

DATE: June 12, 2012

TO: Board of Trustees

FROM: Trustee Michael Janz, Chair, Policy Review Committee
Trustee Heather MacKenzie, Policy Review Committee
Trustee Catherine Ripley, Policy Review Committee

SUBJECT: Revised Board Policy: CH.BP - Framework for Policy Development and Review

ORIGINATOR: David Fraser, Executive Director, Corporate Services

RESOURCE STAFF: Anne Sherwood

REFERENCE: [November 29, 2011 Board Report – District Policy Review \(Response to Trustee Request #115\)](#)

ISSUE

As approved at the January 31, 2012, board meeting, the Board charged the Policy Review Committee with bringing forward a recommendation to the Board for a standard framework for process, content development, structure and format for the full review of all of the Board's policies.

RECOMMENDATION

1. **That revised Board Policy: CH.BP - Framework for Policy Development and Review (Attachment I) be considered for the second time.**
2. **That revised Board Policy: CH.BP - Framework for Policy Development and Review (Attachment I) be considered for the third time and approved.**

BACKGROUND

On January 31, 2012, the Board approved a motion to undertake a comprehensive review of all board policies. The Board governs the District by establishing policy. Providing a framework for policy development and review by establishing a board governance policy which clearly outlines the Board's expectations with respect to its own policies is important to achieve the desired outcomes of the Board's policy review initiative.

The Policy Review Committee has attempted to identify the Board's expectations for policy development and review within the context of a full review and for the ongoing maintenance and renewal of board policy as listed in Appendix I. These expectations have been incorporated into a draft of a significantly revised and retitled Board Policy: CH.BP - Framework for Policy Development and Review (Attachment I).

The Policy Review Committee's work was informed by research on best practices from a number of publications and best practices in other jurisdictions and provinces with similar Education Acts. Of note is a policy project for the Key Work of School Boards Series by the National School Boards Association (NSBA) *The School Board's Role as Policymaker* which speaks to the importance of integrating policymaking into district planning and priorities to improve student learning outcomes.

Another good backgrounder on the topic is a publication produced in conjunction with the Ontario School Boards Association by the Ontario Education Services Corporation for the Centre for Governance Excellence: Professional Development Program for School Board Trustees, *The School Board's Role as Policymaker*. This document, although specific to the Ontario education context, provides a good explanation of the process of policy making and the board's central role in policy. Both documents are available for Trustee reference on the Trustee's On-line Reading Room.

RELATED FACTS

- Under the *School Act* (section 60), the Board is responsible for providing direction for the operation of Edmonton Public Schools by establishing and maintaining well reasoned policies that meet legislative requirements and are responsive to the public education needs of the community.
- The Superintendent is responsible for carrying out duties assigned by the Board to establish administrative regulations and operational procedures to implement policy and to be the Chief Education Officer of the District in accordance with the *School Act* (section 113).
- A key board governance policy for the Board is its policy on policy development and review. This policy will provide the framework to guide the Board, Trustees, the Superintendent and Administration, and stakeholders in the policy development process.
- This policy was given first consideration by the Board on May 22, 2012. The Board approved an amendment to Expectation 14 of the policy in Attachment I adding the words "prior to these regulations being made public" to the last sentence. As well, all references to "readings" were removed and replaced with "considerations".

OPTIONS CONSIDERED

The following options have been considered as they are deemed the most admissible:

1. Consider and approve the revised policy as a framework for policy development and review.
2. Affirm the existing policy CH.BP - Policy Development and Review and direct the Superintendent to develop administrative regulations to address the Board's requirements for a consistent and coherent approach to policy development and review.

CONSIDERATIONS & ANALYSIS

The Board as a whole is responsible for its policy and should provide direction in the policy development and review process. Changes to the current process include:

- Clarification of the Board's role and responsibility for establishing policy and the Superintendent's role and responsibility in implementing policy into district operations.
- An expansion of the criteria for statements of board policy to address not only conformance with legislation but also with the Board's vision, mission and priorities, and consistency among all board policies.
- Clarification that stakeholder involvement be in accordance with the Board's policy AA.BP – Stakeholder Engagement.
- A consistent format and structure for all policies to clarify the purpose and intent of a policy, provide a clear policy statement, any specific expectations or outcomes from the policy and accountability for policy implementation.
- Recognition that policy development takes time and resources and therefore, Board energies and stakeholder involvement should be emphasized for those policies that have the greatest impact on student learning.

- Provision for the Board to provide initial guidance on the intent of a new policy prior to policy development when the Board initiates a new policy by Board motion.
- Provision for the Board to identify concerns, make comments and suggestions prior to the review and revision of existing policy. The Policy Review Committee provides a status report giving notice of a policy review.
- Provision for the Board to vet proposed draft policies during *First Consideration* prior to circulation for broad stakeholder response.
- A distinction between board governance policy, which guides the Board's own internal discipline and operations, and board policy intended to guide the operation of the District. The Board alone is responsible for the development, revision and approval of governance policies as it deems necessary.
- Clear roles and expectations for the Policy Review Committee and the Superintendent in assisting the Board in its policymaking.

