

DATE: November 29, 2011

TO: Board of Trustees

FROM: Trustee Michael Janz, Conference Committee Chair

SUBJECT: Report #4 of the Conference Committee (From the Meeting Held November 15, 2011)

ORIGINATOR: Tash Taylor, Director Executive and Board Relations

RESOURCE STAFF: Anne Sherwood

REFERENCE: [Terms of Reference re In-Camera Sessions Committee of the Whole – Conference](#)
[School Act](#) Section 61

ISSUE

Recommendations arising from the Conference Committee meeting held November 15, 2011 are being presented for approval as per the terms of reference for Conference Committee.

RECOMMENDATION

1. That Report #4 of the Conference Committee from the meeting held November 15, 2011 be received and considered.

Policies Bulletin for the ASBA 2011 Fall Annual Meeting

2. That the Board's position with respect to each of the ASBA policy positions proposed for the 2011 ASBA Fall General Meeting, as provided in Attachment I and detailed in Attachment II, be confirmed.

ASBA Membership in CSBA

That the following answers to the questions posed by the ASBA be approved:

3. Does your Board wish ASBA to rejoin CSBA only if: "value for money" and operational practice issues can be resolved?
- **YES**
4. Does your board wish ASBA to rejoin CSBA without "value for money" and operational practice issues being resolved?
- **NO**

5. On a scale of 1 – 10 (with 10 being the highest), how strongly does your board feel about this issue?
- 6
6. Given that membership in the Canadian School Boards Association is no longer in the ASBA budget, is your board willing to support a special two per cent membership fee levy (raising approximately \$52K) draw to cover most of the costs of ASBA participation in CSBA?
- **NO. We suggest that for this year the funds to cover the costs be found in reserves or incur a deficit.**

BACKGROUND – RECOMMENDATION 2

Attachment II is the Policies Bulletin for the ASBA Fall General Meeting which was voted on by the membership at the Fall General Meeting at the Association's business session on Monday, November 21, 2011.

In accordance with the ASBA Bylaws, all resolutions are determined under a double majority voting method. The Board Chair has the power to cast the Board's vote on each of the proposed resolutions and this required the Board to provide direction to the Board Chair prior to the November 21, 2011 meeting.

BACKGROUND – RECOMMENDATIONS 3 to 6

Zone 1 requested that ASBA seek the views of school boards regarding ASBA participation in the Canadian School Boards Association (CSBA). The ASBA Executive Director asked the Board to respond to the questions as outlined above in the recommendation.

The ASBA Issues and Resolutions Committee met to discuss the questions posed and recommended the above responses.

RELATED FACTS – RECOMMENDATIONS 3 to 6

- The ASBA withdrew from CSBA, effective November 2010 but, in accordance with the CSBA constitution, continues to pay dues until the end of March 2012.
- Given that the membership in the Canadian School Boards Association is no longer in the ASBA budget, the ASBA would propose a two per cent fee levy to cover the costs should the ASBA reconsider its participation in CSBA. A two per cent levy fee on the Board's \$198,562 annual membership fee would be an additional \$3,971.

CONSIDERATIONS & ANALYSIS – RECOMMENDATIONS 3 to 6

The ASBA Issues and Resolutions Committee believe that there is a role for the CSBA as a voice for advocacy on educational issues at the national level. The CSBA as a national organization provides a platform for sharing of provincial initiatives and building national understanding on common educational issues.

NEXT STEPS – RECOMMENDATIONS 3 to 6

The Board's position with respect to the questions asked will be communicated to the ASBA prior to the November 30, 2011 deadline.

ATTACHMENTS & APPENDICES

ATTACHMENT I Chart of Committee Recommendation Pages
ATTACHMENT II ASBA Policies Bulletin November 2011

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Chart of Committee Recommendation Pages

CODE	TITLE	RECOMMENDATION	ATTACHMENT I - PAGE
1P/FGM11	Length of term for school board trustees	Support	13a
2P/FGM11	Timing of school board trustee elections	Support	14a
3A/FGM11	School playgrounds funding support	Amend and Support	18a
4P/FGM11	Probationary period for teachers	Support	20a
5P/FGM11	Scheduling and delivery of provincial standardized testing	Support	23a
6P/FGM11	Approval process for school construction	Support	24a
7P/FGM11	Assessment and measures of student success re: 21 st century learner	Support	25a
8P/FGM11	Support for ESL students	Support	26a
9A/FGM11	Teacher bargaining	Plan A: Refer to ASBA Board of Directors Plan B: Divide the Question and Reverse Para order – support new first para. And oppose new second para.	30a

ASBA Policies Bulletin

November 2011

Please bring this bulletin with you to the business session of the ASBA Fall General Meeting on November 21, 2011 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 2011 ASBA Policy Development Advisory Committee:



Cheryl Smith
ASBA Vice-President, Chair



Becky Kallal
Edmonton Catholic Schools



Lisa Brower
Zone 2/3 Director



Anne-Marie Boucher
Zone 5 Director

For more information contact:
Alberta School Boards Association
Suite 1200, 9925 – 109 Street
Edmonton, AB T5K 2J8
Telephone: 780.451.7125
Fax: 780.482.5659
Web: www.asba.ab.ca

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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
Policies.

Draft Minutes from SGM 2011

SPRING GENERAL MEETING

Monday, June 6, 2011
Capri Centre, Red Deer

MINUTES

ATTENDANCE: As per registration list.

PRESIDENT'S ADDRESS: Following the invocation, the national anthem, a moment of silence, and introduction of special guests, President Jacquie Hansen provided her opening remarks to the assembly and announced the return of ASBIE surplus equity of over \$649,000 to subscribing boards.

CALL TO ORDER: President Jacquie Hansen called the meeting to order at 9:04 a.m.

MINISTER'S ADDRESS: Honourable Dave Hancock, Minister of Education and Honourary President of ASBA, addressed the assembly, followed by a Question and Answer period.

KEYNOTE SPEAKER: Ms. Mary Anne Kirkby gave her keynote address to the assembly.

CHAIR: Vice-President Cheryl Smith assumed the Chair's position for the business meeting which started at 10:30 a.m.

PROCEDURAL MOTIONS

(Note: These require a simple majority)

Appointment of Parliamentarian

MOTION #1 Karen Bartsch (Grasslands RD #6)
Sharilyn Anderson (Peace Wapiti S. Div. #76)

That Kevin Feehan be appointed Parliamentarian.

CARRIED (92%)

Approval of Rules of Procedure

MOTION #2 Lynn Ferguson (Calgary Board of Education)
Johnette Lemke (Black Gold RD #18)

That the Rules of Procedure be adopted.

CARRIED (100%)

Approval of Minutes (Fall General Meeting 2010)

MOTION #3 Keith Warren (Wild Rose S. Div. #66)
Mary Martin (Calgary Catholic)

That the minutes of the 2010 ASBA Fall General Meeting be approved as distributed.

CARRIED (100%)

Appointment of Balloting Committee

MOTION #4 Dave Colburn (Edmonton Public)
Karen Bartsch (Grasslands RD #6)

That, according to Bylaw No. 9, Section 12, the Balloting Committee be appointed; and be chaired by Heather Rogers.

