

Calgary Board of Education

Minutes of the Regular Meeting of the Board of Trustees held in the Board Room, Education Centre, 515 Macleod Trail SE, Calgary, Alberta, on Tuesday, December 4, 2007 at 5:00 p.m.

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PRESENT:

Board of Trustees:

Trustee P. Cochrane, Chair  
Trustee C. Bazinet  
Trustee G. Dirks  
Trustee L. Ferguson  
Trustee P. King  
Trustee K. Kryczka  
Trustee G. Lane

Administration:

Dr. B. Croskery, Chief Superintendent of Schools  
Mr. F. Coppinger, Superintendent, Facilities and Environmental Services  
Ms. J. Crarer, Acting Superintendent, Educational Support Services  
Mr. D. Dart, Superintendent, Corporate Services – Secretary Treasurer  
Ms. B. Hubert, Deputy Chief Superintendent of Schools  
Mr. J. Jones, Executive Assistant to the Chief Superintendent  
Ms. B. Kuester, Executive Director of Communications  
Mr. R. Peden, Director and General Counsel, Legal Affairs  
Ms. J. Barkway, Assistant Corporate Secretary  
Ms. S. Wasylshyn, Executive Assistant to the Trustees  
Ms. D. Perrier, Recording Secretary

Stakeholder Representatives:

Ms. G. Burger-Martindale, Calgary Association of Parents and School Councils  
Ms. A. Craig, Calgary Board of Education Staff Association  
Mr. K. Hackman, Principals' Association for Adolescent Learners (PAAL)  
Mr. R. Petrowitsch, Principals' Association for Adolescent Learners (PAAL)  
Mr. F. Reaume, Canadian Union of Public Employees  
Ms. J. Regal, Alberta Teachers' Association, Local 38

Action By

**1.0 CALL TO ORDER, NATIONAL ANTHEM AND WELCOME**

Chair Cochrane called the meeting to order at 5:00 p.m. and the singing of the national anthem took place, led by Christine and Andrew, students from Glamorgan School. Chair Cochrane acknowledged and welcomed representatives from the aforementioned organizations.

**2.0 CONSIDERATION/APPROVAL OF AGENDA**

MOVED by Trustee Bazinet:

**THAT the Agenda for the Regular Meeting of December 4, 2007, be approved as submitted.**

The motion was  
CARRIED UNANIMOUSLY.

### **3.0 SCHOOL/SYSTEM PRESENTATIONS**

There were no presentations.

### **4.0 HONOURS AND RECOGNITIONS**

There were no honours or recognitions.

### **5.0 PUBLIC CONVERSATION AND INFORMATION**

#### **5.1 Report from the Chair and Trustees**

Trustee Kryczka reported on her visit to Woodbine School on November 29<sup>th</sup>, noting she met with students from two Grade 6 classes to share information about the role of a trustee. The students were learning about civic elections and showed great interest in the subject.

#### **5.2 Report from the Chief Superintendent**

Chief Superintendent Croskery gave a verbal report on the following issues and events:

- The Jewish celebration of *Hanukkah* (known as “The Festival of Lights” and to celebrate freedom) is underway this week in Calgary.
- He recently met with the Co-chairs of the Principals’ Associations.
- Banting & Best School & Sherwood School held their annual week-long “Pennies for People” and collected \$6,600 to be donated to the Leukemia Foundation. This exceeded the amount of money ever collected by a school in Calgary for the Foundation.
- Nicole, a student from Marion Carson School, won an Alberta-wide art contest on the theme “Think Global”. The contest was open to students in Grades 3 to 12, and Nicole was one of three students in the province to win.
- Earlier in the day he received notification from the Department of Education in regards to the results of the 2006 testing program for international student assessment. This is done every three years by PISA, which is a group who assesses the national achievement of 15-year old students from around the world, in reading, mathematics and science. The focus of the 2006 study was on science and in this category Alberta students scored second worldwide; in reading, Alberta tied for 3<sup>rd</sup>; and in mathematics, Alberta tied for 5<sup>th</sup>.

