerable interprovincial variation in legislation and regulations governing private schools. This is a direct result of section 93 of the B.N.A. Act, which granted to each province autonomy in matters relating to education.
2. The absence of documentation in the field of school law and laws governing private schools suggests this area has been neglected by educational researchers and administrators.
3. The emergence of laws governing private schools in recent years reflects the public recognition of independent schools as an acceptable educational alternative to the public school system.
4. Once private education has the official sanction of the provincial government, laws are enacted by most legislatures to direct funds to support these independent organizations.
5. The emergence of statutory laws in a province in order to

direct grants to private schools from the provincial treasury is generally associated with more stringent government controls on the schools which receive financial aid. These laws force private schools in a growing number of provinces to become accountable for the support they receive.

6. Many provincial governments in generating funds for private schools differentiate between the schools and the pupils attending the schools. As a result, the government fails to give all private school pupils within the province equal educational opportunity.

7. There is a notable absence of legislation in many provinces to ensure that private school teachers and administrators participate in educational training (in-service) programmes sponsored by the Department of Education and/or the local school board.

8. Approval of private schools is no longer the prerogative of experienced provincial educational administrators. It is yet to be established who has ultimate responsibility for setting minimum educational standards for private schools. This is necessary to ensure that students attending these schools receive an education to which they are entitled as Canadian citizens.

RECOMMENDATIONS FOR FURTHER STUDY

This study has focused on statutory provisions which govern private schools in Ontario and western Canada. As a result of the work it is apparent that there are numerous related topics which provide possibilities for further research in areas which would be beneficial to legislators and administrators. These suggestions are

briefly outlined.

1. An interprovincial comparison could be made of laws, other than educational statutes and regulations, which directly or indirectly govern private schools. These laws might include public health and safety standards for private school premises and indirect tax benefits.

2. A study could be made of pertinent municipal laws and their effects on private schools in named Canadian provinces.

3. An investigation might be undertaken into the qualifications and experience of teachers in private schools throughout Canada.

4. A comparative study might be considered between the professional and academic duties undertaken by private and public school teachers.

5. An investigation might be made into non-public sources of revenue for private schools.

6. A comparative study might be undertaken into the curriculum content, teaching methods, and pupil evaluation procedures in different types of private schools.

PRACTICAL APPLICATIONS OF THE STUDY

From an interprovincial comparison of legislation and regulations governing private schools in the five western provinces, a number of recommendations appear to be appropriate. Educational administrators and legislators should consider these suggestions when formulating new provincial laws governing private schools.

1. The responsibility for administering laws controlling

educationalists in terms of minimum standards for private schools. Following this investigation, discretionary legislation should be introduced into a provincial educational statute in order to encourage private schools to attain these standards.

4. Legislation should be introduced by all provincial governments to ensure that all private school teachers and educators confer with educationalists in the public school system. Certain specified in-service days should be organized by The Department of Education. This would give all private school teachers the opportunity of participating in educational training and pupil assessment programmes, thus increasing their expertise as educationalists.

5. In order to effectively and efficiently administer the laws relating to private schools, each provincial Department of Education should appoint a "Co-ordinator of Private Schools." The incumbent would be responsible for:

- (a) Evaluating private schools and their teaching personnel;
- (b) Monitoring disbursement and use of public funds allocated to private schools;
- (c) Organizing in-service training sessions for teachers in private schools;
- (c) Generally administering the committee recommendations which have been adopted by the government.

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APPENDIX A

THE BRITISH NORTH AMERICA ACT, 1867

INDEPENDENT SCHOOLS SUPPORT ACT, 1977 (B.C.)

THE BRITISH NORTH AMERICA ACT, 1867**Education**

93. In and for each Province the Legislature may exclusively make Laws in relation to Education, subject and according to the following Provisions:—

- (1) Nothing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by Law in the Province at the Union:
- (2) All the Powers, Privileges, and Duties at the Union by Law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic Subjects shall be and the same are hereby extended to the Dissentient Schools of the Queen's Protestant and Roman Catholic Subjects in Quebec:
- (3) Where in any Province a System of Separate or Dissentient Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education:
- (4) In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that Behalf, then and in every such Case, and as far only as the Circumstances of each Case require, the Parliament of Canada may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor General in Council under this Section. (43)

Certified correct as passed Third Reading on the 7th day of
September, 1977.

IAN D. IZARD, *Law Clerk.*

MINISTER OF EDUCATION.

BILL

No. 33]

[1977

Independent Schools Support Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Interpre-
tation.

1. In this Act,

"authority" means a society incorporated under the *Societies Act*, or a corporation incorporated under a private Act, as a non-profit corporation for the purpose of operating a school in the Province;

"board" means a Board under the *Public Schools Act*;

"certified" means

- (i) holding a valid and subsisting teacher's certificate of qualification or letter of permission issued under the *Public Schools Act*, or
- (ii) having taught in a public school or independent school in the Province on a full-time basis for 10 or more years, or
- (iii) certified by the inspector on the recommendation of an independent schools teacher certification committee;

"elementary school" means an independent school in which tuition or tuition and accommodation are provided primarily for persons who, if they were attending a public school, would be enrolled in one of the grades from Grade I to Grade VII or in a kindergarten class;

"Group 1 classification" means classification under section 5;

"Group 2 classification" means classification under section 6;

"independent school" means a school that

- (i) is not a public school,
- (ii) is maintained and operated in the Province by an authority, and
- (iii) functions as an elementary school, secondary school, or both;

"inspector" means the inspector of independent schools appointed under section 2;

"minister" means that member of the Executive Council charged by order of the Lieutenant-Governor in Council with the administration of this Act;

"operating expenses" means operating expenses as defined in the *Public Schools Act*;

"public school" means a public school as defined in the *Public Schools Act*;

"qualifying pupil" means a person

- (i) enrolled in an independent school to receive tuition through it for at least 135 days by May 15 in the school-year for which a grant application is made under this Act,
- (ii) of school age as determined under the *Public Schools Act* during that school-year or, where enrolled in kindergarten, not more

than one year under school age as determined under the *Public Schools Act* during that school year,

(iii) who

(A) has a parent who is a Canadian citizen or has been lawfully admitted to Canada under the *Immigration Act* (Canada) for permanent residence, or

(B) had a parent who, at the time of the death of that parent, satisfied the requirements of clause (A), and

(iv) who has a parent or guardian resident in the Province;

"school district" means a school district as defined in the *Public Schools Act*;

"school-year" means school-year as defined in the *Public Schools Act*;

"secondary school" means an independent school in which tuition or tuition and accommodation are provided primarily for persons who, if they were attending a public school, would be enrolled in one of the grades from Grade VIII to XII;

"teacher" means a person employed to give tuition or instruction or to administer or supervise instructional service in an independent school.

Staff and duties.

2. (1) There may be appointed, pursuant to the *Public Service Act*, an inspector of independent schools and such other employees as may be considered necessary to carry out duties under this Act.

(2) The minister may, in writing, delegate powers and duties vested in him under this Act to the inspector.

(3) The inspector is responsible to the minister for the administration of this Act.

(4) The minister or the inspector may designate a person to act as inspector during the inspector's absence and a person so designated has the power of the inspector.

Independent schools teacher certification committees.

3. (1) The minister may, for the purposes of subsection (2),

(a) constitute one or more independent schools teacher certification committees, and

(b) name the persons to be members of a committee.

(2) Subject to the regulations, the inspector may grant certification to a teacher on the recommendation of an independent schools teacher certification committee.

External evaluation committees.

4. The inspector may, for the purposes of section 6 (c),

(a) constitute one or more external evaluation committees,

(b) name the persons to be members of a committee, and

(c) prescribe the duties of those committees.

Group 1
classifi-
cation.

5. The inspector may grant Group 1 classification for a school-year to an authority in respect of an independent school funded and operated by the authority where the inspector is satisfied that

- (a) no program is in existence or is proposed at the school that would, in theory or in practice, promote or foster doctrines of
 - (i) racial or ethnic superiority, or
 - (ii) religious intolerance or persecution, or
 - (iii) social change through violent action,
- (b) the facilities of the school are adequate, and
- (c) the authority has filed with the inspector a statement in prescribed form showing that the authority has operated the school as an independent school for at least 5 consecutive school years, including the school year immediately prior to the date of the filing.

Group 2
classifi-
cation.

6. The inspector may grant Group 2 classification for a school-year to an authority in respect of an independent school funded and operated by the authority where the inspector is satisfied that, in addition to qualifying for Group 1 classification in respect of the school, the authority has

- (a) established a curriculum for the school-year that complies with the minimum instructional time requirements detailed in the administrative bulletin governing the school-year for course subject areas designated by the minister under this paragraph respecting
 - (i) elementary schools, or
 - (ii) secondary schools,
- (b) agreed to establish or has established a pupil testing program satisfactory to the inspector to demonstrate pupil progress in the appropriate course subject areas under paragraph (a),
- (c) agreed to assist or has assisted an external evaluation committee established by the inspector to examine and assess programs, operations and administration in the school,
- (d) agreed to participate or has participated in a learning assessment program established by the minister or a local board respecting school age children in the area served by the school, and
- (e) submitted to the inspector
 - (i) a list of certified teachers, a list of teachers who are not certified, a description of the educational qualifications of each teacher and a description of the teaching and other responsibilities of each teacher employed at the school, and

- (ii) a program of action on the part of the authority, that is satisfactory to the inspector, to ensure that all teachers employed at the school are certified within 5 years after the date of application for Group 2 classification.

**November
report.**

7. (1) To qualify for a grant under this Act in respect of an independent school for which a Group 1 or Group 2 classification has been applied, an authority must file with the inspector

- (a) a report in prescribed form by November 15 of the school-year for which a grant is claimed stating the number of qualifying pupils enrolled and in attendance at the school as of October 31 of that school-year, and
- (b) an audited report by June 15 of the school-year for which a grant is claimed stating the number of qualifying pupils who have received 135 or more days of tuition through the school as of May 15 of that school-year.

(2) Only a person qualified under section 203 of the *Companies Act* to be auditor of a reporting company may prepare an audited report under this section.

(3) Notwithstanding subsection (1), the inspector may accept a report after the dates referred to in subsection (1).

Regulations.

8. (1) The Lieutenant-Governor in Council may make regulations.

(2) Without limiting subsection (1), the Lieutenant-Governor in Council may prescribe

- (a) the percentage to be used to calculate the grant under section 9 to an authority for an independent school for which it has Group 1 classification, and
- (b) the percentage to be used to calculate the grant under section 9 to an authority for a school for which it has Group 2 classification.

(3) The 2 percentages referred to in subsection (2) are percentages of the average operating cost for a pupil in the public schools of the school district in which the independent school is located as most recently published by the minister at the time the grants are given.

**Provincial
grants.**

9. (1) The Minister of Finance shall pay, out of money appropriated by the Legislature for that purpose, a grant for the school-year to each authority for each independent school for which Group 1 or Group 2 classification is granted and the amount of the grant shall be calculated by multiplying

- (a) the number of qualifying pupils reported under section 7 (1) (b) as having received 135 or more days of tuition through the school, by

- (b) the average operating cost referred to in section 8 (3), by
- (c) the percentage applicable to the school under section 8 (2) (a) or (b).

(2) A grant for a school-year shall be paid during the following school-year in accordance with a schedule of payments set by the minister, the first payment being by August 1 and the last by March 31.

**Use of
Provincial
grants.**

10. (1) Where an authority receives a grant under section 9 in respect of an independent school with Group 1 classification, the authority may use the grant to pay any operating expenses of the school other than remuneration of teachers.

(2) Where an authority receives a grant under section 9 in respect of an independent school with Group 2 classification, the authority may use the grant to pay operating expenses of that school.

**Reduction
of
grants.**

11. (1) Where the inspector is satisfied that an independent school for which Group 1 or Group 2 classification is given has, during the school-year for which certification is given, ceased to comply with a standard described in section 5 or 6 or a regulation under this Act upon which the certification was granted, the inspector may order that instalments under section 9 (2) be reduced or discontinued.

- (2) An authority, by giving written notice to the inspector, may
- (a) end a Group 1 or Group 2 classification granted to it, or
 - (b) require the inspector to order that a grant to it, or further instalments under its grant, be reduced or discontinued.

Appeals.

12. (1) Where the inspector has refused to grant Group 1 or Group 2 classification for a school or has ordered that instalments under a Group 1 or Group 2 grant be reduced or discontinued, the authority affected by the ruling may appeal to the minister whose decision is final.

(2) Where the inspector has refused to grant certification to a teacher, the teacher may appeal to the minister whose decision is final.

**British
Columbia
Teacher's
Federation.**

13. A person need not be a member of the British Columbia Teacher's Federation to be a certified teacher.

**Commence-
ment.**

14. This Act comes into force on a day to be fixed by Proclamation.

APPENDIX B

DOCUMENTATION RELATING TO THE ESTABLISHMENT AND
INSPECTION OF PRIVATE SCHOOLS

ONTARIO

(MANITOBA - NO DOCUMENTATION REQUIRED)

(SASKATCHEWAN - NO DOCUMENTATION REQUIRED)

ALBERTA

BRITISH COLUMBIA

(INFORMATION INCLUDED IN THE FOLLOWING APPENDICES
B, C, D, E AND F HAVE BEEN PHOTOREduced)



Ministry
of
Education

Mowat Block, Queen's Park
Toronto, Ontario
M7A 1L2

MEMORANDUM TO: PRINCIPALS OF PRIVATE SCHOOLS

- RE:
- 1) NOTICE OF INTENTION TO OPERATE A PRIVATE SCHOOL
 - 2) APPLICATION FOR INSPECTION OF A PRIVATE SCHOOL AT THE SECONDARY LEVEL

1) NOTICE OF INTENTION TO OPERATE A PRIVATE SCHOOL

In accordance with Section 15 of The Education Act, 1974, private schools in Ontario are required to notify the Ministry annually of their intention to operate. The Ministry will acknowledge this notice by forwarding to you a copy of the Private School September Report 1978. Your school will then be included in a list of private schools maintained in the Ministry. This does not imply, however, that the institution has been accepted or approved as providing satisfactory instruction and IS NOT TO BE SO ADVERTISED.

A separate Notice is to be submitted for each school in operation. If the classes of one school are held at more than one location, each address should be shown on the top portion of the enclosed form.

The Notice must be received by the Ministry on or before September 1, 1978. If classes are re-located after September 1, 1978, or if the school has closed, the Ministry must be notified immediately.