CARRIED (98%)

Receipt of Emergent Issue

Cheryl Smith, Chair of the ASBA Policy Development Advisory Committee (PDAC), advised that Buffalo Trail Public Schools RD #28 had submitted an emergent directive for action. She informed the assembly that the Board of Directors' governance policy #11, section 5 allowed for such directives to be referred to an ASBA general meeting by the PDAC through the Executive Committee, when the Board of Directors had not had the opportunity to discuss what action should be taken relative to the submission.

The PDAC met and determined that this directive for action (4EDA/SGM11) would be referred to the membership for consideration.

MOTION #5 Lisa Brower (Elk Island Public Schools RD #14)
Anne-Marie Boucher (Greater Southern Francophone RA #4 - Public)

That 4EDA/SGM11 (Interpretation of Pecuniary Interest for School Board Trustees) be accepted as an emergent issue and added to the Order Paper.

CARRIED (80%)

Adoption of Order Paper

MOTION #6 Mary Martin (Calgary Catholic)
Dave Colburn (Edmonton Public)

That the Order Paper, with the addition of Emergent Issue 4EDA/SGM11, be adopted.

CARRIED (98%)

PROPOSED BUDGET

(Note: This requires a double majority of 60%. Amendments require a simple majority.)

Johnette Lemke gave a presentation on the proposed 2011-2012 ASBA budget.

1B/SGM11 ASBA Budget 2011-2012

MOTION #7 Johnette Lemke (Black Gold RD #18)
Keith Warren (Wild Rose S. Div. #66)

That the Alberta School Boards Association adopt the budget as presented for the period September 1, 2011 to August 31, 2012.

AMENDMENT TO MOTION #7

Karen Harries (Golden Hills S. Div. #75)
Grande Yellowhead Public S. Div. #77

That the Fee for Service rates would be held to 2010-11 rates for the 2011-2012 budget and that any deficit incurred would be funded from the operating reserve.

DEFEATED (20%)

AMENDMENT TO MOTION #7

Marilyn Bergstra (Edmonton Catholic)
Calgary Public

That the 2011-2012 budget reflect a 0% increase to membership fees.

DEFEATED (25%)

VOTE ON MOTION #7

CARRIED

(% of School Boards: 83

% of Students: 61.36)

The Chair recessed the meeting for lunch. The meeting was reconvened at 1:15 p.m.

PROPOSED BYLAW AMENDMENTS

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

2A/SGM11 Bylaw 4.5(a) and (b) - Election of Board of Directors

MOTION #8 Shirley Caputo (Grande Yellowhead Public S. Div. #77)
Buffalo Trail Public Schools RD #28

That the Alberta School Boards Association amend Bylaw No. 4.5(a) and (b) to update the years that illustrate the pattern in which elections of the Board of Directors shall be held to read as follows:

- 4.5 *Election of the other Directors shall be for approximately 18-month terms.*
- (a) *Elections shall be held approximately every 18 months following the pattern of November 2011, June 2013, November 2014, June 2016 ...*
- (b) *Elections shall be held approximately every 18 months following the pattern of June 2012, November 2013, June 2015, and November 2016 ...*

CARRIED

(% of School Boards	100
% of Students	100)

3A/SGM10 Bylaw 9.5 – Representation and Voting at General Meetings
MOTION #9 Bill Christie (Red Deer Public Schools)
 Buffalo Trail Public Schools RD #18

That the Alberta School Boards Association amend Bylaw No. 9.5 to clarify the methods of voting at general meetings as follows:

5. *At the general meeting voting shall be by secret ballot for election of the president and the vice-president. Voting on all other questions shall be done openly so that it is clear how each board has cast its ballot.*

CARRIED

(% of School Boards	72
% of Students	80.56)

EMERGENT MOTION

At the request of the ASBA Policy Development Advisory Committee and with approval of the assembly, David Anderson, Executive Director, spoke to the matter of the emergent issue.

4EDA/SGM11 Interpretation of Pecuniary Interest for School Board Trustees
MOTION #10 Dave Nelson (Buffalo Trail Public Schools RD #28)
 Grande Yellowhead Public S. Div. #77

That the ASBA lobby the Minister of Education to provide school jurisdictions in the Province of Alberta with clear direction regarding the position of trustees, who have children attending schools in their jurisdiction, when considering matters related to budget.

AMENDMENT TO MOTION #10

Dave Colburn (Edmonton Public)
 Jean Boisvert (Elk Island Catholic SRD #41)

That Motion #10 be amended to read:

That the ASBA lobby the Minister of Education to provide school jurisdictions in the Province of Alberta with clear direction and support in the Education Act for trustees who have children attending schools in their jurisdiction, to fully participate in budget discussions and decisions.

The amendment was accepted as friendly by the mover, seconder and the assembly.

AMENDMENT TO THE AMENDMENT TO MOTION #10

Dave Nelson (Buffalo Trail Public Schools RD #28)
Grande Yellowhead Public S. Div. #77

That the phrase "the Education Act" be replaced with "legislation".

The amendment was accepted as friendly by the mover, seconder and the assembly.

Terry Riley (Medicine Hat S.D. #76) called for the question. The Chair ruled that she would allow one more speaker, as Sheila Taylor (Calgary Board of Education) was making her way to the microphone when the question was called.

MOTION #11 Peter Grad (Medicine Hat Catholic SRD #20)
Terry Riley (Medicine Hat SD #76)

That the Chair's ruling be challenged.

Parliamentarian Kevin Feehan determined that the call for the question had been informal and that the Chair's ruling was in order. Mr. Riley stated that his call for the question was formal as he had moved it and named a seconder.

VOTE TO SUPPORT THE CHAIR'S RULING
(Requires a simple majority)

CARRIED (77%)

AMENDED MOTION #10

That the ASBA lobby the Minister of Education to provide school jurisdictions in the Province of Alberta with clear direction and support in legislation for trustees who have children attending schools in their jurisdiction, to fully participate in budget discussions and decisions.

DEFEATED

(% of School Boards 49
% of Students 47.9)

ADJOURNMENT:

There being no further business, the Chair declared the meeting adjourned at 2:37 p.m.

Policies Proposed by ASBA Board of Directors

1P/FGM11: Length of term for school board trustees

Length of term for school board trustees	School board trustees in Alberta should be elected for four-year terms.
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Background

In early 2011, the Alberta Urban Municipalities Association (AUMA) invited input from stakeholders in forming its submission to the government requesting a review of the Local Authorities Election Act.

Based upon a survey of school boards conducted in April 2011, and as approved by the ASBA Board of Directors in May 2011, ASBA provided AUMA with school board feedback on submissions to the government regarding changes which are necessary to the Local Authorities Election Act.

Although ASBA did not have policy positions directly related to all of the issues identified, there was sufficient consensus in the survey responses to provide a response. It was noted at that time that areas where ASBA does not have policy would be flagged for discussion at the 2011 ASBA Fall General Meeting. One area for consideration contemplated at the time of submission was the length of term of office – AUMA was contemplating the extension of the term of office for members of an elected authority to four years (from the current three-year term).

