



Canadian Rockies School Division
"Canadian Rockies Public Schools"

Board Policy Handbook

**Prepared
September 2003
Amended March 2020
Amended June 2021**

Recommended Board Policy Handbook

Table of Contents

[POLICY 1: DIVISION VISION, MISSION STATEMENT AND BELIEF STATEMENTS](#)

[POLICY 2: ROLE OF THE BOARD](#)

[POLICY 3: ROLE OF THE TRUSTEE](#)

[POLICY 4: TRUSTEE CODE OF CONDUCT](#)

[POLICY 4: APPENDIX](#)

[POLICY 5: ROLE OF THE BOARD CHAIR](#)

[POLICY 7: BOARD OPERATIONS](#)

[POLICY 8: COMMITTEES OF THE BOARD](#)

[POLICY 10: POLICY MAKING](#)

[POLICY 11: BOARD DELEGATION OF AUTHORITY](#)

[POLICY 12: ROLE OF THE SUPERINTENDENT](#)

[POLICY 13: APPEALS REGARDING STUDENT MATTERS](#)

[POLICY 14: HEARINGS ON TEACHER TRANSFERS](#)

[POLICY 15: SCHOOL CLOSURES](#)

POLICY 1: DIVISION VISION, MISSION STATEMENT AND BELIEF STATEMENTS

DIVISION VISION, MISSION STATEMENT AND BELIEF STATEMENTS

Vision Statement:

To empower students to be their finest – Today and Tomorrow.
Encourager les élèves à faire de leur mieux aujourd'hui et demain.

Mission Statement:

Creating dynamic learning environments that ensure student success.

Belief Statements:

We believe student learning thrives when:

- the needs of students are recognized and come first.
- each student's knowledge, skills, attributes and interests are identified and developed.
- the learning environment is physically and emotionally safe and secure for all students.
- opportunities are provided for challenge, discovery, action and reflection.
- each school and the district as a whole function as a Professional Learning Community – engaged together in ongoing learning.
- parents are well informed and have meaningful opportunities to participate in their child's education.
- there are healthy connections between the schools and their communities.
- relationships between the board, staff, students, and community model mutual respect and support.

Legal Reference

Preamble, Section 3, 7, 11, 18, 25, 27, 33, 35.1, 51, 52, 53, 67, 222 Education Act
Fiscal Planning and Transparency Act
Guide to Education ECS to Grade 12
Policy and Requirements for School Board Planning and Reporting
School Authority Planning and Reporting Reference Guide

History

Prepared: August 2003
Amended: October 2015
Amended: March 2020

POLICY 2: ROLE OF THE BOARD

ROLE OF THE BOARD

The Board of Trustees is the corporate body with natural persons powers, established by provincial legislation and given authority by the Education Act and attendant Regulations. Elected by the voters that support the Canadian Rockies School Division, the Board of Trustees is responsible for the development of goals and policies to guide the provision of educational services to students resident within the Division, in keeping with the requirements of government legislation and the values of the electorate.

The Board accepts the responsibility of providing an education system that is organized and operated in the best interests of the students it serves. It exercises this responsibility through setting of clear strategic direction, the wise use of resources, fiduciary accountability and the generative engagements of constituents.

Specific Areas of Responsibility:

1. Accountability to the Provincial Government:

The Board shall:

- a. act in accordance with all statutory requirements of the Government of Alberta to implement educational standards and policies; and
- b. perform Board functions required by governing legislation and existing Board policy.
- c. ensure all students, teachers and Division leaders are provided with the opportunities that enable them to learn about First Nations, Métis and Inuit perspectives, experiences and contributions throughout history; treaties, and the history and legacy of residential schools.

2. Accountability for Student Learning and Wellness

The Board shall:

- a. provide overall direction for the Division by establishing vision, mission and values.
- b. support the establishment of a welcoming, caring, respectful and safe learning environment.
- c. annually approve the process and timelines for the refinement of the Four-Year Education Plan.
- d. enable the infusion of cultural perspectives within student learning, as defined by each community.
- e. enable processes to support quality teaching.
- f. provide for school and program reviews as necessary to monitor the achievement of outcomes.
- g. monitor the effectiveness of the Division in achieving established priorities, desired results and key performance indicators.

- h. annually approve the Four-Year Education Plan/Annual Education Results Report for submission to Alberta Education and for distribution to the public.
- i. explore the use of natural person powers to enhance opportunities for student learning.

3. Assurance to the Community

The Board shall:

- a. make decisions that take into consideration the interests of the entire community.
- b. establish processes and provide opportunities for community input.
- c. establish collaborative work between the Division and First Nations.
- d. establish a forum for student engagement.
- e. report Division results at least on an annual basis.
- f. develop procedures for and hear appeals as required by statute and/or Board policy.
- g. model a culture of respect and integrity.

4. Four-Year Plan

The Board shall:

- a. provide overall direction for the Division in establishing mission, vision, strategic priorities and key results.
- b. approve annually the Four-Year Plan process and timelines.
- c. identify corporate Board priorities at the outset of the annual Four-Year Planning process.
- d. approve annually its Four-Year Education Plan for submission to Alberta Learning by the date due.
- e. monitor progress toward the achievement of student outcomes and other desired results.
- f. annually evaluate the effectiveness of the Division in achieving established goals and desired results.
- g. approve the Annual Education Results Report and provide for its distribution to the public.

5. Policy

The Board shall:

- a. determine the goals and objectives of the Division.
- b. identify areas for which Board policy is required and identify the attributes of such a policy.
- c. approve policy statements that meet criteria identified by the Board.
- d. monitor policy impact to determine if policy has created the desired change.

- e. approve policies which outline how the Board is to function.
- f. delegate authority to the Superintendent and define commensurate responsibilities.

6. Board/Superintendent Relations

The Board shall:

- a. select the Superintendent.
- b. provide the Superintendent with clear corporate direction.
- c. delegate in writing, administrative authority and identify responsibility subject to the provisions and restrictions in provincial legislation and regulations.
- d. respect the privilege of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position.
- e. evaluate annually the Superintendent in accordance with the approved *Superintendent/CEO Evaluation Process, Criteria, and Timelines* document, and review compensation.
- f. provide for Superintendent succession.

7. Political Advocacy

The Board shall:

- a. act as an advocate for public education and the Division.
- b. develop a yearly plan for advocacy that will include key messages and strategies.
- c. meet with municipal governments and neighboring educational/public service governing authorities to advance mutual interests.
- d. participate in sessions and make decisions regarding relevant issues for those external organizations to which the Board holds membership.

8. Board Development

The Board shall:

- a. annually evaluate the Board's effectiveness.
- b. develop a yearly plan for Trustee development.

9. Fiscal Management

The Board shall:

- a. within the context of results-based budgeting, approve budget assumptions/principles and establish priorities at the outset of the budget process.
- b. approve the annual budget process and timelines.
- c. determine the basis for annual resource allocations.
- d. approve the annual budget and ensure resources are allocated to achieve desired results.
- e. annually approve its capital plan and facilities master plan for submission to Alberta Infrastructure by the date due.

- f. appoint an auditor.
- g. receive the audit report and ensure quality indicators are met.
- h. approve annual fees for instructional resources, transportation and tuition for non-resident students.
- i. approve expense reimbursement rates.
- j. monitor the fiscal management of the Division with timely monitoring reports that would deal with unusual circumstances.
- k. solicit advice from the Superintendent in setting the mandates for collective bargaining negotiation.
- l. ratify memorandum of agreement with bargaining units.

Selected Responsibilities:

1. Approval of out-of-country field trips.
2. Acquire and dispose of land and buildings; ensure titles and services to long-term interests in land are in place prior to capital project construction.
3. Name schools and other Division-owned facilities.
4. Approval of submission of a tender for school construction to the Minister.
5. Approval of the school year and of the length of the school day, including instructional hours.
6. Make a recommendation to the Minister for dissolution of a School Council.
7. Approve joint-use agreements.

Legal Reference

Section 56, 60, 61, 62, 187, 188, Education Act

History

Prepared:	September 2003
Amended:	January 2013
Amended:	March 2020
Amended	June 2021

POLICY 3: ROLE OF THE TRUSTEE

ROLE OF THE TRUSTEE

The role of the Trustee is to contribute to the Board as it carries out its mandate in order to achieve its mission and goals. The oath of office taken by each Trustee when they assume office binds that person to work diligently and faithfully in the cause of education.

The Board of Trustees is a corporation. The decisions of the Board in a properly constituted meeting are those of the corporation. A Trustee who is given corporate authority to act on behalf of the Board may carry out duties individually, but only as an agent of the Board. In such cases, the actions of the Trustee are those of the Board, which is then responsible for them. A Trustee acting individually has only the authority and status of any other citizen of the division.

Trustees have a fiduciary duty to protect the interests of the Division, place the interests of the corporate board above their own, maintain confidentiality and avoid conflicts of interests.

Specific Responsibilities of Individual Trustees:

1. Become familiar with Division policies and procedures, meeting agendas, and reports in order to participate in Board business.
2. In alignment with Board engagement efforts, provide for the engagement of parents, students and the community in matters related to education.
 - a. Respectfully bring forward and advocate for local issues and concerns prior to a Board decision.
 - b. Interpret the needs of the community to the Board and the Board's actions to those
3. Refer queries, or issues and problems not covered by Board policy, to the Board for corporate discussion and decision.
4. Refer administrative matters to the Superintendent. the Trustee, upon receiving a concern, complaint or information regarding a sensitive or confidential matter from a parent, staff member, community member or other stakeholder, about school operations, must forthwith refer this individual to the school principal and will also inform the Superintendent of this action. If the individual attempts subsequent communication with the Trustee, the Trustee will respond that the concern has been forwarded to the Superintendent and will not engage in further conversation with the individual. AP 155 Public Complaints/Dispute Resolution addresses specific public complaints.
5. Participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for the education of children within the Division.
6. Support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

7. Participate in a number of seminars, conferences and conventions so they can enhance the quality of leadership and service they offer the Division.
8. Share the materials and ideas gained with fellow Trustees at the Board meeting immediately following a professional development activity.
9. Strive to develop a positive and respectful learning and working culture both within the Board and the Division.
10. Attend significant jurisdiction or school events.
11. Attend school council meetings throughout the Division, as available.