#### **5.3 Public Question Period**

There were no questions from the public.

#### **5.4 Stakeholder Reports**

##### **5.4.1 Ms. M.J. Pow, GATE Parent Association**

Ms. Pow note that she has served as President of the Gifted and Talented Education (GATE) Parent Association for the past two years, where she had the opportunity to be involved with 400 parent members and to interact with a broad community of stakeholders and experts in the field of giftedness. She noted the purpose of her stakeholder report was to provide the parents’ perspective on four priorities in special needs education requiring the attention of the Board of Trustees.

Ms. Pow noted that parents recognize that the CBE has acknowledged giftedness and that a variety of frameworks have been attempted to meet the needs of gifted, yet parents and students continue to experience the same challenges year after year in addressing their needs. She informed that parents request this Board to intervene with policy ensuring

organizational responsiveness to the standards for special needs education legislated in 2004. Policy must support program development based on solid scientific inquiry and regular evaluation. She noted that parents also request that the Board lead in the elimination of misconceptions that special needs gifted students are our most able students, because they believe that these are our most complex students. They ask that the Board does not acknowledge myths, philosophical beliefs, biases and personal values about gifted children but rather ensure policy that recognizes giftedness as a true special need and requiring specialized education. Ms. Pow had additional written information that was circulated to trustees, senior administration and for the corporate record.

#### 5.5 Trustee Inquiries

There were no Trustee inquiries.

### 6.0 ACTION ITEMS

#### 6.1 Delegation of Authority Resolution (B-4E)

In response to a question, Ms. Barkway reviewed the changes that were made to the current version of the Delegation of Authority Resolution (B-4E).

MOVED by Trustee Lane:

**THAT the Board of Trustees approves the Delegation of Authority Resolution, as submitted.**

(For clarity the Resolution is as follows:

- A. **THAT the Board of Trustees rescinds the Board of Trustees' October 17, 2006 resolution on delegation of authority.**
- B. **THAT, pursuant to its powers under section 61 of the *School Act*:**
  1. **The Board of Trustees delegates to the Chief Superintendent the power to do any act or thing or exercise any power that the Board may or is required to do or exercise except:**
    - (a) **Those matters which, in accordance with section 61(2) of the *School Act*, cannot be delegated;**
    - (b) **The power to terminate the services of a teacher, to terminate a contract of employment of a teacher or to terminate a designation made pursuant to section 19, 95 or 96 of the *School Act*;**
    - (c) **The power under section 107(4) of the *School Act* to suspend a teacher from the performance of a teacher's duties in accordance with the notice where a teacher has been served with a notice of termination of a contract of employment; and**
    - (d) **The appointment of an auditor under section 146 of the *School Act* and the examination of the auditor's report under section 150 of the *School Act*.**
  2. **The Board of Trustees delegates only to the Chief Superintendent the power under section 105(1) of the *School Act* to suspend a teacher from the performance of the teacher's duties when the Chief Superintendent has reasonable grounds for believing that the teacher has been guilty of**

gross misconduct, neglecting the teacher's duty or refusing or neglecting to obey a lawful order of the board;