AUMA has indicated they continue to lobby for the changes to the Local Authorities Election Act; including those supported by school boards. Furthermore, AUMA has been promoting their advocacy campaign “Local Matters” which calls for a new relationship between the Government of Alberta and the municipalities; which includes a request for a new funding arrangement. AUMA and ASBA continue to work together in support of the protocol agreement which was formally signed by the parties at the 2011 ASBA Spring General Meeting.

ASBA Bylaw 7.2 (g) provides that the Board of Directors may adopt policy positions on matters which arise between General Meetings and shall submit these for ratification at the next General Meeting.

Submitted by ASBA Board of Directors

1P/FGM11: Length of Term for School Board Trustees

RECOMMENDATION: Support

Rationale:

Four year terms would be more cost efficient, provide more continuity and stability for the education system. However, it would be more important to ensure the same timing of school board elections with municipal elections. Edmonton Public Schools contracts with the City of Edmonton to conduct the Board of Trustees election in conjunction with the municipal elections. This is both cost efficient and more effective in ensuring greater voter participation in the Board election.

2P/FGM11: Timing of school board trustee elections

Timing of school board trustee elections	The timing of school board trustee elections should coincide with municipal elections. Further, in determining when elections are to be held, consideration should be given to timing needs of school boards relative to the school year.
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Background

In early 2011, the Alberta Urban Municipalities Association (AUMA) invited input from stakeholders in forming its submission to the government requesting a review of the Local Authorities Election Act.

Based upon a survey of school boards conducted in April 2011, and as approved by the ASBA Board of Directors in May 2011, ASBA provided AUMA with school board feedback on submissions to the government regarding changes which are necessary to the Local Authorities Election Act.

Although ASBA did not have policy positions directly related to all of the issues identified, there was sufficient consensus in the survey responses to provide a response. It was noted at that time that areas where ASBA does not have policy would be flagged for discussion at the 2011 ASBA Fall General Meeting. One area for consideration contemplated at the time of submission was the timing of elections – AUMA was contemplating moving municipal elections to spring.

Based on submissions AUMA received, the move to spring elections was not a concept advanced in its submission. The ASBA Board of Directors determined that

it may be prudent to have a policy statement reflecting the need for a school board trustee election cycle which coincides with municipal elections, provided consideration is given to timing needs of school boards relative to the school year.

AUMA has indicated they continue to lobby for the changes to the Local Authorities Election Act; including those supported by school boards. Furthermore, AUMA has been promoting their advocacy campaign “Local Matters” which calls for a new relationship between the Government of Alberta and the municipalities; which includes a request for a new funding arrangement. AUMA and ASBA continue to work together in support of the protocol agreement which was formally signed by the parties at the 2011 ASBA Spring General Meeting.

ASBA Bylaw 7.2 (g) provides that the Board of Directors may adopt policy positions on matters which arise between General Meetings and shall submit these for ratification at the next General Meeting.

Submitted by ASBA Board of Directors

2P/FGM11: Timing of School Board Trustee Elections

RECOMMENDATION: Support

Rationale:

A policy statement which reflects the need for a school board trustee election cycle which coincides with municipal elections would provide important guidance to the ASBA in responding to proposed changes to the Local Authorities Election Act. As indicated in the response to 1PFGM11, Edmonton Public Schools contracts with the City of Edmonton to conduct the Board of Trustees election in conjunction with the municipal elections. This is both cost efficient and more effective in ensuring greater voter participation in the Board election.

The AUMA did consider proposing a move to spring elections and thankfully it was not advanced in their position. Many boards had the opportunity to convey their concerns with the proposal through their municipalities. School buildings are used for polling stations in both provincial, municipal and federal elections. A spring election would be problematic in schools because it is a very busy time of year with spring sports programs, diploma exams, report cards, year-end functions and graduations.

Proposed Policy Positions

3A/FGM11: School playgrounds funding support

It is proposed that current policy on school playgrounds (*ASBA Governance Handbook*, p. 7-3, lines 31-34) be amended as follows (additions noted in bolded text):

<p>School playgrounds funding support</p>	<p>Provincial funding should be provided for the inclusion of school community playgrounds as part of school facilities, firstly by a one-time infusion of funds to address current playground conditions.</p> <p>In the case of new school construction, provincial funding for a playground should be included as part of the capital project costs of the new facility.</p> <p>In the case of modernizations, where the construction process results in playground equipment being removed, provincial funding to relocate or replace that equipment should be provided as part of the capital project costs.</p> <p>In the case of school reconfigurations, provincial funding should be provided for new playgrounds if none are in existence at the facility students are being moved to, or to add to or replace existing equipment so that the equipment is appropriate for the grade levels of students attending the reconfigured school.</p> <p>Furthermore, provincial funding for the maintenance and replacement of playgrounds should be included through the Infrastructure Maintenance Renewal (IMR) program.</p> <p>followed by inclusion in capital and Infrastructure Maintenance Renewal (IMR) projects for the future.</p>
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Background

Playgrounds and Physical Activity

Studies show Canadian children are becoming progressively overweight and obese (Tremblay & Willms, 2000). Studies also indicate that incorporating daily physical activity into the lives of young people helps establish a pattern that will continue into adulthood. Active students

are also less susceptible to stress, exhibit positive attitudes about school and themselves, are less aggressive, and play better with fellow students (Canadian Association for Health, Physical Education, Recreation and Dance, 1992).

In addition, the *Parks, Playgrounds and Active Living* study done by Active Living

Research in February 2010 suggests there is a link between low activity levels in lower-income populations and access to parks and playgrounds. Youth without access to a safe park in their community were more likely to be physically inactive.

On January 24, 2011, the Canadian Society for Exercise Physiology released new *Canadian Physical Activity Guidelines*. Under the guidelines, children aged five to 11 should accumulate at least 60 minutes of moderate- to vigorous-intensity physical activity daily. Playground activities are specifically identified as an example of moderate-intensity activity. The guidelines suggest that, among other activities, parents and caregivers encourage physical activity by taking children to a playground after school or playing an active game at recess.

In addition to supporting children in meeting guidelines for physical activity, school playgrounds are evolving to meet other needs as well. Playgrounds have moved beyond the traditional model of swing set, slide and teeter-totter to include specialized equipment for students with special needs, and “outdoor classrooms” that include things like greenhouses, flower and vegetable gardens. These innovations provide hands-on, curriculum based learning opportunities as well as provide students with an opportunity to go outside and move around.

On February, 15, 2011, the Canadian Society for Exercise Physiology released the first systematic, evidence-based *Canadian Sedentary Behaviour Guidelines for Children and Youth*. The guidelines recommend limiting sedentary transport, extended sitting and time spent indoors

throughout the day. The guidelines state that spending less time being sedentary can help children (ages 5 - 11) maintain a healthy body weight, do better in school, improve self-confidence, have more fun with their friends, improve their fitness and have more time to learn new skills.

Alberta Education’s *Daily Physical Activity (DPA) Initiative* states that “Schools have the responsibility of creating and nurturing a learning environment that supports the development of the lifelong habit of daily physical activity and that supports healthy lifestyles.”

