

Edmonton Public Schools Response to the Education Act 2011 Proposed Framework Document

January 4, 2010

The Edmonton Public School Board (the Board) provided its response to the Minister of Education regarding the formulation of a new school act in a previous review process. The original response is provided in Appendix I. The Minister has recently provided to the public the Education Act 2011 Proposed Framework Document. The Board wishes to provide further feedback to the Minister and the government caucus regarding the proposed framework. Comments are provided to each section of the framework.

Preamble

As the preamble establishes the vision of education in Alberta, several key points must be addressed in relation to the statements provided.

- The final point of the preamble indicates that the “Government of Alberta recognizes the importance of enabling high quality and socially engaging learning opportunities...” The Board believes that this is not sufficient. The Government of Alberta must not only **enable** high quality learning opportunities, it must **ensure that sufficient resources be provided** to school jurisdictions to enable them to provide high quality learning opportunities. Alternate wording for this statement:
 - The Government of Alberta **will ensure that sufficient resources be provided** for high quality and socially engaging learning opportunities with flexible timing and pacing through a range of learning environments to meet diverse student needs.
- This statement demonstrates the Government’s commitment to resourcing its vision appropriately.
- The draft framework is silent on one key element. The Board cannot emphasize strongly enough that the provision for natural person powers be embedded in the Act. This provision ensures local autonomy, authority, and responsibility.

Part 1 – Access to Education

In this section of the government’s document, the government proposes to completely revise the rules relating to residency. In the current *School Act*, the residency of a student is determined by the residence of the parent. In other words, for a child to have an entitlement to go to an Edmonton public school, the child must have at least one parent who is a resident of Edmonton Public Schools. The residency of a parent has a long history in Alberta legislation, because it is closely tied to property taxation. The parent pays taxes to the district of residence. The government is now proposing, in Point 4 under the “Proposed Revisions”, that residence is based on where the student lives, not the parent. In point 3 under “Proposed Revisions”, all that is necessary is for the parent to be lawfully resident in Canada. This creates confusion, and may suggest a change regarding the scheme of taxation for school purposes, as this clearly is a complete departure from the historic scheme.

A suggested change in Part 1 is to consider raising the age of Kindergarten from four years six months to four years and nine months.

Part 2 – Opportunities for Learning

The proposed provisions in this section provide boards with the necessary flexibility to address local needs.

Part 3 – Student Needs and Dispute Resolution

While it is important that provisions for managing disputes be evident, clear statements about the expectations for delivery of educational services are also necessary. What is not raised in this section is a definition of inclusive education and a description of the government's expectations of specialized education opportunities that Boards must provide. These must be made explicit in the act if dispute resolution mechanisms are to be effective.

The government's purpose statement is that school authorities are **required** to assess the needs of students and provide access to learning that meets the needs of each student and supports educational success. However, there is no mention of the fact that the government has made parental consent a legal requirement for assessment of students. We cannot be "required" to do something that parent's can veto. Either the requirement be made explicitly subject to parental consent, or the consent requirement should be done away with.

Clarity regarding the expanded view of schooling is necessary. Themes of flexibility of programming are embedded in the draft framework, but flexibility can only be effective within a well defined description of what constitutes quality education within the education system.

Part 4 – Governance and Roles

Several key points require clarification. The Board's desire is to ensure that the several provisions be addressed in the following way:

- #5 *The Minister will have the authority to make regulations relating to the procedural and administrative requirements of Boards.*
 - To the greatest extent possible, Ministerial regulations should be kept to a minimum and key procedural and administrative requirements be embedded in the Act. Leaving such important requirements in the hands of the Minister centralizes authority in an undemocratic way.
 - It is recognized that some regulatory authority will reside with the Minister, but a description of how regulations will be formulated, with a commitment to appropriate public engagement in the process, should be embedded in the Act.
- #6 c) Disqualification...

- This provision must be clearly defined for all boards. The nature of a “breach of the board’s code of conduct” sufficient to warrant disqualification must be described for the benefit of all.
- #6 d) *Appointment of trustees - ...*
 - This provision, as related to the potential appointment of trustees, is problematic. The democratic process is sufficient for establishing school boards. Any other provision is unnecessary.
 - A relationship with a First Nation band will be managed through the provision for collaboration as described in Part 4, #4 *Powers of boards*.

Part 5 – Financial Responsibility

Accountability of boards is proposed. The borrowing provisions are a welcome addition to this section. What is not addressed in this section is the government’s commitment to ensure that adequate, timely, and long range funding be provided to boards. A statement of the government’s own accountability to provide such funding is necessary.

Part 6 – Educational Professions and Occupations

This is a critical section, and the Board expects that the provision for public and board input well in advance of tabling proposed legislation be in place.

The Board applauds the Minister of Education and his action to update the current School Act. The Board continues to be committed to representing its constituents effectively and to address local needs in its unique and responsible way. The new act must allow for all boards to be responsive to community needs, while ensuring the best quality opportunities for all children.



