

EDMONTON PUBLIC SCHOOLS

November 16, 2010

TO: Board of Trustees

FROM: Trustee D. Colburn, ASBA Issues and Resolutions Committee
Trustee S. Hoffman, ASBA Issues and Resolutions Committee
Trustee C. Johnner, ASBA Issues and Resolutions Committee

SUBJECT: Policies Bulletin for the 2010 ASBA Fall General Meeting

RESOURCE

STAFF: Jim Davies, John Nicoll, Lorne Parker, Tanni Parker, Anne Sherwood, Brian Smith, Christopher Wright

RECOMMENDATION

That the Board's position with respect to each of the ASBA policy positions proposed for the 2010 ASBA Fall General Meeting, as provided in Appendix I and detailed in Attachment #1, be approved.

* * * * *

Attached is the Policies Bulletin for the upcoming ASBA Fall General Meeting which contains the final versions of proposed policy positions that will be placed before the membership at the Fall General Meeting at the Association's business session on Monday, November 22, 2010.

The Board's ASBA Issues and Resolutions Committee sought and reviewed recommendations and comments from the Administration. The committee's recommendations are printed on the pages noted in Appendix I.

In accordance with the ASBA Bylaws, all resolutions shall be determined under a double majority voting method. Unless another board member is designated in writing prior to the general meeting, the bylaws assume that the Board Chair shall have the power to cast the board's vote. Therefore, the board must adopt a position on each of the proposed resolutions prior to the meeting. Voting on other parliamentary motions and amendments to motions made on the floor will be determined by a majority of votes cast based on a one board-one vote rule. This will require the Board Chair to determine the Board's position on these matters in consultation with the trustees present at the general meeting.

AS:mmf

APPENDIX I - Chart of Committee Recommendation Pages
Attachment #1 - ASBA Policies Bulletin November 2010

CODE	TITLE	RECOMMENDATION	ATTACHMENT I - PAGE
1P/FGM10	Stability of Education Funding	Support	19a
2P/FGM10	New Capital Construction	Support	20a
3P/FGM10	Revised Preamble for New School Act	Amend and Support	22a
4P/FGM10	Province-wide Standards to Assess Competency of Bus Drivers	(Friendly Amendment) Support	24a
5P/FGM10	Mandatory School Attendance Age	Support	25a

ASBA Policies Bulletin

November 2010

Please bring this bulletin with you to the business session of the ASBA Fall General Meeting on November 22, 2010 at the Westin Hotel, Edmonton, Alberta. Please review the Rules of Procedure before the meeting. This document is posted on the ASBA website at www.asba.ab.ca

This policies bulletin was prepared by the 2010 ASBA Policy Development Advisory Committee:



Jacquie Hansen
ASBA Vice-President, Chair



Anne-Marie Boucher
Zone 5 Director



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Rules of Procedure

In order to expedite the resolutions process at general meetings, it is necessary to approve certain rules of procedure.

Some of these may be specific parliamentary procedures, as in Robert's Rules of Order, while others are less formal and reside with each individual in the interests of courtesy, cooperation, and respect for all concerned as well as for the business at hand.

Procedural Steps

1. The proposed motion shall be read by the chair who will immediately ask for a mover and a seconder.
2. As soon as the proposed motion has been moved and seconded, the chair shall call upon the mover to speak to the motion.
3. The chair shall ask if any delegate wishes to speak against the proposed motion. If no delegate so wishes, the question will be immediately called.
4. If there is evidence of opposition, debate shall subsequently continue until the question is called in the usual manner. The mover will have the right to be the final speaker in the debate.
5. A delegate wishing to speak to a motion shall first obtain recognition by the chair and clearly announce his/her name and school jurisdiction represented.

6. A delegate wishing to speak to a motion shall limit remarks to a maximum of two minutes.
7. Any delegate speaking to a motion shall be allowed to speak as often as the chair, in his or her discretion, will permit.
8. Guests shall be permitted to speak at the discretion of the general meeting delegates, but not be permitted to move or second a motion, or vote.

Amendments

9. A delegate may, at any time during the debate on a motion, move an amendment to the motion, providing it is relevant to, and deals with, the same subject matter as the original motion. A motion to amend must be seconded.
10. An amendment of a substantive nature to a motion shall be submitted in writing on a specific form requiring the number of the resolution it is proposed to amend, the amendment, the motion as it will read when amended, the proposer's and seconder's name, and their respective school jurisdictions.
11. Amendments of a minor editorial nature may be handled by the process of general consent outlined in Robert's Rules of Order.

Voting

12. Voting shall be conducted according to the Alberta School Boards Association Bylaws. For ease of reference, Bylaw 9, Sections 3 through 12 are set out as follows:

- 9(3) Each registered delegate shall be entitled to all rights and privileges of the General Meeting other than the right to vote by ballot which right shall be as set out in Sections 6 to 12 herein. It shall be assumed that the board chair of each Full member board shall have the power to cast the vote to which each Full member board is entitled, unless another trustee for that board is designated, in writing, to the Executive Director, prior to any General Meeting or Special General Meeting, or in an emergency situation, by the Full member board at the General Meeting or Special General Meeting.
- 9(4) The Executive Director shall, subject to such directions as may be given from time to time by the Board of Directors, make all necessary arrangements for registration of delegates and for voting as may be necessary.
- 9(5) At the general meeting voting shall be by secret ballot for election of the president and the vice-president.

- 9(6) At any General Meeting of the Association, including a Special General Meeting, all resolutions shall be determined under the double majority voting method, as follows:
- (a) Sixty (60) percent or more of Full member boards who are in attendance, who cast a vote, and who vote in the affirmative, based upon one vote per Full member board; and
 - (b) Full member boards who are in attendance, who cast a vote, and who vote in the affirmative, represent 60 percent or more of the students registered, for the most recently reported period, with the Full member boards who voted in the affirmative.
- 9(7) The total number of votes cast in favour of any resolution and/or opposed to any resolution shall be calculated in accordance with the double majority rule specified herein.
- 9(8) For the purposes of Section 6(b) of Bylaw No. 9, the percentage of students enrolled in any Full member board shall be determined utilizing the total student enrollment figures reported to the Association as set out under Bylaw No. 10.