3. The Board of Trustees delegates only to the Chief Superintendent the power under section 105(2) of the *School Act* to suspend a teacher from the performance of the teacher's duties without prior notice if the Chief Superintendent is of the opinion that the welfare of students is threatened by the presence of the teacher;
  4. The Board of Trustees requires the Chief Superintendent to:
    - (a) Advise the board forthwith in writing of any suspension directed pursuant to this delegation; and
    - (b) Advise the affected teacher forthwith in writing of the reasons for the suspension of the teacher, and
    - (c) To forward a copy of the notice of suspension together with a written statement of the facts alleged to the Board of Trustees and to the Minister.
  5. No decision of the Chief Superintendent to suspend the services of a teacher may be appealed to the Board of Trustees.
- C. THAT, pursuant to its powers under section 61 of the *School Act* and section 95 of the *Freedom of Information and Protection of Privacy Act*:
1. The Board of Trustees designates the Chief Superintendent as head of the Calgary Board of Education for purposes of the *Freedom of Information and Protection of Privacy Act*;
  2. The Board of Trustees approves the charging of fees for services related to requests under the *Freedom of Information and Protection of Privacy Act*, which must not exceed the fees as provided in the regulations under the *Freedom of Information and Protection of Privacy Act*.
- D. THAT, pursuant to its powers under section 9 of the *Student Record Regulation*, the Board of Trustees designates the Chief Superintendent to be responsible for ensuring that the policies and procedures established by the board relating to student records and to information referred to in section 3 of the *Student Record Regulation* comply with the *Student Record Regulation* and the *Freedom of Information and Protection of Privacy Act*.
- E. THAT, pursuant to its powers under section 61 and 123 of the *School Act*:
1. In accordance with section 123 of the *School Act*, the Board of Trustees approves the establishment of the following appeal procedures as set out in the Chief Superintendent's Administrative Regulations including:
    - (a) Administrative Regulation 1090 – Long Range Student Accommodation Planning Process
    - (b) Administrative Regulation 3003 - Special Education;
    - (c) Administrative Regulation 3013 - Program Issues and Challenges;

- (d) **Administrative Regulation 3017A - Admission of Students;**
- (e) **Administrative Regulation and Procedures 3018 – Promotion and Pupil Placement;**
- (f) **Administrative Regulation 3081 - Staff and Resource Allocation Decisions;**
- (g) **Administrative Regulation 4027.2 - Personal and Sexual Harassment;**
- (h) **Administrative Regulation 5007 - Community Concerns and Complaints**
- (i) **Administrative Regulation 6001 - School Discipline;**
- (j) **Administrative Regulation 6093 - Fourth Year of High School;**
- (k) **Administrative Regulation 6095 - Transportation of Students;**
- (l) **Administrative Regulation 7006 - Student Fees;**
- (m) **Any other existing student appeal procedures set out in the Chief Superintendent’s Administrative Regulations; and**
- (n) **Any future student appeal procedures set out in Administrative Regulations as long as the Chief Superintendent gives notice in writing to the Board of Trustees prior to the approval of the administrative regulation by the Chief Superintendent.**

**F. THAT the Board of Trustees authorizes the Chief Superintendent to sub-delegate to other employees of the Calgary Board of Education, the powers delegated by the Board of Trustees, other than the power to suspend a teacher under sections 105(1) and 105(2) of the School Act but this in no way relieves the Chief Superintendent of overall responsibility to the Board of Trustees.**

**G. THAT, pursuant to its powers under section 61 of the *School Act*:**

- 1. Notwithstanding anything contained herein, the Board of Trustees reserves to itself the authority to make decisions on specific matters requiring the approval of the Board of Trustees in accordance with Board Governance Policies, Governance Procedures and Board Procedures.**

**THAT the Board of Trustees approves that the Delegation of Authority Resolution, as noted above, be approved as Board-Chief Superintendent Linkage Policy 4E.**

The motion was  
CARRIED UNANIMOUSLY.

## **7.0 MONITORING AND RESULTS**

### **7.1 Annual Monitoring Report for Executive Limitations 18: Student Fees**

Chief Superintendent Croskery provided preliminary comments, noting his thanks to the resource persons who worked on this report. He shared comments pertaining to the monitoring cycle for this Executive Limitation, noting the data that support this report are largely drawn from activity that has occurred in a relatively short time period.

Chair Cochrane reviewed the criteria against which the Trustees are to judge the monitoring report on Executive Limitations 18: Student Fees, including that of reasonable interpretation of the policy, whether the Board is satisfied that the Chief Superintendent is in compliance with the policy provisions or has disclosed procedures to establish compliance, and whether sufficient information has been provided. She noted further that any decision or comment of the Board of Trustees with regard to non-compliance is in no way intended to be a vote of non-confidence for the Chief Superintendent.