2) APPLICATION FOR INSPECTION

Private school students may obtain recognition of credits leading to an Ontario Secondary School Graduation Diploma and an Ontario Secondary School Honour Graduation Diploma, as set out in Circular H.S.1, 1977-78, provided that:

- a) the teachers of the courses concerned hold appropriate qualifications;
- b) the courses followed are from Ministry guidelines or have been approved by the Ministry;
- c) the classes are inspected by an official of the Ministry and he or she reports that the work of the students, the teaching, the time allotted to each of the subjects, the assessment of achievement, the organization, the accommodation and the equipment are satisfactory.

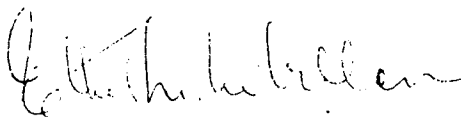
- 2 -

For inspection of your school for diploma credits, please complete the Application For Inspection portion and enclose the required fee by cheque payable to the Treasurer of Ontario. The fee schedule is as follows:

\$50.00 if the total number of students in Grades 9, 10, 11, 12 and 13 does not exceed 40;
\$75.00 if the number is from 41 to 70;
\$100.00 if the number is from 71 to 100;
\$125.00 if the number is from 101 to 150;
\$150.00 if the number is from 151 to 200;
\$200.00 if the number is more than 200.

For private schools using the semester system, the inspection fee for the 1978-79 school year will be based on the total number of students in the 1st semester plus the total in the 2nd semester plus the total in the 3rd, if applicable.

Private schools wishing to give summer classes for diploma credits will be required to make separate application for the inspection of these programs by May 1, 1979. Inspection fees will be levied according to the schedule.



Ethel M. McLellan,
Assistant Deputy Minister.

May 10, 1978.



Ministry
of
Education
Ontario

NOTICE OF INTENTION TO OPERATE A PRIVATE SCHOOL (Under The Education Act 1974)

Section 1 (40) & Section 15
SCHOOL YEAR 1978 - 79

School to Retain Final Copy,
Forward Remainder of Set to:
MINISTRY OF EDUCATION
P.O. BOX 560, STATION F
TORONTO, ONTARIO M4Y 2N4

The institution may be included in a list of private schools maintained in the Ministry but this does not imply that the Institution has been accepted, approved or recognized as providing satisfactory instruction and is NOT TO BE SO ADVERTISED.

01 NAME OF MUNICIPALITY IN WHICH SCHOOL IS LOCATED		06 TELEPHONE NO. (include area code)	
02 NAME OF COUNTY OR DISTRICT IN WHICH SCHOOL IS LOCATED		07 Name of School	
03 ACTUAL LOCATION OF SCHOOL		08 Mailing Address	
04 ("X") ONE ONLY TO SHOW WHETHER THE SCHOOL IS: Still in operation <input type="checkbox"/> Closed since <input type="checkbox"/> Sept. 30, 1977 <input type="checkbox"/>		09 Postal Code	
05 LANGUAGE OF INSTRUCTION ("X") ONE ONLY ENGLISH <input type="checkbox"/> FRANÇAIS <input type="checkbox"/> BOTH <input type="checkbox"/> OTHER <input type="checkbox"/> PLEASE SPECIFY _____		FOR MINISTRY USE ONLY <input type="checkbox"/> CHEQUE <input type="checkbox"/> M. O. <input type="checkbox"/> CASH	
10 Name of Principal		Address	
11 Name of Owner		Address	
12 Name of Chairperson of the Board of Directors		Address	
13 Name of Corporate Secretary		Address	
14 DESCRIPTION Name of School Founder _____ Date Founded _____ Has the school been incorporated? Date of Incorporation _____ Yes <input type="checkbox"/> No <input type="checkbox"/>		16 LEVEL OF INSTRUCTION Elementary <input type="checkbox"/> 01 Secondary <input type="checkbox"/> 02 Elementary & Secondary <input type="checkbox"/> 03 Other <input type="checkbox"/> 04	
15 CHURCH OR RELIGIOUS AFFILIATION ("X" one only) Amish/Mennonite <input type="checkbox"/> 01 Anglican <input type="checkbox"/> 02 Baptist <input type="checkbox"/> 03 Christian Reformed <input type="checkbox"/> 04 Judaism <input type="checkbox"/> 05 Non-Sectarian <input type="checkbox"/> 06 Ontario Alliance of Christian Schools <input type="checkbox"/> 07		17 TIME - TABLING PATTERN ("X" one or more.) Full-credit Full-year <input type="checkbox"/> 01 Full-credit Two-semester <input type="checkbox"/> 02 One-half credit Two-semester <input type="checkbox"/> 03 One-third credit Trimester <input type="checkbox"/> 04 Other (Explain) <input type="checkbox"/> 05	

STATISTICAL INFORMATION

18 ENROLMENT Estimated as of Sept. 30, 1978

(Number of pupils:	Male	Female	Total
A. Below 6 years of age on the first school day in September.			
B. In elementary classes			
C. In secondary classes			
D. Number of above pupils whose home is outside Ontario.			
E. Number of above pupils on student visa.			

19 ACCOMMODATION For the School Year 1978 - 1979

No. of classrooms that will be in operation	Approximate no. of days of class instruction
Opening date	Closing date
Number of pupils that can be accommodated	Male Female Total
A. Day	
B. Boarders	

The use of the premises for a school has been approved in writing by:

The local municipal clerk or building commissioner

The Fire Chief

The medical officer of health

Other (School to submit Letter of Explanation)

IT IS HEREBY CERTIFIED THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE INFORMATION GIVEN IS CORRECT AND THAT THE "NOTICE OF INTENTION TO OPERATE" IS A TRUE AND CORRECT STATEMENT OF THE FACTS STATED THEREIN.

20 TEACHING STAFF Estimated as of Sept. 30, 1978

Number of teachers (including principal)	Male	Female	Total
A. Full-time			
B. Part-time			

CURRICULUM

Is the Ontario Curriculum to be followed? Yes ☐ No ☐

If yes:

Circular P1 J1, The Formative Years Elem. Sec.

Are courses at the Honour Graduation level offered? Yes ☐ No ☐

Principal's Signature

Date

APPLICATION FOR INSPECTION OF A PRIVATE SCHOOL AT THE SECONDARY LEVEL

(Under The Education Act, 1974 Section 15 (7), "The Minister may, on the request of any person operating a private school, provide for inspection of the school in respect of the standard of instruction in the subjects leading to the secondary school graduation diploma and to the secondary school honour graduation diploma, and may determine and charge a fee for such inspection.")

Non-Semestered Schools

Grade	Number of Students at end of 2nd week of September	Number of Candidates for graduation diploma next June
9		
10		
11		
12		
13		
Total		

Semestered Schools

Grade	Expected number of students at end of 2nd week of Semester	Number of Candidates for Graduation Diplomas at end of Semester
	1st 2nd 3rd	1st 2nd 3rd
9		
10		
11		
12		
13		
Total		

For Supervisory Officer's use only

ACTUAL ENROLMENT

Grade	Non-Semestered Schools	Semestered Schools
		1st 2nd 3rd
9		
10		
11		
12		
13		
Total		

I hereby apply for inspection of classes in Grades 9 10 11 12 and 13 and enclose the appropriate fee of \$

Signed (Principal or person operating school if other than principal)

Date

Signed (Supervisory Officer)

Date of inspection

ME 78 (78-02)

PROCEDURES FOR ESTABLISHING A PRIVATE SCHOOL

ALBERTA

1. Be sure that you have the following documents:
 - (a) Private School Regulations (These are included in the package)
 - (b) Application form (Application to Establish a Private School included)
 - (c) Programs of Study at the applicable level of levels.
 - (i) Elementary School
 - (ii) Junior High School
 - (iii) Senior High School
 - (d) Junior and Senior High School Regulations for the current year and Junior and Senior High School Registration form if you plan to operate at the junior or senior high school level. These are contained in the Junior-Senior High School Handbook.
2. If you are applying for a school in Categories 1,2, or 4, contact the school board in whose district, division or county you intend to operate your school, informing them of your intentions, when you plan to commence operation and, if possible, from which of their schools you will draw your pupils. Also contact your nearest Regional Office of Education for any assistance required.
3. In order to be approved as a Category 2 school (for the handicapped) a school board must approve the placement of pupils in your school.
4. You must submit detailed plans of your school to the School Buildings Branch, Alberta Education. If you are building a new school, the School Building Branch will forward your plans to the Building Standards Branch of the Alberta Department of Labour. Note that the School Buildings Branch does not approve your plans as such, but may offer advice on any changes needed to make the facilities acceptable to Alberta Education.

Whether you are building, remodelling, or plan to occupy existing facilities, inspectors from Alberta School Buildings Branch will make inspection and report to us and to you on any deficiencies and shortcomings.
5. You will also require an inspection from the local representatives of the Alberta Fire Marshal's office and the local health authority.
6. You must also check with local municipal authorities to ensure that the location and nature of your school operation meets all the requirements of local bylaws.
7. When it is evident that your school program, staff and facilities will meet all the requirements of the regulations a recommendation will be made to the Minister of Education to approve your school. When approval has been obtained you will be so notified. Approval will indicate the category of school and the grades or levels at which you are approved to operate.
8. If you wish to:
 - (a) change the category of your school or,
 - (b) change the level of instruction (that is, add on junior high school or senior high school grades) you must obtain written approval prior to the change. Failure to do so may result in loss of funds to yourself or loss of high school credits for your students or both.

APPLICATION TO ESTABLISH A PRIVATE SCHOOL

ALBERTA

Application is hereby made under Alberta Regulation 243/70 (amended) being the Private School Regulations pursuant to Section 8 of the Department of Education Act.

1. Category of School applied for (Please circle) 1 2 3 4
2. Name of Proposed School _____
3. Owner, owners or controlling agency or organization:
- (a) Name(s) _____
- (b) Address: _____
- (c) Are you registered as a company? Yes _____ No _____
as a society? Yes _____ No _____
4. Proposed date of commencement of operation _____
5. Organization of school (Please check)
- (a) School for the Handicapped (non-graded) _____
- (b) Elementary grades (I-VI) only _____
- (c) Elementary and Junior High School grades _____
- (d) Elementary, Junior and Senior High School Grades _____
- (e) Junior High School grades only _____
- (f) Junior-Senior High School Grades only _____
- (g) Senior High School grades only _____
- (h) Second Language School for High School Credit _____
- (i) Other (Please indicate) _____
6. General purpose for which the school is being established.
7. Proposed enrolment by Grade or Age

[illegible]

ALBERTA

8. Proposed Instructional Staff (Use extra page if necessary)

<u>Name</u>	<u>Position</u>	<u>Teaching Certificate Held (no. if available)</u>
(a)		
(b)		
(c)		
(d)		
(e)		
(f)		
(g)		
(h)		
(i)		
(j)		

9. Arrangements have been made for the following inspections (Please check)

(a) Suitable standards of health and safety	Yes _____	No _____
(b) Fire Regulations	Yes _____	No _____
(c) Suitable levels of lighting	Yes _____	No _____

10. Do you intend to follow closely the program of studies prescribed by the Minister of Education for use in the schools of Alberta

Yes _____ No _____

11. Attachments:

Attach to this application the following:

- (a) Accurate floor plan of the school showing number of square meters for each area or room and purpose for which it is to be used.
- (b) If you do not propose to follow the program of studies authorized by the Minister of Education for use in public schools, attach an outline of your program by subject and either grade or level and texts and references to be used.

Name of applicant _____

Signature _____

Address _____

Phone _____

Return to: Director, Special Educational Services
 5th Floor Devonian Building
 11160 Jasper Avenue
 EDMONTON, Alberta
 T5K 0L2

STEPS FOR BEGINNING PRIVATE OR INDEPENDENT SCHOOLS

BRITISH COLUMBIA

1. Nursery schools - First contact local health unit to have facilities inspected, next local fire department, then municipal office to clear zoning by-law; health unit to see that teachers are properly certified and the final clearance is by the Community Care Facilities Licencing Board, which if all reports are favorable, may issue a licence to operate the school. No requirements that this be under the Societies Act.
2. Residential homes must be operated by a society incorporated under the Societies Act, as well as the other requirements re health, fire and zoning.
3. Private schools, for ages above nursery schools, may be set up by obtaining a business licence from a municipality which will be granted only if passed by local health unit, fire department, and it conforms with zoning by-laws. No requirement for incorporation under the Societies Act.

Subject to approval by zoning by-laws, fire department and health department, any person may obtain a trade licence to set up a school. Cost of licence is \$20.00 for 1 teacher, \$10.00 for other teachers to a maximum of \$280.00. They pay a business tax on the rental value of the school. They also pay a property tax unless they have their course of instruction approved as being equivalent to that of a public school. If school is incorporated under the Societies Act, it does not pay any business tax or a trade licence, nor does it pay a property tax if course of instruction is equivalent to that of a public school.

The Independent School Support Act - 1977 provides level one financial support to private schools that meet the following criteria (Group 1 classification):

- a) no program is in existence or is proposed that promotes or fosters:
 - (i) racial or ethnic superiority, or
 - (ii) religious intolerance or persecution, or
 - (iii) social change through violent action
- b) the school facilities are adequate.
- c) the authority (society or corporation as defined in the I.S.S. Act) has operated the school for at least 5 consecutive school years, including the school year immediately prior to the date of the application.

A higher level of funding is provided where the school meets the following additional criteria (Group 2 classification):

- a) establishes a curriculum which meets minimum instruction time requirements and subject areas designated by the Minister.
- b) establishes a testing program.
- c) submits to external evaluation by a committee established for this purpose.
- d) participates in the provincial learning assessment program.
- e) submits data on teachers and a program of action to ensure all are certified within five years.

The Inspector of Independent Schools must be satisfied that all the above criteria is met before funding is recommended. Support is paid to the "authority" as defined in the I.S.S. Act.

