



## REGULAR MEETING OF THE BOARD OF TRUSTEES

HELD VIRTUALLY

**DECEMBER 10, 2020**

*10:00 a.m. Regular Board Meeting*

### AGENDA

1. Call to Order
2. Approval of Agenda
3. In Camera Meeting
4. Motions Arising from In Camera
5. Approval of Minutes
  - a) Regular Board Meeting – November 26, 2020
6. Exemplary Practice/ Student Showcase
7. Superintendent's Report
8. Chair's Report/Correspondence
9. Committee Reports
  - a) Policy (w/motions)
  - b) Planning
  - c) Other
10. Trustee Reports
11. New Business
12. Adjournment

This unofficial agenda is subject to change and is not *official* until approved at the Board meeting.



**SUPERINTENDENT'S REPORT**  
REGULAR MEETING OF THE BOARD OF TRUSTEES

**DECEMBER 10, 2020**

**AGENDA**

- |  | <b>ACTION</b> |
|--|---------------|
| 1. Board Ward Structure Bylaw  | Directive     |
| 2. Bylaw for 10 Elector Signatures                                   | Directive     |
| 3. Appointment of Returning Officer and Substitute Returning Officer | Directive     |
| 4. Repeal of Bylaw 2017-3  | Directive     |
| 5. Administrative Procedures Update                                  | Information   |

A handwritten signature in black ink, appearing to read "Greg Luterbach", with a small star-like mark above the second letter of the last name.

Greg Luterbach  
Superintendent of Schools



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Board Ward Structure Bylaw

**Date of Meeting:** December 10, 2020

**Background:**

As outlined in section 76 of the Education Act, ward boundary changes are to be made through a bylaw as outlined below. A thorough review of the ward boundaries was completed and approved by the Board, and Alberta Education, prior to the 2017 election. The Education Act states:

**Establishment of wards**

**76(1)** The board of a school division may by bylaw

- (a) provide for the nomination and election of trustees by wards and determine the boundaries of the wards, or
- (b) provide for the election of trustees by the general vote of the electors.

**(2)** A bylaw passed under this section

- (a) does not apply to the general election next following the passing of the bylaw unless it is passed before December 31 in the year prior to that general election being held, and
- (b) does not apply to or affect the composition of the board until the date of the next general election to which the bylaw applies.

**(2.1)** Subject to subsection (2.2), a board shall provide a copy of a bylaw passed under this section to the Minister as soon as possible after the bylaw is passed.

**(2.2)** A board shall provide a copy of a bylaw passed under this section to the Minister before December 31 in the year prior to an election year.

**Current Status:**

There are three changes to ward boundaries that require amendment following the 2017 election. Those changes include:

- One minor correction from the previous bylaw passed in 2017;
- The annexation of the lands which will eventually house the next high school in Cochrane; and
- Two changes to CBE's service area.

In order for the ward boundary maps to be updated, reflecting these changes, a bylaw will need to be passed before Dec. 31, 2020.

Attached in Appendix A is the bylaw and maps being presented for consideration and approval.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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## **Alternatives:**

### **Alternative I**

The Board of Trustees gives three readings to bylaw 2020-1 which, subject to ministerial approval, will amend the ward boundaries.

### **Alternative II**

The Board of Trustees defeats bylaw 2020-1 and decides on an alternate course of action.

## **Recommendation:**

The Board of Trustees follow the steps outlined below in order to give three readings to bylaw 2020-1 which, subject to ministerial approval, will amend the ward boundaries.

### **1. First Reading:**

Bylaw 2020-1 is required to be read in full for its first reading, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives first reading to bylaw 2020-1 as read in full this 10<sup>th</sup> day of December in the year 2020.

### **2. Second Reading:**

Second reading of a bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives second reading to bylaw 2020-1 as read in part this 10<sup>th</sup> day of December in the year 2020.

### **3. Consider Third Reading:**

In order to consider third reading of a bylaw at the same Board meeting, a motion to have the bylaw read a third time must pass unanimously by the members present at the meeting. *The motion outlined in the recommendation below needs to be passed to proceed to the Third reading.*

#### **Recommendation:**

The Board of Trustees considers a third reading of bylaw 2020-1 this 10<sup>th</sup> day of December in the year 2020.

### **4. Third Reading:**

Only permitted if the motion above is passed unanimously by all trustee's present. The third reading of the bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives third reading to bylaw 2020-1 as read in part this 10<sup>th</sup> day of December in the year 2020.

**BY-LAW NO. 2020-01**

**OF THE**

**THE ROCKY VIEW SCHOOL DIVISION**

A bylaw of The Rocky View School Division in the Province of Alberta, relating to changes made to the electoral wards.

WHEREAS the Board requests the Minister, by Ministerial Order pursuant to Section 76(1)(a) of the *Education Act* to adjust the wards of the School Division as outlined in attached map in "Schedule A". The correspondence accompanied with these requests is shown "Schedule B" and "Schedule C" and "Schedule D".

Subject to the Minister completing the Ministerial Order as requested herein and subject to the Minister's approval of this bylaw, the Board hereby resolves:

Pursuant to the Education Act and the Ministerial Order, the ward boundaries will be adjusted as follows:

- a. Ward 5: To include the parts of SEC 6 and 7 of Township 27, Range 6, West of the 5<sup>th</sup> Meridian.
- b. To remove from the Wards identified below, areas that are now part CBE's jurisdictional area:
  - Ward 5: West Crestmont: SEC 31-24-2-W5, a portion of Plan 7510024 Block 2.
  - Ward 4: Livingston: SEC 3-26-1-5 (NW 3-26-1-5, SW 3-26-1-5, NE 3-26-1-5, SE 3-26-1-5), and NE 4-26-1-5 and SE 4-26-1-5
- c. Ward 6: To incorporate into Ward 6 and remove from Ward 5 the recently annexed lands by the Town of Cochrane: Portion of SEC 16-26-4-5 (including all land adjacent to the west of said quarter section lying east of the west boundary of road plan 741 0599) and Plan 1364 LK (including all that land adjacent to the west boundary of said parcel lying east of the west boundary of plan 731 613)

As set out in Section 76(2) of the Education Act, this bylaw shall take effect on the date of the next general election for the Board.