12. Board Orientation

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate smooth transition from one Board to the next following an election, Trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and long-range plans.

- a. The Board believes an orientation program is necessary for effective Trusteeship. All Trustees are expected to attend all aspects of the orientation program.
- b. The Division will offer an orientation program for all Trustees that provide information on:
 - Role of the Trustee and the Board;
 - Organizational structures and procedures of the Division;
 - Board policy, agendas and minutes;
 - Existing Division initiatives, annual reports, budgets, financial statements and long-range plans;
 - Division programs and services;
 - Board's function as an appeal body, and
 - Statutory and regulatory requirements, including responsibilities with regard to conflict of interest.
- c. The Board Chair and Superintendent are responsible for ensuring a Division orientation program for Trustees.
- d. The Superintendent shall provide each Trustee with access to the references listed in Policy 3 Appendix – Services, Materials and Equipment Provided To Trustees at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.
- e. The Board Policy Handbook and the Administrative Procedures are available on the Division website for Trustees.
- f. Incumbent Trustees are encouraged to help newly elected Trustees become informed about the history, functions, policies, procedures and issues

Legal Reference:

Section 33, 34, 51, 52 53, 64, 67, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96 Education Act
Section 6 Commissioner of Oaths Act

History

Prepared:	September 2003
Amended:	March 2020
Amended:	June 2021

POLICY 4: TRUSTEE CODE OF CONDUCT

TRUSTEE CODE OF CONDUCT

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

Specifically

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with reasonable diligence.
2. Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.
3. Trustees shall act in good faith and shall commit themselves to dignified, ethical, professional and lawful conduct.
4. Trustees shall exercise honesty in all written and interpersonal interaction, never intentionally misleading, surprising or misinforming each other.
5. Trustees shall reflect the Board's policies and resolutions when communicating with the public.
6. Trustees shall comply with provincial and school system requirements relating to all matters of confidentiality. In the course of their duties, Trustees may become privy to confidential information received outside of "in-camera" meetings.
 - 6.1. Trustees shall keep confidential any personal, privileged or confidential information obtained in their capacity as a Trustee and not disclose the information except when authorized by law or by the Board to do so.
 - 6.2. Trustees must not access or attempt to gain access to confidential information in the custody or control of the school division unless it is necessary for the performance of the Trustee's duties and is not otherwise prohibited by the Board, and only then if the information is acquired through appropriate channels in accordance with applicable Board Policies and Administrative Procedures.
 - 6.3. Trustees must not use confidential information to the detriment of a school division employee or for personal benefit or for the benefit of any other individual or organization.
 - 6.4. If a trustee receives unsolicited confidential or proprietary information from any source, it must be brought to the attention of the Superintendent immediately.
7. While elected from specific wards, Trustees shall represent the best interests of the entire Division and make every reasonable effort to protect the integrity and promote the positive image of the organization and one another.
8. Board members will serve the interests of the citizens of The Bow Valley. Members recognize this responsibility to the whole to be greater than but not limited to, the following:

- 8.1. any loyalty a member may have to any other advocacy, interest or political groups;
 - 8.2. loyalty based upon membership on other boards or staffs;
 - 8.3. the personal interest of any Board member who is also a parent or guardian of a student in the organization; and
 - 8.4. being a relative of an employee of the organization.
9. Trustees shall disclose the nature of any conflict of interest, and abstain and absent themselves from discussion or voting on the matter in question.
 10. Trustees shall not use their influence to advance personal, family or friends' interests or the interests of any organization with which the Trustee is associated.
 11. Consequences for the failure of individual Trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 Appendix – Trustee Code of Conduct Sanctions.
 12. Trustees shall disclose the nature of any pecuniary interest as outlined in the Education Act Section #85 and abstain and absent themselves from discussion or voting on the matter in question.

Legal Reference:

Section 33, 34, 51, 52, 53, 64, 67, 85, 86, 87, 88, 89 Education Act

History

Prepared:	March 2020
Amended:	June 2021

POLICY 4: APPENDIX

TRUSTEE CODE OF CONDUCT SANCTIONS

1. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by Trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.
2. A Trustee who believes that a fellow Trustee has violated the Code of Conduct may seek resolution of the matter through appropriate conciliatory measures, directly with the Trustee, prior to commencing an official complaint under the Code of Conduct.
3. A Trustee who wishes to commence an official complaint under the Code of Conduct shall file a letter of complaint with the Board Chair within thirty (30) days of the alleged event occurring and indicate the nature of the complaint and the section or sections of the Code of Conduct that are alleged to have been violated by the Trustee. The Trustee who is alleged to have violated the Code of Conduct and all other Trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice-Chair, within five (5) days of receipt by the Board Chair of the letter of complaint. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair.
4. When a Trustee files a letter of complaint and a copy of that letter of complaint is forwarded to all Trustees, the filing, notification, content, and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code of Conduct. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code of Conduct hearing.
5. To ensure that the complaint has merit to be considered and reviewed, at least one other Trustee must provide to the Board Chair, within three (3) days of the notice in writing of the complaint being forwarded to all Trustees, a letter indicating support for having the complaint heard at a Code of Conduct hearing. Any Trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a Code of Conduct hearing convened to hear the matter, solely for having issued such a letter.
6. Where no letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the complaint shall not be heard. The Board Chair shall notify all other Trustees in writing that no further action of the Board shall occur.
7. Where a letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to allow the complaining Trustee to present their views of the alleged violation of the Code of Conduct.

8. At the Special Meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted and that the complaint shall be heard in an in camera session of the special meeting.

Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures.

- 8.1 The Code of Conduct complaint shall be conducted at an in camera session, Code of Conduct hearing, of a special Board meeting convened for that purpose. All preliminary matters, including whether one or more Trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complaining Trustee.
- 8.2 The sequence of the Code of Conduct hearing shall be:
 - 8.2.1 The complaining Trustee shall provide a presentation which may be written or oral or both;
 - 8.2.2 The respondent Trustee shall provide a presentation which may be written or oral or both;
 - 8.2.3 The complaining Trustee shall then be given an opportunity to reply to the respondent Trustee's presentation;
 - 8.2.4 The respondent Trustee shall then be provided a further opportunity to respond to the complaining Trustee's presentation and subsequent remarks;
 - 8.2.5 The remaining Trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 8.2.6 The complaining Trustee shall be given the opportunity to make final comments; and
 - 8.2.7 The respondent Trustee shall be given the opportunity to make final comments.
- 8.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining Trustees who do not have a conflict of interest shall be required to leave the room, and the remaining Trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
- 8.4 If the remaining Trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
- 8.5 In the case of an adjournment, no discussion by Trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.

- 8.6 The remaining Trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent Trustee.
- 8.7 The presiding Chair shall reconvene the parties to the Code of Conduct hearing and request a motion to revert to the open meeting in order to pass the resolution.
- 8.8 All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
- 8.9 The presiding Chair shall declare the Special Board Meeting adjourned.
- 9. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
 - 9.1 Having the Board Chair write a letter of censure marked “personal and confidential” to the offending Trustee, on the approval of a majority of those Trustees present and allowed to vote at the Special Meeting of the Board;
 - 9.2 Having a motion of censure passed by a majority of those Trustees present and allowed to vote at the Special Meeting of the Board;
 - 9.3 Having a motion to remove the offending Trustee from one, some or all Board committees or other appointments of the Board passed by a majority of those Trustees present and allowed to vote at the Special Meeting of the Board, for a time not to exceed the Trustee’s term as Trustee.
- 10. The Board may, in its discretion, make public its findings at the Special Meeting or at a Regular Meeting of the Board where the Board has not upheld the complaint alleging a violation of the Board’s Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.
- 11. If a Trustee is disqualified under section 87 or 88 of the Education Act from remaining as a Trustee of the Board and does not resign as required under section 90, the Board may by resolution declare the Trustee to be disqualified from remaining a Trustee or the Board may apply for originating notice to the Court of Queen’s Bench for an Order:
 - 11.1 Determining whether the Trustee is qualified to remain as a Trustee, or
 - 11.2 Declaring the Trustee to be disqualified from remaining as a Trustee.

Legal Reference:

Sections 33, 34, 51, 52, 53, 64, 67, 85, 86, 87, 88, 89, 90 Education Act

History

Prepared: March 2020

POLICY 5: ROLE OF THE BOARD CHAIR

ROLE OF THE BOARD CHAIR

The Board of Trustees at the Organizational Meeting, or at any time determined by the Board, shall select one of its members to serve as Board Chair, to hold office during the pleasure of the Board.

The primary responsibility of the Board Chair is to provide leadership and guidance to assist members of the Board to operate effectively as a group, in order to achieve the goals established for the Division in a competent manner.