APPENDIX C

DOCUMENTATION RELATING TO GRANTS TO PRIVATE SCHOOLS

(ONTARIO - NOT APPLICABLE)

MANITOBA

(SASKATCHEWAN - NO OFFICIAL FORMS AVAILABLE)

ALBERTA

BRITISH COLUMBIA

FORM A

DEPARTMENT OF EDUCATION
CLAIM FOR PRIVATE SCHOOL AGREEMENT GRANT

(Manitoba Regulation 215/78)

Term 19__

No. __
(School Division/District)

Name of private school _____

Name of public school in which the private school pupils are enrolled _____

Number of periods of instruction per week or per instructional cycle:

(a) scheduled in the public school _____

(b) undertaken in the public school by the participating private school pupils _____

Effective date of agreement _____

Nature of resources provided under the agreement _____

Enrolment of private school pupils in the public school								
Month	Jan. Sept.	Feb. Oct.	Mar. Nov.	Apr. Dec.	May -	June -	TOTAL	AVERAGE
No. of pupils								

We hereby certify that the information given above is true and correct, the agreement referred to has been approved by the Minister of Education and a copy has been filed with the Department of Education, the facilities and resources of the division, as described above, have been provided in accordance with the agreement and as required under Section 171 of The Public Schools Act, and the grant under Manitoba Regulation 215/78 is now properly payable to The _____ School Division No. _____

Chairman of the Board

Date: _____

Secretary-Treasurer

- Note: 1. Claims for private school agreement grants must be submitted in duplicate and separately in respect of each agreement made under Section 171.
2. Claims should be submitted promptly after the end of each school term.
3. No claim should be submitted unless the agreement with the private school has been approved by the Minister and a copy filed with the Department of Education.

FOR DEPARTMENTAL USE ONLY	
Calculation	Amount Payable

MANITOBA
DEPARTMENT OF EDUCATION

FORM B

Claim for Private School Agreement Grant - _____ Term 19__

The _____ School Division No. ____

1. Name of private School _____
2. Number of days, in the term, in which public school instruction was provided to pupils in the private school -----
3. Enrolment, by months, of private school pupils undertaking public school instruction in the private school:

Grade(s)	Jan Sept	Feb Oct	Mar Nov	Apr Dec	May	June	Total	Average
Kindergarten								
I - VI								
VII - VIII								
IX								
X - XII								

4. The information set out above and in Schedule A attached hereto has been provided by the _____ private school and, to the best of our knowledge and belief, is true, correct and in accordance with the agreement between the private school and this school division respecting the provision of public school instruction, in and by the private school, to pupils enrolled in the private school.

The grant under Manitoba Regulation 215/78 is now properly payable to
The _____ School Division No. ____

Chairman

Date: _____

Secretary-Treasurer

FOR DEPARTMENTAL USE ONLY	
Calculation	Amount
Total	

SCHEDULE A

to Form B - claim for grant for the _____ Term 19 _____ under the
agreement between the _____ private school and the _____ Division No. _____
MANITOBA

TEACHERS EMPLOYED BY THE PRIVATE SCHOOL DURING THE TERM

[illegible]

To: Director of Finance,
Statistics & Legislation
Alberta Education
Devonian Building
11160 - Jasper Avenue
EDMONTON, Alberta
T5K 0L2
Telephone: 427-2053

Form A0304-350 (1979)
Page 1
Forward in Quadruplicate

REPORT FORM FOR GRANT TO PRIVATE SCHOOLS PURSUANT TO SECTION 24

For the First Half of the Year, 1979

ALBERTA EDUCATION GRANTS ORDER, 1979

A. SCHOOL

1. Name of approved Private School: _____
2. Post Office Address: _____
3. Date approved school began operating: _____
- Postal Code:
- 3a. No. of School operating days - _____
- (day) (month) (year) 1978/79 School Year _____
4. Is this school being operated for the monetary gain of an individual or group of individuals:
- ☐ YES ☐ NO
5. Number of teachers and classrooms in operation by grade counted as at September 30, 1978:

GRADE	Nursery	K	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Special
Classrooms															
Teachers															

B. STAFF

Number of teachers employed including Principal counted as at September 30, 1978:

1. Full-time teachers
2. Part-Time teachers
3. Full-time equivalent teachers (2 above)
- Total number of full-time teachers (1 and 3 above)

C. PUPILS - GRADES I-XII - COUNTED AS AT SEPTEMBER 30, 1978

1. Total Enrolment (must agree with that reported on Form A0304-320A, report of enrolment by sex, grade and age).

I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total

2. Enrolment by grades - "Private School Pupil" as defined in Section 1(p) of The Alberta Education Grants Order, 1979.

I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total

3. Hours of daily instruction in the school under qualified teachers, by grades.

I	II	III	IV	V	VI	VII	VIII	IX

To: Director of Finance,
Statistics & Legislation
Alberta Education
Devonian Building
11160 - Jasper Avenue
EDMONTON, Alberta
T5K 0L2
Telephone: 427-2053

Form A0304-350 (1979)
Page 2
Forward in Quadruplicate

REPORT FORM FOR GRANT TO PRIVATE SCHOOLS PURSUANT TO SECTION 24

For the First Half of the Year, 1979

ALBERTA EDUCATION GRANTS ORDER, 1979

D. DECLARATION OF AUTHORIZED OFFICER

I, _____ solemnly
(Signature and Title of Authorized Officer)
declare that the information contained herein and in the schedules attached hereto
is/are correct, and I make this solemn declaration conscientiously believing it to
be true and knowing that it is of the same force and effect as if made under oath.

Declared before _____
(N.P., J.P., or Commissioner) Signature

at _____ this _____ day of _____ 19 ____.

E. DEPARTMENT USE ONLY:

1. School Name _____
2. Jurisdiction Code:
3. Grant Type:
4. Period: Year Month to Year Month
5. Transaction Type:
6. Expenditure Code:
7. EDIS Pupil Statistics:
 - a) Pupils Grades 1-6 _____
 - b) Pupils Grades 7-9 _____
 - c) Pupils Grades 10-12 _____
 - d) Credits for all part-time _____
 - e) No. of part-time pupils _____

ELIGIBLE PUPILS:

GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Enrolment													

Grades I-VI = _____ pupils @ \$341.00 per pupil \$ _____

Grades VII-IX = _____ pupils @ \$357.50 per pupil \$ _____

Grades X-XI = _____ full-time pupils @ \$409.00 per pupil (25 credits
or more) \$ _____

_____ part-time pupils aggregating _____ credits
@ \$32.75 per credit \$ _____ X 5/10 of a year \$ _____

Grade XII = _____ full-time pupils @ \$409.00 per pupil (25 credits
or more) \$ _____

_____ part-time pupils aggregating _____ credits
@ \$32.75 per credit \$ _____ X 5/10 of a year \$ _____

TOTAL PUPILS = TOTAL CLAIM (Nearest Dollar) \$ _____

Form A0304-350A
Forward in Duplicate

Report of Students - Data as at February 28, 1979

ALBERTA EDUCATION GRANTS ORDER

[illegible]

1) A report where applicable with respect to the second semester may be required.

Name of Approved Private School

ALBERTA EDUCATION GRANTS ORDER, 1978

Report of Teachers - Data as at September 30, 1978

[illegible]

Name of Approved Private School

INDEPENDENT SCHOOLS SUPPORT ACT

FORM 1

APPLICATION FOR CLASSIFICATION

Level requested:

Group 1

☐

Group 2

☐Authority:

Name _____

Address _____

(Street & No.)

(City)

(Postal Code)

* Act of Incorporation:

Societies Act _____ Other Act (Details) _____

* Please enclose copy of "Certificate of Incorporation".

School:

Name _____

Address _____

(Street & No.)

(City)

(Postal Code)

* * * * *

STATEMENT OF ATTESTATION

The "Authority" attests that:

(a) no program is in existence or is proposed at the school that would in theory or in practice, promote or foster doctrines of racial or ethnic superiority, or religious intolerance or persecution, or social change through violent action

(b) the school has operated as an independent school for five consecutive years, including the school-year immediately prior to the date of the filing of this application.

Date _____

School Authority Signer

* * * * *

INSPECTOR OF INDEPENDENT SCHOOLS USE ONLYGroup 1 Classification:

1. Legality of Authority checked and accepted

2 Facilities approved - (Form 1-A)

Date Initials

Group 2 Classification:

1. Curriculum Evaluation

2. Declaration (Sec.6(b),(c),(d))

3. Teacher Certification List (Sec.6(e))

Date Initials

Approved for Group _____ Classification

Date _____

Inspector of Independent Schools

INSPECTOR OF INDEPENDENT SCHOOLS

GUIDELINES TO CERTIFY TEACHERS

BRITISH COLUMBIA

1. A teacher is certified if the teacher holds a valid and subsisting teacher's certificate of qualification or letter of permission issued under the Public Schools Act.
2. A teacher is certified when the teacher has taught in a public school or independent school in the province on a full-time basis for ten or more years.
3. Other forms of certification

A. Temporary

Temporary certification, for a term not exceeding two years, may be granted to a teacher who during the term of the certification

- (a) donates his teaching services,
- (b) gives religious instruction as his sole teaching duty,
- (c) gives instruction only in subject specialties,
- (d) has a degree from a recognized university or college,
- (e) has held a teaching certificate from the province or any other jurisdiction and has successfully completed a minimum of two years studies towards a degree from a recognized post secondary institute of higher learning, or
- (f) has held a British Columbia Elementary Conditional or Elementary C certificate.

Certification under clauses (c) and (d) shall be limited to the teaching of the subjects or the school grades specified on the certificate.

B. Continuing

Continuing certification may be granted to a teacher who

- (a) has held temporary certification under A(c), (d), (e) or (f) and
- (b) has completed two years' teaching subsequent to February 1, 1978.

C. Special Cases of Certification

The Teacher Certification Committee shall consider all requests for certification provided the request is made in writing by an Authority. In the case of teachers not meeting the requirements of guidelines 1, 2 or 3 above, after consideration of the Teacher Certification Committee's recommendation, the Inspector may grant a one-year renewable permit to teach.

February 6, 1978

J. Phillipson,
Inspector of Independent Schools

INDEPENDENT SCHOOLS SUPPORT ACT
TEACHER CERTIFICATION (Sec. 1 and 3)

FORM TC-1
 (Revised 1978)

Name: _____
 (Please print name in full)

School: _____

Mailing Address
 of School _____

Postal Code _____

I, the undersigned, hereby apply to be certified under the provisions of the
Independent Schools Support Act. I apply to be certified because:

A. I had a valid and subsisting teacher's certificate of qualification or letter of
 permission issued under the (British Columbia) Public Schools Act; ☐

(a) Type of certificate held (i.e. Professional, Standard-Interim or Permanent): _____

(b) B. C. Teacher's Certificate number: _____

(c) Teacher's Birthdate: _____

OR;

B. I have taught in a public school or independent school in the province on a
full-time basis for 10 or more years. ☐

(a) List B. C. schools and dates taught on back of form if applying under
 this section

OR;

C. I seek recommendation from an independent schools teacher certification
committee. ☐

(a) Attach photostat copies of all academic and professional qualifications
 if applying under this section.

Date: _____

 Signature of Teacher

INSPECTOR OF INDEPENDENT SCHOOLS USE ONLY

Initials

B. C. Certification authenticated _____

10 year provision authenticated _____

Recommended by Teacher Certification Committee _____

Independent School Teaching Certificate issued

for period _____ to _____

Date: _____

 Inspector of Independent Schools

AUTHORITY INFORMATION FORM

(School Year 1978/79)

Official name of corporation:

** Address _____

_____ Postal Code

* Person authorized to sign on behalf of corporation: (PLEASE TYPE OR PRINT)

Name _____

** Address _____

_____ Postal Code

* Grant cheques for the school year 1978/79 will be sent to the corporation in the care of this person unless otherwise requested by July 15, 1979.

** Unless indicated otherwise, mailing address of authorized signer will be same as address of corporation.

INSTRUCTIONS FOR COMPLETIONQUALIFYING PUPIL LIST - FORM 2-CNAME -

List the name of each student alphabetically with the surname first, followed by the christian name and initial of second christian name, if applicable, i.e. Abbott, Jean T.

AGE -

State age in years on the pupil's last birthday. A pupil "is deemed to be of school age in a school year if, on or before the thirty-first day of December in that school year, he has attained or shall have attained the age of six or more years, and if he has not or shall not have, prior to the first day of September in that school year, attained the age of nineteen years". For kindergarten pupils school age is one year earlier than the above definition.

BIRTHDAY -

List the date of the person's birth in the following manner: year, month, day - i.e. 66/8/7. This indicates the pupil was born on the seventh day of August 1966.

PARENT'S NAME -

State the name of the parent. Where both parents reside together indicate by Mr. and Mrs. Where the child resides with only one parent, list the parent with whom the child resides.

When there are several children of the same family, the information need appear only opposite the first pupil listed. The notation "as above" may be used for all others.

PARENT'S PERMANENT ADDRESS IN CANADA -

List the address - House or Apartment No., Street, and postal code. Where the location differs from the school list, the town or city - i.e.

#625 - 425 Simcoe Street, Victoria, V8V 1L6

NB - The school is located in Saanich, therefore Victoria is stated in the address.

Again, this data need only be listed once where there are several pupils in the same family.

GUARDIAN'S RESIDENCE -

Follow instructions for Parent's Permanent Address

INDEPENDENT SCHOOLS SUPPORT ACT

Qualifying Pupil List — October 31,	School Year

School		Address		(Street)	(City)	(Postal Code)
Name	Age	Birthday	* Parent's Name	Parents' Permanent Address in Canada	Guardian's residence (if parent not resident in Canada)	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

* Must be a Canadian citizen or has been lawfully admitted to Canada under the Immigration Act (Canada) for permanent residence

08/11/08 78

★ Must be a Canadian citizen or has been lawfully admitted to Canada under the Immigration Act (Canada) for permanent residence

INDEPENDENT ELEMENTARY SCHOOLS

Province of British Columbia

Ministry of Education

Office of the Inspector of Independent Schools

 Please complete and return one copy as early as possible but not later than January 10, 1978

To: INSPECTOR OF INDEPENDENT SCHOOLS,
 Room 300, 617 Government Street,
 Victoria, British Columbia, V8V 2M4

Instructions for completing Elementary School Form:
I. School Organization

1. Enrolment by grade — self explanatory.
2. School Year — the Public Schools Act divides the school year into two terms. The first term begins July 1st but schools do not open until early September. Therefore the beginning of the first term this year for instructional purposes was September 5, 1977.

 — Days in Session — list the number of school days during the month the school is open for the instruction and testing of pupils, and the total days in session for instruction and testing during the school year.
3. School Holidays — indicate the days the school is closed for holiday periods, and list the total.
4. Number of Teachers — Full-time equivalents means full-time teachers plus the percentage taught by each part-time teacher $\div 100$.

i.e. Full-time teachers = 8
 Part-time teachers:

A	20%	
B	40%	
C	10%	
D	50%	$\frac{120}{100} = 1.2$

Total full-time equivalents = 9.2

5. Daily Schedule — state times for the opening and dismissal of school, noon intermission, and recess.

Length of school instructional day = time from opening to dismissal less times of the noon intermission and recess periods.