NEXT STEPS

1. Assuming Board Policy: CH.BP - Framework for Policy Development and Review is approved by the Board, the Administration will develop options for sequencing of the policy review and develop the administrative regulations and procedures to implement the policy over the summer.
2. Following Organizational Board Meeting, the administrative regulations and procedures will be shared with the Board and the 2012-2013 Policy Review Committee.

ATTACHMENTS & APPENDICES

ATTACHMENT I	Proposed New/Revised Board Policy: CH.BP – Framework for Policy Development and Review
APPENDIX I	Input Gathered from the Policy Review Committee –April 17, 2012
APPENDIX II	Current Board Policy: CH.BP – Policy Development and Review

AS:pc

Edmonton Public Schools Board Policies and Regulations

CODE: CH.BP

TOPIC: Framework for Policy Development
and Review

EFFECTIVE DATE:

ISSUE DATE:

REVIEW DATE:

PURPOSE

To provide clarity around the Board's governance role through policy and to create coherence and consistency across all board policy by establishing the Board's expectations for process, content development, structure and format to guide the development and review of policies.

The *School Act* legislates that a board must establish policies respecting the provision of educational programs and services affecting student learning. The Board governs the district through the adoption of carefully developed policies which have the force of local law applied to Edmonton Public Schools. Policies provide parameters on and guidance for the action of the Board, Trustees, the Superintendent of Schools, staff, students, electors and others with respect to Edmonton Public Schools.

DEFINITIONS

1. **Policy** is a statement of intent, belief, governing principles and expectations regarding specific areas of Board responsibility, formally adopted by a majority vote of the Board and intended to guide future actions.
2. **Board Governance Policy** is a policy statement that applies to the Board's own internal operations and expectations of its members which may also include specific directives and regulations for the Board and Trustees.
3. **Administrative Regulations** are the directions, procedures and assignment of responsibilities established by the Superintendent of Schools that direct the implementation of and achievement of desired outcomes of board policy and the operation of the district.
4. **Stakeholders** are individuals and groups who are affected by a policy and have a vested interest in its implementation. Stakeholders may include, but are not limited to students, parents, staff, school councils, associations, unions, community members and organizations.

POLICY

The Board believes that a coherent, consistent and transparent approach to policy development and regular review will improve alignment with the Board's vision, mission and priorities, increase accountability and help translate the intention of the Board into actions for its students.

The Board is committed to making student learning its primary focus when meeting its responsibility to develop policy in keeping with the requirements of legislation and the values of the community. The Board believes that the development and review of policy is enhanced when the process allows for the meaningful involvement of staff, parents, students and other interested groups and persons.

When developing policy, the Board strives to achieve a balance between the responsibility of the Board to govern by the adoption of policy to guide the District and the responsibility of the Superintendent of Schools and school administrators to exercise professional expertise and judgment in the management of the district by implementing policy.

EXPECTATIONS

1. The Board may adopt new or revise existing policy to:
 - a. comply with legislative requirements and fulfill the Board's mandate;
 - b. give substance to the Board's vision, mission and priorities;
 - c. provide the Superintendent of Schools with parameters for the effective operation of the District and to inform and guide actions of staff;
 - d. provide the Board of Trustees with parameters for effective Board governance; and
 - e. articulate the District's culture and communicate the Board's values and philosophy to students, parents and the public.

2. All statements of board policy shall meet the following criteria:
 - a. conform to the School Act and regulations, policies and orders issued under the authority of the School Act, and other relevant provincial and federal legislation;
 - b. support the Board's vision, mission and priorities;
 - c. be consistent with other board policies;
 - d. create a framework within which the Superintendent of Schools can exercise professional judgment in discharging responsibility for the administration of the District;
 - e. be broadly stated to provide guidance and the flexibility to address diverse situations while ensuring consistency across the system;
 - f. be capable of implementation, review and evaluation; and