Trustees posed questions, which were responded to by Administration, and the discussion is summarized as follows:

- Director Braun responded to a question of the number of waiver applications approved, noting that a very small number of those applications were turned down because they did not meet the standard requirements. There is no formal mechanism in place for those to be appealed to, but if anyone were to come forward with an appeal of the decision, he would hear those appeals; however, no appeals have come to his attention.
- With respect to considering waivers for the cost of an off-site activity that exceeded the cost of thirty dollars, this amount was determined to be a reasonable threshold subsequent to consultation between our administration and external and internal legal counsel. These waiver applications are made to the school principal.
- A concern noted by a Trustee was that there is no mention in the report of how the reasonable expectations and guidelines regarding the charging of fees are clearly communicated to schools and to parents. Director Braun referenced the two middle paragraphs on page 4 of the report, noting that subsequent to the new Administrative Regulations (AR) 7005 - Student Fees, and 7006 - Reporting on Student Fees having been approved in June 2007, all schools within the CBE were advised, and in September 2007, school principals were again advised on the implementation of the new AR 7005 and AR 7006. They were also posted on the CBE website. It was then asked if the regulations speak to how to communicate this to parents, to which Chief Superintendent Croskery responded that it would be rather atypical to have a directive as such in an administrative regulation and that it would be rather unusual and cumbersome to follow up on whether principals did in fact communicate this issue to parents. He commented that the question as such could be put forward through a survey.
- Director Braun clarified that the family maximums are not considered to be waivers. Where a family has more than one child in the system, the family maximum is set at two times the high school rate, which amounts to a family maximum of \$264. If their school fees exceed \$264 the family would pay for the fees to the individual schools that their children attend, then the family would apply to Corporate Finance to have their family maximum applied and be refunded the difference. In regards to families who qualify for a waiver, if they apply for the waiver prior to September 1 when the school year starts the waiver is put into place immediately, but if the application for a waiver is not put forward until say November or December, then it is prorated.
- The documents required for the qualification of fee waivers include evidence of a family receiving social assistance or of any subsidy on Alberta Health Care billings. If a family circumstance changes, if they are using the Alberta Health Care as documentation, Alberta Health Care deems that provision for their billings based on the family's previous taxation year. If it were a social assistance-related circumstance that is proven, then we would be able to prorate the fee.
- The question was not specifically asked in 2006-07 as to whether any students have been denied access to instructional supplies and materials or essential education trips because of their inability to pay. Our intent is that during the 2007-08 school year a sample

survey of schools will be done on all of these items identified in this particular Executive Limitations and those findings will be reported on in next year's monitoring report.

- In response to a question of reasonable interpretation of point 4 on page 7-6 "Fees for instructional supplies and materials and educational trips shall not exceed cost recovery" Director Braun noted that the assumption here is that everybody would pay and in this regard the figures shown in the chart relating to the IRF Fee as a Percentage of Average Cost per Student is being used as the interpretation of point 4. History has shown that costs have always exceeded the fees. The calculation of costs depicted in the table is based on sample costs extrapolated from last year and includes Career and Technology Studies (CTS) supplies, photocopying costs, and textbooks at junior and senior high level.

MOVED by Trustee Ferguson:

**THAT the Chief Superintendent has reasonably interpreted the provisions of Executive Limitations 18: Student Fees, and the Board of Trustees finds the Chief Superintendent to be in compliance with the policy.**

MOVED by Trustee Dirks:

**THAT the motion be amended by adding to the end of the resolution "with the exception of policy sub-part 1."**

Trustee Dirks noted that even though it has been indicated that information has been shared with principals on the expectations and guidelines about the respective responsibilities of the Calgary Board of Education, parents and independent students in providing instructional supplies and materials, the Board can only assume that such information was universally and clearly communicated to parents and to independent students. He noted his personal belief that a sample survey of information provided by principals that put forward how and to what degree they communicated with parents and with independent students would have provided adequate information for the Board to determine if compliance with this policy sub-part was met.

Chair Cochrane called for the vote on the amendment.