**READ A FIRST TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**READ A SECOND TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

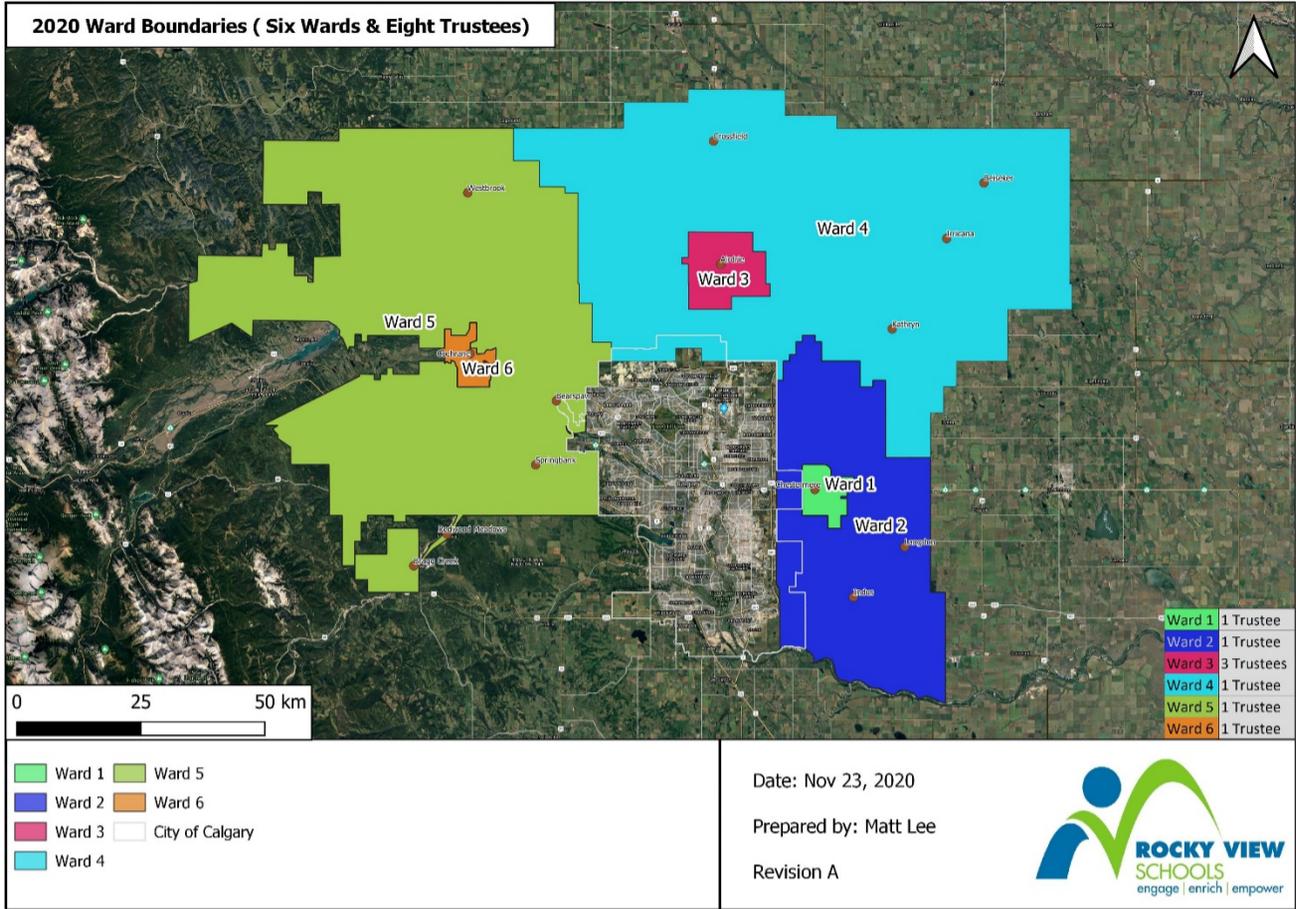
**READ A THIRD TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

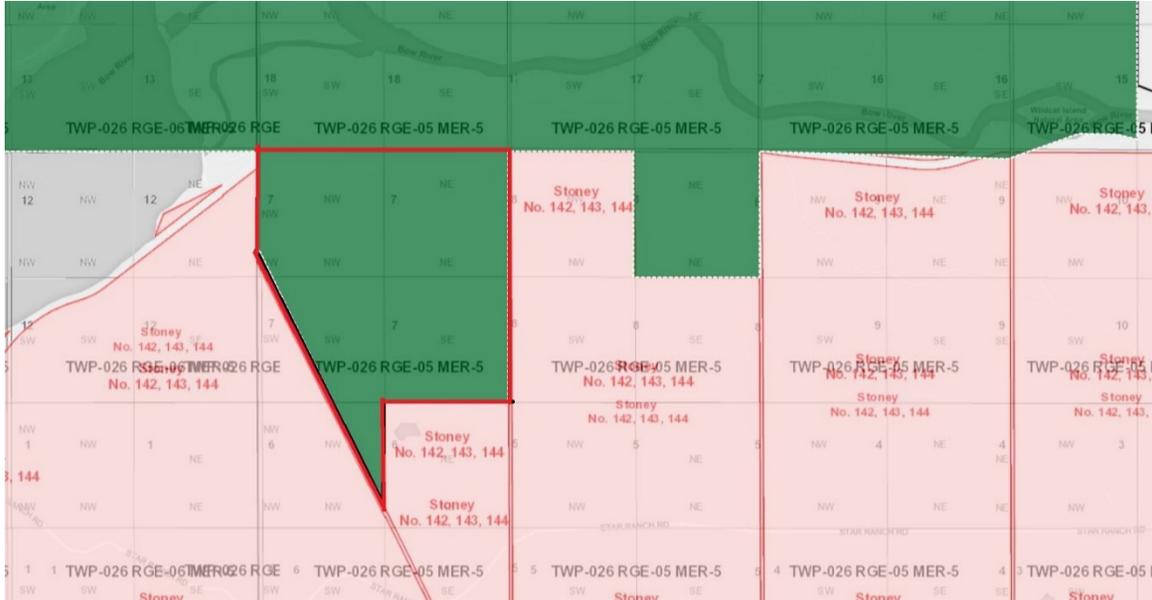
\_\_\_\_\_  
Secretary-Treasurer

# SCHEDULE A

## Proposed Ward Boundary Map



**SCHEDULE B**  
**Adjustment 1 – West of Cochrane (missed in 2017)**



**From:** Alexander Blyth  
**To:** [Darrill Couture](#)  
**Cc:** [Stephanie Dove](#)  
**Subject:** Election Boundaries - T26 R5 W5  
**Date:** August 4, 2017 4:40:38 PM

Hi Darryl,

As we discussed earlier today, it does appear that a section of land in Ward 5 was absent from the Rocky View Schools Bylaw 2017-2 and Ministerial Order 024/2017.

A review of documentation confirms that some lands were missed. I've attached a picture of the missing lands for reference (area in Red). The lands in question are:

**Township 26, Range 5, West of the 5<sup>th</sup> Meridian**

Section 7 excluding any lands located within The Stoney Indian Reserve;

Northwest quarter of Section 6 excluding any lands located within The Stoney Indian Reserve

As it appears that there are no homes or buildings on this land, it should be safe to say that no electors will be affected. As such, there is no need to pass a revised bylaw for the upcoming election, which would also then require a revised Ministerial Order. These lands can be added to a future bylaw, which will be required for the October 2021 Election.

If you have any concerns or questions, please let me know.

Thank you,

Alexander Blyth  
Education Manager  
Business Operations and Stakeholder Support  
Alberta Education  
(780) 427-3717 (office)  
(587) 988-5544 (cell)

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## SCHEDULE D CBE Jurisdictional Boundary Changes



Calgary Board  
of Education

1221 – 8 Street S.W., Calgary, AB T2R 0L4

www.cbe.ab.ca

January 25, 2018

Sent Via Email

Colette Winter  
Director of Facility Planning  
Rocky View Schools  
2651 Chinook Winds Drive SW  
Airdrie, AB T4B 0B4

Dear Ms. Winter:

### **Re: Consideration of Changes to Jurisdictional Boundaries**

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I am writing to advise that the Calgary Board of Education (CBE) will be seeking to request approval from the Province of Alberta for a boundary change.