Edmonton Public Schools
Submission to the *School Act* Review

October 30, 2009

The Board believes that three main areas need to be included in any new provincial education legislation: 1) Defining Public Education, 2) A Focus on Success for All Students, 3) Establishing an Enabling Framework.

Defining Public Education

Alberta Education has recently increased funding to private educational institutions, straining the current understanding of what constitutes public education. What is it that the Alberta Education understands the roles of private, public, separate, francophone, charter and home education to be? The Edmonton Public School Board, in existence since 1881, holds firmly to principles and values that are hallmarks of its operations and believes that these values and principles must be embedded in the new *Act*. The Board expects the new legislation to affirm a commitment to public schools, which are mandated to accept and welcome all children, regardless of ability, ethnicity, culture, faith, language, socio-economic status, gender, or sexual orientation, as the foundation to realizing the province’s aspiration for an educated, responsible citizenry.

Local Governance

Throughout this document it is assumed that locally elected school boards are vital to a responsive and effective education system. Local autonomy related to education and the delivery of programs belongs in the hands of school boards to ensure attention and responsiveness to the character and needs of the local community.

Access to Quality Education

The principle of access implies that all students are welcomed and included in schools and school districts. It also implies that school jurisdictions do all in their power to prevent any restriction of learning opportunities within the available funding.

Choice

It is understood that students learn in different ways. They receive, process and express new information and experiences in ways framed by personality, values and habit. Families also hold values about the role of education, how it is delivered, and what the outcomes of the education system should be. The new *Act* must provide the framework within which school jurisdictions provide a range of learning opportunities from which families and students choose the most appropriate pathway to success.

Equity

It is recognized that students come from diverse settings and backgrounds. These variable experiences mean that students come to school systems in different states of readiness to learn and participate in schooling. The education system must reduce the gaps between students with enriched and impoverished personal backgrounds.

Another aspect of equity relates to fairness in funding, especially as it relates to charter schools. For example, an arts focused charter school receives transportation funding, whereas a similar school in a public school district does not. This inequity must be addressed in the legislation.

Diversity

The new *Act* must recognize and value the diverse make up of students, families and staff members in the community and recognize that public schools will welcome any child regardless of ability, ethnicity, culture, faith, language, socio-economic status, gender, or sexual orientation and create safe, respectful learning environments for all.

Citizenship and Character Development

The role of citizenship and character development is crucial to social coherence and success. The *Act* should recognize the role schools and school boards play in developing young people prepared to fully participate socially, economically, and politically in their communities. The *Act* should also identify and provide ways for working with government departments and other agencies to enhance citizenship education.

A Focus on Success for all Students

The education system must ensure that the conditions for the success of all students are established and met. The following elements must be addressed:

- Ensure that the new *Act* is primarily focused on students and their success
- Consider both lowering the entry and increasing the exit compulsory age for schooling (i.e. make kindergarten compulsory, increase compulsory age from 16 to 18)
- Ensure cross-ministry and inter-agency support for integrated services that sustain students and families (including early education services, mental health and health supports, child welfare, justice services, etc.)
- Recognize that students require flexible programs that are not bound strictly by time (i.e. students may advance their programs as they are able, or they may need longer to complete programs of study)
- Recognize flexibility in student demonstrations of knowledge and skills
- Define levels of student success:
 - including the ability to successfully participate in a global knowledge community through such skills as critical thinking, creativity, second language acquisition
 - recognizing learning growth
 - recognizing the whole child
- Ensure parental and community partnership and involvement in the education process

Establishing an Enabling Framework

The new *Act* should address the following areas:

- Provide “natural person powers” to all school jurisdictions (This means that a board could undertake any initiative unless there is a prohibition against it in a new *Act*, currently boards are only allowed to do what is defined within the *School Act* and nothing more.)
- Establish enabling framework, rather than highly restrictive or prescriptive provisions (Create substantial outcomes and allow school jurisdictions flexibility in achieving those outcomes. For example, allow districts to select and hire a superintendent, without ministerial approval, allow districts to determine school closure procedures, allow districts to manage infrastructure projects for greater flexibility)
- Define the roles, rights and responsibilities for:
 - Students
 - Parents/guardians
 - Teachers
 - Principals
 - Secretary – Treasurers
 - Superintendents
 - Trustees
 - Partners (e.g. community members, Elders)
 - Alberta Education
- Financial flexibility related to borrowing for specific projects and revenue generating mechanisms (tax levy, sale of assets and services, other sources of revenue, etc.)
- Flexibility for local decision-making (i.e. locally developed courses and programs)
- Responsibility and accountability for results
- Allow for greater flexibility in the school calendar (e.g. August to May school year)

- The new *Act* should replace the highly regulatory sections with overarching outcome statements. These sections would be addressed through a system of regulations as determined by Alberta Education.
- School jurisdictions should be enabled to create its own charters or partnerships with other school jurisdictions, government departments and agencies to enhance use of research, innovation and creativity for educational opportunities for students.
- Ensure flexibility of transportation funding as block funding (and provide appropriate walk limits for students at various ages.)
- Make the values and principles for government decision-making explicit