Specific Responsibilities:

The Board Chair shall:

1. Ensure that the Board operates in accordance with its own policies and procedures.
2. Prior to each Board meeting, confer with the Superintendent on the items to be included on the agenda, the order of these items, and become thoroughly familiar with them. The Board Chair shall adhere to the agenda as presented unless with the permission of the majority of Trustees it is expedient to introduce additional items or to change the order of items.
3. Call and preside over all Regular and Special Meetings of the Board. They shall rule on who will be heard and on the order in which they will be heard if more than one person wishes to speak at one time.
4. Perform the following duties during Board meetings:
 - a. Ensure that all issues before the Board are well stated and clearly expressed;
 - b. Ensure that each Trustee has a full and fair opportunity to be heard and understood by the other members of the Board in order that collective opinion can be developed and a corporate decision reached;
 - c. Direct the discussion by Trustees to the topic being considered by the Board;
 - d. Ensure that each Trustee present votes on all issues before the Board; and
 - e. Extend such hospitality to Trustees, officials of the Board, the press, and members of the public as is appropriate.
5. Conduct meetings in accordance with provincial legislation and with the rules and procedures established by the Board and where those are silent, *Robert's Rules of Order*. However, it is to be recognized by all Trustees that harmony and expediency in conducting the meeting shall have priority over the formalities of so-called 'Parliamentary Procedure'. The Board Chair may suspend formal procedures during a meeting when they feel that it would promote the business of the meeting to do so. Any Trustee has the right to request the reinstitution of formal procedures; such a request must be honoured by the Chair.

6. If it is necessary to do so, the Chair may ask a Trustee to leave the meeting because of their disruptive behaviour, but this action must be supported by the majority of the Trustees present, who may vote on the question by show of hands or by secret ballot. A vote will be taken only when the Chair's ruling is challenged by one of the remaining Trustees. The length of a suspension shall not exceed the current meeting, and, at the discretion of the Chair, it may be limited to part of the meeting.
7. Act as the chief spokesperson for the Board except for those instances where the Board has delegated this role to another individual or group.
8. Represent the Board, or arrange alternative representation, at official meetings inside and outside of the Division.
9. Present, on behalf of the Board, such awards as the Board may authorize from time to time.
10. Keep the Trustees and the Superintendent informed on all matters that might affect the educational opportunities in the Division.
11. Provide advice as requested, and confer with the Superintendent when circumstances require.
12. Be an ex officio member, with voting privileges, to all committees appointed by the Board.
13. Ensure that the Board engages in regular assessments of its effectiveness as a Board.

Legal Reference:

Section 60, 61, 62, 65, Education Act

History

Prepared: September 2003

Amended: March 2020

POLICY 6: ROLE OF THE VICE-CHAIR

ROLE OF THE VICE-CHAIR

The Vice-Chair shall be elected by the Board of Trustees at its Organizational Meeting, and thereafter at any time determined by the Board, to hold office during the pleasure of the Board.

Specific Responsibilities:

1. The Vice-Chair shall act on behalf of the Board Chair, in the latter's absence and shall have all the powers, duties, and responsibilities of the Board Chair.
2. The Vice-Chair shall assist the Board Chair in ensuring that the Board operates in accordance with its own policies and procedures and in providing leadership and guidance to the Board.
3. The Vice-Chair may be assigned other duties and responsibilities by the Board Chair.

Legal Reference:

Section 33, 51, 52, 53, 64, 67 Education Act
Board Procedures Regulation

History

Prepared:	August 2003
Amended:	February 2014
Amended:	March 2020

POLICY 7: BOARD OPERATIONS

BOARD OPERATIONS

In order to discharge its responsibilities to the electorate of the division, the Board of Trustees shall hold meetings as often as is necessary. The Board has adopted policies and procedures so that the business of the Board can be conducted in an orderly and efficient manner.

The Board's fundamental obligation is to preserve and enhance the public trust in education, generally, and in the affairs of its operations in particular. Consistent with its objective to encourage the general public to contribute to the educational process, Board meetings will be open to the public. Towards this end, the Board believes its affairs must be conducted in public to the greatest extent possible.

There are times when public interest is best served by private discussion of specific issues in "in camera" sessions. The Board believes it is necessary to protect individual privacy and the Board's own position in negotiating either collective agreements or contracts and therefore expects to go in camera for issues dealing with individual students, individual employees, land, labour, litigation or negotiation.

1. Elections/Appointment

Wards

- a. Within the stipulations of Ministerial Orders XX/ZZ and XY/ZZ dated DATE/YEAR, and subsequent Ministerial Orders AA/DD and BC/EE, the Board has decided to provide for the nomination and election of Trustees within the Division by wards. Copies of the Ministerial Orders are available from the Division Office.
- b. Three (3) wards have been established within Canadian Rockies School Division.
- c. Two (2) Trustees are to be elected in each of the Banff and Mount Rundle wards and one (1) Trustee is to be elected in the Exshaw ward.
- d. Wards may be revised from time to time as determined by the Board.
- e. The Board must pass any desired revision, by bylaw, by December 31 of the year prior to the year in which a general election is to be held in order to have the revision in effect following that general election.
- f. In the determination of revised ward boundaries the Board must take into consideration representation by population, trading areas, school attendance areas and growth/depopulation forecasts.
- g. In balancing representation by population, the Alberta Elections Act Review recommendation of +/- 25% of the average ward population may be used.
- h. Further, in the determination of revised ward boundaries, the Board must utilize a community engagement process.
- i. The provisions of the Local Authorities Election Act respecting the election of Trustees shall apply to every election in each ward.

- j. By-elections may be held as determined by the Board. During the three (3) year period immediately following a general election, a by-election need not be held if there is only one (1) vacancy on the Board.
 - i. During the fourth year a by-election need not be held.

2. Organizational Meeting

- a. An organizational meeting of the Board of Trustees shall be held annually and no later than four weeks following Election Day when there has been a general election.
- b. The Secretary of the Board will give notice of the Organizational Meeting to each Trustee as if it were a special meeting.
- c. Each newly elected Trustee will deposit the oath of office with the Secretary-Treasurer prior to the call to order of the organizational meeting.
- d. The Superintendent of Schools shall act as Chair of the meeting for the purpose of the election of the Board Chair.
- e. The Superintendent or Secretary-Treasurer will call for nominations for Board Chair three (3) times.
- f. A vote, if necessary, will be conducted by secret ballot, with each Trustee having one (1) vote.
- g. If there is a tie, a second vote will be called in a run-off of the two Trustees receiving the most votes.
- h. Upon election, the Board Chair shall preside over the remainder of the organizational meeting.
- i. The election of the Board Chair shall be for a period of one year or for an interval of less than one year, if the Board so desires.

The Organizational Meeting shall, in addition:

- j. elect a Vice-Chair, in the process outlined for election of the Chair, for a period of time to be established at the time of election;
- k. establish a schedule for regular monthly meetings, and any additional required meetings;
- l. create such standing committees of the Board as are deemed appropriate, delegate their authority, and appoint members;
- m. appoint Board representatives to the various boards or committees of organizations or agencies where the Board has regular representation, as appropriate; and
- n. review Board member conflict of interest stipulations and determine any disclosure of information requirements as per sections 85 and 86 of the Education Act.

3. Regular Meetings

- a. The Board will meet a minimum of 8 times per year. The meeting schedule will be established at the beginning of, or prior to, the new school year. Such meetings will ordinarily be held within the Canadian Rockies School Division at a time, date and location set by the Board and posted on the district website.
- b. Notwithstanding this schedule the Board may, by resolution, alter the schedule in such a manner as it deems appropriate. In such instances, the Secretary-Treasurer shall give notice of change on the Division website at least six full days before the date of the meeting.
- c. Regular meetings of the Board will not be held without the Superintendent and/or designate in attendance, unless the Superintendent's contract is being discussed.

4. Special Meetings

- a. Special meetings of the Board of Trustees may be held from time to time, when the majority of Trustees or the Minister, is of the opinion that an issue must be dealt with before the next regular Board meeting.
- b. A written notice of the Special Meeting, including date, time, place and nature of business to be transacted shall be issued by registered mail (at least three (3) days prior to the date of the meeting) or in person (at least two days prior to the date of the meeting) unless every Trustee agrees to waive, in writing, the requirements for notice.
- c. The nature of the business to be transacted must be clearly specified in the notice of the meeting. Unless all Trustees are present at the special meeting, no other business may be transacted.
- d. Special Meetings of the Board will not be held without the Superintendent and/or designate in attendance, unless the Superintendent's contract is being discussed.
- e. The Board will hold a Special Meeting provided that a petition is received, signed by the minimum of electors as defined in the Education Act Regulation 91/2019. A Special Meeting must be held within thirty (30) days of receipt of petition, at a time and place to be determined by the Board.

5. In camera Sessions

The Board reserves the right within the constraints of statute to hold in camera Sessions. Such sessions shall be approved by a majority of the Board. The reason for the in camera session shall be stated prior to its approval and shall be limited to discussion pertaining to the following stated reasons:

- a. individual students;
- b. individual staff members;
- c. matters of collective negotiations with employees;
- d. acquisition of real property;

- e. litigation brought by or against the Board; and/or
- f. a matter deemed by the Board to best be held in private, for the public interest.

Such sessions shall be closed to the public and press. That such a session will be, or was held, shall be recorded in the minutes of the preceding or subsequent regular meeting. Board members and other persons attending the session are honor bound not to disclose the details of discussion at such sessions. The Board may request the Superintendent to invite staff members or others to attend such sessions. The Secretary-Treasurer shall keep for reference a written account of the important items discussed in camera.

No official action shall be taken in Committee of the Whole (in camera) sessions.

The Board shall convene or re-convene a Regular Meeting to take action on any matter discussed. Any item discussed in the Committee of the Whole that requires subsequent action by the Board or administration shall be officially recorded in the minutes of the open meeting at which the resolution in respect to the item is approved or denied.