9(9) At any General or Special meeting, for the purposes of Section 6(b) of Bylaw No. 9, the percentage of students to be allocated to each Full member board in attendance will be determined by dividing the number of students enrolled in each Full member board by the total number of students enrolled in all Full member boards in attendance, resulting in a percentage (rounded to the nearest 0.1 percent).

9(10) When a mail-in ballot is used to amend the Bylaws, as provided for in Bylaw No. 11, Section 1, the vote shall be by ballot following the double majority voting method, as follows:

- (a) Sixty (60) percent or more of Full member boards who cast a vote and who vote in the affirmative, based upon one vote per Full member board; and
- (b) Full member boards who cast a vote and who vote in the affirmative, represent 60 percent or more of the students registered, for the most recently reported period, with the Full member boards who voted in the affirmative.

The percentage of students will be determined by dividing the number of students enrolled in

each Full member board, by the number of students enrolled in all Full member boards, resulting in a percentage, (rounded to the nearest 0.1 percent).

9(11) The double majority voting method shall apply to votes on all resolutions made at any General Meeting, including a Special General Meeting, with the exception of:

- (a) Voting for the President and Vice-President, which vote will be cast as provided for under Bylaw No. 4, Section 1; and
- (b) Votes on parliamentary motions and amendments to motions will follow the one vote/Full member board rule and shall be determined by a majority of the votes cast, unless otherwise required by Robert's Rules of Order.

9(12) A balloting committee shall be appointed at the opening of every general meeting. It shall be the duty of the balloting committee to conduct the ballot voting.

Budget

13. With respect to the budget, the following excerpts from the Alberta School Boards Association Bylaw 10(1)(b) shall apply:

- (i) Voting on the budget, other than amendments to the budget, will follow the double majority voting method.
- (ii) Voting on amendments to the budget will follow the one-vote-per-Full-member-board rule, and shall be determined by a majority of the votes cast.
- (iii) Notwithstanding any provisions to the contrary in these Bylaws, or in the rules of procedure governing disposal of resolutions, the budget shall be open to amendment until adopted.

Elections

14. With respect to the election of the president and vice-president, the following excerpt from Bylaw 4(1) shall apply:

4(1) ...voting shall be by secret ballot on the basis of one vote per Full member board in attendance. The candidate receiving the largest number of votes will be the successful candidate.

Bylaw Amendments

15. With respect to amendment of the Bylaws, the following excerpts from Bylaw No. 11(1) and (2) shall apply:
- 11(1) Substantial amendments to these Bylaws may only be made and/or approved at a Spring General Meeting, unless otherwise permitted by the

Board of Directors.

Amendments of a housekeeping nature to these Bylaws may be made by a mail-in ballot. The vote, in either case, shall be by ballot following the double majority method, as outlined in Bylaw No. 9.

- 11(2) An amendment to these Bylaws shall take effect on the day following the conclusion of the Spring General Meeting at which such amendment is made, unless an effective date other than the close of the Spring General Meeting is so specified in the resolution.

Extraordinary and Emergent Resolutions

16. Adoption of extraordinary or emergent resolutions shall be governed by the following excerpts from the ASBA Governance Handbook, Board of Directors' Governance Policy 10 – Association Policy Development Process:

10(3) Extraordinary Policy Positions

A position shall be accepted for consideration as an Extraordinary Policy Position if:

- 3.1 The position arises out of the business of the General Meeting,
- 3.2 Consideration of the position is supported by a

two-thirds majority of voting
Full member Boards, and

- 3.3 The mover makes available
the wording of the position
to all delegates.

10(4) Emergent Policy Positions

- 4.1 Emergent positions
submitted by the
membership for
consideration at a General
Meeting shall be submitted
to a committee of the Board
of Directors by 4:00 p.m. on
the twenty-eighth (28) day
prior to the first business
day of a General Meeting.

A committee of the Board
of Directors shall assess
each emergent position to
determine its compliance
with the principles for
Association policy. A
Committee of the Board of
Directors shall:

- 4.1.1 Reject positions that
address issues which
have arisen prior to
the deadline for
submission of
positions; and
- 4.1.2 Cause to be
announced,
immediately after the
emergent position has
been placed on the
floor of the General
Meeting, rationale for

and decisions reached
regarding compliance
of the proposed
emergent resolution
with the principles for
Association policy.

- 4.2 Emergent positions arising
after the deadline for
submission of emergent
issues will be addressed by
the Policy Development
Advisory Committee with a
recommendation to the
Executive Committee for
disposition.

- 4.3 If the criteria defining an
emergent position is not
met, the matter may still be
considered as an emergent
position by the assembly if:

- 4.3.1 Consideration of the
position is supported
by a two-thirds
majority of voting
Full member Boards,
and

- 4.3.2 the mover makes
available the wording
of the policy position
to all delegates.

Other Motion Proceedings

17. Other motion proceedings will be
governed by Robert's Rules of Order
and the Alberta School Boards
Association Bylaws and Governance
Process Policies.

Draft Minutes from SGM 2010

SPRING GENERAL MEETING

Monday, June 7, 2010
Capri Centre, Red Deer

DRAFT MINUTES

ATTENDANCE: As per registration list.

CALL TO ORDER: President Heather Welwood called the meeting to order at 9:00 a.m.

PRESIDENT'S ADDRESS: President Heather Welwood provided her opening remarks to the assembly.

MINISTER'S ADDRESS: Honourable Dave Hancock, Minister of Education, provided a taped video address to the assembly.

CHAIR: Vice-President Jacquie Hansen assumed the Chair's position for the meeting.

PROCEDURAL MOTIONS:

(Note: These require a simple majority)

Appointment of Parliamentarian:

MOTION #1 A-M. Boucher (Greater Southern Francophone RA #4 - Public)
B. Esslinger (Edmonton Public)

That Kevin Feehan be appointed Parliamentarian.

CARRIED (93%)

Approval of Rules of Procedure:

MOTION #2 D. Lavoie (Holy Family CRD #37)
K. Milder (Holy Spirit RCSR #4)

That the Rules of Procedure be adopted.