II. School Program

In the appropriate space list the enrolment for each grade and the number of divisions or classes for each grade. Also, state the amount of time in minutes per week devoted to each curriculum area and to each subject taught. Use the additional spaces to list subjects taught at the school which are not recorded. Where Grade VII pupils are considered a part of the Secondary School organization use the columns on the extreme right of the page.

III. Staff Organization

1. List the Principal first, then all teachers both full and part-time with their surnames first followed by christian names or initials in the order of the division enrolled.
2. Division Number — state the Division Number of the class with the highest grade as #1.
e.g. 2 Grade VII classes = Division 1 and Division 2
3. Degrees — list the degree granted with the university from which it was obtained in parenthesis. i.e. B.A. (U.B.C.)
4. Teaching Experience — record the total number of years teaching full-time in private and public schools.
5. Certification — Indicate those who have applied to be certified:
 1. under the provisions of the Public Schools Act
 2. with 10 years experience
 3. by the Inspector of Independent Schools
6. & 7. Teaching Assignment — state grade assigned (homeroom) and number of pupils enrolled in the class.
8. Departmentalization — indicate the subjects a teacher teaches to pupils of other classes than the homeroom class enrolled.
9. State the special qualification of the teacher assigned to teach a subject to several classes.
10. Comments — additional information i.e. % taught by part-time teachers etc.

IV. Testing Program

1. List standardized tests, if any, which constitute a part of your school's pupil assessment program.
2. List or describe means, other than standardized tests, used to assess pupil progress.
3. Indicate the order of preference or importance in your testing program of the various measures employed.

Comments: Explain any particular feature of the school that you feel is valuable information for an External Evaluation Committee. Attach a statement if the space is inadequate.

INDEPENDENT SCHOOLS SUPPORT ACT—1977

1. Elementary School Organization for the School Year

Name of School: _____

Address of School: _____

1. Enrolment by Grade

K _____
 I _____
 II _____
 III _____
 Special Classes _____
 IV _____
 V _____
 VI _____
 VII _____
 Total _____

2. School Years (Instruction)

First term _____ to _____ (begins) (ends)

Second term _____ to _____ (begins) (ends)

Days in Session

First term: _____

Second term: _____

July _____
 August _____
 September _____
 October _____
 November _____
 December _____
 Total (both terms) _____

3. School Holidays

Christmas Recess _____ to _____

Easter-Spring Break _____ to _____

Check applicable holidays:

Labour Day _____ Thanksgiving _____
 Remembrance Day _____ Good Friday (Easter) _____
 Victoria Day _____ Dominion Day _____
 Others: (list below) Heritage Day _____

 Total School Holidays _____

4. Numbers of Teachers

Full time _____
 Part time _____
 Total Persons _____
 Full time -
 equivalents _____

Daily Schedule

Commencement time _____ a.m. Closing time _____ p.m.
 Noon Intermission _____ to _____
 Recess: _____ a.m. to _____ a.m.
 _____ p.m. to _____ p.m.
 Length of Instructional Day _____ minutes.

Statement of Attestation

The information reported herein represents a true and accurate account
 of the school organization which has been planned for the present school
 year.

Certified: Principal _____

For Use of the Inspector:

(Do not write in this section)

Classification:

Group 1. ☐ Group 2. ☐

Independent School Authority:

Independent School Signing Authority:

Date of Approval _____

Approved: _____
Inspector of Independent Schools

Comments:

School: _____

[illegible]

INDEPENDENT SCHOOLS SUPPORT ACT—1977

School : _____

III. Staff Organization — School Year

3.

(1) Name of Teacher	(2) Division Number	(3) Degrees	(4) Teaching Experience (Years)	(5) Certification			(6) Teaching Assignment		(7) Enrollment	(8) Subjects taught to classes other than the one assigned.	(9) Special Qualifications for the Assignment	(10) Comment
				1	2	3	Grades					
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
26												
27												
28												
29												
30												
				Total								

INDEPENDENT SECONDARY SCHOOLS



Province of British Columbia
Ministry of Education, Science and Technology

Please complete and return one copy as early as possible but not later than October 15, 1979.

To: INSPECTOR OF INDEPENDENT SCHOOLS.
Room 300, 617 Government Street.
Victoria, British Columbia. V8V 2M4

Instructions for completing Secondary School Form:

I. School Organization:

1. Enrolment by Grade — record the number of pupils in each grade registered as of September 30, 1979.

- 2a. School Holidays — indicate the dates the school is closed for the holiday periods.

2b. School Year (Instruction)

School Year — the Public Schools Act divides the school year into two terms. The first term begins July 1st but schools do not open until early September. Therefore the beginning of the first term this year for instructional purposes was September 4, 1979.

Student Days in Session — list the number of school days during the month the school is open for the instruction and testing of pupils, and the total days in session for instruction and testing during the school year.

3. Number of Teachers — Full-time equivalents = Full-time teachers plus the percentage taught by each part-time teacher ÷ by 100.

i.e. Full-time teachers:	=	8	
Part-time teachers:	=	4	
Total Teaching Personnel:	=	12	
Total Full-Time Equivalent Teachers:			
Full-time:			= 8.0
Part-time:			
Teacher A	=	20%	
Teacher B	=	40%	
Teacher C	=	10%	
Teacher D	=	50%	
		$\frac{120}{100}$	= 1.2
Total full-time equivalents:			= 9.2
Teacher Aides:			= 1

4. School Organization — place a check in the square which best describes the school organization.

5. Daily Schedule —

Length of Period — where periods vary in length state the average length.

Number of Periods each day — where days vary in length state the average number of periods per day.

Days per Time-table cycle — state the number of days in the time-table cycle i.e., 5, 6, etc. school days.

Length of School Day — this is the time from commencement to dismissal each day.

Length of Instructional Day — the length of the period multiplied by the number of periods each day is the length of the instructional day.

II. School Program:

- (a) Junior Secondary — This is to be completed for all schools offering instruction to pupils enrolled in grades VIII to X.

Courses — Check the square which indicates the period for which the report is filed. Schools on semester must complete a form for each semester.

— The courses are grouped to correspond to the classifications as listed in the **Administrative Bulletin for Secondary Schools, 1974**.

Columns —

Grade — Place the abbreviation for the course in the square opposite the subject.

Total Enrolment — Record the number of pupils registered in the course.

Number of classes or divisions — Indicate the number of classes into which the pupils are grouped for instruction.

Periods per time-table cycle — State the average number of instructional periods provided in the course each time-table cycle (5, 6, etc., school days).

Minutes per time-table cycle — State the amount of instructional time devoted to the course in minutes per time-table cycle.

Percentage of Time — What percentage of full-time student's instructional time is devoted to the course each week? These figures should be precise.

i.e. Periods per week = $35 \div 45$ minutes = 1575 minutes.
Ma. 9 = 5 periods or 225 minutes.

\therefore Percentage of time = $\frac{5}{35} \times 100$ or $\frac{225}{1575} \times 100$ or 14.3%

- (b) Senior Secondary —

Courses — Check the appropriate square to indicate the period for which the report is filed. Those schools on a semester system must complete a form for each semester. Additional copies of the forms are available from the Office of the Inspector of Independent Schools.

— The General Education Constants are listed first followed by the subjects most frequently offered in Independent Schools. Space is available at the bottom to add courses which are not listed.

Columns —

Grade — Place the abbreviation for the course offered. (See **Administrative Bulletin for Secondary Schools** — and "Schools Department Circular 78/03/22".)

Total Enrolment — Record the number of pupils enrolled in the course.

Number of Classes or Divisions — State the number of classes in which pupils are grouped for instruction.

Periods per time-table cycle — State the number of periods per week the group meets for instruction in the course each time-table cycle (5, or 6, etc., school days).

Minutes per time-table cycle — Record the time devoted each time-table cycle to instruction in the course (5, or 6, etc., school days).

III. Testing Program:

- (a) List the standardized aptitude or achievement tests administered.
- (b) List other tests such as Interest Inventories, and Vocational Interest.
- (c) If the school has participated in the Provincial Learning Assessment Program record the subject, grade, and number of pupils involved in the assessment.

IV. Staff Organization:

- (a) List the Principal first, then, alphabetically all teachers both full and part-time with the surname first followed by christian names or initials.
- (b) Degrees — list the degree granted with the university from which it was obtained in parenthesis.
i.e., B.A. (U.B.C.)
- (c) Teaching experience — total number of years teaching full-time in private and public schools.
- (d) Certification — indicate those who are certified
 - 1. under the Public Schools Act
 - 2. with 10 years experience
 - 3. by the Inspector of Independent Schools
- (e) Staff utilization — state the number of periods per time-table cycle assigned to the teacher for teaching (instruction), study supervision, counselling, and administration, and unassigned (free or spare periods for preparation, etc.). Total periods should equal Full-Time Teacher Equivalents \times periods per time-table cycle.
i.e. 9.2 Full-time teacher equivalents.
 $7 \text{ periods per day} \times 5 \text{ days per time-table cycle} = 35 \text{ periods per cycle.}$
Total teacher time is $9.2 \times 35 = 322 \text{ periods.}$
- (f) Specialization — state the subjects in which a teacher has successfully completed 3 or more university courses.
- (g) Courses taught — state the courses taught by the teacher with the total number of students enrolled in parenthesis.
i.e. Teacher "A" teaches English to two grade ten classes with 20 and 25 pupils respectively. This is to be recorded as:
En 10 (45)
The course abbreviation listed in the ADMINISTRATIVE BULLETIN FOR SECONDARY SCHOOLS are to be used.

V. Additional Information:

Information which the principals and/or staffs wish to communicate to the Inspector or External Evaluation Committee on School Philosophy, Administration, Instructional Program, Promotional Policy, or other features of the school should be attached to these forms, or should be recorded on the back of the "Staff Organization" page 3.

INDEPENDENT SCHOOLS SUPPORT ACT — 1977

1. Secondary School Organization for the School Year_____

School Name _____ Telephone No _____

School Address _____

1. Enrolment by Grade	2b. School Year (Instruction)	3. Numbers of Teachers	5. Daily Schedule
VIII _____	First term _____ to _____ <small>(beginning) (ending)</small>	Full-time _____	Length of period _____ min.
IX _____	Second term _____ to _____ <small>(beginning) (ending)</small>	Part-time _____	Number of periods each day is _____ periods
X _____	Student Days in Session	Total Persons _____	Days per time-table cycle _____ days
XI _____	First term _____ Second term _____	Total Full-time Equivalents _____	Length of school day is _____ minutes
XII _____	July _____ January _____	Number of Teacher Aides _____	Length of instructional day is _____ minutes
Total _____	August _____ February _____		
	September _____ March _____		
	October _____ April _____		
	November _____ May _____		
	December _____ June _____		
Christmas Recess _____	Total (both terms) _____		
	Days in Session to May 15 _____		
Easter-Spring Break _____			

4. School Organization

10 Month ☐

2 Semesters ☐

Partial 10 Month and Partial Semesters ☐

Others ☐
(Attach description)

Statement of Attestation

The information reported herein represents a true and accurate account of the school organization which has been planned for the present school year.

Certified Principal

For Use of the Inspector. Do not write in the section below.

Type of School	Elementary-Secondary	<input type="checkbox"/>	Secondary	<input type="checkbox"/>
	Junior Secondary	<input type="checkbox"/>	Senior Secondary	<input type="checkbox"/>
Classification	Group 1	<input type="checkbox"/>	Group 2	<input type="checkbox"/>

Name of Independent School Authority _____

Name of Independent School Signing Authority. _____

Comments:

APPENDIX D

SENIOR HIGH SCHOOL CREDITS AWARDED TO PUPILS IN
CATEGORY 3 PRIVATE SCHOOLS

ALBERTA (ONLY)

- 39c -

SCHEDULE 1

Senior High School Credits Awarded Pupils

Attending a Category 3 Private School

<u>Language Course for Which Senior High School Credits Are Awarded</u>	<u>Minimum Senior High School Credits Required in Other Courses</u>
French 10 or 11 Ukrainian 10, German 10	30
French 20 or 21 Ukrainian 20 German 20	65
French 30 or 31 Ukrainian 30 German 30	95


APPENDIX E

CIRCULARS SENT TO INDEPENDENT SCHOOLS IN BRITISH
COLUMBIA FROM THE MINISTRY OF EDUCATION

PERTINENT INFORMATION RELATING TO - TEACHER CERTIFICATION
- EXTERNAL EVALUATION OF
SCHOOLS

Independent schools

MINISTRY OF EDUCATION Victoria, B.C.



circular

MARCH, 1978

THESE CIRCULARS SHOULD BE PRESERVED FOR
READY REFERENCE FILED BY DATE SEQUENCEDate:
78-03-31

#1

1. The above mast-head identifies circulars to be issued periodically from the office of the Inspector of Independent Schools. These will carry significant information from the Ministry to Authorities, Principals and Teachers of Independent Schools.

2. Teachers Certification Committee (Sec. 3 of the Act)

The Hon. the Minister, Patrick L. McGeer, has named the following persons to the Teacher Certification Committee for the school-year 1977/78:

D. P. Todd (Chairman)	-	Lac la Hache
Dr. M. Hassemer	-	Immaculata School, Kelowna
C. Hiebert	-	Aldergrove
J. Smith, Secretary and Special Consultant	-	Victoria

3. External Evaluation Committee (Sec. 4 of the Act)

The Inspector of Independent Schools has named three committees for the school-year 1977/78, as follows:

C. Bruce (Chairman)	-	Kamloops
Miss W. Scott	-	Victoria
Sister Helen Danahy	-	Vancouver

C. S. McKenzie (Chairman)	-	Delta
Sister Loretta Healy	-	Prince George
H. K. Vandezande	-	Surrey

P. Grant (Chairman)	-	Vernon
Miss M. LaPlaca	-	Duncan
P. H. Andres	-	Clearbrook

4. Guidelines to Certify Teachers

1. A teacher is certified if the teacher holds a valid and subsisting teacher's certificate of qualification or letter of permission issued under the Public Schools Act.
2. A teacher is certified when the teacher has taught in a public school or independent school in the province on a full-time basis for ten or more years.
3. Other forms of certification

A. Temporary

Temporary certification, for a term not exceeding two years, may be granted to a teacher who during the term of the certification

- (a) donates his teaching services,
- (b) gives religious instruction as his sole teaching duty,
- (c) gives instruction only in subject specialties,
- (d) has a degree from a recognized university or college,
- (e) has held a teaching certificate from the province or any other jurisdiction and has successfully completed a minimum of two years studies towards a degree from a recognized post secondary institute of higher learning, or
- (f) has held a British Columbia Elementary Conditional or Elementary C certificate.

