



Province of Alberta

CHOICE IN EDUCATION ACT, 2020

Statutes of Alberta, 2020
Chapter 11

Assented to June 26, 2020

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CHOICE IN EDUCATION ACT, 2020

Chapter 11

(Assented to June 26, 2020)

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

Amends SA 2012 cE-0.3

1 The *Education Act* is amended by this Act.

2 The preamble is amended

(a) by adding the following after the 8th recital:

WHEREAS parents have a prior right to choose the kind of education that may be provided to their children;

(b) by adding the following after the 13th recital:

WHEREAS the Government of Alberta recognizes public schools, separate schools, Francophone schools, private schools, charter schools, early childhood services programs and home education programs as being valued and integral in providing choice in education to students and parents;

3 The following is added after section 4:

Residence

4.1 For the purposes of this Act, the place of residence of a person is governed by the following:

- (a) a person is deemed to have only one place of residence;
- (b) a person's residence is the place where that person ordinarily lives and sleeps and to which, when absent from the residence, that person intends to return.

4 Section 15(3) is amended by striking out “section 4(6)” and substituting “section 4(7)”.

5 Section 20 is repealed and the following is substituted:

Home education programs

20(1) A parent of a student may provide, at home or elsewhere, a type of home education program for the student in accordance with the regulations.

(2) The Minister may make regulations respecting any type of home education program, including, without limitation, regulations respecting

- (a) notification requirements to provide a home education program, and
- (b) supervision requirements, if any, of a home education program.

6 Section 21(2) is amended

- (a) **by adding** “or, with the approval of the Minister, a person” **after** “A board”;
- (b) **by adding** “both” **before** “the parent of the student”.

7 Section 24(2) is repealed and the following is substituted:

(2) On receipt of an application under subsection (1), the Minister shall, in accordance with the regulations, provide notice of the application for a new charter school and the proposed programming to

- (a) every board of a public or separate school division and Francophone regional authority operating within the geographic area in which the charter school is to be established, and
- (b) the operators of any other charter schools as determined by the Minister.

8 Section 25(1)(a) is repealed and the following is substituted:

- (a) focuses on

- (i) a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by a board of a public or separate school division or Francophone regional authority operating within the geographic area in which the charter school will be located, or
- (ii) vocation-based education,

9 Section 27(1) is amended

- (a) in clause (b) by adding “4.1,” after “4,”;
- (b) in clause (c) by adding “28.1,” after “23,”.

10 The following is added before section 29:

Recognition of private schools

28.1 Private schools are recognized as being important in providing parents and students with choice in education, and a person responsible for the operation of a private school shall ensure students enrolled in the private school are provided with an education program consistent with the requirements set out in the Act and the regulations.

11 Section 30 is amended

- (a) in subsection (1)(c) by adding “28.1,” after “18,”;
- (b) in subsection (2)
 - (i) by striking out “except subsections (2) and (5)” and substituting “except subsection (5)”;
 - (ii) by striking out “20(3)” and substituting “20(2)”.

12 Section 125(1)(c) is amended by adding “28.1,” after “sections”.

13 Section 142(2) is repealed and the following is substituted:

(2) The audit committee shall comprise at least 5 individuals and shall include 2 members who are not trustees.

Coordinated amendment

14(1) If section 2(2) and (3) of the *Red Tape Reduction Implementation Act, 2019* come into force before September 1, 2020, effective September 1, 2020 section 27(1)(e) is amended by striking out “sections 51, 59, 59.1 and 62” and substituting “sections 51, 53.1, 59, 59.1, 62 and 69(a)”.

(2) If section 2(2) and (3) of the *Red Tape Reduction Implementation Act, 2019* come into force on or after September 1, 2020,

- (a) effective September 1, 2020, section 27(1)(e) is amended by striking out “sections 51, 59, 59.1 and 62” and substituting “sections 51, 59, 59.1, 62 and 69(a)”, and
- (b) on the coming into force of section 2(2) and (3) of the *Red Tape Reduction Implementation Act, 2019*, section 27(1)(e) is amended by adding “53.1,” after “51,”.

Coming into force

15 This Act has effect on September 1, 2020.