Under previous governments the Minister of Education advised that it was in the best interest of students to leave school jurisdiction boundaries as they were until urban development warranted change. With urban development advancing in two (2) areas previously annexed by the City of Calgary, the CBE is now requesting corresponding boundary changes.

The areas the CBE will be requesting to annex are the following, both within the City of Calgary's municipal boundary:

#### West Crestmont

This area is located on the west side of the City of Calgary, west of Canada Olympic Park, on the south side of the Trans-Canada Highway. The area is bounded by the Trans-Canada Highway on the north, the existing Crestmont community on the east, the City of Calgary/Rocky View County Municipal Boundary on the south, and the watercourse on the west (Attachment I).

The legal descriptions are a portion of SEC 31-24-2-W5, a portion of Plan 7510024 Block 2.

learning | [as unique](#) | as every student

Part of Livingston

This area is located on the north side of the City of Calgary, at the northeast corner of Centre Street and 144 Avenue NE. The area is bounded by 160 Avenue NE on the north, 6 Street NE on the east, 144 Avenue NE on the south, and west of Centre Street on the west (Attachment II).

The legal description is SEC 3-26-1-5 (NW 3-26-1-5, SW 3-26-1-5, NE 3-26-1-5, SE 3-26-1-5), and NE 4-26-1-5 and SE 4-26-1-5.

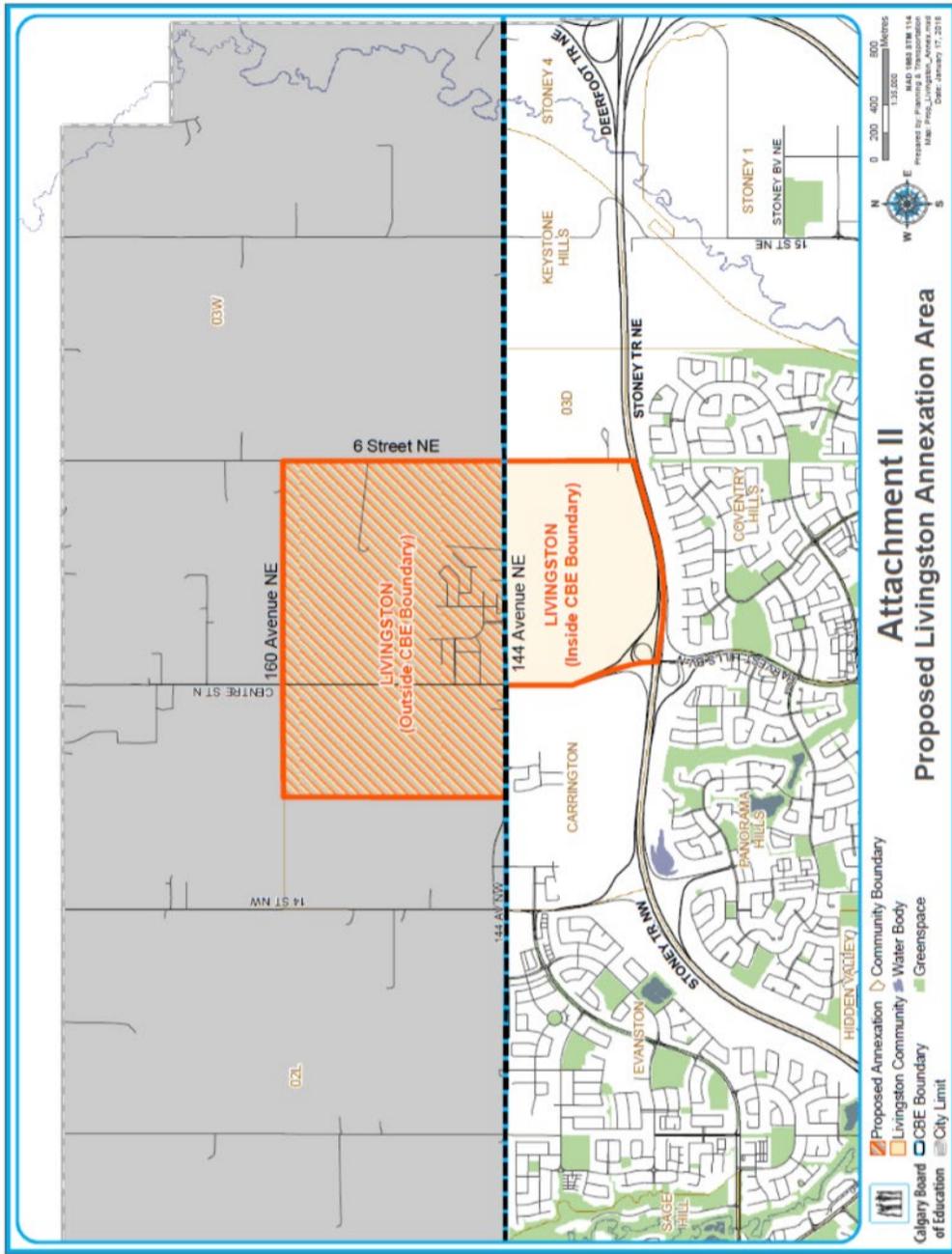
The CBE wishes to continue to work in partnership with Rocky View Schools to ensure the effective planning for current and future students. If you require any further information or have any questions please contact me.

Thank you,

*Carrie Edwards*

Carrie Edwards  
Director, Planning and Transportation  
t | 403-817-7225  
f | 403-777-8769





**Schedule D  
Cochrane Land Annexation**



Summerside Business Centre, 1229 91 Street SW, Edmonton Alberta Canada T6X 1E9  
Tel 780.427.4864 Fax 780.427.0986 Email mgbmail@gov.ab.ca



Our File: AN17/COCH/T-01

July 8, 2019

Dave Devana  
Chief Administrative Officer  
Town of Cochrane  
101 RancheHouse Road  
Cochrane AB T4C 2K8

Kevin Greig  
County Manager  
Rocky View County  
262075 Rocky View Point  
Rocky View County AB T4A 0X2

**Re: Annexation**

Enclosed is one copy of Order in Council No. 115/2019 dated June 26, 2019 which approves the application for annexation of certain lands to the Town of Cochrane.

Yours truly,

  
jm: Rick Duncan  
Case Manager

Enc.

- cc: Fraser Paterson, ATCO Pipelines & Liquids Global Business Unit.  
Brad Samchuk, ATCO Pipelines & Liquids Global Business Unit  
Jim Chorel, AltaLis Ltd.  
Heidi Kalyniuk, Manager, CP Rail  
Lyle Kuzik, Executive Director, Federation of Alberta Gas Co-ops Ltd.  
Michael Scheidl, Manager, Mediation Services, Alberta Municipal Affairs  
Peter Ngo, Alberta Transportation  
Dave Hunka, Fortis Alberta Inc.  
Dora L'Heureux, Fortis Alberta Inc.  
Alberta Health Services - Cochrane  
Yvan Beaubien, Southern Francophone Education Region No. 4  
Drew Hyndman, Town of Cochrane  
Trevor Richelhof, Alberta Transportation  
Rocky View School Division No. 41



Province of Alberta  
Order in Council

O.C. 115 /2019

JUN 26 2019

# ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor  
or  
Administrator

The Lieutenant Governor in Council makes the Order Annexing Land from Rocky View County to the Town of Cochrane set out in the attached Appendix.