Certification under clauses (c) and (d) shall be limited to the teaching of the subjects or the school grades specified on the certificate.

B. Continuing

Continuing certification may be granted to a teacher who

- (a) has held temporary certification under A(c), (d), (e) or (f) and
- (b) has completed two years' teaching subsequent to February 1, 1978.

-3-

C. Special Cases of Certification

The Teacher Certification Committee shall consider all requests for certification provided the request is made in writing by an Authority. In the case of teachers not meeting the requirements of guidelines 1,2 or 3 above, after consideration of the Teacher Certification Committee's recommendation, the Inspector may grant a one-year renewable permit to teach.

5. Progress Report


A number of processes are well under way to enable the Inspector ^{to} recommend those schools that will qualify for Group 1 and/or Group 2 classification. This exercise, involving over 100 schools, 1300 teachers and 18,000 students has been carried out under demanding time constraints, only because all concerned have cooperated without reservation and with good will. Mr. Cuthbert, the Committee members and myself express our sincere thanks

President John Waller, and Executive Secretary, Gerry Ensing, have been most helpful and have frequently met with me, often on short notice, -- to discuss procedures and process. I am very appreciative of their cooperation and that of other members of the FISA Executive Board.

J. Phillipson,
Inspector of Independent Schools

Independent schools

MINISTRY OF EDUCATION Victoria, B.C.



APRIL, 1978

404
RECEIVED APR 26 1978

Date:

78-04-28

No. 2

circular

THESE CIRCULARS SHOULD BE PRESERVED FOR
READY REFERENCE FILED BY DATE SEQUENCE

1. Role of External Evaluation Committee

In this first year, the thought of visitations by External Evaluation Committees undoubtedly fostered some feelings of apprehension and concern. It is felt that an understanding of the role of the External Evaluation Committees by all would help relieve some of these feelings. For your information a list of the duties of the External Evaluation Committees as prescribed by the Inspector is shown below:

- (a) Investigate to determine whether minimum criteria re program time allotments, and testing are met.
- (b) From observation and enquiry determine whether routine educational practices and administrative procedures are satisfactory.
- (c) Offer to the school suggestions, but avoid giving directions, for improvement on the basis of observations and data.
- (d) Report to the Inspector the school situation in terms of program, time allotments, testing, routine educational practices and administrative procedures, and any suggestions communicated for improvement.
- (e) It is not the prerogative of Evaluation Committees to direct, supervise, or report on specific teachers, but to concentrate on the operation of the school.

The Inspector on the basis of the Committee Reports determines classification for funding and advises authorities of deficiencies and requirements for subsequent approval.

2. Findings of External Evaluation Committees

The three External Evaluation Committees visited fifty-one schools in the 1977-78 school-year. A Committee Chairman drafted a summary of his assessment of the schools which was endorsed by the other two chairmen. The statement is of interest and is reproduced herewith:

-2-

"The committees found a wide variation in the schools visited. Some schools select students on the basis of academic standards and the ability to pay while others use religion as the main criteria for selection. There are in the religious schools students who do not belong to the faith but these students represent a minority.

"A noteworthy advantage of the Independent Schools is the singleness of purpose which encourages the formation of clear-cut goals and provides a motivation for teachers and students. Hence, deportment and school spirit is commendable. Much school equipment and many library books are purchased from funds raised by lay people. This shows the strong support the religious schools receive from parents and parishoners. With the exception of a small number of schools, the number of students in a class is small.

"Independent School authorities interested in the improvement of schools should direct attention to specific areas. The committees feel that increased supervision by the principal or other educator merits consideration, particularly to beginning teachers who want and require assistance. Also, the careful selection of principals who are trained in elementary or secondary work, and who understand classroom problems which require assistance is another means of improving instruction. Worthy of consideration is an increase in secretarial help to principals to free them from routine chores such as answering telephone enquiries.

"Although many schools recognize present problems of children with learning disabilities, few have been able to tackle the problem adequately. There are efforts by the independent schools to use existing services of psychological units, the Diagnostic Centre of the Integrated and Supportive Services of the Ministry of Education, or an arrangement based on the good graces of the local school district. Once the diagnosis and remedial programs are available to independent schools there is a difficulty in translating the psychological assessments into suitable educational action.

"In most secondary schools offering secondary programs, the programs tend to be limited and are more appropriate for academic students, but, there is an attempt to teach some aspects of Industrial Education, Home Economics, and Commercial subjects for the non-academic students.

-3-

"While some schools have satisfactory libraries, the committees recommend increased attention by school authorities to the libraries of independent schools.

"In general, members of the External Evaluation Committees received courteous receptions in each of the schools, and the staffs welcomed the suggestions made to them. The committees have the impression that there is a strong desire on the part of principals and teachers to improve the educational offerings of independent schools."

The Inspector of Independent Schools, J. Phillipson, notes with pleasure the commendable tone and relationship developed by those involved in this cooperative enterprise of school evaluations. He wishes to announce that in future visits to independent schools, he or personnel from his office, will welcome the opportunity to discuss items from the External Evaluation Committee Reports with both school staffs and school authorities.

The common thrust of such discussions is to help the schools and the school authorities in their quest to meet the educational goals of their institutions.

3. Report of External Evaluation Committee

The chairmen of an External Evaluation Committee reports to the Inspector of Independent Schools.

The Inspector or Assistant Inspector are making arrangements over the next few months to visit those schools for which a report was received. One of the purposes of that visit is to discuss the report with the principal of the school.

4. Grants for Independent Schools

The Provincial Estimates for 1978/79 include an amount of \$9,000,000 as "Direct Grants to Independent Schools". The schools eligible for grants have reported a total of slightly over 18,000 "qualifying" pupils in the Sec. 7(1)(a) reports received by November 15 last.

The exact amount of the grant for each school will be determined immediately following receipt of all reports as required under Sec. 7(1)(b) of the Act by June 15, 1978.

J. Phillipson
Inspector of Independent Schools

independent schools

MINISTRY OF EDUCATION Victoria, B.C.



MAY, 1978

4104
RECEIVED MAY 3 1978 Date:
78-05-05
No. 3

THESE CIRCULARS SHOULD BE PRESERVED FOR
READY REFERENCE FILED BY DATE SEQUENCE

CERTIFICATION OF TEACHERS IN THE INDEPENDENT SCHOOLS

1. Temporary Independent School Teaching Certificate

To date approximately 440 "Temporary" Independent School Teaching Certificates have been issued by the Inspector of Independent Schools for a two-year period. These certificates will be replaced by a "Continuing" Independent School Teaching Certificate upon the request of the authority when the "Temporary" Certificate expires.

Some "Temporary" Certificates include a subject restriction. The following information is provided for teachers who wish to remove this restriction. This information will also guide those teachers who are, at this time, not certified.

2. General Guidelines for In-service Training for Teachers in the Independent Schools

The onus for selecting an acceptable up-grading program must rest with the authority of the school in consultation with the principal and the teacher concerned. This program should list courses to be taken, the place and the date, and should be complete within five years after the date of application by the authority for Group 2 classification.

Teachers who have been issued a Temporary Certificate with a restriction as to the subjects taught, may remove this restriction by taking several courses in the following education areas: methodology in subject areas, testing and measurement, classroom techniques and educational psychology.

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Teachers who are non-certified may be granted a Permit to Teach by the Inspector of Independent Schools. The Permit To Teach may be renewed for the following academic year by the Inspector of Independent Schools provided that the request is made by the authority and that an approved up-grading program has been undertaken.

In general, certification of teachers will be based on the completion of two years of post secondary study to include the equivalent of a teacher training year. However, teachers in speciality areas such as art, music, physical education, commerce, languages, home economics, industrial arts and drama may receive temporary certificates restricted to the area of their specialities, such certificates to be made "continuing" after two years if requested by the authority.

Acceptable programs may include courses taken at the University of B.C., Simon Fraser, the University of Victoria, Trinity Western College, Community Colleges and other post-secondary institutions. These courses, both academic and in education, should have a course content and level of difficulty that provides a background for the subject and grade which the teacher expects to teach. Information as to the courses that may be taken during the summer session, extra-murally or by courses given after school hours during the school term, may be obtained from the University of B.C., Simon Fraser or the University of Victoria. Other institutions of post-secondary education will provide information on courses that are acceptable for up-grading. A list of addresses for the above institutions is attached.

The most desirable method of up-grading would be full-time attendance at one of the three universities in B.C., enrolling in the faculty of education and taking some academic and some education courses.

For some teachers who are teaching in speciality areas, practical courses in the appropriate area may be substituted for academic courses. For example, courses taken at B.C.I.T., Vancouver Art School, Secretarial Schools and Business Colleges may be acceptable for certification.

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It is not the intent of the Teacher Certification Committee that Independent Schools find the requirements for certification a burden upon the authority nor upon the individual teacher, but rather to ensure that the Independent Schools have well-qualified teachers.

J. Phillipson,
Inspector of Independent Schools.

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Institutions of Post-Secondary EducationCommunity Colleges

Camosun College, 1950 Lansdowne Rd., Victoria, B.C. V8P 5J2
 Capilano College, 2055 Purcell Way, North Vancouver, B.C. V7J 3H5
 Cariboo College, Box 860, Kamloops, B.C. V2C 5N3
 College of New Caledonia, 2001 Central St., Prince George, B.C. V2N 1P8
 Douglas College, Box 2503, New Westminster, B.C. V3R 5B2
 East Kootenay College, Box 850, Cranbrook, B.C., V1C 4J6
 Fraser Valley College, Box 2100, Clearbrook Stn., Abbotsford, B.C. V2T 3X8
 Malaspina College, 365 Kennedy St., Nanaimo, B.C. V9R2J3
 Northern Lights College, Box 120, Dawson Creek, B.C. V1G 4G2
 Northwest College, Box 726, Terrace, B.C. V9G 4C2
 Okanagan College, 1000 KLO Road, Kelowna, B.C. V1Y 4X8
 Selkirk College, Box 1200, Castlegar, B.C. V1N 3J1
 Trinity Western College, Box 789, Langley, B.C. V3A 4R9
 Vancouver Community College, Royal Bank Bldg., 675 West Hastings, Vanc.B.C. V6B 1N2

Technical and Vocational Institutions


British Columbia Institute of Technology, 3700 Willingdon Ave. Burnaby, B.C. V5G 3H2
 British Columbia Vocational School, 3650 Willingdon Ave., Burnaby, B.C. V5G 3H1
 Vancouver School of Art, 249 Dunsmuir St. Vancouver, B.C. V6B 1X2

Universities

University of British Columbia, 2075 Westbrook Place, Vancouver, B.C. V6T 1W5
 Notre Dame University of Nelson, Nelson, B.C. V1L 3C7
 Simon Fraser University, Burnaby, B.C. V5A 1S6
 University of Victoria, Box 1700. Victoria, B.C. V8W 2Y2

Independent schools

MINISTRY OF EDUCATION Victoria, B.C.



DECEMBER, 1978

circular

THESE CIRCULARS SHOULD BE PRESERVED FOR
READY REFERENCE FILED BY DATE SEQUENCE

Date:

78-12-01

No. 7

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I. TEACHER CERTIFICATION

British Columbia public school certification can be obtained by writing to Teacher Services, Ministry of Education, Victoria, B.C. V8V 4S1, for an application form RA2.

There are two forms of certification issued:

- (1) Standard Certificate - this requires a minimum 3-year approved program of post-secondary school studies past Grade 12, including appropriate teacher education.
- (2) Professional Certificate - requires a minimum 4-year approved program of post-secondary school studies past Grade 12, including basic teacher education and qualification for a degree.

Those teachers in independent schools in British Columbia who possess the above qualifications and intend to remain in the province, are encouraged to make application for a B.C. Certificate.

For teachers whose qualifications are from outside the province, an interim certificate is issued for a 2-year period. To obtain a continuing certificate following one year of teaching in British Columbia the teacher must apply to the Director of Teacher Services, Ministry of Education, and request an inspection by a Superintendent of Schools.

There are a number of teachers who hold an interim certificate that has lapsed because no application was made for a continuing certificate. These teachers should also apply to the Director of Teacher Services for an extension of the interim certificate and then proceed as outlined in the preceding paragraph to obtain a continuing certificate.

Principals of all independent schools are requested to notify the office of the Inspector of Independent Schools of any change of certification of a member of the school staff.

APPENDIX F

LIST OF PRIVATE SCHOOLS

ONTARIO
MANITOBA
SASKATCHEWAN
ALBERTA
BRITISH COLUMBIA

PRIVATE SCHOOLS IN ONTARIO

AS OF JANUARY 1, 1979

Private schools are required under The Education Act, 1974 to list with the Ministry of Education, but this listing does not imply that the institution has been approved as providing satisfactory instruction.

LEGEND

K	Schools doing work at the Kindergarten level.
E	" " " " " Elementary level.
S	" " " " " Secondary level.
U	Schools with an ungraded program.
I	Schools which have requested Inspection by the Ministry of Education for the School Year 1978/79. Inspection by the Ministry of Education (I) is to ensure that the program requirements at the secondary level have been fulfilled thus enabling the principal of the school to recommend successful students for credit towards the Secondary School Graduation and Secondary School Honour Graduation Diplomas.
F or M	Schools with Male only or Female only enrolment.
R	Schools with Resident Enrolment.
French	Schools teaching in the language of French are identified with the word "French" next to the name of the school.

RELIGIOUS AFFILIATION

A	Anglican
AM	Amish/Mennonite
B	Baptist
CR	Christian Reformed
J	Jewish
NS	Non-sectarian
OACS	Ontario Alliance of Christian Schools
P	Presbyterian
RC	Roman Catholic
SDA	Seventh-day Adventist
UC	United Church
O	Other

NOTE:

Schools in Metropolitan Toronto are listed on pages 20 to 26.