6. Agenda for Regular Meetings

- a. The Superintendent, in consultation with the Board Chair, is responsible for preparing the agenda for Board Meetings.
- b. The order of business at a regular meeting shall generally be as follows:

Date - Time

Location

(Board Chair will begin the meeting with recognition of treaty lands)

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA – Additions/Deletions if any**
- 3. PRESENTATIONS**
- 4. MINUTES OF PREVIOUS MEETING**
- 5. ACTION ITEMS**
- 6. INFORMATION/DISCUSSION**
- 7. BOARD ITEMS**
 - 7.1 Board Highlights**
 - 7.2 Correspondence**
 - 7.3 Trustee Reports**
- 8. QUESTIONS**
- 9. IN CAMERA**
- 10. ADJOURNMENT**

- c. Items may be placed on the agenda in one of the following ways:

- i. by notifying the Superintendent or Board Chair prior to the establishment of the agenda;
 - ii. by notice of motion at a previous meeting of the Board. When a Trustee wishes to bring to the agenda of a meeting a motion that requires special consideration by the Trustees or research by and from the administrative staff, the Trustee shall give notice of motion, including the regular meeting at which the motion is to be discussed.
 - iii. Request from a committee of the Board.
 - iv. A quorum of the Board, prior to the approval of the agenda, may request that the Board Chair add an item.
- d. The agenda package, containing the agenda and supporting information, will be distributed to each Trustee at least two days in advance of regular Board meetings.
 - e. The list of agenda items shall be posted on the division website. Any elector may inspect the agenda and request a copy. A fee for copies may be charged with the amount set by the Administration.
 - f. The Board Chair, at the beginning of the meeting, shall ask to have the agenda approved. Additions to and/or deletions from the agenda may be made by a majority of those Trustees present.
 - g. The Board Chair may change the order of items on the agenda in order to meet extenuating circumstances. In such cases, a Trustee may challenge the Chair in accordance with the procedures adopted by the Board.

7. Meetings by Electronic Means

It is the preference of the Board to meet at a common location to conduct Division business, with Trustees and the superintendent (or designate) present.

Notwithstanding, a Board member may participate in a meeting by electronic means where weather conditions or other special circumstances require.

Trustees and the Superintendent or designate participating in the meeting held by electronic means are deemed to be present, providing they are physically present within the Division boundaries or they are in a secure location to which the public does not have access.

Trustees must ensure that the means of electronic participation and the location used will allow moving in camera and will meet all of the requirements of an in camera session.

8. Correspondence Addressed to the Board

The Board Chair and the Superintendent will examine all correspondence addressed to the Board. The Superintendent or designate will acknowledge receipt and process the correspondence.

The Board Chair and Superintendent will determine whether the matter raised in the correspondence is to be placed on a Regular Board Meeting agenda under Information Items.

If the matter raised in the correspondence is to be placed on an agenda or a public Board meeting, the Board Chair or the Superintendent will respond in writing as to the outcome of the Board discussion.

If the matter raised in the correspondence is not to be placed on an agenda of a Regular Board Meeting, the Superintendent will provide an appropriate response which will be placed in the Trustee reading file.

If a Trustee wishes to have a matter considered by the Board, such Trustee will request the Board Chair to place the matter on the agenda of a Regular Board Meeting at the appropriate time.

9. Minutes

The Minutes shall record accurately and concisely:

- a. date, time, place and presiding officer.
- b. names of Trustees and senior administration present.
- c. a brief summary of the circumstances which gave rise to the matter being placed before the Board.
- d. all resolutions, including the Board's disposition of same, placed before the Board.
- e. recording of the votes on a motion when requested by a Trustee.
- f. departure and re-entry times of Trustees and senior administration.
- g. the time of adjournment.

The Minutes shall:

- a. be prepared by the Secretary-Treasurer and/or designate in attendance.
- b. be reviewed by the Superintendent of Schools prior to submission to the Board.
- c. be considered an unofficial record of proceedings until such time as adopted by a resolution of the Board.
- d. upon adoption by the Board, be deemed to be the official and sole record of the Board's business.

The Secretary-Treasurer shall:

- a. upon approval of the Superintendent as to the accuracy of the 'draft' minutes, prepare a copy of the unofficial minutes, marked 'Unofficial Draft - Subject to Ratification', to be posted on the website. Establish a codification system for resolutions placed before the Board which will provide for ready identification of the resolution as to the meeting at which it was considered.
- b. establish and maintain a file of all Board approved minutes signed by the Secretary Treasurer and Board Chair.

When required by the Board, its committees shall prepare and submit records of the meetings to the Board.

10. Motions

Motions do not require a seconder, except in rare instances as described below.

a. Notice of Motion

The notice of motion serves the purpose of officially putting an item on the agenda of the next or future Regular Meeting and gives notice to all Trustees of the item to be discussed. A notice of motion is not debatable and may not be voted on.

A Trustee may present a notice of motion for consideration at the next Regular Meeting of the Board or may specify another meeting date. A Trustee may also provide the Superintendent with a written notice of motion and ask that it be placed on the agenda of the next Regular Meeting and read at the meeting. The Trustee will need not be present during the reading of the motion, however if the Trustee is not present, a seconder is required at the meeting at which the notice is given, otherwise the item will be dropped.

b. Discussion on Motions

The custom of addressing comments to the Board Chair should be followed by all persons in attendance.

Once a motion is before the Board and until it is passed or defeated, all speakers shall confine their remarks to the motion or to the information pertinent to the motion.

c. Speaking to the Motion

The mover of a motion shall speak first and every Trustee shall have an opportunity to speak to the motion before any Trustee is allowed to speak a second time.

As a general guide, a Trustee should not speak longer than five minutes on any motion. The Board Chair has the responsibility to limit the discussion by a Trustee when such a discussion is repetitive or digresses from the topic at hand, or where discussion takes place prior to the acceptance of a motion.

No one shall interrupt a speaker, unless it is to ask for important clarification of the speaker's remarks, and any such interruption shall not be permitted without permission of the Board Chair.

Should a Trustee arrive at the meeting after a motion has been made and prior to taking a vote, the Trustee may request further discussion prior to the vote. The Board Chair shall rule on further discussion.

d. Reading of the Motion

A Trustee may require the motion under discussion to be read at any time during the debate, except when a Trustee is speaking.

e. Required Votes

The Board Chair, and all Trustees present, unless excused by resolution of the Board or by the provisions of the Education Act, shall vote on each question. A Trustee not voting under this provision shall excuse themselves from the meeting during the discussion and until the vote is taken.

Each question shall be decided by a majority of the votes of those Trustees present. A simple majority of a quorum of the Board will decide in favour of the question.

In the case of an equality of votes, the question is defeated. A vote on a question shall be taken by open vote, expressed orally or by show of hands, except that, on request of a Trustee, the vote to elect the Board Chair or Vice-Chair may be by secret ballot.

f. Debate

In all debate, any matter of procedure in dispute shall be settled, if possible, by reference to Robert's Rules of Order. If this reference is inadequate, procedure may be determined by motion supported by the majority of Trustees in attendance.

11. Comments, Questions and Delegations at Board Meetings

The Board of Trustees believes it has the responsibility to encourage residents of the school division to bring matters of concern regarding the education of children and the operation of the Division to Regular Meetings of the Board and welcomes public participation at Board meetings as a desirable demonstration of the public's interest in education. All regular Board meetings are open meetings and no one shall be excluded from a Regular Meeting except for disruptive behaviour as provided for in the Education Act, or except under those circumstances that justify a meeting in camera.

The Secretary-Treasurer shall see that there is adequate seating for the public at Regular Board Meetings and, if the attendance is expected to be beyond the capacity of the Board Room, the Superintendent shall provide for the meeting in another location, after consultation with the Board Chair.

An adequate number of copies of the agenda for public use shall be made available for each regular meeting of the Board.

From time to time, the Board, at its discretion, may hold its meeting at a location away from the Division Office, if it is thought that such a change will encourage public participation. Typically, such a new location will be in a school building of the Division. It will be the responsibility of the Secretary-Treasurer to see that such change of place of meeting and any change of time of meeting are well-advertised in advance to the public and the news media.

Comments and questions on specific board agenda items

- a. If a member of the public wishes to comment on or has questions on a specific agenda item at a Board meeting, the individual shall register with the Superintendent or designate by 12:00 noon on the day of the meeting.
- b. Speakers shall confine themselves to three minutes and will address their comments and/or questions to the Board Chair.
- c. The total duration of comments and questions under this section of the agenda

shall not exceed 30 minutes, or as determined by the Board Chair.

Formal Delegations and Presentations to Board

- a. If a delegation from the public wishes to make a presentation to or a request of the Board, it shall first be discussed with the Superintendent or designate. This provides the presenter an opportunity to clarify their understanding of Division practices related to the presentation topic and determine what other assistance may be available through the Administration.
- b. If after meeting with the Administration, an appearance before the Board is still desired, the delegation may request an audience with the Board stating the nature of the request. This shall be made in writing to the Board Chair and the Superintendent or designate, at least three weeks in advance of the preferred meeting at which time they wish to appear. (Notwithstanding this notice, the Superintendent, in consultation with the Board Chair, may consider a request to waive the timelines if circumstances warrant.)
- c. The Board reserves the right to determine whether the delegation will be heard, and if so, whether it will be heard by the Board or by a committee of the Board. For matters clearly within the practice and mandate of the Board, the Superintendent or designate and Board Chair shall make appropriate arrangements for the delegation to be heard.
- d. Written briefs or a digest of the information to be presented must be submitted to the Superintendent or designate at least five days prior to the meeting. The notice and the brief will be provided to each Trustee with the notice of meeting at which the delegation is to appear.
- e. The delegation will be asked if they object to their personal names appearing in the minutes.
- f. The delegation may make its presentation in writing and/or orally.
- g. The delegation shall, during its meeting with the Board, observe the rules of parliamentary decorum.
- h. A delegation from the public may present for a maximum of 10 minutes in total and may appoint two spokespersons. The Board Chair will thank the speaker.
- i. Upon completion of the presentation the Board Chair shall allow Trustee questions of the delegation for a period of fifteen minutes, or as determined by the Board Chair.
- j. The total duration of the delegations and presentations section on the agenda shall not exceed 30 minutes. Exceptions to the time limits may be made by a majority vote of the Board.
- k. Decisions regarding requests made by delegations will be dealt with at the next meeting of the Board or appropriate committee unless the Board will be making a

decision on the matter as part of another scheduled item of business on the agenda or it is otherwise agreed to by a majority vote of the members present.

