

Kindergarten go-ahead now in Jonson's hands

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A decision on kindergarten going ahead this fall is in Education Minister Halvar Jonson's lap after a judge reserved decision on a controversial challenge Friday.

The move means city public schools will start offering a full-time, 400-hour kindergarten program on Aug. 29 as planned by the board's trustees.

But whether parents will soon face user fees or need additional day care at the last minute is still up in the air.

On Friday, Court of Queen's Bench Justice Eileen Nash said she couldn't deliver a decision on the challenge launched by the Learning Disabilities Association of Alberta until Sept. 2 because she'll be away on vacation until then.

The association is asking the court to quash the board's decision to fund 200 hours of kindergarten with \$3.4 million.

Lawyer Shirish Chotalia argued the trustees exceeded their power under the School Act by taking taxpayer dollars earmarked for mandatory Grade 1-12 programs and spending it on subsidizing kindergarten, which the act says is not mandatory.

All school boards must submit their budgets to Jonson by Aug. 31

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for approval, Edmonton Public School Board chairman Dick Mather said outside court.

If the minister approves the Edmonton board's budget at that time, the court case challenging the board's decision to divert \$3.4 million out of some programs in its 1994-95 budget to subsidize an extra 200 hours of kindergarten this year will become a non-issue, said Mather.

"If the minister accepts our budget, then it will be a done deal," Mather said.

The board voted to make the budgetary changes at the bidding of parents on May 31 after the Klein government cut funding for kindergarten from 400 to 200 hours this year. Trustees were 8-to-1 against imposing user fees.

Jonson couldn't be reached for comment.

But Chotalia said Jonson must follow the School Act like everyone else.

"The minister will have to consider carefully his options and how he will act," she said.

"We feel the court's decision is going to be binding on the minister."

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