  
CHAIR

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For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act  
(section 126)

APPENDIX

Municipal Government Act

ORDER ANNEXING LAND FROM ROCKY VIEW  
COUNTY TO THE TOWN OF COCHRANE

1 In this Order, "annexed land" means the land described in Schedule 1 and shown on the sketch in Schedule 2.

2 Effective July 1, 2019, the land described in Schedule 1 and shown on the sketch in Schedule 2 is separated from Rocky View County and annexed to the Town of Cochrane.

3 Any taxes owing to Rocky View County at the end of June 30, 2019 in respect of the annexed land and any assessable improvements to it are transferred to and become payable to the Town of Cochrane together with any lawful penalties and costs levied in respect of those taxes, and the Town of Cochrane on collecting those taxes, penalties and costs must pay them to Rocky View County.

4(1) For the purpose of taxation in 2019 and in each subsequent year up to and including 2029, the annexed land and assessable improvements to it

- (a) must be assessed on the same basis as if they had remained in Rocky View County, and
- (b) must be taxed by the Town of Cochrane in respect of each assessment class that applies to the annexed land and the assessable improvements to it using the municipal tax rate established by Rocky View County for property of the same assessment class.

(2) Where in 2019 or any subsequent taxation year up to and including 2029 a portion of the annexed land

- (a) becomes a new parcel of land created as a result of subdivision or separation of the title by registered plan of subdivision or by instrument or any other method that occurs at the request of, or on behalf of, the landowner,
- (b) is redesignated, at the request of or on behalf of the landowner, under the Town of Cochrane Land Use Bylaw to another designation, or
- (c) is connected, at the request of or on behalf of the landowner, to water or sanitary sewer services provided by the Town of Cochrane,

subsection (1) ceases to apply at the end of that taxation year in respect of that portion of the annexed land and the assessable improvements to it.

(3) After subsection (1) ceases to apply to a portion of the annexed land in a taxation year, that portion of the annexed land and the assessable improvements to it must be assessed and taxed for the

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- 2 -

purposes of property taxes in the same manner as other property of the same assessment class in the Town of Cochrane is assessed and taxed.

5 For the purpose of taxation in 2020 and subsequent years, the assessor for the Town of Cochrane must assess the annexed land and the assessable improvements to it.

6 The Town of Cochrane shall pay to Rocky View County the sum of \$80 000 on or before September 30, 2019.

Schedule 1

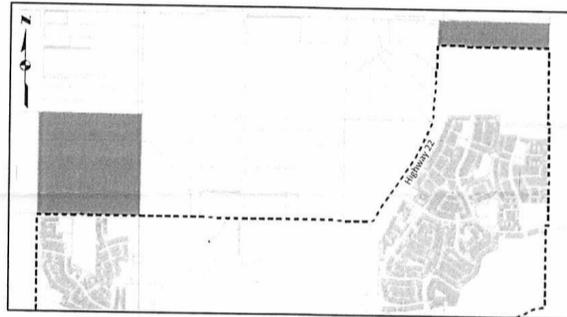
**DETAILED DESCRIPTION OF THE LANDS SEPARATED  
FROM ROCKY VIEW COUNTY AND ANNEXED TO  
THE TOWN OF COCHRANE**

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION SIXTEEN (16), TOWNSHIP TWENTY-SIX (26), RANGE FOUR (4) WEST OF THE FIFTH (5) MERIDIAN INCLUDING ALL THAT LAND ADJACENT TO THE WEST OF SAID QUARTER SECTION LYING EAST OF THE WEST BOUNDARY OF ROAD PLAN 741 0599.

ALL THAT PORTION OF PLAN 1364 LK INCLUDING ALL THAT LAND ADJACENT TO THE WEST BOUNDARY OF SAID PARCEL LYING EAST OF THE WEST BOUNDARY OF PLAN 731 613.

Schedule 2

**SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS  
SEPARATED FROM ROCKY VIEW COUNTY AND ANNEXED TO THE  
TOWN OF COCHRANE**



Legend

- - - - - Existing Town of Cochrane Boundary
- Annexation Area



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Bylaw for 10 Elector Signatures

**Date of Meeting:** December 10, 2020

**Background:**

The Local Authorities Election Act (LAEA) was amended on September 1, 2020. One of the changes to the LAEA was to allow a School Division the ability to adjust the number of electoral signatures, required as part of the nomination package, provided they met the population eligibility requirement shown below from section 27(2) of the LAEA.

(2) Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the *Education Act* of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.

**Current Status:**

The Board of Trustees of Rocky View School Division has indicated support for updating the number of elector signatures required. To apply for the 2021 election, this bylaw must be passed before Dec. 31, 2020.

The Board of Trustees must provide three readings of the bylaw for it to pass.

**Alternatives:**

**Alternative I**

The Board of Trustees gives three readings to bylaw 2020-2 which, subject to ministerial approval, will amend the number of elector signatures required for trustee candidates.

**Alternative II**

The Board of Trustees defeats bylaw 2020-2 and decides on an alternate course of action.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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## **Recommendation:**

The Board of Trustees follow the steps outlined below in order to give three readings to bylaw 2020-2 which will amend the number of elector signatures required for trustee candidates.

### **1. First Reading:**

Bylaw 2020-2 is required to be read in full for its first reading, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives first reading to bylaw 2020-2 as read in full this 10<sup>th</sup> day of December in the year 2020.

### **2. Second Reading:**

Second reading of a bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives second reading to bylaw 2020-2 as read in part this 10<sup>th</sup> day of December in the year 2020.

### **3. Consider Third Reading:**

In order to consider third reading of a bylaw at the same Board meeting, a motion to have the bylaw read a third time must pass unanimously by the members present at the meeting. *The motion outlined in the recommendation below needs to be passed to proceed to the Third reading.*

#### **Recommendation:**

The Board of Trustees considers a third reading of bylaw 2020-2 this 10<sup>th</sup> day of December in the year 2020.

### **4. Third Reading:**

Only permitted if the motion above is passed unanimously by all trustee's present. The third reading of the bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

#### **Recommendation:**

The Board of Trustees gives third reading to bylaw 2020-2 as read in part this 10<sup>th</sup> day of December in the year 2020.

**BY-LAW NO. 2020-02**

**OF THE**

**THE ROCKY VIEW SCHOOL DIVISION**

A bylaw of The Rocky View School Division in the Province of Alberta, relating to changes made to the number of elector signatures required for nomination of a candidate.

WHEREAS the Board, pursuant to Section 27(2) of the *Local Authorities Election Act (LAEA)*, wishes to approve a bylaw requiring candidates to obtain 10 signatures from eligible electors, instead of the previously required 5.

Subject to the approval of this bylaw, the Board hereby resolves:

Pursuant to the LAEA, the Board requires that each trustee candidate obtain 10 elector signatures as part of their form of nomination submission as outlined in the LAEA, article 27(1).

As set out in Section 27(2) of the LAEA, this bylaw shall take effect on the date of the next general election for the Board.