CARRIED (98%)

Approval of Minutes (Fall General Meeting 2009):

MOTION #3 S. Scarpino (Calgary Catholic)
M. Bergstra (Edmonton Catholic)

That the minutes of the 2009 ASBA Fall General Meeting be approved as distributed.

CARRIED (100%)

Appointment of Balloting Committee:

MOTION #4 C. Jespersen (Pembina Hills RD #7)
D. Lavoie (Holy Family CRD #37)

That, according to Bylaw No. 9, Section 10, the Balloting Committee shall be chaired by Heather Rogers, Ballot Committee Chair.

CARRIED (98%)

Receipt of Emergent Issue:

J. Hansen, Chair of the Policy Development Advisory Committee (PDAC), advised that the PDAC had ruled that Emergent Issue 18EM/SGM10 (Safe Learning Environments) had not met the requirements to be eligible for consideration.

MOTION #5 L. Brower (Elk Island Public Schools RD #14)
J. Boisvert (Elk Island CSRD #41)

That 18EM/SGM10 (Safe Learning Environments) be accepted as an emergent issue and added to the Order Paper.

DEFEATED (62%)*

(* Required a 2/3 majority vote)

Adoption of Order Paper:

MOTION #6 B. Esslinger (Edmonton Public)
S. Scarpino (Calgary Catholic)

That the Order Paper, excluding Emergent Issue 18EM/SGM10, be adopted.

AMENDMENT TO MOTION #6

S. Shavers (Grande Prairie Public SD #2357)
J. Tretler (St. Albert PSSD #6)

That a question and answer period following the Communications Protocol and Guiding Principles Update be added to the Order Paper.

CARRIED (75%)

VOTE ON MOTION #6 AS AMENDED

That the Order Paper, excluding Emergent Issue 18EM/SGM10 and as amended, be adopted.

CARRIED

PROPOSED BUDGET

(Note: This requires a double majority of 60%)

1B/SGM10 ASBA Budget 2009-2010

MOTION #7 L. Akers (Grande Yellowhead Public S. Div. #77)

B. Esslinger (Edmonton Public)

That the Alberta School Boards Association adopt the budget appended hereto for the period September 1, 2010 to August 31, 2011.

CARRIED

(% of School Boards: 98
% of Students: 98.23)

Jackie Swainson assumed the Chair.

PROPOSED BYLAW AMENDMENTS:

(Note: These require a double majority of 60%)

2A/SGM10 Proposed Amendment to Bylaw 4.4(b) (Election of Board of Directors)

MOTION #8 D. Lavoie (Holy Family CRD #37))
A-M. Boucher (Greater Southern Francophone RA #4 - Public)

That the Alberta School Boards Association amend Bylaw No. 4.4(b) to read as follows:

(b) The President, the Vice-President, the Zone Directors and the Metro Directors shall be elected for terms of approximately 18 months and shall be eligible for re-election for one successive term of approximately 18 months. The President, Vice-President, Zone Directors, and the Metro Directors may be elected to a previously held position for more than two terms provided such re-election occurs approximately 18 months following conclusion of the first two terms.

CARRIED

(% of School Boards 98
% of Students 99.49)

3A/SGM10 Proposed Amendment to Bylaw 4.5 (Election of Board of Directors)

MOTION #9 C. Jespersen (Pembina Hills RD #7)
M. Bergstra (Edmonton Catholic)

That the Alberta School Boards Association amend Bylaw No. 4.5 to clarify eligibility for the position of ASBA President, Vice-President, Zone or Metro Director, or alternate by adding sub-section (e) as follows:

(e) An individual occupying any of the following positions shall not be eligible to concurrently hold the position of President, Vice-President, Zone or Metro Director, or alternate:

- (i) Zone Chair/ Vice-Chair*
- (ii) Appointed representatives of the Alberta Catholic School Trustees' Association (Zone 7), the Public School Boards Association of Alberta (Zone 8), and the Fédération des conseils scolaires francophones de l'Alberta*

- (Federation of Francophone School Authorities - Zone 9) who attend Board of Directors meetings as observers*
- (iii) *The President or Vice-President of the Alberta Catholic School Trustees' Association (Zone 7), the Public School Boards Association of Alberta (Zone 8), and the Fédération des conseils scolaires francophones de l'Alberta (Federation of Francophone School Authorities - Zone 9).*

AMENDMENT TO MOTION #9

(Requires a simple majority to pass)

T. Riley (Medicine Hat SD #76)
J. Trettler (St. Albert PSSD #6)

That the words "or alternate" be deleted from proposed Bylaw No. 4.5(e).

DEFEATED

(% of School Boards 12)

VOTE ON ORIGINAL MOTION #9

CARRIED

(% of School Boards 97
% of Students 98.33)

4A/SGM10 Amendment to Schedule A: Bylaw No. 6 – Zone Executive

MOTION #10 S. Scarpino (Calgary Catholic)
B. Esslinger (Edmonton Public)

That the Alberta School Boards Association amend Schedule A: Bylaw No. 6 to clarify eligibility for the positions of Zone Chair and Zone Vice-Chair by inserting a new sub-section #3 to read as follows and renumbering subsequent sub-sections:

3. *The position of Zone Chair or Vice-Chair shall not be held by:*
- (i) the ASBA President, Vice-President, Zone or Metro Director, or alternate*
 - (ii) the President or Vice-President of the Alberta Catholic School Trustees' Association (Zone 7), the Public School Boards Association of Alberta (Zone 8), and the Fédération des conseils scolaires francophones de l'Alberta (Federation of Francophone School Authorities - Zone 9).*

CARRIED

(% of School Boards 98
% of Students 99.53)

5A/SGM10 Amendment to Bylaw No. 9 – Representation and Voting at General Meetings

MOTION #11 J. Stitzenberger (Grande Yellowhead Public S. Div. #77)
Ft. McMurray Public

That the Alberta School Boards Association amend Bylaw No. 9 to set out the criteria for electronic voting by inserting a new sub-section 10 to read as follows and renumbering subsequent existing sub-sections:

10. *Electronic voting shall include:*

- (a) A means of identifying whether the member board voted in favour or against the motion on the electronic display of the vote completion;*
- (b) A means of changing the electronic vote by the member board, prior to the closing of the vote; and*
- (c) A means of identifying the electronic vote cast by each member board is provided to each member board.*

The assembly agreed to hear a report by David Anderson, ASBA Executive Director, on the options currently available that would accommodate the proposed amendment regarding electronic voting. These were:

- (1) Provide a list of how each board voted (only available after a vote was counted);
- (2) Use voting device and voting cards simultaneously; and
- (3) Use voting device and standing vote.