- I. The Board Chair shall communicate the decision of the Board, in writing, to the person who requested to appear before the Board as soon as possible. If the decision may be appealed under the Education Act, the Board Chair shall advise the spokesperson of their right to the next avenue of appeal.

12. Board Member Honoraria and Expenses

The policy of the Canadian Rockies School Division is that Trustees may receive a monthly honorarium for the normal performance of their duties and hourly or daily payments for additional service on certain committees, tribunals and hearings and activities as detailed in this policy. The Board may, by motion, authorize payment of honorarium for attendance (whether face-to-face or virtual) by Trustees at training events, conferences, committees not named and special meetings or any other events where the business of the Board is conducted.

a. Monthly Honorarium

The monthly honorarium amount for the Chair, Vice-Chair and Board members is set annually by motion of the Board. The monthly honorarium recompenses service for the usual business of the Board which includes attendance at regular meetings, committee of the whole meetings, public information meetings, School Council meetings, in-district meetings with government officials, school functions and any other events/meetings not included in the hourly (daily) honorarium section or special meetings not covered by motion of the Board.

Aforementioned monthly honorarium payments do not require the submission of claim vouchers for the basic honorarium.

In the case of a Trustee requesting a leave of absence from duties, payment of monthly honorarium will be suspended for the term of the leave.

The monthly honorarium for any Trustee not fulfilling their duties may be suspended by motion of the Board.

b. Hourly/Daily Honorarium

The hourly and daily honorarium amounts for Board members are set annually by motion of the Board. The hourly or daily honorarium will be paid for attendance at ASBA/PSBAA meetings and events, negotiation committee meetings, Trustee conferences, workshops, and planning sessions. Travel time may be used in calculating the per diem claim. Attendance at these meetings and sessions will be coordinated by the board at Committee of The Whole meetings to ensure value of Trustee attendance.

Trustees are required to submit receipts and signed claim forms in order to receive hourly/daily honorarium and/or to be reimbursed for expenses. All claims must follow guidelines set by the Board and adhere to the annual budget set by the Board.

Cash and or a credit advance are allowable against anticipated costs.

c. Allowable Expenses for Trustees

Trustees may claim for actual expenses for the following:

- i. travel by automobile, bus, train or airplane from the Trustee's place of residence to any meeting of the Board within jurisdiction boundaries or expenses related to traveling to a meeting outside the jurisdiction;
- ii. meals when a meeting or activity takes place during or over meal hours and a meal is not provided as part of the activity;
- iii. other allowable expenses shall include parking and communications expenses incurred in relation to attending meetings or on Board business and other incidental expenses incurred when living away from one's home;
- iv. use of private accommodation is encouraged. When staying in private accommodation a flat rate (with prior approval of the Board Chair) may be claimed in lieu of a hotel;
- v. where travel arrangements, accommodations or meals have been arranged by administration with a view to maximizing efficiency and minimizing expenses, Trustees shall avail themselves of these arrangements unless other arrangements are authorized by Board motion.

d. Claims for Hourly/Daily Honorarium and Expenses

The Secretary-Treasurer will review Trustees' expense claims for accuracy and completeness. Discrepancies will be referred to the Board.

e. Adherence to Budget

Notwithstanding other parts of this policy, the total payments for honorarium and expenses shall not exceed the amount budgeted for such payments unless there is a Board motion authorizing a change to budget. In the case where payments would exceed budget, the Secretary-Treasurer is directed to cease all payments unless and until an authorizing motion is approved.

13. Board Member Conflict of Interest

Each Board member is directly responsible to the electorate and the Board. Upon election to office, Board members assume a position of public trust and are expected to conduct themselves in a manner that will not impair the trust accorded them or the Board. A Board member is expected to avoid conflicts of interest in the exercise of the member's fiduciary responsibility in all matters considered by the Board. A conflict of interest exists when a member is confronted with an issue in which the member has a personal or financial interest or an issue or circumstance that could render the member unable to devote complete loyalty and singleness of purpose to the public interest.

The Board expects:

- a. that each Trustee will be conversant with sections 85 and 88 of the Education Act with respect to pecuniary interest and conflict of interest;
- b. that if a Board member has a personal or financial interest in any matter being

considered by the Board, the member shall disclose such interest to the Board, shall not vote on the matter and shall not attempt to influence the decisions of other Board members. If a Board member has a pecuniary interest in a matter before the Board or a committee of the Board, he or she shall comply with the specified procedures set forth in the Education Act Section 85, as the same may be amended from time to time.

- c. that a member of the Board shall not also be an employee of the organization, nor shall a member receive any compensation for services rendered to the organization in any non-governance capacity. This provision shall not prohibit members from receiving authorized compensation for serving as a member of the Board or from receiving reimbursement for authorized expenses incurred during the performance of Board duties.
- d. the Trustee to be solely responsible for declaring a position in conflict of interest and to disclose the nature of the pecuniary interest in which they may profit personally, materially or in other ways;
- e. the Trustee will make a declaration of conflict of interest in open meeting prior to Board discussions of the subject matter that may place the Trustee in conflict of interest;
- f. the Secretary-Treasurer or designate in attendance shall record the declaration in the minutes;
- g. upon declaring a conflict of interest the Board Chair shall excuse the Trustee from participation in the debate and the vote on the issue. The Trustee will leave the room in which the meeting is being held until discussion and voting on the matter is concluded.

13.1 The Board shall not enter into any contract with any of its members or with a firm in which a member has a significant financial interest.

13.2 . A Board member may not:

disclose or use confidential information acquired during the performance of official duties;

- 1. accept a gift of substantial value or economic benefit which would tend to improperly influence a reasonable person, or which the Board member knows or should know is primarily for the purpose of a reward for official action;
- 2. engage in a substantial financial transaction for private business purposes with a person employed by the organization;
- 3. perform an official act that directly confers an economic benefit on a business in which the Board member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent; and
- 4. otherwise be in a position of conflict as enumerated in Section 82 of the School Act, as the same may be amended from time to time.

14. Board Participation at Public Hearings and Presentations

It is understood that the operation of the Board as a school system is of interest and concern to the residents served and to the public at large.

In the development of its plans or implementation of its decisions there may be occasions when a member of the public wishes to take issue with the Board by filing a protest or complaint with an external agency or judicial body.

The intent of this policy is to give direction to the Superintendent to prepare a position or briefing paper which puts forth the position of the Board

Specifically

- h. Upon receiving notification that such an action has been started the Board shall be made aware at the next available Board meeting.
- i. The Board shall give consideration to the issue and provide direction to the Superintendent in preparing the support document.
- j. The Board shall designate who will attend the hearing or appeal.
- k. The party (parties) designated to represent the Board shall report the outcome of the matter to the Board at the next regularly scheduled meeting of the Board.

14. Alcohol Purchase Restriction

The Board recognizes that on occasion it may be appropriate for Board funds to be used to purchase alcohol with the following limitations:

- a. not permitted for student events and not permitted for employee events unless specifically authorized by the Board.
- b. may be permitted to recognize an organizational or individual staff achievement (eg. celebrating retirements) in accordance with Administrative Procedure 164: Alcohol on Premises

15. Board Self-Evaluation

In determining the effectiveness of its governance practices, the Board will regularly assess its performance through an agreed upon self-evaluation process. The Board may access the services of a third party consultant to support and/or guide this process.

LegalReference:

Sections

33,34,51,52,53,64,65,66,67,69,73,75,81,85,86,87,88,89,90,91,92,93,94,95,96,112,114,138,139,222

Education Act

Local Authorities Election Act

Board Procedures Regulation

Petitions and Public Notices Regulation

History:

Prepared: March 2006

Amended: February 2014,

Amended October 2018,

Amended February 2019

Amended March 2020

Amended June 2021

POLICY 8: COMMITTEES OF THE BOARD

COMMITTEES OF THE BOARD

The Board may establish internal committees in order to facilitate its work. Committees can perform the following functions:

- be empowered to act on behalf of the Board;
- conduct research and report back to the Board with recommendations; and/or
- perform a liaison function.

The Board will determine the terms of reference for each committee, including purpose, powers and duties, membership, budget, and meeting requirements.

Committees may be standing or ad hoc in nature.