**READ A FIRST TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**READ A SECOND TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**READ A THIRD TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**SCHEDULE A**  
**Local Authorities Election Act (LAEA)**

**Form of nomination**

**27(1)** Every nomination of a candidate must

- (a) be in the prescribed form,
  - (b) be signed by at least 5 persons who are electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
  - (c) be accompanied with a written acceptance sworn or affirmed in the prescribed form by the person nominated, stating
    - (i) that the person is eligible to be elected to the office,
    - (ii) the name, address and telephone number of the person's official agent, if one has been appointed,
    - (iii) that the person will accept the office if elected,
    - (iv) that the person will read and comply with the municipality's code of conduct if elected, and
    - (v) that the persons who have signed the nomination are electors who are eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
- and
- (d) if required by bylaw, be accompanied with a deposit in the required amount.

**(1.1)** A person who files a nomination shall also submit, in the prescribed form, the following information to the returning officer:

- (a) the full name and contact information of the candidate;
- (b) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
- (c) the name and address of the financial institutions to be used by or on behalf of the candidate for the candidate's campaign account, if applicable;
- (d) the names of the signing authorities for each account referred to in clause (c), if applicable.

**(1.2)** When there is any change in the information required to be provided under subsection (1.1), the candidate shall notify the local jurisdiction in writing within 48 hours after the change, and on receipt of the notice the local jurisdiction shall update the information accordingly.

**(1.3)** Notice under subsection (1.2) may be sent by fax or e-mail.

**(2)** Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the *Education Act* of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Appointment of Returning Officer and Substitute Returning Officer

**Date of Meeting:** December 10, 2020

**Background:**

The Local Authorities Election Act (LAEA) outlines the timelines and requirements for trustee elections. In Alberta trustee elections occur every 4 years.

**Current Status:**

As outlined in the LAEA, shown in Appendix A, elected authorities may appoint a returning officer for the purpose of conducting the election. If a returning officer is not appointed, the Secretary of the organization is deemed to have been appointed as the returning officer. The LAEA also permits the appointment of a substitute returning officer.

Given workload and staffing constraints, Administration is recommending the appointment of a returning officer whose sole duties will be to perform the returning officer duties. In addition, administration is recommending appointment of a substitute returning officer.

Administration has inquired with Michelle Groff, the returning officer for 2017 election, if she would be willing to perform the role for the 2021 election. Given her experience, and familiarity with Rocky View Schools, Administration is recommending that Michelle be appointed as the returning officer for the 2021 election.

**Alternatives:**

**Alternative I**

The Board of Trustees approves the appointment of Michelle Groff as the Returning Officer, and Steve Thomas (Director of Finance) as the Substitute Returning Officer, for the 2021 Election.

**Alternative II**

The Board of Trustees requests an alternate course of action through Board motion.

**Recommendation:**

The Board of Trustees approves the appointment of Michelle Groff as the Returning Officer, and Steve Thomas (Director of Finance) as the Substitute Returning Officer, for the 2021 Election.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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## **Appendix A Local Authorities Election Act (article 13)**

### **Appointment of returning officer and substitute returning officer**

**13(1)** An elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act by June 30 of the year in which the election occurs or, for a by-election or vote on a question or bylaw, in the resolution or bylaw that fixes the day for the by-election or vote on a question or bylaw.

**(2)** If the elected authority does not appoint a returning officer, the secretary is deemed to have been appointed as the returning officer.

**(2.1)** An elected authority must, by resolution, appoint a substitute returning officer by June 30 of the year in which the election occurs or, for a by-election or vote on a question or bylaw, in the resolution or bylaw that fixes the day for the by-election or vote on a question or bylaw.

**(3)** The returning officer or substitute returning officer for a local jurisdiction may not be a candidate for the elected authority for that local jurisdiction.

**(4)** If, through illness, absence or other incapacity, the returning officer is incapable of performing the duties of returning officer, the substitute returning officer has and may exercise all the duties, functions and powers of a returning officer for the purposes of conducting elections under this Act.

RSA 2000 cL-21 s13;2018 c23 s7;2020 c22 s4



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Repeal of Bylaw 2017-3

**Date of Meeting:** December 10, 2020

**Background:**

The Board of Trustees approved bylaw 2017-3 on April 13, 2017. Bylaw 2017-3 outlined the School Division's requirements for campaign contributions and expenses disclosure.

**Current Status:**

The Local Authorities Election Act (LAEA) was amended on Sept. 1, 2020. The update incorporated candidate campaign contributions and expense disclosure in Part 5.1. As such the previous bylaw (2017-3) is redundant.

The Municipal Government Act (MGA) outlines the requirements for repealing a bylaw. They are shown below:

**Amendment and repeal**

- 191(1) The power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.
- (2) The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.
- (3) Subsection (2) does not apply to a revision or repeal under section 63.

RSA 2000 cM-26 s191;2017 c13 s1(16)

The Board of Trustees must provide three readings of the bylaw for the repeal of bylaw 2017-3 to pass.

**Alternatives:**

**Alternative I**

The Board of Trustees gives three readings to bylaw 2020-3 to repeal bylaw 2017-3.

**Alternative II**

The Board of Trustees defeats bylaw 2020-3 and decides on an alternate course of action.

**Recommendation:**

The Board of Trustees follow the steps outlined below in order to give three readings to bylaw 2020-3 which will amend the number of elector signatures required for trustee candidates.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**1. First Reading:**

Bylaw 2020-3 is required to be read in full for its first reading, following which the recommendation outlined below could be considered.

**Recommendation:**

The Board of Trustees gives first reading to bylaw 2020-3 as read in full this 10<sup>th</sup> day of December in the year 2020.

**2. Second Reading:**

Second reading of a bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

**Recommendation:**

The Board of Trustees gives second reading to bylaw 2020-3 as read in part this 10<sup>th</sup> day of December in the year 2020.

**3. Consider Third Reading:**

In order to consider third reading of a bylaw at the same Board meeting, a motion to have the bylaw read a third time must pass unanimously by the members present at the meeting. *The motion outlined in the recommendation below needs to be passed to proceed to the Third reading.*

**Recommendation:**

The Board of Trustees considers a third reading of bylaw 2020-3 this 10<sup>th</sup> day of December in the year 2020.

**4. Third Reading:**

Only permitted if the motion above is passed unanimously by all trustee's present. The third reading of the bylaw may be outlined by title and a brief description only, following which the recommendation outlined below could be considered.

**Recommendation:**

The Board of Trustees gives third reading to bylaw 2020-3 as read in part this 10<sup>th</sup> day of December in the year 2020.

**BY-LAW NO. 2020-03**

**OF THE**

**THE ROCKY VIEW SCHOOL DIVISION**

A bylaw of The Rocky View School Division in the Province of Alberta, to repeal Bylaw 2017-3.

WHEREAS the Board approved By-Law 2017-3 for “Campaign Contribution and Expenses Disclosure” on April 13, 2017;

AND WHEREAS the Local Authorities Election Act has incorporated expense disclosure into the Part 5.1 of the Act (RSA 2000 Chapter L-21) current as of September 1, 2020;

AND WHEREAS the Municipal Government Act outlines that a bylaw of the Board can be repealed under section 234(4) through a bylaw of the Board if the original bylaw occurred within 3-10 years prior;

The Board hereby resolves:

That bylaw 2017-3 be repealed as per the Local Authorities Election Act and the Municipal Government Act.

This bylaw shall take effect on the date of the next general election for the Board.