AMENDMENT TO MOTION #11

(Requires a simple majority to pass)

T. Riley (Medicine Hat SD #76)
Black Gold RD #18

That the ASBA be directed to study the issue of electronic voting and report back to the next general meeting.

DEFEATED

(% of School Boards 20)

AMENDMENT TO MOTION #11

(Requires a simple majority to pass)

D. Nelson (Buffalo Trail Public Schools RD #28)
G. Westgard (Prairie Rose S. Div. #8)

That a new sub-section be added as 10(d) to Bylaw 9 to read as follows:

- (d) A visual means of identifying the time available prior to the closing of the vote.*

CARRIED

(% of School Boards 54)

FRIENDLY AMENDMENT TO MOTION #11

(Requires unanimous consent)

F. Kreiner (Greater North Central Francophone ER #2)
Greater Southern Francophone RA #4 (Public)

That Section 10(a) read: "*A means of identifying whether the member board voted in favour or against the motion.*"

CARRIED

(% of School Boards 100)

VOTE ON MOTION #11 AS AMENDED

DEFEATED

(% of School Boards 66
% of Students 52.58)

Lynda Akers assumed the Chair.

POLICY POSITION POSTPONED TO 2010 SGM

6P/SGM10: Revise Weighting of Diploma Exams

MOTION #12 N. Major (Lethbridge SD #51)

D. Peterson (Livingstone Range S. Div. #68)

Beginning in the 2010/2011 school year, in calculating students' final marks for all subjects with diploma exams, the weighting for all such exams should be 30% of the final mark, with the remaining 70% to be determined by the school awarded mark.

The assembly agreed to hear a presentation by Dr. John Rymer, Executive Director of Learner Assessment, Alberta Education, which provided a historical perspective of the weighting of provincial/diploma exams.

VOTE ON MOTION #12

DEFEATED

(% of School Boards 55)

**UPDATE - COMMUNICATIONS PROTOCOL AND GUIDING PRINCIPLES –
Q & A SESSION:**

Suzanne Lundrigan, ASBA Director of Communications, provided background information on the development of a draft protocol to guide school boards through a private school's request to offer an alternative program when the school board was not the private school's resident board. Delegates were provided with a document outlining the protocol which included a list of frequently asked questions on the issue of alternate programs.

Other speakers included Heather Welwood, ASBA President, Mr. Steve Cymbol, ASBA consultant, and Mr. Rick Hayes of Alberta Education. Following the presentations, the assembly recessed for lunch and to hear the keynote speaker, Mr. Jim Bottomley.

S. Lundrigan encouraged delegates to email any questions to her at slundrigan@asba.ab.ca.

MOTION #13 Grande Prairie Public SD #2357
Medicine Hat SD #76

That the process of developing the protocol be stopped and the committee disbanded.

The Parliamentarian ruled that Motion #13 was out of order and that delegates would need to approve an extraordinary motion to bring the matter forward which required a 2/3 majority vote to pass.

When asked if they wished to entertain an extraordinary motion to bring the matter forward, the assembly voted 54% in favour and therefore an extraordinary motion was not considered.

Jacquie Hansen assumed the Chair.

POLICY REAFFIRMATIONS, AMENDMENTS AND DELETIONS

7P/SGM10 Canadian School Boards Association (CSBA)

MOTION #14 H. Welwood (Northern Lights S. Div. #69)

M. Bergstra (Edmonton Catholic)

That the Association policy on the Canadian School Boards Association (CSBA) on page 2-1 of the *ASBA Governance Handbook* be deleted.

CARRIED

(% of School Boards 97

% of Students 92.7)

8P/SGM10 Membership Fees

MOTION #15 B. Esslinger (Edmonton Public)

D. Lavoie (Holy Family CRD #37)

That the Association policy on membership fees on page 3-1 of the *ASBA Governance Handbook* be deleted.

CARRIED

(% of School Boards 97

% of Students 92.5)

9P/SGM10 Curriculum Content – Applied Math

MOTION #16 M. Bergstra (Edmonton Catholic)

K. Milder (Holy Spirit RCSR #4)

That the Association policy on curriculum content – applied math on page 5-2 of the *ASBA Governance Handbook* be amended to read as follows:

Admission to Post-Secondary Institutions

Alberta Education, Alberta Advanced Education and post-secondary institutions should collaborate to establish appropriate entrance requirements for students. Such entrance requirements should only require more advanced courses and course sequences

when the knowledge content of such courses/course sequences is a prerequisite to the knowledge content of first year courses.

CARRIED

(% of School Boards 98
% of Students 99.33)

Jackie Swainson assumed the Chair.

10P/SGM10 School Act Amendment to Provide for Electronic Meeting Attendance

MOTION #17 A-M. Bouchard ((Greater Southern Francophone RA #4 - Public)
C. Jespersen (Pembina Hills RD #7)

That the Association policy requesting a *School Act* amendment to provide for electronic board meeting attendance on pages 8-1 and 12-1 of the *ASBA Governance Handbook* be deleted.

CARRIED

(% of School Boards 100
% of Students 100)

11P/SGM10 Small Schools by Necessity

MOTION #18 A-M. Bouchard (Greater Southern Francophone RA #4 - Public)
S. Scarpino (Calgary Catholic)

That the second paragraph of the Association policy on small schools by necessity on page 9-3 of the *ASBA Governance Handbook* be amended to read as follows:

Small schools by necessity are an important component of the social infrastructure that is necessary to achieve economic diversification; spur growth in Alberta's agriculture industry; and improve the quality of life in Alberta.

AMENDMENT TO MOTION #18

(Requires a simple majority to pass)

J. Trettler (St. Albert PSSD #6)
C. Jespersen (Pembina Hills RD #7)

That the word "*agriculture*" be deleted and the word "*industry*" be replaced with "*industries*".