1. Standing Committees

Standing Committees are established to assist the Board with work of an on-going or recurring nature.

a. Policy Review and Development Committee is established as a standing committee of the Board, with responsibility for work as detailed below:

i. Purpose

- ◆ Ensure that policies are current, relevant, and are having the desired impact

ii. Powers and Duties

- ◆ Assess the impact that policies have had in terms of the outcomes anticipated at the time of adoption
- ◆ Assess the congruency of the policy with the current philosophy of the Board
- ◆ Recommend revisions of policies as appropriate in order to facilitate the effective and efficient operation of the Division

iii. Membership

- ◆ One Trustee and one alternate
- ◆ Superintendent
- ◆ One school Administrator

iv. Meetings

- ♦ To be called by the Committee Chair as necessary, but at minimum, on an annual basis
- b. Finance Committee is established as a standing committee of the Board, with responsibility for work as detailed below:
 - i. Purpose
 - ♦ Provide Board direction in financial management
 - ii. Powers and Duties
 - ♦ Provide direction on budget development
 - ♦ Provide direction on budget application when significant adjustments are required
 - iii. Membership
 - ♦ All Trustees
 - ♦ Superintendent
 - ♦ Secretary-Treasurer
 - iv. Meetings
 - ♦ To be called by the Committee Chair as arranged between the Board and Superintendent to facilitate budget formation and implementation
- c. ATA Negotiations Committee is established as a standing committee of the Board, with responsibility for work as detailed below:
 - i. Purpose
 - ♦ Negotiate a collective agreement with the ATA's representatives
 - ii. Powers and Duties
 - ♦ Establish Board proposals
 - ♦ Negotiate with Teachers' representatives
 - ♦ Recommend action to the Board on negotiations issues
 - iii. Membership
 - ♦ One Trustee and one alternate
 - ♦ Superintendent
 - iv. Meetings

- ♦ To be called by the Committee Chair as required to negotiate agreements
- d. CUPE Negotiations Committee is established as a standing committee of the Board, with responsibility for work as detailed below:
 - i. Purpose
 - ♦ Negotiate a collective agreement with CUPE locals 37 and 40
 - ii. Powers and Duties
 - ♦ Establish Board proposals
 - ♦ Negotiate with CUPE representatives
 - ♦ Recommend action to the Board on negotiations issues
 - iii. Membership
 - ♦ One Trustee and one alternate
 - ♦ Superintendent
 - ♦ Secretary-Treasurer
 - iv. Meetings
 - ♦ To be called by the Committee Chair as required to negotiate agreements.
- e. Audit Committee (Education Act Section 142)
 - i. Purpose
 - ♦ To assist the Board and the Superintendent in fulfilling their oversight responsibilities for the financial reporting process, the system of internal control over financial reporting, the audit process (including Public Sector Accounting Standards (PSAS) compliance), and monitoring the Division's compliance with laws and regulations pertaining to financial operations.
 - ♦ The function of the Audit Committee is also to help the auditors to remain independent of management.
 - ii. Powers and Duties
 - ♦ Recommend external auditors to the Board.
 - ♦ Review with management and the auditors all matters required to be communicated to the entire board.
 - ♦ Review the annual financial statements and report to the board.
 - iii. Membership

- ♦ The audit committee shall comprise at least five (5) individuals and shall include at least one of each of the following individuals:
 - ♦ a member of the business community who is not a Trustee
 - ♦ a member of the adult learning community who is not a Trustee
 - ♦ a Trustee

iv. Meetings

- ♦ The committee will meet at least once a year, with the authority to convene additional meetings, as circumstances require.
- ♦ All committee members are expected to attend each meeting, in person or via tele- or video-conference
- ♦ The Committee will invite members of management, auditors or others to attend meetings and provide pertinent information, as necessary.
- ♦ It may hold private meetings with auditors.
- ♦ Records of the meeting will be prepared. Committee reports shall be provided at a meeting of the Board. The secretarial function will be determined by the Superintendent or designate.

2. Ad Hoc Committees

Ad hoc committees are established to assist the Board on a specific project for a specific period of time. The terms of reference for each ad hoc committee will be established at the time of formation.

Resource Personnel

When requested to do so, the Superintendent may appoint resource personnel to work with committees, and shall determine the roles, responsibilities, and reporting requirements of the resource personnel.

Legal Reference:

Section 33, 34, 37, 51, 52, 53, 64, 67, 142, 222 Education Act
Collective Agreements

History:

Prepared: September 2003
Amended: March 2020

POLICY 9: BOARD REPRESENTATIVES

BOARD REPRESENTATIVES

In response to requests from external organizations or agencies, the Board will give consideration to naming representatives to various external boards or committees. Such representation is established at the discretion of the Board to facilitate the exchange of information on matters of mutual concern and/or to discuss possible agreements between the Board and other organizations. Representatives may be Trustees and/or members of senior staff.

The Board will determine the terms of reference for each representative at the time the request for committee representation is received.

Resource Personnel

When requested to do so, the Superintendent may appoint resource personnel to work with representatives and shall determine roles, responsibilities and reporting requirements of resource personnel.

Reference:

Section 33,34,51,52,53 Education Act

History

Prepared:	September 2003
Amended:	February 2014
Amended:	March 2020

POLICY 10: POLICY MAKING

POLICY MAKING

The Board is responsible for the development of educational goals and policies in keeping with the requirements of government legislation and the values of the electorate. In order to meet its responsibility, the Board shall establish and maintain written policies which express its philosophical beliefs in support of public education and provide effective direction and guidelines for the action of the Board, the Superintendent, staff, students, electors and other agencies. Board policies constitute the will of the Board in determining how the Division will be operated.

The Board shall be guided in its approach to policy making by ensuring adherence to the requirements necessary to provide public education and compliance with the Education Act and provincial legislation.

Board policies shall provide an appropriate balance between the responsibility of the Board to develop the broad guidelines to guide the Division and to provide the opportunity for the Superintendent to exercise professional judgement and experience through the development of Administrative Procedures in alignment with Board Policy to guide the administration of the Division.

The Board shall adhere to the following stages in its approach to policy making:

1. Planning

The Board, in cooperation with the Superintendent, shall assess the need for a policy, as a result of its own monitoring activities or on the suggestion of others, and identify the critical attributes of each policy to be developed.

2. Development

The Board may develop the policy itself or could delegate the responsibility for development to the Superintendent or a committee. When responsibility for development is delegated, alternatives considered or to be considered must be included in the report to the Board to facilitate the choice of the best alternative.

3. Implementation

The implementation of the policy is an administrative responsibility.

4. Evaluation

The Board, in cooperation with the Superintendent, shall evaluate each policy in a timely manner in order to determine whether or not it is meeting its intended purpose.

Specifically

1. Any Trustee, employee, taxpayer, parent or student of the Division may make suggestions regarding the possible development of a policy on any matter, by presenting a proposal for a policy in writing to the Superintendent. The proposal shall contain a brief statement of purpose or rationale.

2. Policy may also be initiated by the results of a public consultation or survey, needs assessment, or policy evaluation.
3. The Superintendent shall present the proposal to the Board for initial consideration. Should the Board determine the need for policy development, the Board will direct the topic to an individual or The Policy Review and Development Committee to prepare a draft policy for further Board consideration.
4. Proposed policies are to be presented to the Board as draft policies.
5. Proposed policies which are 'accepted as information' by the Board shall be posted on the division website for a period of two weeks for the purpose of gathering feedback to be submitted to the Policy Review and Development Committee.
6. The Policy Review and Development Committee will submit the final draft policy to the Board for final approval.
7. Once the policy has received final approval by the Board, it will be posted on the district website and will be flagged as "new" for a period of at least 30 days.
8. In instances where the policy has been drafted as the result of legal agreements or where the modifications are minor and do not affect the intent of the policy, modifications are presented directly to the Board of Trustees for approval as housekeeping.
9. All suggestions must proceed through the policy making process as outlined in the protocols.
10. The Board shall have the right to unilaterally establish policy which addresses monetary or payment matters.
11. The Superintendent is responsible for communicating policies within the Division; for monitoring Division policies on an ongoing basis; and for making recommendations to the Board for revision.
12. The approval of a policy statement for inclusion in this handbook suspends any previously adopted policy relating to the issues covered in the approved policy statement.
13. The Board shall review each policy annually.
14. The Superintendent shall develop administrative procedures, as specified in Policy 11: Board Delegation of Authority. These Administrative Procedures must be in accordance with Board policies.
15. The Superintendent may suspend a policy, but at the first opportunity they shall report to the Board the reasons for suspension and the recommended amendments. The Board may ratify the suspension or it may reinstate the policy. When it is expedient the Superintendent may make the decision in consultation with the Board Chair.

Legal Reference:

Section 33,51,52,53,222 Education Act

Board Procedures Regulation

History:

Prepared: September 2003

Amended: March 2020

POLICY 11: BOARD DELEGATION OF AUTHORITY

BOARD DELEGATION OF AUTHORITY

The Education Act, section 52, allows for the Board to delegate certain of its responsibilities and powers to others.

The Board authorizes the Superintendent to do any act or thing or exercise any power that the Board may or is required to do or exercise except those matters which, in accordance with section 52 (4) of Education Act, cannot be delegated.

Notwithstanding the above, the Board also reserves the authority to make decisions on specific matters requiring Board approval in accordance with Board policy.

Specifically:

1. The Superintendent is authorized to suspend a teacher from the performance of the teacher's duties without prior notice if the Superintendent is of the opinion that the welfare of the students is threatened by the presence of the teacher. The suspension shall be conducted in accordance with the requirements of the Education Act.
2. The Superintendent is authorized to suspend from the performance of duties or to terminate the services of any non-certificated staff member. The suspension or termination shall not be appealable to the Board.
3. The Superintendent is delegated the authority to develop Administrative Procedures that are consistent with the Education Act, provincial policies and procedures to include but not limited to the following:

- 100 General Administration
- 200 Instructional Programs & Materials
- 300 Students
- 400 Personnel & Employee Relations
- 500 Business Administration

- a. Program areas requiring Administrative Procedures include:
 - i. Locally Developed / Acquired and Authorized Junior and Senior High School Complementary Courses
 - ii. French as a Second Language and French Immersion
 - iii. Inclusive Education
 - iv. Services for Students and Children
 - v. Early Childhood Services
 - vi. Outreach Programs
 - vii. Off-Campus Education
 - viii. English as a Second Language
 - ix. Guidance and Counseling
 - x. School-Based Decision Making

- xi. School Authority Accountability
 - 1. Health & Safety
 - 2. School Field Trips
 - 3. Expulsions
 - xii. Professional Learning Plan
 - xiii. Student Evaluation
 - xiv. Knowledge & Employability Courses
 - xv. Teacher Growth, Supervision and Evaluation
 - xvi. Daily Physical Activities
4. The Superintendent is authorized to hear any matter and make final decisions with respect to an issue relating to the interpretation or application of the Alberta Human Rights Act (as amended from time to time). The decision shall not be appealable to the Board.