**READ A FIRST TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**READ A SECOND TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**READ A THIRD TIME THIS 10<sup>th</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

**SCHEDULE A**  
**Municipal Government Act**

**Amendment and repeal**

**191(1)** The power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

(2) The amendment or repeal must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw, unless this or any other enactment provides otherwise.

(3) Subsection (2) does not apply to a revision or repeal under section 63.

RSA 2000 cM-26 s191;2017 c13 s1(16)

**Appendix B**  
**BY-LAW NO. 2017-3**

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**BY-LAW NO. 2017-3**  
**OF THE**  
**ROCKY VIEW SCHOOL DIVISION NO. 41**  
**CAMPAIGN CONTRIBUTIONS AND EXPENSES DISCLOSURE**

This Bylaw may be cited as the "Campaign Contribution and Expenses Disclosure Bylaw".

All candidates for the office of Trustee of Rocky View School Division No. 41 (the Division) must disclose their campaign contributions and campaign expenses in a manner that maintains openness and accountability to members of the public in accordance with this Bylaw.

**Election Statements**

1. Each candidate is responsible to keep:
  - 1.1. proper records of all campaign contributions and campaign expenses incurred during the campaign period; and
  - 1.2. A record of the value of every campaign contribution, whether in the form of money, goods or services, and of the name and address of the contributor.
2. On or before the last working day in December in the election year that the candidate ran for office, (or the 90<sup>th</sup> day following a by election) each candidate must disclose to the public, by filing with the Associate Superintendent of Business and Operations:
  - 2.1. a statutory declaration as required by Schedule "A" stating their campaign contributions and expenses; and
  - 2.2. an itemized list of all campaign contributions and expenses as required by Schedule "B".

**Anonymous Contributions**

3. On or before December 1<sup>st</sup> in the election year that the candidate ran for office (or the 60<sup>th</sup> day following a by-election) all anonymous contributions received by the candidate which individually exceeds the amount or value of \$100.00:
  - 3.1. must be returned by the candidate to the contributor if the contributor's identity can be established; or
  - 3.2. if the contributor's identity cannot be established, the candidate must deposit all such contributions with the Associate Superintendent of Business and Operations for deposit with a registered Canadian charitable organization(s) of the candidate's choice as defined in the Income Tax Act (Canada).

**Surplus Contributions**

4. Any surplus identified in the Statutory Declaration (Schedule "A") must be deposited with the Associate Superintendent of Business and Operations for deposit with a registered Canadian charitable organization(s) of the candidate's choice as defined in the Income Tax Act (Canada) on or before the last working day in December in the election year that the candidate ran for office, (or the 90<sup>th</sup> day following a by-election).

**Associate Superintendent of Business and Operations Duties**

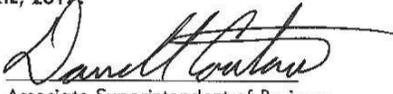
5. The Associate Superintendent Business and Operations must keep a register of all statements.

**Penalties**

6. Any candidate who contravenes a provision of this by-law must forfeit and pay a penalty which shall belong to The Board of Trustees of Rocky View School Division No. 41. The penalties are as follows:
  - 6.1. Filing an incomplete or inaccurate statement: \$500.00 fine
  - 6.2. Failing to file a statement: \$500.00 fine.

**READ A FIRST TIME THIS 13<sup>th</sup> DAY OF APRIL, 2017.**

  
Chair (ACT 2.16)

  
Associate Superintendent of Business and Operations

**READ A SECOND TIME THIS 13<sup>th</sup> DAY OF APRIL, 2017.**

  
Chair (ACT 2.16)

  
Associate Superintendent of Business and Operations

**READ A THIRD TIME THIS 13<sup>th</sup> DAY OF APRIL, 2017.**

  
Chair (ACT 2.16)

  
Associate Superintendent of Business and Operations



**SCHEDULE "B"**

**CANDIDATES FOR TRUSTEE OF ROCKY VIEW SCHOOL DIVISION NO. 41  
CAMPAIGN DISCLOSURE STATEMENT AND FINANCIAL STATEMENT**

ROCKY VIEW SCHOOL DIVISION NO. 41, PROVINCE OF ALBERTA

Full Name of Candidate:

Candidate's Mailing Address:

**NOTE:**

- If a candidate's entire election campaign is funded exclusively out of the candidate's own funds and the candidate's funds are not more than \$5,000.00, the candidate is not required to file this document.
- This form, including any contributor information from line 2, is a public document.

**Campaign Period Revenue**

<b>CAMPAIGN CONTRIBUTIONS:</b>		
1. Total amount of contributions of \$100.00 or less		\$ (3)
2. Total amount of all contributions of \$100.01 and greater, together with the contributor's name and address (attach listing and amounts)		\$
<b>NOTE: For lines 1 and 2, include all money and valued personal property, real property or service contributions.</b>		
3. Deduct total amount of contributions returned		\$
4. NET CONTRIBUTIONS (line 1 + 2 - 3)		\$
<b>OTHER SOURCES:</b>		
5. Total amount contributed out of candidate's own funds		\$
6. Total net amount received from fund raising functions		\$
7. TOTAL OTHER SOURCES (add lines 5 and 6)		\$
8. Total Campaign Period Revenue (add lines 4 and 7)		\$ (4)
<b>Campaign Period Expenditures</b>		
9. Campaign Period Expenses Paid \$ _____ Unpaid \$ _____ TOTAL		\$ (5)
Campaign Period Balance (deduct line 9 from line 8)		\$ (6)

**ATTESTATION OF CANDIDATE:**

This is to certify that to the best of my knowledge, this document and all attachments accurately reflect the information required.

Signature of Candidate                       Date

<b>INSTRUCTIONS:</b>	
1.	Enter the candidate name as it was entered on the Nomination Form
2.	Enter the candidate's complete mailing address and postal code.
3.	Enter the amounts as indicated
4.	The Total Campaign Period Revenue is the total of the contributions, (include all money and valued personal property, real property or service contributions) any self-funded amounts, any donations from fund-raising functions.
5.	Enter the amount of paid and unpaid expenses, then the total expenses for the campaign period.
6.	Deduct the total expenses from the total campaign revenue to determine the balance.



# INFORMATION ITEM

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Administrative Procedures Update

**Date of Meeting:** December 10, 2020

**Current Status:**

The following changes have been made to existing administrative procedures since June 2020:

**AP110 - School Councils**

Changed the deadline for school councils to submit their annual reports from July 15 to Sept 30 to be aligned with School Council Regulation s14(1).

**AP131 – Inclement Weather Emergency School Closure**

Updated to ensure alignment with Policy 20 – Inclement Weather which was updated by the Board in September 2020. In line with the policy, a statement requiring each school to communicate their emergency contingency plan related to inclement weather, with students, staff and parents/guardians on an annual basis was added. The AP also reinforces the policy that cancellation of school bus transportation does not necessarily mean that schools are closed.

**AP140 – Responsible Use of Technology**

Updated references to forms and to reflect changes in legislation.

**AP181 – Closed Circuit Video Surveillance**

Renamed (formerly called Electronic Surveillance) and updated to reflect new technology. Sections formerly addressing on school propriety vs on a school bus were combined as many of the considerations are similar whether the video was from a school camera or a bus camera.