CARRIED

(% of School Boards 87)

VOTE ON MOTION #18 AS AMENDED

DEFEATED

(% of School Boards 56)

12P/SGM10 Provincial Initiatives

MOTION #19 M. Bergstra (Edmonton Catholic)
D. Lavoie (Holy Family CRD #37)

That the Association policy on provincial initiatives on page 10-1 of the *ASBA Governance Handbook* be amended to read as follows:

Provincial Initiatives

Given the huge financial and human investment involved in managing change and implementing new initiatives, Alberta Education should establish a consultative process that assesses, monitors and minimizes the workload and cost to school boards.

CARRIED

(% of School Boards 100)

Lynda Akers assumed the Chair.

13P/SGM10 Program Enhancement

MOTION #20 K. Milder (Holy Spirit RCSRD #4)
B. Esslinger (Edmonton Public)

That the Association policy on program enhancement on page 14-1 of the *ASBA Governance Handbook* be amended to read as follows:

Program Enhancement

The Alberta School Boards Association shall collaborate with education stakeholders and Alberta Education on ways to improve methodologies for delivering programs to students in rural schools.

FRIENDLY AMENDMENT TO MOTION #20

(Requires a simple majority to pass)

G. Rice (Edmonton Public)
D. Nelson (Buffalo Trail Public Schools RD #28)

That the phrase "in rural schools" be deleted.

CARRIED

(% of School Boards 100)

VOTE ON MOTION #20 AS AMENDED

CARRIED

(% of School Boards 93

% of Students 94.7)

14P/SGM10 Prohibition of Tobacco Products

MOTION #21 C. Jespersen (Pembina Hills RD #7)
A-M. Boucher (Greater Southern Francophone RA #4 - Public)

That the Association policy on the prohibition of tobacco products on page 19-1 of the *ASBA Governance Handbook* be deleted.

CARRIED

(% of School Boards 98
% of Students 98.79)

15/SGM10 Pedestrian Student Safety

MOTION #22 B. Esslinger (Edmonton Public)
K. Milder (Holy Spirit RCSR #4)

That the Association policy on pedestrian student safety on page 19-1 of the *ASBA Governance Handbook* be deleted.

DEFEATED

(% of School Boards 7)

17AA/SGM10 Advocacy re Funding of Teacher Salary Increases in Memorandum of Understanding

MOTION #23H. Welwood (Northern Lights S. Div. #69)
S. Scarpino (Calgary Catholic)

That the Alberta School Boards Association call upon the provincial government to honour its commitment to fully fund increases in teacher compensation called for in the November 2007 Alberta Government-ATA Memorandum of Understanding.

CARRIED

(% of School Boards 100
% of Students 100)

Jacquie Hansen assumed the Chair.

16/SGM10 Education Profession

MOTION #24 S. Scarpino (Calgary Catholic)
C. Jespersen (Pembina Hills RD #7)

That the last bullet in the Association policy on the education profession on pages 13-1 and 13-2 of the *ASBA Governance Handbook* be reaffirmed.

MOTION #25 S. Scarpino (Calgary Catholic)
Edmonton Public

That the meeting move *in-camera* with only registered delegates and ASBA staff present.

(*Note: Requires a simple majority to pass*)

CARRIED

(% of School Boards 97%)

MOTION #26 S. Scarpino (Calgary Catholic)
Ft. McMurray Public

That the meeting move out of *camera*.
(*Note: Requires a simple majority to pass*)

CARRIED
(% of School Boards 85%)

VOTE ON MOTION #24
(*Note: Requires a double majority to pass*)

DEFEATED
(% of School Boards 15)

ADJOURNMENT:

There being no further business, the Chair declared the meeting adjourned at 4:15 p.m.

DRAFT

Proposed Policy Positions

Education Finance

1P/FGM10: Stability of Education Funding

It is proposed that the following underlined section be added to the Education Finance section (p. 6-1):

Adequacy, Stability and Predictability	Adequate, <u>stable, predictable</u> funding should be provided to meet the needs of students in ECS to grade 12.
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Background provided by the sponsoring Board

The finances of this province have long since been driven by the energy resource sector. Both booms and busts of the past have forced school boards to deliver education based on resources available in any given year.

School boards are entrusted with the education of children over a thirteen (13) year time span. The education of children is too important to our society to be tied with boom and bust cycles.

The 'smoothing out' of the ups and downs of the economy through deposits into the education portfolio regularly and predictably would allow school boards to deliver education to children in a more stable financial environment. In the past, some boards have attempted to do this through use of operating reserves. Unfortunately, this local level decision making has been over-ridden with provincial fiscal corrections.

Additional Background

Relevant current ASBA positions include Guiding Principle #4 (found on page xxv of the *ASBA Governance Handbook*), amended and reaffirmed in 2007, which states in part:

School boards must have access to equitable long-term stable funding to fulfill the mandate of educating their students.

And Education Finance: Timely Funding Announcements, found on page 6-4 of the *Governance Handbook*, which states:

Alberta Education should release by March 1 its Funding Manual for the next school year to ensure school boards can effectively plan and deploy resources to schools and central services departments.

Submitted by Zone 2/3
Initial Sponsoring Board: Pembina Hills Regional
Division No. 7

1P/FGM10: Stability of Education Funding

RECOMMENDATION: Support

Rationale:

The concept of stable, adequate and predictable funding is a good one and should be supported in principle and lobbied for by the ASBA.

Facilities

2P/FGM10: New Capital Construction

It is proposed that the following section be added to the Facilities section (p. 7-1):

New Capital Construction	The provincial government should design a system whereby the cost for new school construction in new developments be assessed at the time of development in the same manner roads, water and sewer are handled. The resulting monies would be held in trust until such time as the facility would be deemed to be required.
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Background provided by the sponsoring Board

Member school boards and the provincial government have had ongoing issue with providing timely delivery of new capital construction.

the many complex infrastructure issues facing school boards.

Relevant ASBA policy on the Facilities Funding Model on page 7-1 of the ASBA Governance Handbook states:

Additional Background

This issue was referenced in the first Infrastructure report, *Building Together – It's Time to Act*. Additionally, it appeared as one of the many proposed solutions in the second report, *Resolving Alberta's School Infrastructure Deficit – School Boards' Input Toward Solutions*.

