

Group files its suit over kindergarten

Says board contravened School Act

ALLEN PANZERI

Journal Education Writer

Edmonton

The Edmonton Public School Board will soon be in court defending its decision to fund a full kindergarten program next year.

The Learning Disabilities Association of Alberta filed a lawsuit Monday challenging the board's decision to take money from mandated programs and spend it on kindergarten, which is not mandated under the School Act.

In the case of the Edmonton board, that's an extra \$3.4 million that could be going toward Grade 1 to 12 programs.

When the board decided last month to fund the full kindergarten program, administrators found the extra money by juggling the books, and maintained that Grade 1 to 12 programs would not be short-changed.

But the association wants the court to assert that the board must obey the School Act and can spend money only on programs required under the act.

The challenge has implications for all parents, said Sandra Dowie, a spokesperson for the association. Unless the board is bound by the School Act, it can divert money from any program to another.

"This is really a test case that affects districts all over Alberta," she said.

"You're really setting up a precedent, asking 'Do school boards and school administrators have to follow the School Act?' That's really the key issue."

Dowie said the association hopes to have the action heard in the next two months, because of its potential impact on other programs.

But the board hasn't had time to study the documents to determine how long it will take to fashion a response.