**AP193 – Land Acknowledgement**

This new AP provides background and guidance for the use of RVS' updated land acknowledgement statement. The land acknowledgement is an act of reconciliation and is meant to honour and respect both the land and the Indigenous Peoples in our local area. The statement itself was revised back to the original recommendation from the Wisdom and Guidance committee which was comprised of local Indigenous community members, elders, parents and students.

**AP 424 – Professional Learning**

Changes were made in AP424 to reflect the new collective agreement to remove the year long sabbatical as well as adding language regarding out of country PL attendance during the COVID-19 pandemic.

**AP5020 – Driver and Fleet Safety & Maintenance**

Updated to reflect insurance recommendations and current practices required under legislation for fleet vehicles and drivers.



# INFORMATION ITEM

TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**AP5114 – Driver and Fleet Safety & Maintenance**

Updated to incorporate three Administrative Procedures (AP5114, AP5116 and AP5214) into one and reflect current practices around the acceptance of donations and issuance of charitable donations receipts.

**AP5501 – Transportation of Students During Inclement Weather**

AP updated to ensure alignment with Policy 20 – Inclement Weather which was updated by the Board in September 2020. Consistent with the policy, messaging was added that school buses do not typically run on mornings when the temperature in an area is at or lower than -40 degrees Celsius without the wind chill. The AP also reinforces the policy that cancellation of school bus transportation does not necessarily mean that schools are closed.

**Recommendation:**

The Board of Trustees acknowledges receipt of the Administrative Procedures Update as presented.

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: POLICY COMMITTEE

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**Item:** Policy 13 and 19

**Date of Meeting:** December 10, 2020

**Background:**

On September 1, 2019 the *Education Act*, which is the guiding legislation for School Boards, came into effect. This change requires that all Boards review their policies to ensure they are in line with the new legislation. The Alberta School Boards Association provided guidance to Boards to help with their reviews including updated references.

Additionally, the Board's Policy Committee is charged to "recommend revisions, deletions and creation of new policies to the Board of Trustees".

**Current Status:**

Summary of major changes to Policy 13 – Appeals and Hearings Regarding Student Matters

- Last revised January 2016.
- Describes the processes for appeals of administrative decisions that significantly affect the education of a student of the board and expulsions. Board will not hear appeals of students who are not currently students within RVS.
- Revised the policy to be in alignment with past policy, ASBA suggestions, other Board policies and *Education Act*.
- Changed the order to start with appeals rather than expulsions.
- Added a background section which highlights that the Appeals Committee and the Expulsion Committee have delegated authority.
- Identified when appellants can seek review by the Minister.
- Updated references to *Education Act* and other relevant legislation.

Summary of major changes to Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment

- Last revised in September 2020 but only the references were updated.
- Rename policy to reflect language used in *Education Act* and throughout Alberta Education.
- Complete rewrite of the policy to be in alignment of terminology and intent of *Education Act*. Utilized ASBA sample policy as the basis of the policy.
- Expanded the scope of the policy beyond respectful workplace and harassment to address a welcoming, caring, respectful and safe learning and working environments.
- Requires trustees, employees, students, parents, volunteers, visitors, and contractors to embrace and support this policy.
- Updated references to *Education Act* and other relevant legislation.

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: POLICY COMMITTEE

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**Policy 13 – Appeals and Hearings Regarding Student Matters Alternatives:**

**Alternative I:**

The Board of Trustees approves the attached Policy 13 – Appeals and Hearings Regarding Student Matters.

**Alternative II:**

The Board of Trustees approves a further amended Policy 13 – Appeals and Hearings Regarding Student Matters.

**Alternative III:**

The Board of Trustees refer Policy 13 – Appeals and Hearings Regarding Student Matters back to the Policy Committee for further study.

**Recommendation:**

The Board of Trustees approves the attached Policy 13 – Appeals and Hearings Regarding Student Matters.

**Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment Alternatives:**

**Alternative I:**

The Board of Trustees approves the attached Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment.

**Alternative II:**

The Board of Trustees approves a further amended Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment.

**Alternative III:**

The Board of Trustees refer Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment back to the Policy Committee for further study.

**Recommendation:**

The Board of Trustees approves the attached Policy 19 – Welcoming, Caring, Respectful and Safe Learning and Working Environment.

## **BACKGROUND**

The Board supports the right of parents/guardians to make inquiries or bring forward concerns regarding student matters, and to appeal administrative decisions that significantly affect the education of a student of the board. In the interest of open communication, concerns must first be directed to the staff member(s) most directly involved and adhere to the process as outlined in Administrative Procedure 152 – Dispute Resolution.

In accordance with section 52 of the *Education Act*, the Board delegates to the Appeals Committee the power to make decisions with respect to appeals on all matters other than the expulsion of a student. Furthermore, the Board delegates to the Student Expulsion Committee the authority to hear and rule on an administration recommendation to expel a student.

## **GUIDELINES**

### **1. All Matters Other Than Expulsion of a Student**

- 1.1 Prior to a decision being appealed to the Appeals Committee, it must be appealed to the Superintendent, in accordance with Administrative Procedure 152 – Dispute Resolution.
- 1.2 A parent/guardian of a student, and a student sixteen (16) years of age or over, has the right to appeal to the Appeals Committee a decision of the Superintendent that significantly affects the education of the student. The Superintendent must advise the parent/guardian or student as above of this right of appeal.
- 1.3 The appeal to the Appeals Committee must be made within ten (10) business days from the date that the individual was informed of the Superintendent's decision.
  - 1.3.1 The appeal must be filed in writing with the Associate Superintendent of Business and Operations and must contain:
    - 1.3.1.1. the name of the party filing the appeal;
    - 1.3.1.2. the date;
    - 1.3.1.3. the matter at hand; and
    - 1.3.1.4. the reason for the appeal.
  - 1.3.2 If an appeal is sent electronically, the burden of proof of delivery is on the appellant.
- 1.4 A parent/guardian, or student as above, when appealing a decision to the Appeals Committee, has the right to be assisted by a resource person(s) of their choosing. The responsibility for engaging and paying for such assistance rests with the parent/guardian or student.

- 1.5 The hearing of the appeal must be scheduled so as to ensure that the person making the appeal and the Superintendent or designate, whose decision is being appealed, have sufficient notice and time to prepare for the presentation.
- 1.6 The appeal will be heard at a closed in-camera session, with only specified individuals in attendance.
- 1.7 The parties to the appeal will be advised when the decision will be made.
- 1.8 The appeal hearing will be conducted in accordance with the following guidelines:
  - 1.8.1 The Appeals Committee Chair will outline the purpose of the hearing, which is to provide:
    - 1.8.1.1. An opportunity for the parties to make representation in support of their respective positions to the Appeals Committee. This information may include expert medical, psychological and educational data and may be presented by witnesses. The information presented may include both written and verbal communications;
    - 1.8.1.2. The Appeals Committee with the means to receive information and to review the facts of the dispute;
    - 1.8.1.3. A process through which the Appeals Committee can reach a decision that is reasonable in the circumstances.
  - 1.8.2 Notes of the proceedings will be recorded for the purpose of the Board's records.
  - 1.8.3 The Superintendent and/or designate(s) will explain the decision under appeal and give reasons for the decision.
  - 1.8.4 The appellant will present the appeal and the reasons for the appeal and will have an opportunity to respond to information provided by the Superintendent and/or designate(s).
  - 1.8.5 The Superintendent and/or designate(s) will have an opportunity to respond to information provided by the appellant.
  - 1.8.6 The members of the Appeals Committee will have the opportunity to ask questions of clarification from both parties.