The provincial government should provide funding for capital projects based upon a funding model which gives school boards annual, sustained funding for capital projects required to meet the needs of a growing and/or changing population as well as aging education infrastructure.

This issue has also been considered by the Infrastructure Task Force in context of

Submitted by Zone 2/3
Initial Sponsoring Board: St. Paul Education
Regional Division No. 1

2P/FGM10: New Capital Construction

RECOMMENDATION: Support

Rationale:

Edmonton Public Schools supports this proposal in principle, as a creative new capital construction funding model. Using the new development construction funding model shouldn't be considered the precedent, as telecommunications, gas, power, roads, water and sewer are long-established models of infrastructure provided at the time of servicing, funded through residential unit and lot sales. This approach would provide a measure of certainty that new development areas could have access to a local school in a reasonable amount of time, reducing the need for student transportation. This is a complex issue and may require changes to the Municipal Government Act, School Act, and associated regulations.

The recommendation would need to consider a differentiation model to ensure appropriate funding levels would be available to multiple school boards within municipal jurisdictions. The creation of a new capital construction model should be flexible enough to allow for Boards to choose when and where schools would be built. Funding should not be site-specific, but would be applied to each new residential property to ensure every new development would have access to a local school, not necessarily one in their own neighbourhood. A special capital reserve category would enable local Boards to make decisions for their accommodation needs, based on how development actually occurs.

Legislative Changes

3P/FGM10: Revised Preamble for New School Act

It is proposed that the following section be added to the Legislative Changes section (p. 10-1):

<p>Revised Preamble for New School Act</p>	<p>That the Alberta School Boards Association urge the Minister of Education to replace the existing preamble of the School Act with the following preamble as the foundation for the new School/Education Act:</p> <p>WHEREAS excellent education for each and every person is the primary basis for free and effective citizens and for a strong and enduring democratic community;</p> <p>AND WHEREAS parents have a right and ultimate responsibility to make informed decisions respecting the education of their children;</p> <p>AND WHEREAS public school education focuses on the student in the context of the community, and exists to serve, equally, the potential of the student and the community;</p> <p>AND WHEREAS it is in the public interest to provide public school education that is inclusive and a deliberate model of a civil democratic community, governed by locally elected school boards;</p> <p>AND WHEREAS in Alberta the Legislature of Alberta has exclusive constitutional authority to make laws respecting education and chooses to regard the government of community as being in two parts, provincial and local, and acknowledges and upholds the provisions of the Constitution that allow separate, and francophone education to be provided under the auspices of a civil education authority;</p> <p>AND WHEREAS in Alberta it is in the public interest to ensure substantial local self-government of public, separate, and francophone school education by trustees who are elected locally and accountable to their local electorate.</p>
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Background provided by the sponsoring Board

Major pieces of legislation like the School Act begin with a series of clauses called the preamble. These clauses are different from the other clauses of an act in that

they are not enforceable in the legal sense. They are not statements of law. Instead they are statements of principles and values, and they are meant to provide a sense of the spirit of the legislation.

This proposed preamble was developed by the Public School Boards' Council and adopted in April of 2010.

Additional Background

In early Fall 2009, the Alberta School Boards Association prepared a discussion paper which was informed by current Association policy positions, held sessions for trustees throughout the province to facilitate discussion and feedback on changes to the School Act and submitted the outcomes of these discussions to the Minister by the October 30, 2009 deadline.

Alberta's School Act: Creating Our Future, ASBA's submission regarding new governing legislation for education contained several recommendations for clauses to be included in a preamble to any revised School Act. In addition, many recommendations embedded in the document's text could have implications for the preamble. Recommending a comprehensive preamble was not intended at the time of submission, but rather providing recommendations clustered around four (4) broad themes with supporting detail and rationale:

- ◆ Strengthen the central role that public education plays in the delivery of education to all of Alberta's children;
- ◆ Support student success;
- ◆ Strengthen the role of publicly elected school boards and their ability to respond to local needs; and
- ◆ Ensure mandate clarity.

As stated in the conclusion, "...taken together, the recommendations will help build on the strength of Alberta's public education system and provide the structures needed for students to succeed. Many of the recommendations are anchored in the important connection between elected school boards and their communities. The ASBA believes that education, at its most basic level, is and must continue to be a community issue."

Beginning in September 2009, one of ASBA's staff lawyers has been on secondment to Alberta Education to assist with the School Act review. A secondment arrangement will continue until development of the new legislation is complete. In addition, ASBA is represented on Alberta Education's School Act review committee.

It is ASBA's understanding that numerous partner organizations including the Alberta Catholic School Trustees' Association (ACSTA), Alberta School Councils' Association (ASCA), Alberta Teachers' Association (ATA), Association of School Business Officials of Alberta (ASBOA), College of Alberta School Superintendents (CASS), Fédération des conseils scolaires francophones de l'Alberta (FCSFA) and Public School Boards Association of Alberta (PSBAA) were asked to provide submissions with respect to the School Act review to the Minister.

Submitted by Zone 4
Initial Sponsoring Board: Clearview School Division
#71

3P/FGM10: Revised Preamble for New School Act

RECOMMENDATION: Amend and Support

Amend and Support

1. Add first preamble of existing *School Act*

“WHEREAS the best educational interests of the student are the paramount considerations in the exercise of any authority under this Act;”

2. Replace second proposed preamble with the existing preamble of the *School Act*.

Proposed second preamble:

“AND WHEREAS parents have a right and ultimate responsibility to make informed decisions respecting the education of their children;”

Existing *School Act* second preamble:

“WHEREAS parents have a right and a responsibility to make decisions respecting the education of their children”

Rationale:

The District believes that the current wording of the first two preamble statements to the *School Act* are important to retain as is because they provide proper focus for our responsibilities and ensure that the educational interests of children remains paramount.

Personnel and Employee Relations

4P/FGM10: Province-Wide Standards to Assess Competency of Bus Drivers

It is proposed that the following section be added to Personnel and Employee Relations (p. 11-1 to 11-5):

Standards of Competency for Bus Drivers	Alberta Education and the Province of Alberta should establish province-wide tests and standards of competency for bus drivers.
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Background

Many boards require bus drivers to retire at age 65. As individuals age, their eyesight, hearing and reaction times tend to deteriorate and they are at increased risk for any health issues.