Legal Reference:

Section 33,51,52,202,203,204,206,209,210,213,214,215,217,218,219,222 Education Act
Alberta Human Rights Act

History:

Prepared:	September 2003
Amended:	February 2014
Amended:	March 2020

POLICY 12: ROLE OF THE SUPERINTENDENT

ROLE OF THE SUPERINTENDENT

The Superintendent is the Chief Executive Officer of the Board and the Chief Education Officer of the Division, reporting directly to the corporate Board, and is accountable to the Board of Trustees for the conduct and operation of the Division. The Superintendent directs school operations towards the achievement of the educational goals established by the Board and the direction provided by the Inspiring Hearts and Minds vision. All Board authority delegated to the staff of the Division is delegated through the Superintendent.

Specific Areas of Responsibility

1. Educational Leadership

The Superintendent shall:

- a. provide leadership in all matters relating to education in the Division.
- b. ensure students in the Division have the opportunity to meet the standards of education set by the Minister and the Board.
- c. implement education policies established by the Minister and the Board.
- d. engage in collaborative leadership based on current research.
- e. align Division resources and build organizational capacity to support First Nations, Metis and Inuit student achievement.

2. Fiscal Responsibility

The Superintendent shall:

- a. ensure the fiscal management of the Division by the Secretary Treasurer is in accordance with the terms or conditions of any funding received by the Board under the Education Act or any other applicable Act or regulation.
- b. ensure the Division operates in a fiscally responsible manner, including adherence to recognized accounting procedures.
- c. direct the preparation and presentation of the budget.
- d. ensure the Board has current and relevant financial information.

3. Personnel Management

The Superintendent shall:

- a. have overall authority and responsibility for all personnel-related issues, save and except: the development of mandates for collective bargaining and those personnel matters precluded by Board delegation, policy, legislation or collective agreements.
- b. monitor the performance of all staff and ensure appropriate evaluation processes are in place.
- c. support and engage in building the capacity of all staff.

- d. ensure that each staff member is provided with a welcoming, caring, respectful and safe working environment that respects diversity and fosters a sense of belonging.

4. Policy

The Superintendent shall:

- a. provide leadership in the planning, development, implementation and evaluation of Board policies.
- b. develop and keep current Administrative Procedures that are consistent with Board policy and provincial regulations, policies and procedures.
- c. advise the Board of substantive changes to Administrative Procedures

5. Superintendent / Board Relations

The Superintendent shall:

- a. establish and maintain positive professional working relations with the Board.
- b. respect and honor the Board's role and responsibilities and facilitate the implementation of that role as defined in Board policy.
- c. provide the information the Board requires to perform its role, including regular accountability reporting.
- d. support the Board in their generative governance approach.
- e. keep the Board informed on sensitive issues, in a timely manner.
- f. provide respectful dissent when guiding and supporting the Board in its work.

6. Four-Year Educational Planning

The mission and vision of the Division will be presented through the lens of the Inspiring Hearts and Minds document to provide direction for the Four-Year Education Plan

The Superintendent shall:

- a. lead the Four-Year Educational Planning process including the development of Division goals, budget, facilities and transportation plans and implement plans as approved.
- b. involve the Board appropriately (Board approval of process and timelines, opportunity for Board input early in the process, final Board approval).
- c. report regularly on results achieved.
- d. develop the Annual Education Results Report for Board approval.

7. Organizational Management

The Superintendent shall:

- a. demonstrate effective organizational skills resulting in Division compliance with all legal, Ministerial and Board mandates and timelines.
- b. report to the Minister with respect to matters identified in and required by the Education Act.

- c. build an organizational structure and develop practices to support a Learning Organization approach.

8. Communications and Community Relations

The Superintendent shall:

- a. take appropriate actions to ensure transparent, positive external and internal communications are developed and maintained.
- b. in consultation with the Board Chair, serve as a spokesperson for the Division with the media and public, in order to keep the Division's messages consistent and accurate
- c. participate actively in community affairs in order to enhance and support the educational vision of Inspiring Hearts and Minds.
- d. use a generative approach with partners in education.
- e. facilitate collaboration with First Nations, Métis and Inuit leaders, organizations and communities.

9. Leadership Practices

The Superintendent shall:

- a. practice collaborative leadership that supports the Board's policies and the Inspiring Hearts and Minds vision.
- b. develop and maintain positive and effective relations with provincial and regional government departments and agencies.
- c. understand historical, social, economic and political implications of:
 - Treaties and Agreements with First Nations
 - Residential Schools and their legacy.

Additional Responsibilities

1. The Superintendent or designate is assigned the duties as attendance officer for the Division in accordance with section 8 of the Education Act.
2. The Superintendent will act as the "designated head" for all Freedom of Information and Protection of Privacy Act situations.
3. The Superintendent will continually explore extraordinary and alternative funding sources, including possible revenue-generating initiatives.
4. The Superintendent will facilitate and encourage effective joint use of Division resources.

Legal Reference:

Section 8,33,35.1,51,52,222 Education Act
Freedom of Information and Protection of Privacy Act
Truth and Reconciliation Commission Calls to Action
Superintendent Leadership Quality Standard

History:

Prepared: September 2003
Amended: February 2014
Amended: March 2020

POLICY 13: APPEALS REGARDING STUDENT MATTERS

APPEALS REGARDING STUDENT MATTERS

Background

Under section 42 of the Education Act, a decision made by an employee of the Board that significantly affects the education of a student or a child authorized to do so under section 52(1) of the Act may be appealed to the Board.

Prior to appealing to the Board the student or parent must have followed the school dispute resolution policy established by the Board under section 41 of the Education Act.

Procedures

The Board will hear appeals on administrative decisions, submitted in accordance with section 42 of the Education Act, that have a significant effect on the education of a student or child.

All Matters Other Than Expulsion of a Student

1. Prior to a decision being appealed to the Board, it must be appealed to the Superintendent and follow the procedures under Administrative Procedure 155: School Dispute Resolution.
2. Parents of students, and students 16 years of age or over, have the right to appeal to the Board a decision of the Superintendent.
3. The appeal to the Board must be made within 30 days from the date that the individual was informed of the Superintendent's decision.
4. Parents or students as above, when appealing a decision to the Board, have the right to be assisted by a resource person(s) of their choosing. The responsibility for engaging and paying for such assistance rests with the parents or students.
5. Appeals will be heard by the Board at a Regular Board Meeting, whenever possible. The hearing of the appeal must be scheduled so as to ensure that the person making the appeal and the Superintendent, or designate, whose decision is being appealed, has sufficient notice and time to prepare for the presentation.
6. The Board Chair will consider any requests for adjournments of hearings of appeals regarding student matters, and must consider the reason for the request and whether the person making the request has sufficient notice and time to prepare for the presentation.
7. The appeal will be heard at an in camera meeting of the Board.
8. The Board reserves the right to make its decision at a subsequent Board meeting. The parties to the appeal will be advised when the decision will be made. The Board decision will be made in open session.
9. The appeal hearing will be conducted in accordance with the following guidelines:

- a. The Chair will outline the purpose of the hearing, which is to provide:
 - i. an opportunity for the parties to make representation in support of their respective positions to the Board. This information may include expert medical, psychological and educational data and may be presented by witnesses;
 - ii. the Board with the means to receive information and to review the facts of the dispute;
 - iii. a process through which the Board can reach a fair and impartial decision.
 - b. Notes of the proceedings will be recorded for the purpose of the Board's records.
 - c. The Superintendent and/or staff will explain the decision and give reasons for the decision.
 - d. The appellant will present the appeal and the reasons for the appeal and will have an opportunity to respond to information provided by the Superintendent and/or staff.
 - e. The Superintendent and/or staff will have an opportunity to respond to information presented by the appellant.
 - f. Board members will have the opportunity to ask questions or clarification from both parties.
 - g. No cross-examination of the parties shall be allowed, unless the Board Chair deems it advisable under the circumstances.
 - h. The Board will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The recording secretary will remain in attendance. The Board may have legal counsel in attendance.
 - i. If the Board requires additional information or clarification in order to make its decision, both parties to the appeal will be requested to return to the hearing for the required additional information.
 - j. The Board decision and the reasons for that decision will be communicated to the appellant by telephone and confirmed in writing following the hearing.
10. If the decision of the Board reflects the provision of specialized supports or services in accordance with section 11(4) of the Act or the decision is about access or accuracy of a student record, a parent or student (16 years of age or older) may request, in writing, the Minister review the decision of the Board.
11. Under section 44 of the Education Act the Minister may also review a matter regarding language of instruction, board responsibility for a specific student, home education programs and amount of fees payable by a Board to another Board.

Expulsion of a Student

The Board will hear representations with respect to a recommendation for a student expulsion in accordance with section 37 of the Education Act.

If a student is not to be reinstated within five school days of the date of suspension, the Principal shall immediately report in writing all the circumstances of the suspension and provide a recommendation to the Board through the Office of the Superintendent.

The Board will convene an in camera session upon the call of the Superintendent but in no event shall the meeting occur later than ten school days from the first day of suspension.

Notes of the proceedings will be recorded for the purpose of the Board's records.