Private Schools in Ontario 1979

Location	School	Description*	Location	School	Description*
Alliston	Sheila Morrison School	E/M/NS	Brampton	John Knox Christian School	E/OACS
Alma	Goldstone Parochial School	E/AM		K.R.T. Christian School	E/O
Athens	Athens Christian School	E/OACS	Brantford	Brantford Christian School	E/OACS
Aurora	St. Andrew's College	E/S/I/M/R/NS		Central Baptist Academy	E/B
Aylmer	Amish-Mennonite Schools	E/AM	Bright	St. John's College	S/I/RC
	Immanuel Christian School Society	E/OACS		Community School of the Brethren	K/E/O
	Open Bible Christian School	E/S/B	Brockville	Grenville Christian College	K/E/S/I/R/NS
Bancroft	Fort Stewart Christian Day School	E/AM		John Knox Christian School	E/OACS
Barrie	Barrie Christian Elementary School	E/OACS	Burlington	John Calvin School	E/O
	Heritage Christian Academy	E/S/B		Park Avenue Academy	E/O
Barwick	Pineview Mennonite School	E/AM		Trinity Christian School	E/OACS
Bayfield	Lakeview Christian School	E/AM	Caledon	Windhover School	E/NS
Beamsville	Great Lakes Christian College	E/AM	Cambridge	Cambridge Christian School	E/OACS
Belleville	Albert College	S/I/R/NS	Chatham	Calvin Christian School	E/OACS
	Belleville District Christian School	E/S/I/R/UC		Chatham District Christian Private	S/I/OACS
	Nicholson Catholic College	E/OACS		Eben-Ezer School	E/S/I/O
	Quinte Christian High School	S/I/RC	Chatsworth	Ursuline College 'The Pines' School	K/S/I/RC
Bolton	Appleton Boys School	S/I/OACS		Lakedale Amish Parochial	E/M/O
Bowmanville	Durham Christian Private School	E/S/I/M/R/NS	Chesley	Hillcrest School	E/AM
	Knox Christian School	K/S/I/OACS	Clinton	Clinton & District Christian School	E/OACS
Bracebridge	Muskoka Christian School	E/OACS	Claremont	St. John's School of Ontario	E/S/I/R/M/A
Bradford	Springdale Christian School	E/OACS	Cobourg	Northumberland Christian School	E/OACS
Bramalea	Rowntree Montessori School	K/E/NS	Cochrane	Northern Faiths Christian School	E/S/M
Brampton	Brampton Day School	E/NS	Cookstown	Midhurst College Jr. School	E/NS

Location	School	Description*	Location	School	Description*
Copetown	Rehoboth Christian School	E/O	Guelph	Emmanuel Christian School	E/S/I/O
Cottam	Emmanuel Christian Academy	E/OACS		Guelph Remedial and Special Programmes	E/S/NS
Drayton	Calvin Christian School	E/OACS		John Calvin Christian School	E/OACS
	Winfield Parochial School	E/AM	Hamilton	Bishop Ryan School	S/I/RC
Dryden	Emmanuel Baptist Schools	E/S/B		Calvin Christian School	E/O
Dundas	Calvin Christian School	E/OACS		Cardinal Newman Private School	S/I/RC
Dungannon	Fair View Private School	E/AM		Cathedral Boys' School	S/I/M/RC
Dunnville	Dunnville Parental Christian School	E/OACS		Cathedral Girls' School	S/I/F/RC
Elmira	Balsam Grove Parochial School	E/AM		Dundurn Educational Work Centre	K/E/NS
	Clearview Parochial School	E/AM		Grandview Seventh-Day Adventist School	E/S/I/SDA
	Floradale Parochial School	E/AM		Guido de Bres Private School	O/I/S
	New Jerusalem Parochial School	E/AM		Hamilton District Christian Private Sc.S/I/OACS	K/E/S/I
	North Woolwich Parochial School	E/AM		Hamilton Hebrew Academy	K/E/S/I/NS
	Yatton Mennonite Parochial School	E/AM		Hillfield-Strathallan Colleges	K/E/S/I/NS
Elora	Maple Drive Parochial School	E/AM		Saint Thomas More Comprehensive School	S/I/RC
	Maranatha Christian School	E/O		St. Jean De Brebeuf Comprehensive Private School	K/S/I/RC
	St. John's School	E/S/I/M/A		St. Mary's School	S/I/RC
	St. Margaret's School	E/S/I/F/A	Hawkesville	Timothy Canadian Reformed School	E/O
Ethel	Ethel Christian Day School	E/AM	Heidelberg	Hawkesville Christian School	E/S/M
Fort Erie	Niagara Christian College	S/I/R/O	Jarvis	South Heidelberg Parochial School	E/AM
	Saint Barnabas Farms School	K/E/S/M/R/A	Killaloe	Jarvis District Christian School	E/OACS
Fruitland	John Knox Memorial Christian School	E/OACS		The Community School (of Killaloe)	K/E/NS
Georgetown	Georgetown District Christian School	E/OACS	King	Living School	E/NS
Gormley	St. Robert's Catholic High School	S/I/RC	Kingston	The Country Day School	K/E/NS
Guelph	Bishop MacDonnell School	S/I/RC		Kingston Christian School	E/OACS
	Crestwicke Christian Academy	K/E/B		Kingston Community School	K/E/NS
			Kitchener	Regiopolis College	S/I/RC
				Byerson Hall Private School	E/NS

Location	School	Description*	Location	School	Description*
Kitchener	Carmel Church School	K/E/O	London	Regina Mundi College	S/I/M/R/RC
	Kitchener SDA Church School	E/SDA		Southdale Montessori School	K/E/RC
	Laurentian Hills Christian School	E/OACS		Whitechurch Mennonite School	E/AM
	Rockway Mennonite School	S/I/AM		Maidstone Junior Academy	E/S/SDA
	St. Jerome's Private School	E/S/I/M/RC		St. Theresa's Private School	S/I/RC
	St. Mary's Senior Girls' School	S/I/F/RC		Amish Parochial #1	E/AM
Lakefield	Lakefield College School	E/S/I/M/R/A	Millbank	Cedar Grove Christian Day School #2	E/AM
Langton	Trinity Lutheran School	E/O		Morning Star Christian School	E/S/AM
Lasalle	Malden Christian Academy	E/S/I/O		Amish Parochial #3	E/AM
Laurel	Dufferin Area Christian School	E/O	Milverton	Amish Parochial #4	E/AM
Leamington	Morning Star Private School	E/O		Amish Parochial #5	E/AM
	United Mennonite Educational Institute	S/I/M	Mine Centre	North Star Christian Day School	E/AM
Lindsay	Heritage Christian School	E/OACS	Mississauga	Holy Name of Mary	S/I/F/RC
Linwood	Beechvale Parochial School	E/AM		John Knox Christian School	E/OACS
	Lindale Parochial School	E/AM		The Froebel Kindergarten and School	K/E/NS
Listowel	Listowel Christian School	E/OACS	Mount Elgin	Maple Lane Private School	E/AM
	West Hesson Parochial School	E/AM	Mount Forest	Farewell Parochial School	E/AM
London	Askin Montessori School	K/E/NS	Nester Falls	O-Ne-Ga-Ming School	E/S/I/NS
	Catholic Central Private School	S/I/RC	New Hamburg	Stepping Stone Christian School	E/S/AM
	Central Christian School	K/E/B	Newmarket	Holland Marsh Christian School	E/OACS
	Christian Academy of Western Ontario	E/S/O		Pickering College	E/S/I/M/R/O
	Covenant Christian School	E/O		Amish Parochial #2 School	E/AM
	London Community Hebrew Day School	K/E/J	Newton	Loretto Academy	S/I/RC
	London District Christian School	S/I/OACS	Niagara Falls	Niagara 7th Day Adventist School	E/SDA
	London Montessori School	K/E/NS		Our Lady of Mount Carmel	S/I/M/R/RC
	London Parental Christian School	E/OACS		Eden Christian College	S/I/R/AM
	Matthew's Hall	K/E/NS			
	Montessori House of Children	K/E/NS	Niagara-On-The-Lake		
	Mount St. Joseph Academy	S/I/F/R/RC			

Location	School	Description*	Location	School	Description*
North Bay	Scollard Hall	S/I/M/R/RC	Paris	Paris Seventh-Day Adventist School	E/SDA
	St. Joseph's College	S/I/F/R/RC	Parry Sound	Otter Lake Christian School	K/E/AM
Norwich	Fairview	E/AM	Pembroke	Catholic Private School	S/I/RC
	Maple Dell Private School	E/AM	Perth	Brooke Valley School	E/NS
	Rehoboth Reformed Private School	E/S/I/O	Peterborough	Kawartha Christian School	E/B
Oakville	Appleby College	E/S/I/M/R/NS		St. Peter's Private School	S/I/RC
	Centennial Montessori School	K/E/NS		Meyer Christian Academy	E/S/B
	Glen Abbey Private School	E/NS	Pickering	Stirland Lake School	E/S/R/M
	Reinex Educational Centre Ltd.	E/S/NS	Pickle Lake	Entz Brothers Private School	N/O
	St. Mildred's-Lightbourn School	K/E/S/I/F/A	Plattsville	Fair Haven Christian Day School	E/AM
Oshawa	College Park School	E/SDA	Poolie	Scriven Memorial Christian School	E/S/B
	Immanuel Christian School	E/OACS	Port Hope	Trinity College School	E/S/I/M/R/A
	Kingsway College	S/I/R/SDA		Poplar Hill Development School	E/S/AM
	Oshawa Christian Centre	E/S/O		Red Lake Christian School	E/S/AM
	Paul Dwyer Private School	S/I/RC	Renfrew	St. Joseph's Private School	S/I/RC
Ottawa	Ashbury College	E/S/I/M/R/A	Red Lake	The Cenacle	E/S/NS
	Community for Christian Learning	S/I/OACS		Rosseau Lake School	E/S/I/M/R/NS
	Elmwood School	E/S/I/NS		Lambton Christian School	S/I/OACS
	Hillel Academy	K/E/J	Sarnia	Sarnia Christian School	E/OACS
	Hillel Academy	K/E/J		St. Patrick's Private School	S/I/RC
	Immaculata Private School	S/I/RC	Sault Ste. Marie	Mount St. Joseph College	S/I/F/RC
	Joan of Arc Private School (French)	K/E/F/RC		St. Mary's College	S/I/M/RC
	Lyceum Claudel	E/S/NS	Simcoe	Bethel Baptist Academy	E/S/B
	Ottawa Christian School	E/OACS		Simcoe Seventh-Day Adventist School	E/SDA
	Ottawa Montessori Schools (French)	K/E/NS		Sioux Lookout Christian School	E/S/AM
	Ottawa Seventh-Day Adventist Church School	E/SDA			
	St. Pius X Private School	S/I/RC			
	The Counterpoint School	E/NS			
Owen Sound	Timothy Christian School	E/OACS			

Location	School	Description*	Location	School	Description*
Smithville	John Calvin School	E/O	Thunder Bay	Thunder Bay Christian School	E/NS
South River	Woodland Park Foundation	E/SDA		Thunder Bay Seventh Day Adventist School	E/SDA
St. Catharines	Beacon Christian Private School	S/I/OACS	Tillsonburg	Miller's Private School	E/AM
	Calvin Memorial Christian School	E/OACS	Timmins	O'Gorman Private School	S/I/RC
	Denis Morris Private School	S/I/RC	Trenton	Trenton Christian School	E/OACS
	Ridley College	E/S/I/R/A	Upsala	Upsala Agricultural Bible School	E/NS
St. Clair Beach	Lakeview Montessori School	K/E/NS	Vankleek Hill	Academie Du Sacre Coeur (French)	E/F/R/RC
St. Clements	Smithside Parochial School	E/AM	Walkerton	Sacred Heart Senior School	S/I/RC
St. Joachim	Briarwood Private School	E/S/U/RC	Wallaceburg	Calvin Christian School	E/O
St. Mary's	Brookside Parochial School	E/AM	Wallenstein	Bricker Parochial School	E/AM
	Mapleview School	E/AM		East Dorking Parochial School	E/AM
St. Thomas	Alma College	E/S/I/R/UC		Fourth Peel Parochial School	E/AM
	Ebenezer Christian School	E/OACS		Macton Parochial School	E/AM
	St. Joseph's Private School	S/I/RC		Maple Grove Parochial School	E/AM
Stratford	Perth County Community School	E/NS		Pathfinder Christian School	E/S/AM
	Stratford District Christian School	E/OACS		Redhill Parochial School	E/AM
Strathroy	John Calvin Christian School	E/OACS		Riverdale Parochial School	E/M
Stratton	Christian Day School	E/AM	Wasaga Beach	Collingwood District Christian School	E/OACS
Sudbury	College Notre Dame (French)	S/I/RC	Waterdown	Notre Dame Academy	S/I/F/R/RC
	Marymount College	S/I/F/RC	Waterloo	East Heidelberg Parochial School	E/AM
	St. Charles College	S/I/M/RC		Cambridge District Christian School	S/I/OACS
	Sudbury Christian School	E/S/O		Kitchener Waterloo Bilingual School	K/E/NS
Thornhill	Fairlawn Junior School	K/E/NS		South Woolwich Parochial School	E/AM
	Toronto Montessori Schools	K/E/NS		Velvet Hills Christian Academy	
	Toronto Waldorf School	K/E/S/I/NS			
Thunder Bay	Thunder Bay Christian Academy	E/S/O	Welland	Notre Dame College School	S/I/RC

Location	School	Description*	Location	School	Description*
Wellandport	Calvinistic Christian School Robert Land Academy	E/OACS E/O/M/R/NS	Downsview	Bnei Akiva Schools Holy Cross Armenian School Madonna Private School	S/I/J E/O S/I/F/RC E/SDA
Wellesley	Cedar Grove Christian Day School #1	E/AM	Etobicoke	Kingsview Private School	E/NS
West Montrose	West Montrose Parochial School Winterbourne Mennonite Parochial School	E/AM E/AM	Islington	Centennial Montessori School Michael Power Private School Olivet Day School	S/I/M/RC K/E/O S/I/F/RC
Whitby	Dennis O'Connor Private School Fundamental Christian School Ontario Ladies' College	S/I/RC E/O E/S/I/F/R/UC	Rexdale	St. Joseph's Private School Father Henry Carr Timothy Christian School	S/I/RC E/O
Williamsburg	Timothy Christian School	E/OACS	Scarborough	Blaisdale Montessori School Cardinal Newman Private School Ellesmere Montessori Private School	K/E/NS S/I/RC K/E/NS
Windsor	Assumption College School Bible Centred Christian Education F.J. Brennan Private School (French) Montessori Model School St. Anne's Senior School (French)	E/S/I/R/RC E/S/I/NS S/I/RC K/E/NS S/I/RC	Toronto	Scarborough Christian Amberley School Annex Village Campus Associated Hebrew Schools Junior High Division	S/I/O K/E/NS E/S/I/NS E/S/I/J K/E/S/I/F/J S/I/F/J K/E/S/I/J E/S/NS E/S/I/R/NS
Woodbridge	Toronto District Christian Private School	S/I/OACS		Bais Yaakov Elementary School Beth Jacob Private School Bialik Hebrew Day School Bleiweiss Centre for Learning Branksome Hall	S/I/NS S/I/NS S/I/M/RC S/I/NS S/I/O S/I/J S/I/NS
Woodstock	John Knox Christian School	E/OACS		Canadian Junior College Cantab College Chaminade College School Clairwood College	
Wroxeter	Gorrie Parochial School	E/O		Columbia Secondary School of Canada Community Hebrew Academy Cosmopolitan College	
Wyoming	John Knox Christian School	E/OACS		Dante Alighieri Private School	
<u>METROPOLITAN TORONTO</u>					
Agincourt	Immanuel Christian School Wishing Well Montessori School	E/OACS E/NS			
Don Mills	Bayview Glen Junior School Senator O'Connor College School Toronto Montessori School	K/E/NS S/I/RC K/E/NS			