As boards have a responsibility to provide safe transportation, some boards have established mandatory retirement policies for bus drivers in an effort to reduce safety risks for students. Until recently, as evidenced by policy statements on the Alberta Human Rights Commission website, which have since been removed, mandatory retirement for bus drivers was considered a reasonable bona fide occupational requirement, based upon the findings of a human rights panel in the *Ensign v. Clearview Regional School Division No. 24* decision (CHHR DOC. 99-054-Alberta HRP). In that case an Alberta Human Rights panel, after hearing considerable expert evidence, found that the mandatory retirement of school bus drivers was reasonably necessary to the efficient and economical performance of the job, given the real risk of serious harm to the public and the drivers. On the issue of individualized testing, the panel considered available testing methods inadequate, finding it impossible for

employers to test school bus drivers for age related loss of competence. This issue has resurfaced again and challenges to the ability for school boards to rely upon mandatory retirement policies for school bus drivers have been made.

The *Ensign* decision was, however, rendered prior to a more recent and informative decision from the Supreme Court of Canada, regarding the appropriate tests to be applied by an employer, in determining whether (in that case new fitness standards as they applied to female firefighters) were discriminatory. The Court proposed a three step test for determining whether a standard, which is discriminatory on its face, can constitute a bona fide occupational requirement. It found that such a standard could be acceptable if the employer could establish on the balance of probabilities that it adopted the standard for a purpose rationally connected to the performance of the job; that the standard was adopted in an honest and good faith belief that it was necessary to the fulfillment of a legitimate work related purpose; and that the standard was reasonably necessary to the accomplishment of that legitimate work related purpose.

There is a concern that the current statutorily mandated testing standards for bus drivers do not provide sufficient evidence to properly assess driver competency and to ensure that all bus drivers, regardless of age, have the required capacity and skills to meet safety requirements. Since this matter affects all school boards, province-wide standards and tests, which will ensure that the safety concerns for school boards can be met,

need to be established within the limits permitted by law. The cost of preparing such standards and assessing bus drivers in a non-discriminatory and reliable way needs to be recognized and funded by the Province of Alberta.

Submitted by Zone 5
Initial Sponsoring Board: Golden Hills School
Division No. 75

4P/FGM10: Province-Wide Standards to Assess Competency of Bus Drivers

RECOMMENDATION: Propose Friendly Amendment and Support

Amend by striking the words “Alberta Education and” -- leaving the resolution to read: The Province of Alberta should establish province-wide tests and standards of competency for bus drivers.

Rationale:

The Province of Alberta encompasses all Ministries. It is redundant to say Alberta Education and the Province of Alberta because Alberta Education is part of the Province of Alberta. An alternative would be to replace the Province of Alberta with the names of the actual Ministries that would be responsible for addressing the resolution.

It is recommended that EPSB support the ASBA recommendation focusing on encouraging the provincial government to establish tests and standards of competency when determining the driving competency of a school bus driver, in relation to their age.

A benefit of such legislation would be that Boards and bus companies can reduce the potential for liability tied to human rights legal action arising from alleged age discrimination.

Golden Hills’ recommendation is asking for the Province to:

- Dedicate **funding** to develop more in-depth testing of the competencies required for the work of school bus drivers
- Tests should be **standardized** and **established** through regulation

Both pieces of the recommendation are necessary in order for the system to produce the desired effects.

- If funding does not accompany a new requirement, carrier rates will reflect the increased cost of testing. No increased provincial funding means that parent fees will be required to offset any increase in carrier rates.
- If tests are not standardized, individual jurisdictions will be left to determine the most effective vehicle to assess driver competence. This individualized approach could potentially leave jurisdictions liable for their choice of tests.

Students

5P/FGM10: Mandatory School Attendance Age

It is proposed that the following section be added under Students (p. 17-1):

Mandatory School Attendance Age	<p>Mandatory school attendance age should be raised to 18 years or graduation.</p> <p>Alberta Education, in consultation with the Alberta School Boards Association, should examine how to accommodate students who refuse to attend regular classes in engaging alternative educational opportunities (e.g. a trade).</p>
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Background provided by the sponsoring Board

Given that:

- the Province, member Boards of the ASBA, and our respective communities believe that high school completion is a minimum expectation for success in our global society; and,
- typically students are 17 or 18 before they can complete three years of high school,

increasing the mandatory attendance age to 18 would be one strategy to improve success of all students.

In the Province of Ontario, the Education Amendment Act, Learning to Age 18, 2006 received Royal Assent on December 20, 2006. The mandatory school attendance age was raised to 18 or graduation. Under this plan, a 16 year old who refuses to attend regular classes may be exempted from doing so but would still be compelled to obtain training in a trade.

Additional Background

Mandatory attendance age is currently defined in legislation. Under the heading 'Compulsory Education', the School Act requires:

- 13(1) An individual who
- (a) is eligible to be enrolled in a school,
 - (b) at September 1 in a year is 6 years of age or older, and
 - (c) is younger than 16 years of age, shall attend school.

A related ASBA policy on Alternative Education, which appears on page 12-1 of the *ASBA Governance Handbook* states:

The Alberta School Boards Association encourages member boards to take steps, where feasible, to accommodate the diversity of needs and interests of students and parents through alternative programs within public education.

The Alberta School Boards Association encourages member boards to communicate their offerings of alternative programs, emphasizing the accountability provided when choice programs are offered within the governance structure of locally elected boards.

Submitted by Zone 2/3
Initial Sponsoring Board: Edmonton Public Schools

5P/FGM10: Mandatory School Attendance Age

RECOMMENDATION: **Support**

Rationale:

This policy proposal was initiated by the Edmonton Public School Board in response to a delegation from the Somali community seeking assistance in ensuring their young people complete High School or training in a trade so that they have a brighter future.

The delegation requested a letter of support for increasing the mandatory school attendance age from 16 to 18. This request was consistent with a statement made in the Board's submission to the *School Act* review approved at Board on October 27, 2009. The submission stated "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)." The board granted the request for a letter of endorsement for the Alberta Somali Community Centre and agreed to make a submission of a policy proposal for consideration of the ASBA.