The expulsion hearing will be conducted in accordance with the following guidelines:

1. The Chair will outline the purpose of the hearing, which is to:
 - a. provide an opportunity to hear representations relative to the recommendation from the Principal;
 - b. provide an opportunity for the student and/or the student's parent or guardian to make representation;
 - c. reinstate or expel the student.
2. The Chair will outline the procedure to be followed, which will be as follows:
 - a. the Principal will present the report documenting the details of the case and the recommendation to expel the student;
 - b. the student and the student's parents will be given an opportunity to respond to the information presented and to add any additional information that they feel is relevant;
 - c. the members of the Board will have the opportunity to ask questions of clarification from both the Principal and the student and the student's parents;
 - d. the Board will meet, without either the administration or the student and the student's parents present, to discuss the case and the recommendation;
 - e. should the Board require additional information, both parties will be requested to return in order to provide the requested information;
 - f. the Board will then make a decision in open session to either reinstate or expel the student; and
 - g. the Board's decision shall be communicated in writing to the student and the student's parents with copies being provided to the Principal and the Superintendent. The Board shall provide reasons for its decision.
3. If the Board's decision is to expel the student; the following information must be included in the letter to the student and the student's parents:
 - a. the length of the expulsion which must be greater than 10 school days;

- b. the educational program to be provided to the student and the name of the individual to be contacted in order to make the necessary arrangements; and
 - c. the right of the student and the student's parents to request a review of the decision by the Minister of Education.
- 4. Expulsion is at the discretion of the Board. The Trustees, in making their decision shall take into account the circumstances under which the student committed the offence. The following offences may be considered by the Board as justification for expulsion:
 - a. open opposition to the authority of a teacher, Principal, school or Board;
 - b. willful disobedience over a prolonged period or in a single instance where the disobedience endangers the students, teacher, building or general climate of orderly behavior;
 - c. habitual neglect to do work that is assigned to the student and which is within their competence to complete;
 - d. profane or indecent language in the presence of other students or before staff;
 - e. threats of physical violence or acts of violence against a teacher or a serious unprovoked attack on other students;
 - f. any act of indecency in a school building or on the school grounds;
 - g. failure to observe and to obey any reasonable rule, regulation or procedure established by the teacher or by the Principal for maintaining a climate of behavior conducive to learning;
 - h. willful or malicious damage to property or equipment on school premises;
or
 - i. prohibited use of drugs, alcohol, or tobacco.

It is expected that all students will comply with Education Act section 31: Student Responsibilities

- 5. A parent or the student (if 16 years of age or older) may request, in writing, that the Minister review the Board's decision.

Legal Reference

Section 3,4,11,31,33,36,37,41,42,43,44,51,52,53,222 Education Act

History

Prepared: September 2003

Amended: January 2011

Amended: March 2020

POLICY 14: HEARINGS ON TEACHER TRANSFERS_____

HEARINGS ON TEACHER TRANSFERS

The Superintendent may transfer a teacher in accordance with section 212 of the Education Act. The teacher may make a written request to the Board to have a hearing before the Board for the purpose of objecting to the transfer.

Specifically,

1. A teacher who has been given a notice of transfer by the Superintendent must make a written request to the Board to have a hearing before the Board for the purpose of objecting to the transfer within seven (7) days of receipt of the transfer notice.
2. The request for a hearing before the Board shall be submitted by the teacher to the Secretary-Treasurer with a copy being provided to the Superintendent.
3. The Board may set a date and time for the hearing requested not earlier than 14 days after the teacher receives the notice of transfer, unless the teacher agrees in writing to an earlier date.
4. The Secretary-Treasurer shall advise the teacher in writing of the date, time and location of the hearing.
5. Any written materials the teacher or the Superintendent wishes Trustees to consider must be submitted to the recording secretary not less than four (4) days prior to the scheduled date of the meeting. The recording secretary will provide copies to the Trustees, the Superintendent, and the teacher.
6. The teacher or the Superintendent may be accompanied by counsel or another representative, and may bring witnesses if, not less than four (4) days prior to the scheduled date of the meeting, the following is provided by the teacher or the Superintendent in writing:
 - a. the names of counsel, other representatives, and any witnesses;
 - b. notwithstanding, the Board Chair shall reserve the right to receive further information or call witnesses as deemed relevant or necessary to the Board's determination.
7. At the hearing on teacher transfer appeals, the following procedural rules and sequencing will apply:
 - a. the hearing shall be conducted at an in camera session of the Board, chaired by the Board Chair, or in the Chair's absence, the Vice-Chair or designate;
 - b. notes of the proceedings will be recorded for the purposes of the Board's records;
 - c. the Superintendent and the teacher shall be given an opportunity to make opening statements;

- d. written and oral presentation by the Superintendent or designate, including any evidence by witnesses, where appropriate;
- e. written and oral presentation by the teacher, including any evidence by witnesses, where appropriate;
- f. Superintendent's or designate's opportunity for response to the teacher's presentation;
- g. teacher's opportunity for response to the Superintendent's or designate's presentation;
- h. an opportunity for the Board to ask questions of both parties and any questions of clarification of any of the witnesses;
- i. an opportunity for the Superintendent or designate to make final comments;
- j. an opportunity for the teacher to make final comments;
- k. no cross-examination of witnesses shall be allowed, unless the Chair deems it advisable;
- l. the Board will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The recording secretary will remain in attendance. The Board may have the secretary-treasurer and/or legal counsel in attendance.
- m. If the Board requires additional information or clarification in order to make its decision, both parties to the appeal will be requested to return to the hearing for the required additional information;
 - i. if the information is not readily available the Board Chair may recess the hearing or adjourn to a later date;
 - ii. in the case of adjournment, members of the Board are prohibited from disclosing evidence presented or matters raised at the hearing, either amongst themselves or with the parties and their representatives or witnesses, until the hearing is reconvened.
- n. The Board shall draft a resolution indicating its position. The resolution will indicate the employee's number so as to maintain confidentiality.
- o. When the Board is ready to render its decision, both parties, if still present, will be advised that the Board will be reconvening and consider a motion to move back into the regular or special meeting in order to consider the resolution.
- p. The Board decision is final, with no right of further appeal, and will be communicated to the teacher by telephone and confirmed in writing following the hearing.

Legal Reference

Section 33,52,53,212,222 Education Act

History

Prepared: September 2003

Amended: March 2006

Amended: March 2020

POLICY 15: SCHOOL CLOSURES

SCHOOL CLOSURES

The Board recognizes that the closure of a school or portion thereof, or student transfers, plays a necessary part in ensuring the equitable and responsible use of the resources placed in its trust.

The Board shall consider closure of a school or a portion thereof, or transfer of students, if the critical minimum enrollment for the school is less than the critical minimum enrollment defined herein at any time during the school year and upon consideration of secondary criteria as established by the Board. The Board may consider closure of a school or a portion thereof, or transfer of students, if upon review of the secondary criteria the Board deems that consideration of closure or transfer is required.

Furthermore, special considerations may be necessary when deciding upon the closure or non-closure of a particular school or transfer of students in relationship to the critical enrollment level. Flexibility in the critical enrollment number, especially at the elementary level, could be acceptable in special circumstances.

1. Relative to section 62 of the Education Act, the Board may:
 - a. close a school permanently or for a specified period of time;
 - b. close entirely three (3) or more consecutive grades in a school; or
 - c. transfer all students from one school building to one or more other school buildings on a permanent basis
2. The critical minimum for the Board's consideration of closing a school or portion thereof, or student transfer, is defined as follows:
 - a. Elementary Level (1-6) – Less than 50% of the rated capacity of the facility space designated for elementary use. *
 - b. Junior High (7-9) – Less than 50% of the rated capacity of the facility space designated for junior high use.
 - c. Senior High (10-12) – Less than 50% of the rated capacity of the facility space designated for senior high use.

* Rated Capacity for schools as established by Alberta Education, Capital Planning.

Secondary Criteria:

1. All pertinent secondary criteria listed below shall be considered in the consolidation, closure or transfer decision:
 - a. the location and suitability of alternate school accommodation for the students involved;

- b. program implications for the students (currently in the receiver schools and those who will be transferred);
- c. program implications for other schools;
- d. transportation needs and implications;
- e. the effect on the social environment of the community;
- f. future enrollment projections;
- g. factors relating to the school building;
 - i. the age and life expectancy of the building proposed by closure;
 - ii. building modernization requirements;
 - iii. general suitability to education program needs;
- h. the educational and financial impact of the closing of the school, including the effect on operational costs, outstanding debentures and the capital implications;
- i. the financial and educational impact of not closing the school;
- j. the capital needs of the receiver school that may have increased enrollment.

The following procedures shall be followed relative to school closures.

1. Where the Board is considering school closure, the matter shall be raised at a regular meeting of the Board and details provided of the specific school or portions of the school affected.
2. The Board shall communicate the facts and implications of the possible school closure, in writing, to the parents of every child affected by the closure. Such communication shall address how the closure would affect the following:
 - a. the attendance area defined for that school and enrollment trends;
 - b. the attendance at other schools, including the number of students relocated by virtue of the school closure;
 - c. the need for, and extent of, busing;
 - d. the anticipated effect on the social environment of the community;
 - e. program implications for other schools;
 - f. program implications for the students when they are attending other schools;
 - g. the educational and financial impact of closing the school, including the effect on operational costs and capital implications;

- h. the financial and educational impact of not closing the school;
 - i. the capital needs of other schools that may have increased enrollment as a result of the closure; and
 - j. consideration of possible alternative educational or community uses for all or part of the school building.
- 3. Where the Board is considering whether or not a school closure should occur, the Board shall organize and convene a public meeting for the purpose of discussing the possible closure, its implications for the students and for the school system, possible implementation plans and possible alternatives. Further meetings may be held at times and places set out by the Board.
- 4. The date and place of the public meeting shall be:
 - a. posted in five or more conspicuous places in the area or areas of the school or schools affected by the closure, for a period of at least two weeks prior to the date of the public meeting, and
 - b. published in a newspaper circulating within the area or areas of the school or schools affected by the proposed closure, once a week for at least two weeks prior to the date of the public meeting.
- 5. A quorum of Trustees must attend the public meeting.
- 6. Following the meeting there shall be a minimum period of three (3) weeks for electors to present to the Board further responses to the possible closure.
- 7. The final debate by the Board and the vote upon the resolution shall occur only after procedures 1 through 6 have been completed.
- 8. Subsequent to the final debate, and if the vote is in favour of school closure, the Board shall inform the Minister, in writing, forthwith and include:
 - a. the name of the school, and
 - b. the effective date of the closure.

Legal Reference

Section 33,51,52,53,62,192,222,248,249 Education Act
Petitions and Public Notices Regulation

History

Prepared: September 2003
Amended: March 2020