Location	School	Description*	Location	School	Description*
Toronto	De La Salle College Oaklands	E/S/I/M/RC	Toronto	The Toronto French School	K/E/S/I/NS
	Eastern College	S/I/NS		The Toronto Matriculation College Ltd.	S/I/NS
	Erin Lane School	S/NS		The York Herbart School	S/I/NS
	Great Lakes College of Toronto	S/I/NS		Thornton Hall Senior Private School	S/I/NS
	Havergal College	K/E/S/I/R/A		Toronto Achievement Centre	E/NS
	High Park Private School	S/I/NS		Toronto Central Christian Private School	E/OACS
	International Day School	S/I/NS		Toronto East SDA School	E/SDA
	KA School	K/E/NS		Toronto Learning Centre	K/E/S/I/NS
	Kohai Educational Centre	E/S/NS		United Synagogue Day School	K/E/S/I/J
	Linguistic Schools of Canada	U/NS		University of Toronto Schools	E/S/I/NS
	Loretto Abbey	E/S/I/F/RC		University Preparatory School	S/I/NS
	Loretto College School	S/I/F/RC		Upper Canada College	E/S/I/M/R/NS
	Maple College	S/I/O		Ursuline School	K/E/RC
	Metro Toronto Language School	U/NS		Walker Avenue School	E/NS
	Meisterschaft College	S/I/NS		Yeshiva Yesodei Hatorah	K/E/M/J
	Neil McNeil School	S/I/M/RC		York Montessori School	E/NS
	Notre Dame Private School	S/I/F/RC		St. Basil-The-Great College School	K/S/I/RC
	Park Avenue Academy	S/I/NS		Associated Hebrew Schools	K/E/J
	Perth Avenue SDA School	E/SDA		Barrington Educational Clinic	E/S/I/NS
	Peterhouse School	E/S/I/NS		Eitz Chaim Day Schools	K/E/S/I/J
	Queensway Cathedral Christian School	E/O		Brebeuf College School	S/I/M/RC
	Remedial Reading Centre	E/S/I/NS		Centre for Educational Development	E/S/NS
	Shaw Colleges	S/I/NS		Crestview Junior Private School	E/NS
	St. Clement's School	E/S/I/F/A		Ner Israel Yeshiva College	S/I/M/R/J
	St. George's College	E/S/I/M/A		Or Haemet Sefaradic School	E/J
	St. George's Laboratory School	E/NS		St. Joseph's Morrow Park School	S/I/F/RC
	St. Joseph's College School	S/I/F/RC		The Crescent School	E/S/I/M/NS
	St. Michael's Choir School	S/I/M/RC		The Leo Baeck Day School	K/E/J
	St. Michael's College School	S/I/M/RC		The Paul B. Smith Academy	S/I/O
	Sunnybrook School	K/E/NS		The Peoples Christian School	JK/K/E/O
	The Bishop Strachan School	K/E/S/I/R/A		Toronto Junior Academy	E/S/I/SDA
	The January School	K/E/NS		Willowdale Christian School	E/OACS
	The Junior Campus	K/E/NS			
	The National Ballet School	E/S/I/R/NS			

*See page 200 for explanation of terms.

PRIVATE SCHOOLS IN MANITOBA

Cap. P250

PUBLIC SCHOOLS

SCHEDULE C

SCHOOL	LOCATION	CLASSIFICATION
Assumption	The City of Transcona	Elementary
Austin Mennonite School	The Community of Austin in The R.M. of North Norfolk	Elementary
Balmoral Hall School for Girls	The City of Winnipeg	Elementary and Secondary
Blessed Sacrament	The City of Transcona	Elementary
Brandon Christian School	The City of Brandon	Elementary
Calvin Christian	The Rural Municipality of North Kildonan	Elementary
Canadian Nazarene College	The City of Winnipeg	Secondary
Christ the King	The City of St. Vital	Elementary
Christian Heritage School	The City of Brandon	Elementary
Convent of the Sacred Heart	The Rural Municipality of Charleswood	Elementary and Secondary
Country View School	The Town of Steinbach	Secondary
Dufferin Christian School	The Town of Carman	Elementary
Greenbank Mennonite School	The Community of Tolstoi in The R.M. of Franklin	Elementary
Greenland School	The Village of St. Anne	Elementary
Holy Cross	The City of St. Boniface	Elementary and Secondary
Holy Ghost	The City of Winnipeg	Elementary
Immaculate Heart of Mary	The City of Winnipeg	Elementary and Secondary
Immanuel Christian School	The City of Winnipeg	Elementary
Interlake Mennonite Fellowship School	The Village of Arborg	Elementary
Joseph Wolinsky Collegiate	The City of Winnipeg	Secondary
Juniorat Ste. Famille	The City of St. Boniface	Elementary and Secondary
Kleefeld Christian School	The Community of Kleefeld in The R.M. of Hanover	Elementary
Knowles Home for Boys	The Rural Municipality of North Kildonan	Elementary
Lake Centre Mennonite Fellowship School	The Village of Arborg	Elementary
Langevin Preparatory School	The City of St. Boniface	Elementary
James K. MacIsaac School	The City of Winnipeg	Elementary
Manitoba Christian School	The City of Winnipeg	Elementary and Secondary
Menaville School	The Village of Riverton	Elementary
Mennonite Brethren Collegiate Institute	The City of Winnipeg	Elementary and Secondary
Mennonite Collegiate Institute	The Village of Gretna	Secondary
Morweena Mennonite Elementary School	The Village of Arborg	Elementary
Morweena Mennonite High School	The Village of Arborg	Secondary
Our Lady of Victory Memorial	The City of Winnipeg	Elementary
Peretz Folk School I	The City of Winnipeg	Elementary
Peretz Folk School II	The City of Winnipeg	Elementary

PUBLIC SCHOOLS

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SCHOOL	LOCATION	CLASSIFICATION
Portage Christian Academy	The City of Portage la Prairie	Elementary
Prairie Mennonite School	The Village of Plum Coulee	Elementary
Prairie View School	The Community of Rosenort in The R.M. of Morris	Elementary
Ramah Hebrew (Herzlia Academy) (Shaarey Zedek Day School)	The City of Winnipeg	Elementary
Red River Valley Junior Academy	The City of Winnipeg	Elementary and Secondary
Riverside School	The Community of Elma in The R.M. of Whitemouth	Elementary
Rosh Pina Day School	The City of Winnipeg	Elementary
Sacred Heart	The City of Winnipeg	Elementary and Secondary
Sacred Heart	The Town of The Pas	Elementary
Sacred Heart School	The City of Brandon	Elementary
St. Agnes School and Mary Mound School	The City of West Kildonan	Elementary
St. Alphonsus	The City of East Kildonan	Elementary
St. Augustine	The City of Brandon	Elementary
St. Benedict's Academy	The Rural Municipality of West St. Paul	Elementary and Secondary
St. Boniface College	The City of St. Boniface	Elementary and Secondary
St. Boniface Diocesan High School	The City of Winnipeg	Secondary
St. Charles Academy	The Rural Municipality of Assiniboia	Elementary and Secondary
St. Clement	The City of East Kildonan	Elementary
St. Edward's School	The City of Winnipeg	Elementary
St. Emile	The City of St. Vital	Elementary
St. Eugene	The City of St. Vital	Elementary
St. Gerard	The City of Winnipeg	Elementary
St. Ignatius School	The City of Winnipeg	Elementary
St. John Brebeuf	The City of Winnipeg	Elementary
St. John's Cathedral Boys' School	The Rural Municipality of St. Andrews	Elementary and Secondary
St. John's Ravenscourt	The Rural Municipality of Fort Garry	Elementary and Secondary
St. Joseph	The City of Winnipeg	Elementary and Secondary
St. Joseph The Worker	The City of Transcona	Elementary
Ste. Marie	The City of St. Vital	Elementary
St. Mary's Academy	The City of Winnipeg	Elementary and Secondary
St. Mary's School	The City of Winnipeg	Elementary
St. Maurice	The Rural Municipality of Fort Garry	Elementary
St. Michael's Academy	The City of Brandon	Secondary
St. Paul's College High School	The Town of Tuxedo	Secondary
St. Thomas More	The City of St. Boniface	Elementary
St. Vladimir's College	The Town of Roblin	Secondary

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PUBLIC SCHOOLS

SCHOOL	LOCATION	CLASSIFICATION
Sir Maurice Roche	The Town of Flin Flon	Secondary
Steinbach Bible Institute	The Town of Steinbach	Secondary
Traverse Bay Christian School	The Community of Traverse Bay near the Local Govt. Dist. of Alexander	Elementary
United College	The City of Winnipeg	Secondary
University of Winnipeg Collegiate	The City of Winnipeg	Secondary
Westgate Mennonite Collegiate	The City of Winnipeg	Elementary and Secondary
Winnipeg Hebrew	The City of Winnipeg	Elementary

En. S.M. 1965, c. 22, s. 3; S.M. 1977, c. 61, s. 13.



Saskatchewan
Education

Regional Services Division

Saskatchewan

2220 College Avenue
Regina, Canada
S4P 3V7

January 31, 1979

PRIVATE SCHOOLS

<u>School - Principal</u>	<u>Day or Residential</u>	<u>Boys or Girls</u>	<u>Religious Affiliation</u>	<u>Grades</u>
Ursuline Academy, BRUNO, Sask. SOK OSO Principal - Sister Juliana Weber	both	girls	Roman Catholic	10 - 12
Parkland Christian Academy, CANORA, Sask. SOA OLO Principal - Wes Andrei	day	both	Baptist	K - 11
Caronport High School, CARONPORT, Sask. SOH OSO Principal - J. L. Grymaloski	both	both	Non-Denom- inational	9 - 12
College Mathieu, GRAVELBOURG, Sask. SOH 1X0 Principal - Andre Moquin	both	both	Roman Catholic	8 - 12
Seventh Day Adventist Elementary School MAYFAIR, Sask. SOM 1S0 Principal - Mrs. Luella M. Coates	day	both	Seventh-Day Adventist	K - 8
Shiloh Rural Bible School MAYFAIR, Sask. SOM 1S0 Principal - Mrs. L. M. Rogers	day	both	Seventh-Day Adventist	K - 8
Sunningdale Academy, MOOSE JAW, 61 Avens Rd., Box 365 S6H 4N9 Principal - Lloyd Lentott	both	both	Interdenomin- ational	K - 9
Lutheran Collegiate Bible Institute OUTLOOK, Sask. SOL 2N0 Principal - E. J. Anderson	res.	both	Lutheran	10 - 12
St. Angela's Academy, PRELATE, Sask. SON 2B0 Principal - Sister Jean Elder	res.	girls	Roman Catholic	10 - 12
Rivier Academy, 1405 - 5th Ave. West PRINCE ALBERT, Sask. S6V 5J1 Principal - Sister Aline Cyr	both	girls	Roman Catholic	7 - 12

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<u>School - Principal</u>	<u>Day or Residential</u>	<u>Boys or Girls</u>	<u>Religious Affiliation</u>	<u>Grades</u>
Victory Christian Academy, Box 98 PRINCE ALBERT, Sask. S6V 5R4 Principal - Rev. R. Dell	day	both	Baptist	1-12
Alta Vista High School, 2915 Pasqua Street, REGINA, Sask. S4S 2H4 Principal-Sister Helen Smaggus	res.	both	Non-Denominational	K - 12
Cornwall Street Tutoring Project, 2825 Victoria Avenue, REGINA, Sask. S4T 1K6 Principal - Judy Eichhorst	day	both	Non-Denominational	6 -10
Curtis-Horne Jr. Academy, 3718 Hill Avenue, REGINA, Sask. S4S 0X5 Principal - Earl West	day	both	Seventh-Day Adventist	1-9
Greenhouse School, 1344 Royal Street, REGINA, Sask. S4T 5A1 Principal - D.E. Fraser	day	both	Non-Denominational	K-8
Luther College, 1500 Royal Street, REGINA, Sask. S4T 5A5 Principal - Rudie Selzer	both	both	Lutheran	8-12
Maranatha Christian Academy, 3540 - 6th Avenue, REGINA, Sask. S4T 0N5 Principal - Jerry Brewer	day	both	Inter-Denominational	K- 11
Rosthern Junior College, ROSTHERN, Sask. S0K 3R0 Principal - R.J. Suderman	both	both	Mennonite	10-12
Seventh Day Adventist Church School, ROSTHERN, Sask. S0K 3R0 Principal - Gus Lehman	day	both	Seventh-Day Adventist	1-8
Countryside Mennonite School SALTCOATS, Sask. S0A 3R0 Principal - Marvin L. Penner	day	both	Mennonite	1-8
Seventh Day Adventist Junior Academy, 2228 Herman Avenue, SASKATOON, Sask. S7M 0N3 Principal - Mrs. Ruth Bodrug	day	both	Seventh-Day Adventist	1-10