According to the DPA Survey done in 2008, the four most common types of school facilities accessible to, and used by, schools for DPA are gymnasiums (91.33%), playing fields (88.97%), playgrounds (76.65%) and ball diamonds (72.32%). With the exception of gymnasiums, Alberta Education does not provide funding to either establish or maintain the facilities that schools are using to help them meet DPA Initiative requirements.

Playgrounds and Community Engagement

The majority of school playgrounds are currently being financed by parent fundraising committees and school councils. With hundreds of thousands of dollars needed to purchase playground equipment, fundraising campaigns can take more than a decade to complete. In addition to students not having access to playground equipment, this process is placing an unfair burden on parents and the community as playground fundraising competes with fundraising campaigns being done by local charities and organizations.

Under the *Good Governance* section of Alberta's Commission on Learning (2003), the commission recommended "that the Minister of Learning work with school jurisdictions and representatives of schools councils to establish a province-wide fund-raising policy. The policy should clearly define the distinction between basics and extras and ensure consistency in application across the province. The role of school councils in fund-raising should be strictly limited to 'extras.'"

In particular, the commission cited school playgrounds as an example of an inconsistency in what is termed 'basic' and what is included as 'extras.' The commission's report states: "In the case of playgrounds, in some communities funding is provided by community leagues and provincial grants while in others, parents are completely responsible for raising the necessary funds."

The *Inspiring Education Steering Committee Report* released in April 2010 suggests that schools need to enhance opportunities for parental participation in education. The need to fundraise hundreds of thousands of dollars for playground equipment, sometimes spread out over a decade, is negatively impacting parent engagement. School councils should be an excellent vehicle for schools to engage parents in discussions about education. Instead, they are seen as fundraising bodies for the school, which may deter some parents from getting involved. Additionally, the focus on fundraising, particularly for playgrounds, prevents those parents involved in fundraising from being engaged in their schools in other ways. Schools, parents and school boards

should be engaging the community in ways to enhance learning for students, not in ways to raise money to build playgrounds.

Relevant ASBA Policy

Relevant current ASBA policy positions include:

"Adequate, stable, predictable funding should be provided to meet the needs of public school students in ECS to Grade 12."

(ASBA Governance Handbook, p. 6-1, lines 1-3, Education Finance – Adequacy, Stability and Predictability).

"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."

(ASBA Governance Handbook, p. 7-1, lines 1-6, Facilities – Funding Model).

"The provincial government should provide preservation funding to school boards that is equivalent to the industry standard of two percent per year of school facility replacement costs and that this amount be above and beyond funding for major modernizations."

(ASBA Governance Handbook, p. 7-3, lines 10-14, Facilities – Infrastructure Preservation Funding).

And

"School councils are a valuable resource and should serve in an advisory capacity to the principal

and to the school board and forge
complementary and productive
relationships with school boards to
meet the needs of all students.”

(ASBA Governance Handbook, p. 14-1,
lines 1-5, School Councils).

Submitted by Zone 2/3

Initial Sponsoring Board: Northern Lights School

Division No. 69

3A/FGM11: School playgrounds funding support

RECOMMENDATION: Amend and Support

Amend by inserting the word Additive at the beginning of the resolution so that the first sentence reads:

Additive provincial funding should be provided for the inclusion of school community playgrounds as part of school facilities, firstly by a one-time infusion of funds to address current playground conditions.

Rationale:

The concept of funding playgrounds as part of a capital project as well as refurbishing or remodeling of a playground in a modernization is supported by Edmonton Public Schools. The use of IMR funding for maintenance and replacement of playgrounds is also a good idea. Both of these concepts are supported but not without some caveats. It is important that the funds being requested are additive to the current and future funding of capital and IMR. If the province were to add in playground costs without increasing funding, this would not be supported by Edmonton Public Schools.

The costs of inspection, replacement and maintenance of playground are real costs and should be considered a cost supported by Alberta Education but it is imperative that these extra costs be fully funded before accepting this responsibility. A guarantee of funding is required.

4P/FGM11: Probationary period for teachers

Probationary period for teachers	The probationary period for teachers should be increased to two years.
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Background

Section 98 of the School Act states that a board may employ a teacher under a probationary contract of employment for a complete school year. If evaluations of the teacher indicate to the board that a further probationary period is required and the teacher agrees, the probationary contract of employment may be extended for a further period ending no later than the June 30 next following the date of the renewal of the contract.

In practical terms, given the extensive evaluation process that boards have in place, the process for evaluation typically begins in September of a school year, with a contract recommendation made by April of a school year.

Given the research on teaching and learning and what makes good teachers, a process that begins in September and ends April many times does not set the teacher up for success. It is an inadequate amount of time for a teacher to develop and demonstrate the art and science of teaching in today's world, which has the potential of having boards releasing potentially great teachers.

Typically, allowing for Christmas break, spring break, professional development days, and alternate days in some instances, an evaluator has seven months to complete the formal evaluation process

for a probationary teacher. The process itself is intensive, involving the gathering and recording of information as evidence and the application of reasoned professional judgment by an evaluator in determining whether one or more aspects of the teaching of a teacher exceeds, meets or does not meet the Teaching Quality Standard.

If the probationary period was extended to two years, it would allow evaluators more time to implement strategies to fully support teachers in their development as educators. New teachers are faced with myriad challenges within their first year. They are expected to demonstrate the eleven Knowledge, Skills and Attributes (KSAs) which are:

- a. Teachers' application of pedagogical knowledge, skills and attributes is based in their ongoing analysis of contextual variables.
- b. Teachers understand the legislated, moral and ethical frameworks within which they work.
- c. Teachers understand the subject disciplines they teach.
- d. Teachers know there are many approaches to teaching and learning.
- e. Teachers engage in a range of planning activities

- f. Teachers create and maintain environments that are conducive to student learning.
- g. Teachers translate content and objectives into meaningful learning activities.
- h. Teachers apply a variety of technologies to meet students' learning needs.
- i. Teachers gather and use information about students' learning needs and progress.
- j. Teachers establish and maintain partnerships among school, home and community, and within their own schools.
- k. Teachers are career-long learners.

Given this, it is not uncommon for new teachers to be learning and teaching a new curriculum, participating in supervision, practicing various classroom management techniques and differentiated teaching strategies, implementing formative assessment for learning, utilizing technology (e.g. Smart Boards), and

getting involved in extra-curricular activities.

Some teachers soar in their probationary year, but others may need more time for growth and development to reach their full potential. The challenge boards face is whether to risk awarding continuous contracts to first year teachers who are not confidently and competently meeting the KSA standards. Past experience has proven that some teachers excel in their second year, while others continue to be outperformed. Time is often the determining factor. We would contend that a mandatory second probationary year would ensure more teachers meet the KSAs and stay within the teaching profession. Ultimately this could be invaluable for students, teachers, boards and the profession.

Submitted by Zone 2/3

Initial Sponsoring Board: Pembina Hills Regional
Division No. 7

4P/FGM11: Probationary Period for Teachers

RECOMMENDATION: Support

Rationale:

- Time period aligns with provincial teacher certification process
- Time period similar to two year confirmation process for principals
- Longer time frame allows for evaluation of teachers across entire school year (current process covers Oct to April period before continuing contract recommendation)

Having said that, we can live with current rules as it provides for a probationary contract extension for another year if we have concerns about performance.