- 1.8.7 No cross-examination of the parties shall be allowed though questions may be directed to the other party through the Committee Chair with the permission of the Committee Chair.
- 1.8.8 The Appeals Committee will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The Committee may have legal counsel in attendance.
- 1.8.9 If the Appeals Committee requires additional information or clarification in order to make its decision, both parties to the appeal will be requested to return to the hearing for the required additional information.
- 1.8.10 The Appeals Committee decision and the reasons for that decision will be communicated to the appellant once a decision has been reached and confirmed in writing following the hearing.
  - 1.8.10.1. The communication will inform the appellant of the right to seek a review by the Minister of Education if the appellant is dissatisfied with the decision of the Appeals Committee, if the matter under appeal is a matter described in section 43 of the Education Act.

## 2. Expulsion of a Student

- 2.1 It is expected that each student will comply with their responsibilities as set out in the Education Act, Board policy, administrative procedures, and school rules.
- 2.2 The Student Expulsion Committee will hear representations with respect to a recommendation for a student expulsion in accordance with relevant sections of the Education Act.
- 2.3 A student shall be reinstated within five (5) school days of the date of suspension unless the Principal makes a recommendation for expulsion.
  - 2.3.1 When the Principal makes a recommendation for expulsion, the Principal shall immediately report in writing all the circumstances to the parent/guardian and the student, if the student is sixteen (16) years of age or over, and to the Student Expulsion Committee through the Office of the Superintendent.
  - 2.3.2 The student remains suspended until the Student Expulsion Committee has made a decision.

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- 2.4 The Student Expulsion Committee will convene an expulsion hearing upon the call of the Superintendent, but in no event shall the meeting occur later than ten (10) school days from the first day of suspension.
  - 2.5 The expulsion hearing will be held at a closed in-camera session, with only specified individuals in attendance.
  - 2.6 A parent/guardian of a student, or a student sixteen (16) years of age or over, has the right to be assisted by a resource person(s) of their choosing. The responsibility for engaging and paying for such assistance rests with the parent/guardian or student.
  - 2.7 The Student Expulsion Committee may have legal counsel in attendance.
  - 2.8 Notes of the proceedings will be recorded for the purpose of the Board's records.
  - 2.9 The expulsion hearing will be conducted in accordance with the following guidelines:
    - 2.9.1 The Student Expulsion Committee Chair will outline the purpose of the hearing, which is to:
      - 2.9.1.1. Provide an opportunity to hear representations relative to the recommendation from the Principal including:
        - 2.9.1.1.1. Any conditions respecting the circumstances in which the student may be enrolled in the same or a different education program;
        - 2.9.1.1.2. The length of any rule or condition and why either is to apply to the student beyond the school year in which the student was expelled.
      - 2.9.1.2. Provide an opportunity for the student and/or the student's parents/guardians to make representations in response to the Principal's recommendations;
      - 2.9.1.3. Reinstate or expel the student and address the length of any rule or condition which applies to the student.
    - 2.9.2 The Student Expulsion Committee Chair will outline the procedure to be followed, which will be as follows:
      - 2.9.2.1. The Principal or designate will present the report documenting the details of the case and the recommendation to expel the student;

- 2.9.2.2. The student and the student's parents/guardians will be given an opportunity to respond to the information presented and to add any additional relevant information;
- 2.9.2.3. The members of the Student Expulsion Committee will have the opportunity to ask questions of clarification from both the Principal and the student and the student's parents/guardians;
- 2.9.2.4. The Student Expulsion Committee will deliberate, without either the administration or the student and the student's parents/guardians present, to discuss the case and the recommendation. Legal counsel may be in attendance;
- 2.9.2.5. Should the Student Expulsion Committee require additional information, both parties will be requested to return in order to provide the requested information;
- 2.9.2.6. The Student Expulsion Committee will then make a decision to either reinstate or expel the student;
  - 2.9.2.6.1. If parent/guardian or the student are not in attendance at the ruling, the Superintendent's Office will attempt to inform the parent/guardian and the student of the decision by telephone or personal communication as soon as possible after a decision has been reached.
- 2.10 The decision shall be communicated in writing to the student's parents/guardians, and the student, if the student is sixteen (16) years of age or over, within five (5) days of the hearing, with copies being provided to the Principal and the Superintendent.
- 2.11 If the decision is to expel the student, the following information must be included in the letter to the student and the student's parents/guardians:
  - 2.11.1 The length of the expulsion and any rules or conditions that apply to the student;
  - 2.11.2 The educational program to be provided to the student and the name of the individual to be contacted in order to make the necessary arrangements; and
  - 2.11.3 The right to request a review of the decision by the Minister of Education within sixty (60) days of the date on which the parent/guardian or the student, if the student is sixteen (16) years of age or older, is informed of the decision.

### 3. Review by Minister

- 3.1 A parent/guardian of a student, and a student sixteen (16) years of age or over, will be informed that they have the right to seek a review by the Minister of Education if the appeal is regarding:
- 3.1.1 the provision of specialized supports and services to a student in accordance with section 11(4) of the *Education Act* or to a child enrolled in an early childhood services program;
  - 3.1.2 the expulsion of a student;
  - 3.1.3 access to, or the accuracy or completeness of student records; or
  - 3.1.4 Board responsibility for a specific student.

Legal Reference:

- Section 3, 4, 11, 31, 32, 33, 36, 37, 41, 42, 43, 44, 52, 53, 222 Education Act

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## **BACKGROUND**

The Board is committed to providing a welcoming, caring, respectful and safe learning and working environment that respects diversity and fosters a sense of belonging. Each student and staff member within the Division has the right to learn and work in an environment that promotes equality of opportunity, dignity, respect and consideration.

The Board is also obligated to protect all students and staff from harassment, discrimination, and violence or threat thereof during the Division's school-related activities. All those involved with the Division including trustees, employees, students, parents, volunteers, contractors and visitors must share in the responsibility for eliminating bullying, discrimination, harassment, and violence. The Board expects allegations of such behaviours to be investigated in a timely and respectful manner and when warranted, acted upon.

Inclusion and a sense of belonging for all students and staff stems from creating an environment that focuses on the right to learn and work, allowing students and staff to focus on their individual success.

## **GUIDELINES**

1. The Board acknowledges its responsibility to ensure welcoming, caring, respectful and safe learning environments for all students and staff. It recognizes the importance of students' and staffs' emotional, social, intellectual and physical wellness to their success in school and expects students to adhere to the division code of conduct and schools' codes of conduct.
2. The Board expects all trustees, employees, students, parents, volunteers, visitors, and contractors to embrace and support this policy.
3. This policy covers behaviour not only at Division schools/sites, but also at any school/division activities and functions.
4. The Board encourages reporting to a responsible adult all incidents of threats, bullying, harassment, violence or intimidation regardless of the identity of the alleged harasser or offender.
5. The Board supports the establishment of student organizations and student-led activities that promote equality and non-discrimination.

### **Legal Reference:**

Section 8, 31, 33, 35, 35.1, 36, 37, 41, 51, 52, 53, 222 Education Act  
Occupational Health and Safety Act