- g. be developed and reviewed with appropriate stakeholder engagement in accordance with the Board’s policy on stakeholder engagement, with due consideration for the contentiousness of the policy topic, its impact on student learning and wellness, and whether the policy is new or expected to be significantly revised.
- 3. All board policies shall have a consistent format and the following sections as appropriate:
 - a. Purpose: include a purpose statement indicating the intent and rationale for the policy;
 - b. Definitions: may include definitions of terminology used specific to the understanding of the policy statement;
 - c. Policy: include statements of belief, values and philosophy or approach;
 - d. Expectations: may include statements of specific expectations, outcomes or results to be achieved by the Board itself or by the Superintendent of Schools and the Administration;
 - e. Accountability: include a statement of how the effectiveness of the policy implementation will be measured and reported to the Board; and
 - f. References: include a listing of references pertinent to the understanding of the policy such as related legislation, policies and administrative regulations.
- 4. The decision to initiate a policy change, that is, the development of a new policy or the review of an existing board policy that may result in policy affirmation, amendment or rescission, resides with the Board of Trustees.
 - a. A Trustee, a Board Committee, the Administration, or an individual or community delegation may make suggestions for policy development or review of a board policy to the Board. The request for policy change must include a rationale for the request.
 - b. The development of a new policy or the review of an existing policy shall be initiated by a Board approved motion.
 - c. The Board shall be provided the opportunity to give preliminary guidance to the Policy Review Committee as to the desired intent of the policy change.
- 5. The Board shall formally review each existing policy a minimum of every seven (7) years*, with the exception of:
 - a. the District Priorities, which the Board shall review at the beginning of its term;
 - i. The Board’s District Priorities Committee shall assist the Board in this process by facilitating an open stakeholder consultation process and developing recommendations for the Board’s consideration.
 - b. board governance policies, also known as the Trustees Manual, which the Board shall review the year prior to a Board election in preparation for the newly elected Board of Trustees.
- 6. The Board shall be responsible for the development, review and approval of its board governance policies in the manner and frequency it deems necessary.

7. The Board's Policy Review Committee shall be responsible for assisting the Board in its policy role by:
 - a. overseeing the review of proposed board policy changes in accordance with this policy, *Framework for Policy Development and Review*;
 - b. giving advance notice of Board policy review discussions and providing the Board the opportunity to give preliminary input prior to policy development or review by providing regular reports to Board on the status of policies coming up for and currently under review; and
 - c. recommending policies meeting the Board's expectations for policy to the Board for approval.
8. The Superintendent of Schools shall be responsible for assisting the Board and Policy Review Committee in their roles by assigning resources for drafting new and revised board policy for consideration in accordance with the *Framework for Policy Development and Review*. The draft should be accompanied by a Recommendation Report that provides information on the process used and stakeholders involved in the development, an analysis of intended and unintended consequences of the policy and relevant supporting data that may be helpful to the understanding of the Policy Review Committee.
9. With the exception of board governance policies, every new policy or substantive change to the intent of an existing policy shall receive three separate considerations by the Board before the policy is finally approved. Not more than two considerations may be given at any one meeting unless the Trustees present at the meeting unanimously agree.
 - a. First Consideration: The proposed policy change is recommended by the Policy Review Committee to provide the Board the opportunity to seek clarification, request additional information and make suggestions for change.
 - b. After first consideration of a proposed policy change, the Policy Review Committee shall oversee the updating of the draft policy as needed and request the Superintendent of Schools to circulate the draft policy for broad stakeholder review. At minimum, each policy shall be made available on the district website for four weeks for stakeholder input.
 - c. The Superintendent of Schools shall review and summarize the stakeholder input received and recommend any changes to the Policy Review Committee as deemed necessary. The Policy Review Committee shall review stakeholder input received, and consider any recommended changes.
 - d. Second Consideration: The proposed policy, with changes as needed, is recommended by the Policy Review Committee to the Board for second consideration. Amendments may be made.
 - e. Third Consideration: The proposed policy, with changes as needed, is recommended by the Policy Review Committee for approval.
10. Only those statements meeting the Board's criteria for policy and approved by the Board as policy shall be recorded as board policy.

11. The Superintendent of Schools shall ensure that approved board policies and administrative regulations are available and accessible to staff, students, parents and the public on the District's website.
12. The Board shall be responsible for implementing Board governance policies which govern the Board's own operations.
13. The Superintendent of Schools shall be responsible for implementing board policy through the establishment of administrative regulations and processes and assignment of responsibilities as needed.
14. The Superintendent of Schools shall report to the Board on the implementation of board policy on a regular basis. Accordingly, the Board shall be informed of new administrative regulations and substantive changes to existing administrative regulations prior to these regulations being made public.

ACCOUNTABILITY

The Board shall evaluate implementation of this policy on an annual basis as part of the Board's evaluation process.

***ADDENDUM** The minimum seven year review cycle for existing policy shall be suspended for the duration of the *Full Review of Board Policy Project*, approximately three (3), years September 2015.

The Board approved the following motion January 31, 2012:

That the Board undertake a full review of all its policies and update them using a standard framework for process, content development, structure and format. That the review process and standard framework be developed by the Policy Review Committee and recommended to the Board for approval.