The amendment was  
CARRIED UNANIMOUSLY.

Chair Cochrane noted that the main motion, as amended, was on the floor. Following some debate, Chair Cochrane called for the vote on the motion.

The motion was  
CARRIED UNANIMOUSLY.

MOVED by Trustee Bazinet:

**THAT the Board of Trustees directs the Chief Superintendent to provide a further report on monitoring sub-part 1 of Executive Limitations 18: Student Fees, of how the reasonable expectations and guidelines have been clearly communicated to parents and to independent students, by the end of February 2008.**

The motion was

CARRIED UNANIMOUSLY.

MOVED by Trustee Ferguson:

**THAT the Board of Trustees commends the Chief Superintendent for exemplary performance in implementing procedures for greater accountability at schools to account for educational school trips and for school fees.**

The motion was  
CARRIED UNANIMOUSLY.

## **8.0 POLICY DEVELOPMENT AND REVIEW**

There were no items.

## **9.0 CONSENT AGENDA**

There were no objections to the Consent Agenda and Chair Cochrane declared the following items to be adopted as submitted:

### **9.1 Board Consent Agenda**

#### **9.1.1 Correspondence**

**THAT the Board of Trustees receives the following correspondence for information and for the record, in the form as submitted:**

- **Letter to School Board Chairs from the Honourable Ron Liepert, Minister of Education, regarding International Education Week.**
- **Letter to Board Chair Pat Cochrane from the Honourable Ron Liepert, Minister of Education in regards to the P3 pilot project updates.**
- **Letter to All Public and Separate School Board Chairs from the Honourable Ron Liepert, Minister of Education regarding the successful conclusion to discussions on a Memorandum of Agreement in principle to address the Teacher's Pension Plan pre-1992 unfunded liability.**

### **9.2 Chief Superintendent's Consent Agenda**

#### **9.2.2 Chief Superintendent's Update**

**THAT the Board of Trustees receives the Chief Superintendent's Update dated December 4, 2007, for information.**

#### **9.2.1 Fall 2007 Update to the 2007/08 Budget**

**THAT the Board of Trustees receives the report dated December 4, 2007 for information.**

## **10.0 TRUSTEE NOTICES OF MOTION**

Trustee Bazinet gave notice of motion for a proposed amendment to Executive Limitations 6: Instructional Program, to delete the provision that no program can emphasize a particular religion, to come to the next public meeting of the Board of Trustees.

Recessed: 5:55 p.m.  
Reconvened: 6:07 p.m.

## 11.0 IN-CAMERA ISSUES

### 11.1 Motion to Move In Camera

MOVED by Trustee Ferguson:

**THAT the Regular Meeting of the Board of Trustees moves in camera.**

The motion was  
CARRIED UNANIMOUSLY.

At 7:57 p.m., during the in-camera session, Chair Cochrane received the consent of Trustees to continue the meeting to the completion of the agenda.

### 11.2 Motion to Revert to Public Meeting

MOVED by Trustee Dirks:

**THAT the Regular Meeting of the Board of Trustees moves out of in camera.**

The motion was  
CARRIED UNANIMOUSLY.

### 11.3 Motions to Action In-Camera Recommendations:

MOVED by Trustee Bazinet:

**THAT the Board of Trustees ratifies the Memorandum of Agreement between the Calgary Board of Education (CBE) and the Alberta & Northwest Territories (District of MacKenzie) Regional Council of Carpenters and Allied Workers, Local 2103 (Carpenters), as attached to the private report dated December 4, 2007.**

The motion was  
CARRIED UNANIMOUSLY.

MOVED by Trustee Dirks:

**THAT the Safety Monitoring private report dated December 4, 2007 be received for information and be referred to an upcoming public Board meeting for Board consideration.**

The motion was  
CARRIED UNANIMOUSLY.