5P/FGM11: Scheduling and delivery of provincial standardized testing

Scheduling and delivery of provincial standardized testing	The scheduling and delivery of provincial standardized testing (i.e. provincial achievement tests and diploma exams) should provide flexibility to the greatest extent possible to accommodate twenty-first century learners.
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Background

The current schedule for standardized testing focuses on the end of June as the primary period of time during which the majority of tests are written. The end of January is another key time, especially for Diploma Exams. While there are alternate diploma exam writing times in November and April, not all exams are offered.

There are increasing numbers of students choosing to complete high school courses using distributed learning. These students are choosing to learn when they want, where they want and at the pace they want (Anytime, Anywhere, Any pace).

Unfortunately, these students are still fixed to specific writing dates to complete their courses. As a result, the completion of their course work is not necessarily well aligned with the schedule of the final exam. The current structure places limits and boundaries to which students must adjust.

The January PDE (Provincial Diploma Exam) writing period aligns with the completion of the first semester. However, this creates an unnatural break in the annual cycle. The end of December, and the Christmas – New Year's season is a societal norm. It is the conclusion of one year and the beginning of another for

everyone *except* students in diploma exam courses.

University courses end in December and begin anew in January. If a high school student finished high school completion requirements in the first semester of their third, fourth or fifth high school years, they could not enter directly into post-secondary that January. Their courses would have concluded at the end of January, and post-secondary courses start at the beginning of the month.

Students in the first semester also face a significant break in their instruction one month prior to the conclusion of the course. This is not a mid-term break reasonably placed in the middle of the semester. The traditional two-week seasonal break at the end of December breaks the momentum of instruction at a key time in the learning process. Students have adjusted by choosing to take certain courses in the second semester to avoid that break. School administrators have also adjusted schedules for the same reason. Clearly the inflexibility of the calendar has caused schools and students to adjust. Should not the system adjust for students rather than students adjusting for the system?

There are also increasing numbers of students who choose to receive their elementary and junior high education through a distributed learning model. That is, they interact with their teachers over distance. These students include travelling athletes, the children of our military families overseas, or families in remote rural locations. Some families choosing virtual delivery reside in urban settings but have chosen to avoid the local community school for reasons ranging from social to religious to behavioral to ethical dissatisfaction. These students tend not to write Provincial Achievement Tests.

Generally, they do not participate because they have to go into a school site to write them and because of the fixed dates in the writing schedule. The schedule often does not align to the pace of the individual students' programs. They may have accelerated one subject and are prepared to write sooner than in June. Non-participants offer no data relative to the intent and purpose of Provincial Achievement Tests. No individualized student data and no group data are available to inform teachers and administrators of instructional adjustments that may be necessary.

Alberta Education has made it possible to write PATs using a computer. Both the multiple response and the written portion of PATs can be submitted electronically, but exam rules still require presence at a school site, and that the exam be written at a specific time of day, on a specific day. There must be a solution that allows students to write PATs electronically at time that makes sense to their pace of instruction and learning.

The fixed schedule of the PAT and PDE exams inflexibly sets the parameters for school year calendars and therefore significantly impacts communities. Since the number of instructional hours is clearly defined, school boards must establish the school year by counting back from the final exam dates and schedule instructional days to meet the expectations set forth in the Guide to Education. Particularly in rural environments, inflexible standardized testing schedules impact the start-date of the school year, the number of school days, the length of the school day, student transportation, child care, family time, vacation schedules, and the work week. The standardized test schedules impact many aspects of school and community life and have become a critical barrier to flexibility necessary for school boards to address the needs of the 21st century learner.

Other education stakeholder groups have recently passed resolutions consistent with current ASBA policy, which states:

“Schools should be given the opportunity to have students write the Provincial Achievement Tests in the year they take the curriculum tested.”

(ASBA Governance Handbook, p. 16-1, lines 13-15, Student Assessment – Learner Assessment).

And

“Provincial Achievement Tests administrations should be compatible with cycled courses.”

(ASBA Governance Handbook, p. 16-1, lines 47-48, Student Assessment – Learner Assessment).

Additional relevant ASBA policy includes the following:

“To the degree possible, examination administration timetables should support maximum flexibility in school and student timetables, especially as students increasingly engage in independent learning through technological and other means.”

(ASBA Governance Handbook, p. 16-2, lines 25-29, Student Assessment – Learner Assessment).

“Alberta Education should provide increased flexibility in scheduling of the writing of diploma exams to allow, at minimum, exams to be written in December and May, in addition to the current schedules.”

(ASBA Governance Handbook, p. 16-2, lines 46-49, Student Assessment – Learner Assessment).

Submitted by Zone 2/3

Initial Sponsoring Board: Pembina Hills Regional
Division No. 7

5P/FGM11: Scheduling and Delivery of Provincial Standardized Testing

RECOMMENDATION: Support

Rationale:

Flexibility in program delivery can only be achieved when there is flexibility in the timing and delivery model of the provincial standardized tests.

It is acknowledged that the Province's current ability to "secure" the tests is creating some of the issue related to "anytime, anyplace" test availability. However, it is believed that this issue should not limit flexibility for students.

6P/FGM11: Approval process for school construction

Approval process for school construction	The approval process for school construction, specifically the contractor prequalification process and the low bid requirement, should be reviewed to ensure the successful and timely completion of school construction contracts.
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Background

Completion of contracts awarded for school construction through the current approval process (including contractor prequalification and the requirement to select the low bid) has been problematic for some jurisdictions.

Alberta Education prequalifies contractors who are bonded and insured, who then bid on school construction contracts. School jurisdictions must then accept the lowest bid from a prequalified contractor.

Some jurisdictions have experienced significant time delays and cost overruns due to non-performance by contractors who were prequalified but not able to fulfill all requirements of the contract.

References:

Alberta Education/ Alberta Infrastructure School Capital Manual (pp. 33-36)
<http://education.alberta.ca/media/6484214/school-capital-manual.pdf>

Government of Alberta P3 Value for Money Assessment and Project Report (p. 3)
<http://education.alberta.ca/media/1320820/asapip3valueformoneyassessmentandprojectreport.pdf>

Submitted by Zone 5
Initial Sponsoring Board: Christ the Redeemer CS
Regional Division No. 3

6P/FGM11: Approval process for school construction

RECOMMENDATION: Support

Rationale:

Edmonton Public schools is in support of the prequalification process for contractors as it does improve the efficiency of the bid process if done correctly. This would involve adequate follow up with school districts regarding quality and timeliness of service once a contract is completed. This would affect future prequalification as it may remove contractors who do not fulfill their obligations in a proper manner.

7P/FGM11: Assessment and measures of student success re: 21st century learner

Assessment and measures of student success re: 21st century learner	The provincial government, in consultation with relevant stakeholders, should develop assessment and measures of student success consistent with the competencies of the 21 st century learner. Further, Alberta Education, Advanced Education, and ASBA should develop consistent assessment measures and take collaborative action toward understanding and fulfilling this mandate.
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Background

With the release of Inspiring Education as a blueprint for basic education, school boards are working on the transformation of the K-12 system. Shifting education systems to foster collaboration, creativity, and innovation as well as the role of the classroom teacher from knowledge disseminator to facilitator of knowledge construction is a very different paradigm.

Although this work is exciting and the right decision for today's digital natives, a critical ingredient for the transformative process is the shift away from standardized testing that focuses on a student's ability to complete a multiple choice exam. As classrooms move more toward co-creation of understanding and a demonstration of curricular outcome capacity in many ways, it seems incongruent to test via only one method.

In addition, the Accountability Pillar Online Reporting Initiative (APORI) measures should focus on the 21st century skills we are striving to foster within our schools.

This transformation of assessment practice and corresponding standard exam structure, especially in grade 12, must involve the Ministry of Advanced Education and officials to collaborate on a contemporary

structure for admittance to post-secondary institutions.

A corresponding shift is occurring in advanced education across the nation, most notably with Virtual University, which is a cooperative strategy among 15 universities to allow courses to be taken anywhere while registered in a specific faculty at a university.

What is not shifting, however, is the dependence upon diploma exam marks as a focus for entrance to a post-secondary institution.

The Education Ministry can lead a collaborative process with the end goal of aligning assessment practices to Inspiring Education. The APORI measures of the future could have measures for innovation, creativity, civic stewardship, collaboration, and self-direction, followed by an advanced education system that valued such measures.

Submitted by Zone 5

Initial Sponsoring Board: Rocky View School

Division No. 41

7P/FGM11: Assessment and measures of Student Success re: 21st Century Learner

RECOMMENDATION: Support

Rationale:

Edmonton Public Schools supports the transformation of the K-12 system as outlined in “Inspiring Action”. Additionally, it is critical that broader assessment tools and practices are developed to meet the new outcomes.

8P/FGM11: Support for ESL students

Support for ESL students	The provincial government should support English as a Second Language (ESL) students adequately, ensuring that the extensive needs of ESL students, including and especially foreign born students, are supported. Additionally, the provincial government, in consultation with the Alberta School Boards Association, should work towards maximizing services and supports including engaging relevant public sector stakeholders in order to optimize supports to ESL populations.
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Background

In Alberta school districts the English as Second Language (ESL) population can comprise as much as 30% of students and contribute significantly to the diversity that is found in classrooms.

Within the concept of serving diverse needs, it is appropriate to advocate directly for access to resources, and efforts to establish partnerships with other public sectors as well as community groups to support this transformation of education.

Given the federal immigration *Five Year Growth Plan* it can be anticipated that the numbers of ESL students will continue to grow, and the level of complexity of student needs will provide challenges that can only be addressed through positive collaboration among all stakeholders.

The *Metro Study* (Disposition of Reports, *ASBA Governance Handbook* pg 5-1) demonstrates an inequity relative to metro boards in provincial funding which is exacerbated by the disproportionately high numbers of ESL students within metro populations. The study also demonstrates that ESL funding has changed very little

(\$1020 per student in 2004-05 versus \$1155 per student in 2011-12).

Additionally, the enhanced ESL grant of \$404 per student has been eliminated.

ASBA supports the findings of the Alberta Commission of Learning (ACOL) Report, which advocates for the appropriate funding of ESL students, and which sees the issue of appropriate ESL funding as an important metro issue.

Both the ACOL Report and the Metro Study highlight the complex learning needs of this group of learners, noting in particular the complex issues inherent in a refugee (foreign born) population, a group whose funding was eliminated this year.

ASBA policy on Education Finance (*ASBA Governance Handbook* pg 6-1) references base grants, special needs, First Nation, Métis and Inuit funding, small school by necessity, etc., but not ESL. While supported historically by ASBA as a Directive for Action (previous 4.D.16 – ESL Funding), it is appropriate now to support ESL funding within a policy statement.

Submitted by Zone 5

Initial Sponsoring Board: Calgary RCSSD No. 1

8P/FGM11: Support for ESL Students

RECOMMENDATION: Support

Rationale:

Adequate predictable funding for all students including English Language Learners is essential.

It is important for ESL that funding be provided to jurisdictions in a manner that allows for maximum flexibility of allocation. Additionally, and as importantly, Alberta Education needs to assist jurisdictions by articulating the ESL benchmark information with appropriate strategies. It is more efficient for this work to be done once at the provincial level than multiple times at individual jurisdictions.

Finally, support of stronger cross ministry services to address the complex needs of some of these students is essential. The concept of wrap around service is critical to the success of some ESL students and yet jurisdictions are left to create support for these students with their own resources.

9A/FGM11: Teacher bargaining

<p>Teacher bargaining</p>	<p>The provincial government should amend all required legislation to ensure that any bargaining certificate for all teachers employed by any single public school board should only be granted to an organization, union, or employee association that represents the teacher employees of the said public school board, and to no other organization, union, or employee organization which has membership from outside that employee group.</p> <p>Further, that current Association policy on teacher bargaining (ASBA Governance Handbook, p. 11-2, beginning at line 44 to p. 11-4, ending at line 43) be deleted.</p> <hr/> <p><i>Note: Governance Policy 10, Development Principle 1.2 states that “where the substance of a position would alter or contradict an Association position in effect, amendment to or deletion of the policy is to be an integral part of the Association policy position” (ASBA Governance Handbook p. 31-1). Amendments to the current teacher bargaining policy follow (ASBA Governance Handbook, p. 11-2, beginning at line 29 to p. 11-4, ending at line 43):</i></p> <p><u>Teacher Bargaining</u></p> <p>The Alberta School Boards Association believes that collective bargaining is the most practical means of determining the remuneration of employees, but that collective agreements should be restricted to matters of salaries, special allowances, sick leave, and other benefits specifically required by law.</p> <p>Administrative procedures pertaining to role specifications of supervisory personnel, provision of stenographic and clerical services, classroom load, the provision of classroom facilities, etc., should be divorced from collective agreements and established through board policies arrived at through the co-operation of board, administration, and teaching staff.</p> <p>School boards should be able to engage in regional bargaining with the Alberta Teachers' Association where groups of individual boards determine it is in the public interest to do so.</p> <p>A legislated, centralized, school board controlled teacher bargaining model should be established.</p> <p>The ASBA shall use the following “Key Elements” and attached detailed model to implement the Employer Bargaining Association:</p>
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	<p>1. The employer bargaining association will:</p> <ul style="list-style-type: none"> (a) have its own governance structure, as outlined in 2 and 3 below (b) focus exclusively on teacher bargaining and collective agreement administration (c) utilize existing and contracted ASBA resources (d) levy fees separate from the ASBA. <p>2. The bargaining association will be governed by a representative assembly comprised of one trustee representative appointed by each school board. The representative assembly will:</p> <ul style="list-style-type: none"> (a) establish the bargaining association's initial constitution and bylaws using the double majority voting principles outlined in 2(d) below (b) elect from among its members, on the basis of one board/one vote, a chair who shall also serve as chair of the council (c) provide direction to the employer bargaining council regarding a bargaining mandate (d) ratify any collective agreement using a system of one board/one vote and requiring a double majority such that 2/3 of the boards must be in support and the boards supporting the proposed agreement must collectively educate 2/3 of the students in Alberta. <p>3. An employer bargaining council ("the council") shall be established from among the members of the representative assembly on the following basis:</p> <ul style="list-style-type: none"> (a) the representative assembly members from each ASBA zone, excepting the metro boards, will elect one representative to the council on the basis of one board /one vote (b) each of the metro board's appointees to the representative assembly will automatically serve on the council (c) the council will: <ul style="list-style-type: none"> ♦ develop a bargaining mandate ♦ oversee negotiations ♦ determine if, and when, a draft collective agreement shall be brought forward to the representative assembly for
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	<p style="text-align: center;">ratification.</p> <p>The Government of Alberta should introduce legislation that will:</p> <ol style="list-style-type: none"> 1. As recommended by the Alberta Commission on Learning, establish a centralized and school board controlled employer bargaining association for the purpose of collective bargaining with teachers. This association will hold the bargaining certificate for all school boards. Membership in this association will be mandatory for all publicly elected school boards. 2. As recommended by the Alberta Commission on Learning, expressly exclude from teacher collective agreements and that implementation of this policy be subject to this legislation: <ol style="list-style-type: none"> (a) pupil/teacher ratios (b) hours of instruction (c) class size. 3. Provide that all existing collective agreements will continue to be in effect until their duly negotiated expiration date. The single collective agreement provisions between the Employer Bargaining Association and the Alberta Teachers' Association would come into effect upon the expiration of these collective agreements. Legislation would further provide that the conclusion of new collective agreements be embargoed. If the parties are unable to reach a single collective agreement, binding arbitration will be used to conclude an agreement.
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Background

Experience has demonstrated that both regional bargaining and provincial bargaining has not served the interests of students, employees or boards.

Instructional days have been lost to disputes that escalate when outside interests take over. The process of local trustees working with local teachers to solve local issues and to serve local students is in the interests of all.

The proposed bargaining model would NOT prevent the local teachers from employing the services of an Alberta Teachers' Association (ATA) staff officer

from helping local teachers conduct negotiations any more than local boards would be prevented from using labour expertise from the ASBA. It would not prevent the ATA from providing financial assistance to teachers involved in a strike or lockout. It would not prevent the local teachers from designating an ATA staff officer as their representative of the bargaining agent. The only difference would be that the staff officer would take direction from the local teachers and not from Barnett House. The primary purpose of this proposed model is to provide a balanced approach to the bargaining process. Boards in the province can seek

the advice and assistance of the ASBA on bargaining issues, without that body dictating what that settlement must be. This proposal would set up a parallel process for teachers, where they could seek the advice and assistance from the ATA, without that body dictating what that settlement must be.

This proposal would prevent teachers from that local being denied the right to work with their local board to solve local problems in the best interests of local students. In short, it would put the authority to settle disputes back into the hands of the local teachers and locally elected school board members.

Submitted by Zone 6

Initial Sponsoring Board: Medicine Hat School

District No. 76

9A/FGM11: Teacher Bargaining

RECOMMENDATION:

Plan A: Move to refer the motion to the ASBA Board of Directors for consideration after completion of the current tri-partite discussions

Plan B: Move to divide the motion into two questions and reverse the order of the questions such that the first question would be on the existing second paragraph regarding amending the current Association policy on teacher bargaining (*the recommendation to our board being to support as this would delete reference to a centralized bargaining model*). The second question would be on the current first paragraph regarding the ATA bargaining certificate (*the recommendation to our Board being to oppose*).

Note: Reversing the order of the two paragraphs allows the association to consider amending the current policy regardless of whether the motion regarding the ATA bargaining certificate is supported by the Association. *See the note on page 27 re: ASBA Governance Policy 10 Development Principle 1.2 requires that "where the substance of a position would alter or contradict an Association position in effect, amendment to or deletion of the policy is to be an integral part of the (proposed) Association policy position."*

The two questions would read:

- 1. That current Association policy on teacher bargaining (ASBA Governance Handbook, p. 11-2, beginning at line 44 to p. 11-4, ending at line 43) be deleted.*
- 2. The provincial government should amend all required legislation to ensure that any bargaining certificate for all teachers employed by any single public school board should only be granted to an organization, union, or employee association that represents the teacher employees of the said public school board, and to no other organization, union, or employee organization which has membership from outside that employee group.*

Plan C: (A motion to defer the motion until the Spring AGM would also be possible)

Rationale:

We do not know how the current round of tripartite discussions will play out and we do not want to raise this issue at this time.

Medicine Hat's position on removing provincial bargaining for teachers from ASBA policy supports the District's position on Local Bargaining preference. However, the administration would not recommend touching the issue of ATA representation. The ATA does not comment on the bargaining structure within ASBA.

Appendix A: Membership Fees and Student Enrollments

September 1, 2011 to August 31, 2012

Zone	Jurisdiction	Total Students*	Membership Fees
2	Aspen Valley Regional Division #19	3,003	\$26,777
4	Battle River Regional Division #31	6,537	\$45,408
2	Black Gold Regional Division #18	3,805	\$61,807
23	Buffalo Trail PS Regional Division #28	4,441	\$35,279
5	Calgary RC SD #31	45,716	\$1,151,159
5	Calgary Board of Education	102,668	\$230,851
5	Canadian Rockies R.D. #12	2,022	\$20,255
4	Chinook's Edge School Division #73	10,735	\$65,704
5	Christ the Redeemer Catholic R.D. #2	3,009	\$2,322
4	Clearview School Division #71	2,573	\$23,837
2	Claremont-Albion Catholic R.D. #16	2,731	\$24,867
23	E. Central Francophone Ed. Region #3	693	\$11,525
23	Edmonton Catholic Separate School District #37	37,652	\$1,153,339
23	Edmonton School District #7	80,400	\$198,562
23	Elk Island Catholic Separate R.D. #11	6,609	\$10,442
23	Elk Island Public Schools R. D. #14	16,315	\$81,199
2	Exton Catholic R.D. #2	3,006	\$30,028
5	Foothills School Division #38	7,314	\$49,164
23	Fort McMurray RC SD #32	3,333	\$28,250
23	Fort McMurray Public School District #2833	5,178	\$38,839
4	Fort Vermilion School Division #12	1,331	\$2,311
5	Golden Hills School Division #75	6,423	\$44,857
1	Grande Prairie RC SD #23	2,432	\$31,265
1	Grande Prairie Public School District #2357	6,723	\$46,308
2	Grande Prairie Catholic Public School Division #77	1,333	\$22,228
6	Grasslands Regional Division #6	3,437	\$29,471
23	Greater N. Central Francophone Ed. Region #2	2,117	\$2,152
23	Greater St. Albert Catholic R. D. #29	6,410	\$44,799
5	Gr. Southern Francophone Public Ed. Region No. 4	1,222	\$1,457
5	Gr. Southern Franc. Separate Catholic Ed. Region No. 4	856	\$12,627
1	Hill Prairie School Division #48	3,227	\$28,100
1	Holy Family Catholic Regional Division #37	2,252	\$21,741
6	Holy Spirit RC SD #22	4,337	\$33,883
6	Horizon School Division #67	3,570	\$30,341