Reference(s):

AA.BP – [Stakeholder Engagement](#)

CHA.BP – [Board Delegation of Authority](#)

JA.BP – [Parent and Community Involvement](#)

Trustees' Manual – [Policy Review Committee Terms of Reference](#)

[School Act](#) – Sections 60, 113

Input Gathered from the Policy Review Committee – April 17, 2012

Full Review of Board Policy - Project Expectations

- The standard seven year review cycle be suspended for the duration of the project with provision for exceptions as needed for emergent items, legislative changes, new policy.
- The Policy on policy development and review be revised to reflect a new framework and format for policy development and review that provides consistency, coherence and accountability for Board policy
- Expectations for Board policy:
 - enables the board and the district to carry out legislated duties
 - considers stakeholder and community needs,
 - reflects the district vision and mission
 - is within the mandate of the Board,
 - provides the Superintendent with both sufficient guidance as well as discretion to exercise professional judgment in directing the operation of the District to achieve the intent of the Board's policy
 - that the superintendent develop regulations and processes to implement policy as needed and that the Board be informed of administrative regulations as part of accountability
 - that there be a feedback loop/occasional monitoring so that the Board knows how the district is doing in implementing policy, e.g. accountability reports
 - that stakeholder and community engagement be appropriate to the policy under review or development, e.g. new policy, affirmation, minor or major revision as well as issues related to student learning. On-line Posting for broad stakeholder input is the minimum requirement and is in addition to the stakeholder involvement in the development of the draft policy.
 - the board establishes policy in a number of areas to meet legislative and district needs not all dealing with student learning; the board should concentrate the majority of its energy and time on establishing policy directly related to student learning, e.g. greater stakeholder engagement for those types of policies
 - that approved policies be communicated effectively
 - the policy repository should be user friendly, easy to find information
- Consider first reading stand alone rather than 1st and 2nd together have 2nd and 3rd together or 3 separate readings.
- Board is responsible for policy and has a role in initiating policy.
- All policy no matter how initiated needs to be in accordance with the framework
- Standard format for consistency:
 - A purpose statement – why this policy, rationale and intent
 - Definitions – necessary for understanding of policy
 - A Policy statement – a statement of belief, philosophy, values

- Expectations – what are the Boards expectations, the outcomes or results expected from the policy
- Accountability for/Monitoring of implementation - annual reports, audit reports, monitoring reports, work plan, exception, observation in board and superintendent evaluations
- Process for policy development – initiation, role of the Board, role of the Policy Review Committee, role of the Superintendent and Administration
- Timeline for Project
 - June 12, 2012 Board meeting – framework and format approved by the Board and in place for the new Policy Review Committee at the September 2012 Organizational Board.

Other Considerations

- consolidation of policy where it makes sense -- reduction in the number of policies desirable but not an expectation/outcome – keep more recent policies e.g. SOGI - planning principles may need to be policy
- use technology to improve accessibility. Provide links to accountability reports, references ...
- Consider providing the Board/Policy Review Committee with a standard set of questions or process to assist in the review and development of policy.

Edmonton Public Schools Board Policies and Regulations

CODE: CH.BP

TOPIC: Policy Development and Review

EFFECTIVE DATE: 14-09-2010

ISSUE DATE: 14-09-2010

REVIEW DATE: 09-2011

Board policies establish direction and guide the desired operation of the Edmonton Public Schools. Policies reflect the values Trustees bring as representatives of the community to a specific issue. In its interest to represent community values, the Board welcomes the involvement of school, district and community members in the policy development process.

1. Board policy may be initiated by a Board motion in response to a request from a Trustee, the Administration or the community.
2. Only those statements approved by the Board as policy shall be recorded as Board policy.
3. Criteria for Statements of Board Policy
 - a. All statements of Board policy SHALL:
 - i. conform to the *School Act* and regulations set down by Alberta Education;
 - ii. be within the scope of the Board's authority.
 - b. All statements of Board policy SHOULD:
 - i. create a framework within which the Superintendent of Schools can discharge assigned responsibilities;
 - ii. be capable of implementation, review and evaluation;
 - iii. be limited to a single policy topic and written in clear and concise language so that interpretation may be made without difficulty by staff, parents and the general community.

4. Policy Review

- a. The Board's Policy Review Committee shall be responsible for overseeing the policy review process in accordance with the following requirements:
 - i. Each policy statement shall be reviewed a minimum of every *seven (7) years.
 - ii. Stakeholders shall be provided with appropriate opportunity for consultation and involvement in the development and or review of policy statements.
- b. The Superintendent of Schools shall make recommendations to Board for the revision, rescission, and-or reclassification of existing Board policies identified through the review process.
- c. Each recommended policy, revised policy, or policy affirmation shall receive three distinct separate readings by the Board before the policy is finally approved. Not more than two readings may be given at any one meeting unless the Trustees present at the meeting unanimously agree to give the policy a third reading.

Reference(s):

*Change made effective September 14, 2010 -- policy is scheduled for full review 09-2011

[JA.BP](#) - Parent and Community Involvement
[School Act](#)