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<u>School - Principal</u>	<u>Day or Residential</u>	<u>Boys or Girls</u>	<u>Religious Affiliation</u>	<u>Grades</u>
Swanson Christian School, SWANSON, Sask. SOL 3E0 Principal - Miss Carol Bronson	day	both	Mennonite	3 - 9
Tugaske Seventh-Day Adventist Church School TUGASKE, Sask. SOH Principal - SherryLee Gimbel	day	both	Seventh-Day Adventist	1 - 2
St. Joseph's High School, VIBANK, Sask. SOG 4Y0 Principal - Peter Yam	res.	both	Roman Catholic	9 - 12
Western Christian College, NORTH WEYBURN, Sask. SOC 1X0 Principal - Dan Weib	res.	both	Church of Christ	10 - 12
Athol Murray College of Notre Dame, WILCOX, Sask. SOG 5E0 Principal - Gerald Scheibel	both	both	Roman Catholic	9 - 12
Seventh Day Adventist Junior Academy, 186 Allanbrooke Drive, YORKTON, Sask. S3N 2X1 Principal - Dennis Winter	day	both	Seventh-Day Adventist	1 - 10
<u>Private, but under jurisdiction of school board</u>				
Sacred Heart High School 162 Dunlop W., YORKTON, Sask. S3N 0B6 Principal - Sister Donna Pidskalny	day	both	Roman Catholic	9 - 12

Private Schools in Alberta 1978-79*

Name of School	Grades Taught	Status	Receiving Grant		Name of School	Grades Taught	Status	Receiving Grant	
			Yes	No				Yes	No
Category 1									
Alberta College	10-12	Approved	X		Concordia High School	10-12	Approved	X	
Bible Baptist School of Edmonton	1-12	Approved		X	Cornerstone Academy	1-8	Approval Under Review		X
Blumenau Seventh Day Adventist School	1-10	Approved		X	Covenant Community Training Centre	1-11	Conditional Approval		X
Calgary Christian School	1-12	Approved	X		Coralwood Junior Academy	1-10	Approved	X	
Calgary Seventh Day Adventist School	1-10	Approved	X		East Edmonton Christian School	1-9	Approved	X	
Camrose Lutheran College	12	Approved	X		Edmonton Christian High School	10-12	Approved	X	
Canadian Reformed School Society of Edmonton	1-9	Approved		X	Fairview Seventh Day Adventist Elementary	1-10	Approved		X
Candian Reformed School Society of Neerlandia	1-9	Approval Under Review		X	Fellowship School of the Edmonton Christian Centre	1-9	Approval Under Review		X
Coaldale Christian School	1-9	Approved	X		Hutterian Brethren School of Brant	1-9	Approved	X	
Canadian Union College	10-12	Approved	X		Immanuel Christian School	1-12	Approved	X	
Centennial Montessori School	1-12	Approval Under Review		X	Lacombe Christian School	1-9	Approved	X	
Christopher Robin School	1-6	Approved		X	Lacombe Seventh Day Adventist Elementary	1-9	Approved	X	
Clearview Huttarian Brethren	1-8	Approved	X		Lethbridge Seventh Day Adventist Church School	1, 2, 5-8	Approval Under Review		X

Name of School	Grades Taught	Receiving Grant		Status	Name of School	Grades Taught	Receiving Grant		Status	Receiving Grant	
		Yes	No				Yes	No		Yes	No
Level Land Junior Academy	1-10	X		Approved	Tempo School	1-11			Approval Under Review		X
Medicine Hat Seventh Day Adventist School	1-9		X	Approved							
Montessori School	1-6		X	Approval Under Review	West Edmonton Christian School	1-9			Approved	X	
					<u>Category 3</u>						
North Edmonton Christian School	1-9			Approved	Deutsche Sprachschule	1-7 & German 10			Approved		X
Peace River Junior Academy	1-10	X		Approved							
Prairie Grade School	1-8	X		Approved	German Language School of Calgary	10-12			Approved		X
Prairie High School	9-12	X		Approved	German School Edelweiss	1-12			Approved		X
Red Deer Christian School	1-8	X		Approved	Italian School of Calgary	1-12			Approved		X
River Bend Hutterian Brethren	1-6 & 8		X	Approved	Ivan Franko School of Ukrainian Studies	7-12			Approved		X
Rocky Mountain House Christian School	1-9	X		Approved	Language School of the German Canadian Club	10-12			Approved		X
Rosebud Centre School	9-12		X	Approved	West End German Language School	2-4 10-12			Approved		X
Ryley Seventh Day Adventist School	1-9		X	Approved	<u>Category 4</u>						
St. Matthew Lutheran School	1-8	X		Approved	Church of God in Christ - Linden				Approval Under Review		X
Strathcona-Tweedsmuir School	1-12	X		Approved							
Sylvan Lake Seventh Day Adventist School	1-9		X	Approved	Duchess Bethel Mennonite School				Approval Under Review		X

Name of School	Grades Taught	Receiving Grant		Status	Name of School	Grades Taught	Status	Receiving Grant	
		Yes	No					Yes	No
North & South Country-side Christian School			X	Approval Under Review	Vermilion Peace School		Approval Under Review		X
Heart Valley Christian School			X	Approval Under Review	Yellowhead Christian School	2-9	Approval Under Review		X
Lakeview Christian School			X	Approval Under Review					
Northern Lights School			X	Approval Under Review					
Rocky View Christian School			X	Approval Under Review					
Rosedale Christian School			X	Approval Under Review					
Stirling Mennonite Christian Day School			X	Approval Under Review					
Valleyview Ranch Colony School			X	Approval Under Review					

*Adapted from The List of Private Schools in Alberta, compiled by The Department of Education. The adapted list excludes category 2 private schools for handicapped students.

British Columbia Independent Schools*

Area	School	Grades	Students
Abbotsford	Abbotsford Christian Elementary	1-7	282
	Abbotsford Christian Secondary	8-10	160
	Community Baptist Christian Academy	K-12	180
	Glad Tidings Christian Academy	2-11	23
	Mennonite Educational Institute	8-12	469
Agassiz	Agassiz Christian School	1-7	44
Aldergrove	Fraser Valley Adventist Academy	K-12	204
Argenta	Argenta Friends School	7-12	25
Armstrong	Armstrong Christian Academy	2-10	16
	N. Okanagan Jnr. Academy	2-10	54
Bella Coola	Bella Coola SDA School	1-9	46
Burnaby	Deer Lake SDA Academy	1-10	86
	Holy Cross School	1-7	160
	John Knox Christian School	1-7	174
	Marian High School	8-12	303
	Our Lady of Mercy School	K-7	163
	St. Francis de Sales School	K-7	150
	St. Helen School	K-7	140
	St. Michael's School	K-7	189
	St. Thomas More High School	8-12	418
Burns Lake	Immaculata School	K-7	135
Chemainus	St. Joseph's School	K-7	155
Chetwynd	Chetwynd SDA School	1-9	23
Chilliwack	Chilliwack Christian School	1-7	50
	Highroad Academy	2-10	35
	St. Mary's School	Pre-K-10	289
	Timothy Christian School	K-10	287
Chinook Cove	N. Chinook Cove SDA School	1-8	17
Coquitlam	Children's House Montessori	K	40
	Our Lady of Fatima School	K-7	131
	Our Lady of Lourdes School	K-7	174
Cranbrook	Cranbrook Montessori School	Pre-K & K	47
	Cranbrook SDA School	1-8	10
	St. Mary's School	K-7	200
Creston	Creston SDA School	1-8	21
	Creston Valley Chr. School	1-12	70
Dawson Creek	Bethel Christian School	1-9	47
	Community Baptist Chr. Academy	2-11	

Area	School	Grades	Students
Dawson Creek	Notre Dame School	K-7	143
Delta	Immaculate Conception School	K-7	386
	Ladner Christian School	K-7	74
	Sacred Heart School	K-7	162
	St. Angela Academy	8-10	136
Duncan	Cowichan Valley SDA School	1-9	6
	Duncan Christian School	1-7	86
	Queen Margaret's School	5-12	147
	Queen of Angels School	K-7	199
Enderby	Enderby Christian School	1-9	46
Fort St. James	St. Maria Goretti School	K-7	180
Fort St. John	Immaculata School	K-7	165
	Fort St. John SDA School	1-8	6
Golden	Golden SDA School	1-8	13
Hazelton	Hazelton SDA School	1-11	32
Houston	Houston Christian School	1-8	54
Hudson Hope	Peace Christian Academy	2-8	
Johnson's Landing	Johnson's Landing School	K-8	8
Kamloops	Kamloops SDA School	1-8	18
	Our Lady of Perpetual Help	K-7	225
	St. Ann's Academy	K-7	184
Kelowna	Evangel Tabernacle School	2-9	
	Immaculata High School	8-12	115
	Okanagan SDA School	1-12	161
	St. Joseph's School	K-7	153
Kemano	Lord Alexander School	K-8	67
Kitimat	Kitimat Christian School		
	St. Anthony's School	1-7	168
Langley	Trinity Western College	Univ.	450
Lower Nicola	Nicola Valley Christian School	3-11	32
Lumby	Hope Chapel Christian School	1-12	21
Maple Ridge	Haney-Pitt Meadows Christian	1-7	82
	St. Patrick's School	K-7	228
Merville	Comox Valley SDA School	1-6	9
McBride	Robson Valley SDA School	1-9	29
Mill Bay	Brentwood College	G:10-12 B:8-12	

Area	School	Grades	Students
Mission	Seminary of Christ the King	8-12	22
Nakusp	Arrow Lakes Chr. Acad.	K-10	24
Nanaimo	Island Christian Academy	1-11	36
	Nanaimo Independent Prep. Sch.	7-12	
	Nanaimo Little People's Hse.	Pre-K & K	40
Nelson	St. Joseph School	K-7	130
New Hazelton	St. Mary's School	K-7	66
New Westminster	Kenneth Gordon Sch. (Dyslexia)	1-7	
North Vancouver	Holy Trinity School	Pre-K-7	203
	St. Edmund's School	K-7	185
	St. Thomas Aquinas High School	8-12	180
	Vancouver YMCA College	12	
	Waldorf School	K-8	168
Oliver	Oliver SDA School	1-8	10
Parksville	Mt. Arrowsmith SDA School	4-10	42
Penticton	Monashee Mtn. Wilderness Sch.	5-10	24
Port Hardy	Avalon SDA School	1-9	12
Powell River	Assumption School	K-7	174
Prince George	Cedars Christian School	1-7	91
	Prince George College	8-12	270
	Prince George SDA School	1-9	24
	Sacred Heart School	K-7	250
	St. Mary's School	K-7	252
Prince Rupert	Annunciation School	1-7	167
Quesnel	Banner Academy	2-9	
	Landmark Baptist School	2-9	
Revelstoke	Mt. Revelstoke Chr. Acad.	2-9	
Richmond	Richmond Christian Sch.	1-7	86
	St. Paul's School	K-7	210
	Seacliff Christian School	1-10	108
Salmon Arm	Silver Creek SDA School	1-7	11
	Salmon Arm Christian Acad.	1-12	55
Shawnigan Lake	Shawnigan Lake School	8-12	243
Sidney	Vancouver Isle. SDA Sch.	1-10	37
Smithers	Bulkley Valley Chr. High Sch.	8-11	87
	Ebenezer Can. Reformed Sch.	1-12	111
	St. Joseph's School	K-7	156
	Smithers Christian School	1-7	121

Area	School	Grades	Students
Squamish	Squamish Christian School	2-9	
Surrey	Bible Fellowship School	1-10	74
	Christian Centre Academy	1-12	128
	Cloverdale Catholic School	1-7	211
	Cloverdale Pentecostal Acad.	1-8	
	Fraser Valley Chr. High Sch.	8-12	380
	John Knox (Surrey) Christian	1-7	76
	Our Lady of Good Counsel Sch.	K-7	213
	Shannon Heights Christian Sch.	1-7	96
	William of Orange Chr. Elem.	1-7	178
	William of Orange Chr. High	8-11	120
	Zion Lutheran School	Pre-K-7	74
Terrace	Centennial Christian School	1-7	38
	Terrace SDA School	K-9	23
	Veritas School	1-7	190
Trail	St. Michael's School	K-7	
Vancouver	Blessed Sacrament School	K-7	179
	Christopher Robin Pre-School	Pre-K & K	109
	Columbia College	Post-Sec. & 11 & 12	128
	Convent of the Sacred Heart	2-12	244
	Corpus Christi School	K-7	165
	Crofton House School	1-12	430
	Emmanuel Christian Sec. Sch.	8 & 9	51
	Immaculate Conception Sch.	K-7	145
	Little Flower Academy (Elem.)	1-7	107
	Little Flower Academy (Sec.)	8-12	261
	Notre Dame Secondary Sch.	8-12	510
	Our Lady of Perpetual Help	K-7	147
	Our Lady of Sorrows School	K-7	204
	Relevant High School	8-12	63
	St. Andrew's School	K-7	172
	St. Augustine's School	K-7	126
	St. Francis of Assisi Sch.	K-7	145
	St. Francis Xavier School	K-7	75
	St. George's School	2-12	634
	St. Joseph's School	K-7	131
	St. Jude's School	K-7	137
	St. Mary's School	K-7	188
	St. Patrick's Elem. School	K-7	133
	St. Patrick's Secondary Sch.	8-12	194
	Temple Academy	1-12	151
	Vancouver Christian School	1-7	107
	Vancouver College	1-12	829
	Vancouver Montessori School	Pre-K & K	72
	Vancouver Oral Centre	K-9 (Deaf)	17

Area	School	Grades	Students
	Vancouver Talmud Torah	Pre-K-8	274
	York House School	G, K-12	
		B, K-6	
Vanderhoof	Northside Christian Sch.	1-12	57
	St. Joseph's School	K-7	144
Vernon	Pleasant Valley SDA School	1-10	43
	St. James School	K-7	185
	Vernon Christian School	1-8	66
Victoria	Christian Elementary School	1-7	
	Crossroads Academy	2-9	42
	Discovery School	1-9	12
		(Learning problems)	
	Glenlyon School	1-10	222
	Hermanas School of Arts	1-7	15
	Malvern & Westerham School	10-12	
	Norfolk House School	1-12	255
	Pacific Christian Secondary	8-10	98
	Saanich Christian School	1-7	112
	St. Andrew's School	K-9	247
	St. Christopher's Montessori	K	15
	St. Joseph's School	K-7	157
	St. Margaret's School	K-12	291
	St. Michaels University Sch.	1-12	526
	St. Patrick's School	K-7	332
	St. Paul's Navel Garrison K'n	Pre-K & K	49
	Victoria Christian High Sch.	8-12	
	Wolf Lake School	8-12	14
West Vancouver	St. Anthony's School	1-7	161
	W. Vancouver Montessori Sch.	Pre-K & K	65
Williams Lake	Carriboo Adventist Academy	1-12	149
	Maranatha Christian School		
Winlaw	The Whole School	K-6	25
Yarrow	John Calvin School	1-7	102
Yukon	Carcross Community Ed'n Centre	9-12	

*Adapted from a booklet produced by the Federation of Independent School Associations.