MOVED by Trustee Lane:

**THAT a portion of the Valley Ridge school and playfield site required for the construction of a fire hall, as outlined in the private report dated December 4, 2007, be considered permanently surplus for purchase by the City of Calgary,**

**subject to the approval of the Minister of Education and the Minister of Infrastructure and Transportation.**

The motion was  
CARRIED UNANIMOUSLY.

MOVED by Trustee Kryczka:

**WHEREAS the Calgary Board of Education has a strong interest in maintaining the historic integrity of provincial school district boundaries; and**

**WHEREAS the Calgary Board of Education has an interest in maintaining the historic integrity of the city of Calgary as a “unicity” as well as a commitment to the historic integrity of the Calgary Board of Education as a metro board serving the unicity of Calgary; and**

**WHEREAS the Calgary Board of Education has an interest in ensuring that there is an appropriate degree of coordination between the services provided by The City of Calgary and those services provided by the Calgary Board of Education to the citizens of Calgary; and**

**WHEREAS the Calgary Board of Education has a long term interest in the viability of a Calgary public education system that serves a diverse population, rather than becoming a default system for marginalized citizens, which could result from a long term population drift to the inner city; and**

**WHEREAS the Calgary Board of Education has an interest in collaborating with neighbouring school divisions (without compromising its own primary interests) to serve the students of Calgary and its surrounding jurisdictions;**

**THEREFORE BE IT RESOLVED THAT the Chief Superintendent and Chair of the Board of Trustees of the Calgary Board of Education investigate the feasibility of a coordinated communication to the Minister of Education from the Calgary Board of Education, the Calgary Roman Catholic School District and The City of Calgary to request the Minister to take appropriate action to affirm the historic tradition of coterminous boundaries of the Calgary school districts and The City of Calgary; and**

**THAT the Board of Trustees authorizes the Chair of the Board to communicate with the Minister of Education to request that the Minister take appropriate action to affirm the historic tradition of coterminous boundaries of the Calgary Board of Education and the city of Calgary; and**

**THAT the Calgary Board of Education be allowed to provide input to the establishment of timelines for the implementation of such a decision; and**

**THAT the Board of Trustees approves the implementation plan as discussed in the in-camera session of December 4, 2007.**

The motion was  
CARRIED UNANIMOUSLY.

MOVED by Trustee Ferguson:

**THAT the Board of Trustees receives for information the private report dated December 4, 2007 on the Superintendent Performance Recognition Bonus Plan.**

The motion was  
CARRIED UNANIMOUSLY.

There were no objections to the Private Consent Agenda and Chair Cochrane declared the following items to be adopted as submitted:

**Board Consent Agenda**

EducationMatters Liaison Report

**THAT the Board of Trustees receives the report for information.**

Mutual Interest Board Liaison Report

**THAT the Board of Trustees receives the liaison report regarding the Mutual Interest Board as submitted.**

**Chief Consent Agenda**

Contract between the CBE and Hull Child and Family Services

**THAT the Board of Trustees approves the renewal of the contract with Hull Child and Family Services to provide the staff necessary for the day-to-day operation of the William Roper Hull School program.**

Contract between the CBE and the Calgary Health Region for Home Care Services

**THAT the Board of Trustees approves the renewal of the contract with Calgary Health Services to provide Home Care support for students requiring invasive medical intervention during the school day.**

Contract between the CBE and the YWCA of Calgary

**THAT the Board of Trustees approves the renewal of the contract with the YWCA of Calgary to provide family and mental health support for the school-based special education behaviour program, Bridges.**

Contract between the CBE and the Calgary Health Region for Occupational Therapy and Physical Therapy Services

**THAT the Board of Trustees approves the renewal of the contract with Calgary Health Region regarding the provision of Occupational Therapy and Physical Therapy services to students attending CBE schools.**

Recommended Heating and Ventilation Equipment Replacements

- 1. THAT the Board of Trustees receives the report for information.**
- 2. THAT the Board of Trustees approves the expenditure of \$1,175,413 for replacement of 80 unit ventilators/furnaces.**

**12.0 ADJOURNMENT**

Chair Cochrane declared the meeting adjourned at 8:38 p.m.