There is currently a proposed change to the mandatory attendance age in the new Education Act 2011 Part 1 – Access to Education: "Individuals who are older than five years and six month of age and younger than seventeen years of age on September 1 shall attend school."

Appendix A: Membership Fees and Student Enrollments

September 1, 2010 to August 31, 2011

Zone	Jurisdiction	Total Students*	Proposed Membership Fees
23	Aspen View Regional Division #19	3,189	\$27,516
4	Battle River Regional Division #31	6,719	\$45,654
23	Black Gold Regional Division #18	8,881	\$55,943
23	Buffalo Trail PS Regional Division #28	4,474	\$34,979
5	Calgary RCSSD #1	44,909	\$141,230
5	Calgary Board of Education	101,776	\$226,016
5	Canadian Rockies R.D. #12	2,123	\$20,672
4	Chinook's Edge School Division #73	10,751	\$64,835
5	Christ the Redeemer Catholic S.R.D. #3	7,559	\$49,650
4	Clearview School Division #71	2,587	\$23,647
23	East Central Alberta CSSRD #16	2,754	\$24,725
23	East Central Francophone Ed. Region #3	661	\$11,217
23	Edmonton Catholic Separate School District #7	83,227	\$116,219
23	Edmonton Public Schools	80,437	\$195,561
23	Elk Island Catholic Separate R.D. #41	5,566	\$40,174
23	Elk Island Public Schools R. D. #14	16,323	\$80,034
23	Evergreen CSRD #2	3,563	\$29,919
5	Foothills School Division #38	7,233	\$48,101
23	Fort McMurray RCSSD #32	4,160	\$33,487
23	Fort McMurray Public School District #2833	5,016	\$37,555
1	Fort Vermilion School Division #52	3,421	\$29,006
5	Golden Hills School Division #75	6,593	\$45,054
1	Grande Prairie RCSSD #28	3,868	\$31,810
1	Grande Prairie Public School District #2357	6,480	\$44,519
23	Grande Yellowhead Public School Division #77	4,887	\$36,941
6	Grasslands Regional Division #6	3,464	\$29,284
23	Greater N. Central Francophone Ed. Region #2	2,468	\$22,884
23	Greater St. Albert Catholic R. D. #29	6,515	\$44,683
5	Gr. Southern Francophone Public Ed. Region No. 4	1,237	\$14,977
5	Gr. Southern Franc. Separate Catholic Ed. Region No. 4	868	\$12,608
1	High Prairie School Division #48	3,353	\$28,571
1	Holy Family Catholic Regional Division #37	2,238	\$21,407
6	Holy Spirit RCSRSD #4	4,487	\$35,043
6	Horizon School Division #67	3,630	\$30,348

Appendix A: Membership Fees and Student Enrollments

September 1, 2010 to August 31, 2011

Zone	Jurisdiction	Total Students*	Proposed Membership Fees
23	Lakeland RCSSD #150	1,964	\$19,651
6	Lethbridge School District #51	8,370	\$53,510
23	Living Waters CRD #42	1,676	\$17,796
6	Livingstone Range School Div. #68	3,888	\$32,003
23	Lloydminster Public S.D. #99	2,396	\$22,420
23	Lloydminster RCSSD #89	1,192	\$14,692
6	Medicine Hat CSRD #20	2,842	\$25,288
6	Medicine Hat School District #76	6,680	\$45,468
23	Northern Gateway Regional Division #10	5,266	\$38,746
23	Northern Lights School Division #69	5,859	\$41,565
1	Northland School Division #61	2,857	\$25,381
1	Northwest Francophone Ed. Region #1	329	\$8,848
6	Palliser Regional Division #26	6,355	\$43,927
23	Parkland School Division #70	9,417	\$58,491
1	Peace River School Division #10	3,331	\$28,428
1	Peace Wapiti School Division #76	5,609	\$40,380
23	Pembina Hills Regional Division #7	6,383	\$44,062
5	Prairie Land Regional Division #25	1,560	\$17,054
6	Prairie Rose Regional Division #8	3,597	\$30,434
4	Red Deer Catholic Regional Division #39	6,555	\$44,876
4	Red Deer Public Schools	9,739	\$60,025
5	Rocky View School Division #41	16,518	\$80,448
6	Siksika Board of Education (Associate Member - Non Voting)	726	\$11,681
23	St. Albert PSSD #6	6,596	\$45,069
23	St. Paul Education Regional Division #1	4,030	\$32,867
23	St. Thomas Aquinas RCSRD #38	2,526	\$23,255
23	Sturgeon School Division #24	4,402	\$34,636
6	Westwind School Division #74	4,249	\$33,908
4	Wopaskiwin Regional Division #11	4,081	\$33,109
4	Wild Rose School Division #66	5,270	\$38,768
4	Wolf Creek School Division #72	7,280	\$48,323
23	Yellowknife Education District #1	1,818	\$18,709
23	Yellowknife Catholic Schools	1,343	\$15,662
	Totals	560,111	\$2,863,446

*Note: Student totals were compiled from a report on Student Population for the 2009/2010 school year published by Alberta Education. Student registration information is as of Jan 29, 2010. These will be updated with the most current available information as per bylaw #10.

Appendix C: Disposition of Motions



2010 FALL GENERAL MEETING

Motion No.	Motion Title	Page	Carried (✓)	Defeated (✓)	Other: Amended, Postponed, Referred, Withdrawn, etc.
PROPOSED POLICY POSITIONS					
1P/FGM10	Stability of Education Funding	19			
2P/FGM10	New Capital Construction	20			
3P/FGM10	Revised Preamble for New School Act	21			
4P/FGM10	Province-Wide Standards to Assess Competency of Bus Drivers	23			
5P/FGM10	Mandatory School Attendance Age	25			

Amendment Form

Amendment to Issue No. _____

Moved by:

School Jurisdiction:

Seconded by:

School Jurisdiction:

Amendment Form

Amendment to Issue No. _____

Moved by:

School Jurisdiction:

Seconded by:

School Jurisdiction:
