

public agenda

Regular Meeting of the Board of Trustees

September 10, 2019
12:00 p.m.

Multipurpose Room,
Education Centre
1221 8 Street SW,
Calgary, AB

R-1: Mission |

Each student, in keeping with their individual abilities and gifts, will complete high school with a foundation of learning necessary to thrive in life, work and continued learning.

Conflict of Interest reminder: Trustees must disclose any potential pecuniary interest in any matter before the Board of Trustees, as set forth in the agenda as well as any pecuniary interest in any contract before the Board requiring the Board's approval and/or ratification.

Time	Topic	Who	Policy Ref	Attachment
12:00 p.m.	1 Call to Order, National Anthem and Welcome			
	2 Consideration/Approval of Agenda		GC-2	
	3 Chief Superintendent's Opening Comments	C. Usih		
	4 Awards and Recognitions		GC-3	
	5 Results Focus			
	6 Operational Expectations			
	7 Matters Reserved for Board Action	Board	GC-3	
	7.1 Audit Committee – Amendment to Terms of Reference	M. Bradshaw	GC-5E	Page 7-1
	7.2 Corporate Name Change	Board		Page 7-4
Max 20 mins	8 Public Comment		GC-3.2	
	Requirements as outlined in Board Meeting Procedures			
	9 Consent Agenda	Board	GC-2.6	
	9.1 Items Provided for Board Approval			
	9.1.1 Minutes of the Regular Meetings and Organizational Meeting held:			

Time	Topic	Who	Policy Ref	Attachment
	<ul style="list-style-type: none"> • June 11, 2019 • June 18, 2019 (Regular) • June 18, 2019 (Organizational) • June 25, 2019 (THAT the Board approves the minutes as submitted.)			Page 9-1 Page 9-10 Page 9-19 Page 9-28
	9.1.2 Roster for Second Vice-Chair (THAT the Board approves the roster as submitted.)			Page 9-43
	9.2 Items Provided for Board Information			
	9.2.1 Correspondence			Page 9-44
	10 In-Camera Session			
3:00 p.m.	11 Adjournment			
	Debrief	Board	GC-2.3	

Notice |

This public Board meeting will be recorded & posted online.
 Media may also attend these meetings.
 You may appear in media coverage.

Archives will be available for a period of two years.
 Information is collected under the authority of the School Act and the
 Freedom of Information and Protection of Privacy Act section 33(c)
 for the purpose of informing the public.

For questions or concerns, please contact:
 Office of the Corporate Secretary at corpsec@cbe.ab.ca.

report to
Board of Trustees

Proposed Amendments to GC-5E: Audit Committee Terms of Reference

Date	September 10, 2019
Meeting Type	Regular Meeting, Public Agenda
To	Board of Trustees
Purpose	Decision
From	Michael Bradshaw Audit Committee Chair
Governance Policy Reference	Governance Culture GC-5: Board Committees GC-5E: Board Committees Terms of Reference

1 | Recommendation

THAT the Board of Trustees approves the amendments to GC-5E: Board Committees - Audit Committee Terms of Reference, Attachment I to this report.

2 | Background

Proposed amendments have been made to the Audit Committee Terms of Reference to comply with section 142 of the *Education Act*.

Attachment I: Audit Committee Terms of Reference (proposed revisions shown in track changes)



GOVERNANCE CULTURE
GC-5E: Board Committees Terms of Reference

cbe.ab.ca

Monitoring Method: Board Self-assessment
Monitoring Frequency: Annually

Board of Trustees'
 Governance Policy

1. **Audit Committee**

a. **Purpose/Charge:**

- To recommend external auditors to the Board.
- To review annually the external auditors' performance, reporting any issues.
- To serve as liaison to the external auditors, and arrange a meeting with the Board of Trustees prior to public presentation of the annual audited statements.
- To review and recommend approval of the annual audit plan.
- To review and report on the annual financial statements and audit findings report.
- To review with the external auditors the auditing process, any significant difficulties encountered during the audit including any restrictions on scope of work or access to required information.
- To meet at least two times annually as a Committee and at least once annually with the external auditors.
- To receive and review internal audit reports.

b. **Membership:**

A minimum of five individuals comprised of:

- two trustees; and
- not less than three individuals external to the Calgary Board of Education including:-
 - A member of the business community; and
 - A member of the adult learning community.

The Committee Chair shall be one of the trustee members, appointed by the Board of Trustees. All meetings must have one trustee present.

c. **Reporting Schedule:**

Minutes of all meetings of the Audit Committee shall be provided to the Board of Trustees by the Chair and filed with

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the Board of Trustees for the corporate record and indicate at least the following information:

- date and place of meeting;
- attendees;
- record of decisions and who is assigned any actions arising.

The Committee shall report at least annually to the Board of Trustees on the Committee's responsibilities and how it has discharged them.

d. **Term:**

One year, appointment at the Board of Trustees' Organizational Meeting. External members normally serve three-year terms for a maximum of six years with expirations staggered to achieve continuity of leadership.

e. **Authority Over District Resources:**

None.

| Adopted: ~~September 12, 2017~~

report to
Board of Trustees

Corporate Name Change

Date	September 10, 2019
Meeting Type	Regular Meeting, Public Agenda
To	Board of Trustees
From	Marilyn Dennis, Board Chair
Purpose	Decision
Resource Person(s)	Kelly-Ann Fenney, General Counsel and Corporate Secretary

1 | Recommendation

It is recommended:

- THAT, in accordance with Section 79 of the *Education Act*, the Board of Trustees approves the corporate name change of “The Calgary School Division and The Board of Trustees of Calgary School Division” to “The Calgary Board of Education” effective September 1, 2019, subject to the approval of the Minister of Education.
- THAT the Board of Trustees sends a letter to the Minister of Education requesting approval of the corporate name change.

2 | Issue

Ministerial Order #034/2019 - The Continuance of the School Divisions and The Board of Trustees Order under the *Education Act* resulted in a corporate name change to “The Calgary School Division and The Board of Trustees of Calgary School Division”. The school division would like its legal name to be “The Calgary Board of Education”.



3 | Background

By way of a Ministerial Order the corporate name of “The Board of Trustees of the Calgary School District No. 19” was changed to “The Calgary Board of Education” effective January 1, 1979, Attachment I to this report, and was in use until Ministerial Order #034/2019 came into effect on September 1, 2019.

Section 79 of the *Education Act* allows a board of trustees, by resolution, to change its corporate name to another name, subject to approval by the Minister.

4 | Financial Impact

The school division would incur significant costs to implement the name change to “The Calgary School Division and The Board of Trustees of Calgary School Division” including, but not limited to: changing our name at 245 schools, rebranding printed material, advising vendors of the corporate name change and updating the corporate website.

5 | Conclusion

The Board of Trustees consider the corporate name change of the “Calgary School Division and The Board of Trustees of Calgary School Division” to “The Calgary Board of Education”.

Attachment I: Ministerial Order dated January 1, 1979

DEPARTMENT OF EDUCATION

EDMONTON, December 22, 1978

Whereas a school district named The Calgary School District No. 19 of the Province of Alberta has been established pursuant to Section 14 of The School Act, and

Whereas a board of trustees has been established for the said school district pursuant to Section 30 (1) of The School Act, and

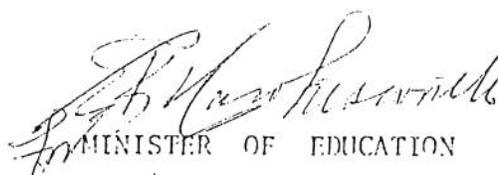
Whereas Section 30 (1) of The School Act designates the said board of trustees to be a corporation under the name of "The Board of Trustees of the Calgary School District No. 19", and

Whereas pursuant to Section 30 (7) of The School Act, the said board of trustees has passed a resolution changing its corporate name to "The Calgary Board of Education",

Therefore, in accordance with Section 30 (7) of The School Act, I hereby approve that the corporate name of the board of trustees of the Calgary School District No. 19 be changed to "The Calgary Board of Education".

This order shall be in effect on, from and after January 1, 1979.


CERTIFIED A TRUE COPY


MINISTER OF EDUCATION

report to Board of Trustees

Roster for Second Vice-Chair

Date	September 10, 2019
Meeting Type	Regular Meeting, Public Agenda
To	Board of Trustees
From	Trish Minor Associate Corporate Secretary
Purpose	Decision
Governance Policy Reference	Governance Culture GC-4: Officers' Roles

1 | Recommendation

THAT the Board of Trustees approves the roster for Second Vice-Chair for the period of September 2019 through August 2020 as follows:

- | | |
|--------------------------|------------------|
| ▪ September/October 2019 | Trustee Hehr |
| ▪ November/December 2019 | Trustee Davis |
| ▪ January/February 2020 | Trustee Hrdlicka |
| ▪ March/April 2020 | Trustee Hurdman |
| ▪ May/June 2020 | Trustee Bradshaw |

2 | Background

The Board of Trustees' Board Meeting Procedures require that a second Vice-Chair be appointed on a rotating roster basis, every two months. During the months of July and August Trustees provided information to the Corporate Secretary and other trustees regarding their availability and whereabouts, in order that each trustee could be contacted in the event of the need to call a special meeting, an emergency, or if a trustee(s) was required to assist the Chair and/or Vice-Chair. The roster was not completed at the Organizational Meeting held June 18, 2019, and it needs to be updated following the Organizational Meeting, as it must exclude the Chair and Vice-Chair.



report to Board of Trustees

Correspondence

Date	September 10, 2019
Meeting Type	Regular Meeting, Public Agenda
To	Board of Trustees
From	Trish Minor, Associate Corporate Secretary
Purpose	Information
Governance Policy Reference	Operational Expectations OE-7: Communication With and Support for the Board

1 | Recommendation

The following correspondence is provided to the Board for information:

- Letter dated June 27, 2019 to The Hon. A. LaGrange, Minister of Education, regarding the Education Act., and Minister's response July 30, 2019.

Attachments: Relevant Correspondence





Board Chair

Marilyn Dennis Wards 5 & 10

Vice-Chair

Althea Adams Wards 3 & 4

Trustees

Trina Hurdman Wards 1 & 2

Lisa Davis Wards 6 & 7

Richard Hehr Wards 8 & 9

Julie Hrdlicka Wards 11 & 13

Mike Bradshaw Wards 12 & 14

June 27, 2019

Honourable Adriana LaGrange
Minister of Education
228 Legislature Building
10800 - 97 Avenue
Edmonton, AB T5K 2B6

Dear Minister LaGrange:

Re: *Education Act*

Thank you for the meeting with us on June 20, 2019. I, and Chief Superintendent Chris Usih, appreciated the opportunity to share with you information about the CBE, including our education and funding priorities for the coming year. As follow up from that meeting, this letter is to provide you with preliminary input into the *Education Act* and possible regulations.

The CBE has long supported the enactment of the *Education Act* (“the Act”). The focus on student outcomes, engagement with partners in education, the support for school board autonomy and accountability of partners aligns with the CBE’s mission for student success:

Each student, in keeping with their individual abilities and gifts, will complete high school with a foundation of learning necessary to thrive in life, work and future learning.

We look forward to receiving the draft regulations and Ministerial Orders so we can better understand how your government will support board autonomy, inclusive education, and partnerships in education, amongst other things. Work is underway on the CBE’s Three Year Education Plan; it will focus on strategies that advance student achievement and well-being and address equity across our system. The CBE believes that board autonomy and flexibility, particularly in relation to funding and programming, is essential to enable the CBE to address achievement gaps and support positive outcomes for students. The CBE recommends that you provide school boards with flexibility in budgeting, borrowing and the allocation of funding dollars to enable them to support student success.

Below is a summary of our comments based on the information available to us at this time.

Specialized Supports and Services / Inclusive Education

Consistent with the CBE's mission described above, the CBE supports a shift from a dual education system to an inclusive, strength-based model that focuses on the uniqueness of each student. Section 11(3) requires school boards to provide a continuum of "specialized supports and services" to students who have emotional, physical, behavioural, intellectual, or communication characteristics that impair the student's ability and opportunity to learn. Section 33(1)(e) speaks to a board's responsibility to provide a continuum of "supports and services" consistent with the "principles of inclusive education". The Act does not provide a definition of inclusive education. In our experience, key partners in education (students, teachers, parents, trustees) lack a universal understanding of inclusion in the education context.

We encourage you to support a common understanding of inclusion that embraces an attitude and approach that recognizes each student is unique, with diverse learning needs, and that boards need a range of tools available to them to meet those diverse needs. Alberta Education has identified that every learner has unique needs; some profound and ongoing, and others short term and requiring supports along a continuum (such as language – interpreters, speech language – counselling, assessments, family supports, etc.). We believe that decisions regarding specialized supports and services must be outcomes based and better reflect this vision for inclusive education rather than be placement based.

Creating an education system that supports a universal acceptance of all students requires a shift in how boards are funded to support the range of complex learning needs of students. We recommend you consider the following in support of inclusive education:

- Allow for greater flexibility to utilize funding at the school and/or community level to allow boards to program for local needs;
- Foster coherence between government initiatives that impact inclusion to enable boards to work with other ministries and partners, to provide specialized supports and services;
- Review funding methodology and rates for complex needs transportation to ensure boards are adequately funded to meet the transportation service needs of students; and
- Ensure that the complex learning needs funding formula enables boards to discharge their responsibilities to provide a continuum of supports and services to all students.

Board Autonomy and Local Decision-Making

The *Education Act* provides school boards with "natural persons powers", and in doing so, enables school boards to determine how to best meet the education needs of its students (section 50). It is important that this grant of power be genuine; restrictive regulations and amendments that limit this power will inhibit the CBE's ability to respond to local needs. We believe that on most issues, the CBE and other school boards are in the best position to balance



the multiple and competing interests that exist in any school jurisdiction in a way that demonstrates accountability to the public and advances student success. To support school boards the CBE recommends that:

- The CBE supports all boards retaining broad authority to charge fees. This power ensures that boards are able to meet student and parent expectations for enhancements to the program of studies and allow boards to maximize funding that flows to the classroom. The current School Fees and Costs Regulation is restrictive, creates an additional layer of approval, and has required the CBE to direct human and other resources to manage the reporting requirements. The CBE recognizes the impact of fees on our families. We support clear and transparent fee setting and disclosure processes that enable parents and students to see the linkage between programs, goods and services provided, the related fee and the value received. We also have a well-established waiver process to ensure that an inability to pay fees does not inhibit student access to learning opportunities.
- We appreciate your commitment to provide school boards and families with stability in relation to transportation services for this coming school year; however we believe that by adopting the current transportation regulatory model “as is” without changes to the funding and allocation model you will continue a model that is largely unsustainable in the metro context. We ask that you allow boards to use their discretion to allocate funding dollars and to make decisions on the modes of transportation without restrictions. We recommend that you engage with school boards, and particularly metro boards, to develop a sustainable and adequately funded transportation framework that addresses the diverse needs of students.
- We recommend that borrowing powers under the Borrowing Regulation be sufficiently broad to allow school boards to manage their borrowing and debt obligations. We note that the 2015 draft Borrowing Regulation created an unduly restrictive formula that made it difficult to exercise borrowing powers.
- Similarly the CBE recommends that the grant of investment powers enable boards to invest prudently in a range of government issued and market based instruments without Ministerial approval. As the largest school district in the province, the CBE requires greater flexibility and authority in the management of its investment portfolio. We encourage the Minister to define policy parameters such that boards can enact their own policies including any restrictions as defined by the board and that you avoid prescribing “authorized investments”. If you are inclined to prescribe investments then we encourage you to reduce red tape and eliminate the requirement for Ministerial approval of investments.
- The CBE also seeks a broad application of natural persons powers in relation to disposition and sale of its property. While we appreciate the need for reasonable ministerial oversight of the sale of school buildings, the CBE requests that the new regulation provide sufficient flexibility to



allow the CBE to manage its large portfolio of facilities. The CBE develops short term and long range facilities plans to ensure it has student spaces in the places where students reside. We encourage you to support flexibility in sale proceeds that allows them to be applied to capital, operations, or maintenance (see 2015 Draft Regulation). We also support greater flexibility in the application of disposition proceeds.

Meaningful Input into Regulations

The CBE welcomes the introduction of the *Education Act*, which places students at the front of all educational decisions. Given its significant impact on student learning we believe it is important to offer our insights in advance of the regulations being released for review. We reiterate our request from our letter dated May 8, 2019 to give school boards an opportunity to review and provide input on the draft regulations in a timely way to support effective implementation of the new legislative framework. Providing ongoing opportunities for meaningful engagement will ensure that you and your staff are aware of the funding and operational impacts prior to regulations coming into force.

Ministerial Orders to Support Implementation

Seclusion Rooms

Further to our letters of May 1, 2019 and May 15, 2019 the CBE awaits a change to the Ministerial Order on use of seclusion rooms. The prior government committed to creating an exemption process including guidelines for those exemptions. Should the current ban remain in place it is critical that the CBE have the opportunity to qualify for an exemption before the commencement of the 2019/2020 school year. The CBE has comprehensive guidelines on the use of seclusion rooms in complex settings and having access to those rooms is necessary to support students to fully participate in their learning in a safe and respectful environment. This issue is urgent as it will affect the CBE's ability to program and offer third party supports to students in complex unique settings.

Board Code of Conduct

The Act provides for a Ministerial order related to the Board Code of Conduct. This Order is referenced in the Board Procedures Regulation and the Act. We encourage you to issue that order in a timely way so that boards can efficiently review and revise board policies to align with the new provisions and Order.

Timelines

We reiterate our request from May 8, 2019, that you provide sufficient time for school boards to implement the new legislation and regulations. The Act provides boards with broad policy setting authority; the development of those

policies are subject to regulation and the CBE cannot engage in that work until the regulations are released. We believe our district is best served by a September 1, 2020 implementation date. Given the delayed budget and the fact that engagement on regulations just commenced we encourage you to provide a transition period for boards to formulate policies and practices to comply with the new Act.

We look forward to working with you in a collaborative manner throughout the implementation process.

Sincerely,



Marilyn Dennis
Chair, Board of Trustees

cc: Christopher Usih, Chief Superintendent of Schools





Office of the Minister



ARI06604

JUL 30 2019

Ms. Marilyn Dennis
Chair
Calgary Board of Education
1221 - 8 Street SW
Calgary AB T2R 0L4

Dear Ms. Dennis: *Marilyn,*

Thank you for your June 27, 2019 letter providing input from the Calgary Board of Education regarding the Education Act. I appreciated meeting with you and Chief Superintendent Chris Usih on June 20, 2019 regarding some of the issues impacting your school jurisdiction.

Our government has proclaimed the *Education Amendment Act* (formerly Bill 8) as part of our commitment to the Education Act coming into force on September 1. The Education Act will provide a framework for educational excellence in Alberta, modernize governance and offer greater flexibility for students, parents and school authorities.

The Education Act and its regulations were developed with substantial stakeholder input between 2009 and 2015, including participation and submissions from school boards. Alberta Education staff have also conducted a variety of engagement activities with key stakeholders to prepare for the implementation of the Education Act and regulations, including live webinars where information was provided and feedback was gathered on proposed changes to the regulations. We value the extensive feedback received and will be taking all of the input into account as implementation of this legislation proceeds.

In regard to your comments on seclusion rooms, I assure you our government supports safe schools that protect students and staff. We owe it to our students and their parents, as well as teachers and staff, to ensure proper supports are in place. Since assuming my role as Minister of Education, I have heard from a number of stakeholders on a variety of topics, including the use of seclusion rooms. I am currently reviewing this matter.

.../2

Marilyn Dennis
Page Two

I appreciate you taking the time to follow up on our meeting, and I look forward to working with the Calgary Board of Education, and with all of Alberta's education stakeholders, to ensure that all students in Alberta receive the best education possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adriana LaGrange', written in a cursive style.

Adriana LaGrange
Minister