Appendix A: Membership Fees and Student Enrollments

September 1, 2011 to August 31, 2012

Zone	Jurisdiction	Total Students*	Membership Fees
23	Lakeland RCSSD #150	1,926	\$15,610
6	Lethbridge School District #51	8,363	\$54,233
23	Livingstone RCSD #42	3,660	\$17,377
6	Livingstone Range School Div. #68	3,764	\$31,610
23	Lloydminster Catholic School Div. #99	2,381	\$22,883
23	Lloydminster RCSSD #89	1,227	\$15,049
6	Medicine Hat RCSSD #20	2,702	\$24,673
6	Medicine Hat School District #76	6,645	\$45,931
23	Northland Gateway Regional Division #102	3,193	\$33,912
23	Northern Lights School Division #69	5,756	\$41,638
23	Northland School Division #61	2,833	\$27,244
1	Northwest Francophone Ed. Region #1	333	\$8,915
6	Palliser Regional Division #26	6,579	\$47,501
23	Parkland School Division #70	9,514	\$59,802
6	Peace River School Division #40	3,132	\$27,630
1	Peace Wapiti School Division #76	5,551	\$40,645
23	Pembina Hills Regional Division #7	6,009	\$28,342
5	Prairie Land Regional Division #25	1,488	\$16,753
6	Prairie Rose School Division #3	3,307	\$10,359
4	Red Deer Catholic Regional Division #39	6,712	\$46,257
4	Red Deer Public Schools	9,605	\$61,199
5	Rocky View School Division #41	17,300	\$83,345
23	St. Albert RCSD #56	3,008	\$19,779
23	St. Paul Education Regional Division #1	3,934	\$32,719
23	St. Thomas Aquinas RCSSD #38	2,098	\$22,669
23	Sturgeon School Division #24	4,397	\$35,069
6	Wainwright School Division #6	4,317	\$27,577
4	Wetaskiwin Regional Division #11	3,962	\$32,901
4	Wild Rose School Division #60	7,716	\$28,352
4	Wolf Creek School Division #72	7,155	\$48,396
23	Yellowknife Education District #1	1,863	\$19,532
23	Yellowknife Catholic Schools	1,314	\$15,622
23	Yukon	3,616/2	\$28,020/30

*Note: Student totals were compiled from a report on Student Population for the 2010/2011 school year published by Alberta Education. Student registration information is as of Jan 28, 2011. These will be updated with the most current available information as per bylaw #10.

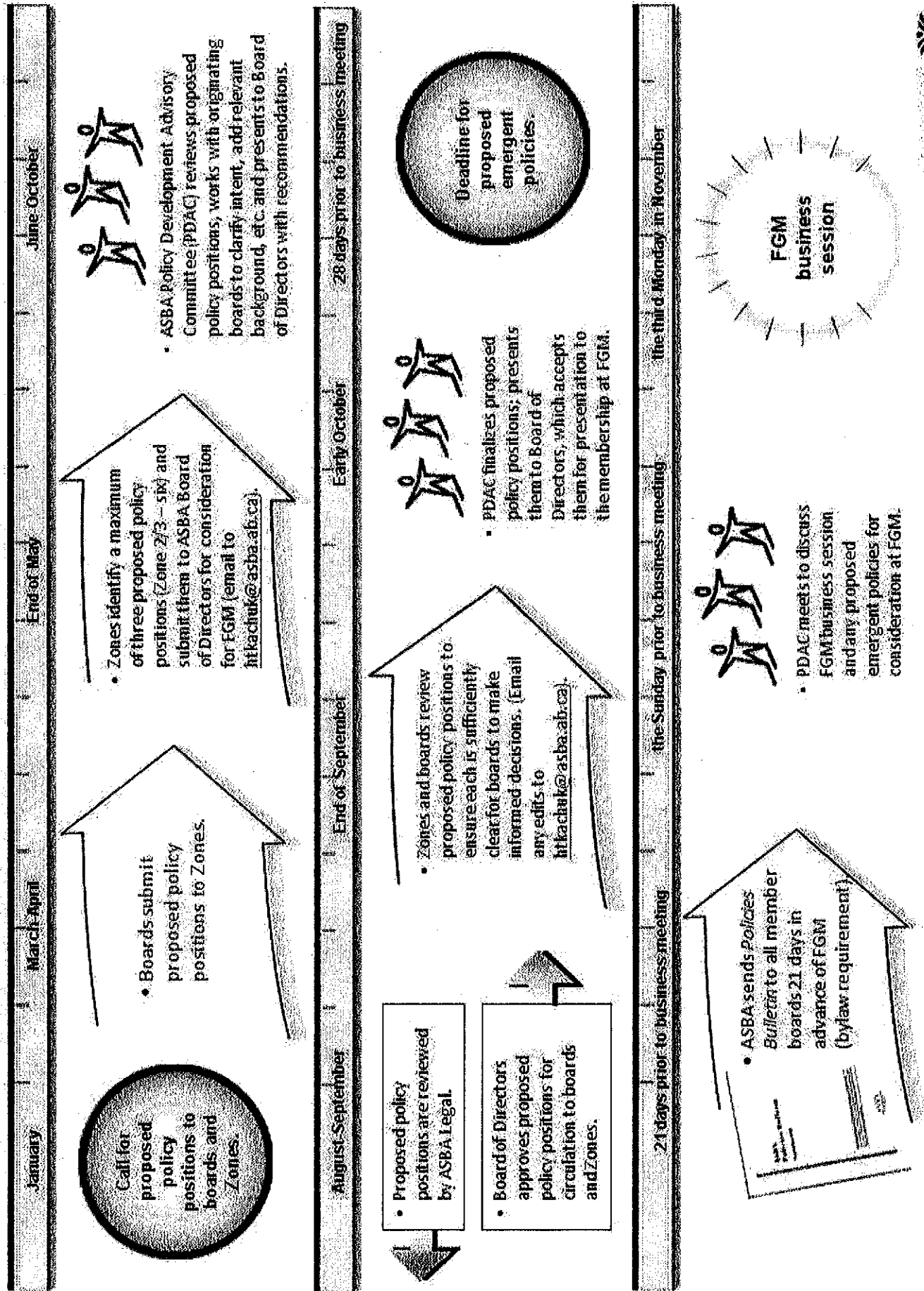
Appendix B: Disposition of Motions



2011 FALL GENERAL MEETING

Motion No.	Motion Title	Page	Carried (✓)	Defeated (✓)	Other: Amended, Postponed, Referred, Withdrawn, etc.
POLICIES PROPOSED BY ASBA BOARD OF DIRECTORS					
1P/FGM11	Length of term for school board trustees	13			
2P/FGM11	Timing of school board trustee elections	14			
PROPOSED POLICY POSITIONS					
3A/FGM11	School playgrounds funding support	15			
4P/FGM11	Probationary period for teachers	19			
5A/FGM11	Scheduling and delivery of provincial standardized testing	21			
6P/FGM11	Approval process for school construction	24			
7P/FGM11	Assessments and measures of student success re: 21 st century learner	25			
8P/FGM11	Support for ESL students	26			
9A/FGM11	Teacher bargaining	27			

APPENDIX C: ASBA POLICY PROCESS TIMELINE



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:
