

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, November 17, 2009 at 5:00 p.m.

MEETING ATTENDANCE

Board of Trustees:

Trustee P. Cochrane, Chair
Trustee C. Bazinet
Trustee G. Dirks (left at 7:30 p.m.)
Trustee L. Ferguson
Trustee P. King
Trustee K. Kryczka
Trustee G. Lane

Administration:

Ms. N. Johnson, Chief Superintendent of Schools
Mr. D. Stevenson, Deputy Chief Superintendent of Schools
Mr. F. Coppinger, Superintendent, Facilities and Environmental Services
Mr. J. Johnston, Superintendent, Human Resources
Ms. C. Faber, Superintendent, Learning Innovation
Ms. D. Lewis, Superintendent, Learning Support
Mr. C. Davies, Sr. Executive Assistant to the Chief Superintendent of Schools
Ms. B. Kuester, Executive Director of Communications
Mr. R. Peden, Director and General Counsel, Legal Affairs
Ms. J. Barkway, Assistant Corporate Secretary
Ms. S. Wasylyshyn, Executive Assistant to the Trustees
Ms. H. Numrich, Recording Secretary

Stakeholder Representatives:

Mr. B. Anderson, Canadian Union of Public Employees, Local 40
Ms. J. Minifie, Calgary Board of Education Staff Association
Ms. J. Regal, Alberta Teachers' Association, Local 38
Mr. G. Howe, Calgary Association of Parents and School Councils
Ms. G. Landon, Elementary School Principals' Association
Ms. L. Lytle, Elementary School Principals' Association

Action By

1.0 CALL TO ORDER, NATIONAL ANTHEM AND WELCOME

Chair Cochrane called the meeting to order at 5:20 p.m. after enjoying a drumming and dancing presentation on the plaza by students from Piitoayis Family School. Students led in the singing of the national anthem and Trustee Cochrane, Ward Trustee, thanked them for coming and for a very enjoyable presentation. The meeting continued in the board room and Chair Cochrane acknowledged and welcomed representatives from the aforementioned organizations.

Action By:

2.0 CONSIDERATION/APPROVAL OF AGENDA

Mrs. Barkway noted the following changes to the agenda: Item 7.2 Ends 3, 4 & 5 was pulled from the Agenda; a revised Item 7.1, Ends 1 Monitoring report was circulated; Items 9.2.1 and 9.2.2 were pulled from the Consent Agenda to be discussed immediately following the approval of the Consent items.

MOVED by Trustee King:

THAT the Agenda for the Regular Meeting of November 17, 2009, be approved, with the amendments noted above.

The motion was
CARRIED UNANIMOUSLY.

3.0 SCHOOL/SYSTEM PRESENTATIONS

4.0 HONOURS AND RECOGNITIONS

4.1 Lighthouse Award – Fuel for School Nutrition Foundation

Ms. M. Levy, System Principal, Corporate Partnerships, introduced this month's recipient of the Lighthouse Award, Fuel for School Nutrition Foundation. She stated that this program plays a vital role in helping feed hungry students. In 2008, Fuel for School served nearly 100,000 breakfasts in 19 of our schools. It directly supports CBE Ends Statement 4 by helping students 'achieve their highest potential' through proper diet and nutrition. She expressed thanks to Co-Founder of the Fuel for School Nutrition Foundation, Mr. Eamon Hurley for the outstanding and compassionate work that he and the Fuel for School Foundation provide to our students. Mr. Hurley accepted the award with gratitude and Chair Cochrane presented him with a plaque on behalf of the Board of Trustees and the Calgary Board of Education.

5.0 PUBLIC CONVERSATION AND INFORMATION

5.1 Report from the Chair and Trustees

- Trustee Ferguson attended a Fall Awards Ceremony at John G. Diefenbaker High School, where 450 students were recognized and \$1.3 million dollars in scholarships were awarded.
- Trustee Kryczka attended an Awards Ceremony at Alternative High School as well as two reflective Remembrance Day Ceremonies, one at Queen's Park Cemetery presented by Juno Beach Academy of Canadian Studies and the City of Calgary; and another at Central Memorial High School where students learned about democracy and the value of freedom. She also attended a convocation ceremony at the University of Calgary where astronaut Robert Thirsk gave an inspiring message from the space station regarding lifelong skills.

Action By:

- Chair Cochrane attended the Minister's Education Leadership Recognition Awards with Trustees Bazinet and Kryczka. She displayed the following two awards that were presented to the Calgary Board of Education: a Certificate of Recognition for Very High Achievement in Program of Studies and Diploma Excellence; and significant improvement in Safe and Caring Schools, Education Quality, Provincial Achievement Test Excellence, Parental Involvement, Program of Studies, Provincial Achievement Acceptable, Citizenship, School Improvement and Other Non-Diploma. Chair Cochrane expressed thanks to Chief Superintendent Johnson and all of the leadership at the CBE for their part in making these awards possible.

5.2 Report from the Chief Superintendent

Chief Superintendent Johnson provided highlights of the following events:

- Mr. R. Everett and Ms. D. Montgomery were recognized and congratulated as the recipients of the Premier's Award of Excellence for their leadership in the Grade Level Achievement Reporting (GLAR) initiative. Chief Johnson reviewed their roles in this tremendous undertaking and expressed thanks for their very important and critical work. Chair Cochrane also acknowledged Mr. Everett and Ms. Montgomery, expressing appreciation on behalf of the Board of Trustees. Chief Johnson presented them both with a commemorative token of appreciation.
- Chief Johnson announced that this is International Education Week, which is being celebrated in 85 countries. She noted that the Calgary Board of Education is actively engaged in globalization throughout the year and that many schools have global themes in their school development plans. She informed that the International Bureau is expanding and will be integrated into the new Global Learning Services department within Learning Innovation. In addition to its ongoing work with international students, the integration of a global perspective will be addressed throughout the curriculum and several international development initiatives will be available for staff. Chief Johnson also reported that two CBE teachers are currently in Seoul, Korea doing global learning research as part of the Memorandum of Understanding. The CBE International Certificate is being launched in several high schools as part of International Education week.
- The CBE's Teacher Laptop project was chosen out of 10,000 applications to participate in an International Education Conference in Denver, Colorado in April, 2010.
- Members of senior administration attended a seminar at Harvard recently that focused on the concept of instructional realms. Facilitators and other attendees were impressed with what the CBE is doing to serve students and the focus on the personalization of learning. Chief Johnson stated that the Policy Governance model and clearly defined improvement strategies at the system and school level sets us ahead of many other districts and will aid us greatly. She expressed that it was a valuable opportunity to participate in as it is congruent with the focus on whole system improvement. Further updates will be provided to Trustees as this work progresses.

Action By:

5.3 Public Question Period

There were no public questions.

5.4 Stakeholder Reports

5.4.1. Ms. Helen Mowat

Ms. Mowat began her report by expressing her distaste in regards to the way CBE schools operate. Chair Cochrane noted that criticism of employees is not permitted in stakeholder reports and the Stakeholder Report was terminated.

5.5 Trustee Inquiries

Ms. Barkway read the following inquiry from Trustee Ferguson into the record:

“Please advise of the status of the current Bill 206 – Enhanced Protection of Students and Teachers, and, if that Bill were passed into legislation, as proposed, what would be the implications for the Calgary Board of Education?”

Mr. R. Peden, Director and General Counsel, Legal Affairs read the following administrative response to this inquiry:

Bill 206, is formally known as the “School (Enhanced Protection of Students and Teachers) Amendment Act, 2009” and the comments that follow provide a very brief overview of the Bill and its possible impacts on CBE.

Bill 206 has passed second reading in the Alberta Legislature and is currently in “Committee of the Whole”. In keeping with legislative process, its next steps would be to go through a third and final reading by the Legislature where amendments to the Bill may be introduced before it is finalized. This may happen by early December. The Bill would then require Royal Assent by the Legislature and would then need to be proclaimed into law.

The intent of Bill 206 would be to amend Alberta’s School Act to provide protections for teachers and students from those students who choose to bring a “weapon”, a “controlled substance” or another item identified by the Minister of Education, onto school property. It is also meant to prohibit “bullying” behaviours. Bullying is quite broadly defined to mean repetitive harassment of an individual to maintain an imbalance of power over that individual through such methods as gestures and verbal or written abuse, stealing the possessions of that individual, threats or actual physical or sexual assault to that individual, or death threats. The Bill specifies that no student is to either possess a banned item or to bully another individual in a school, on school grounds, on a school bus or at an activity sponsored or approved by the Board. Use of a school computer or the internet accessed through a school computer to bully another is also prohibited.

The balance of Bill 206 outlines the consequences for engaging in a prohibited act. Essentially, a student who is suspected of having engaged in a prohibited act may possibly be referred to what is called an “educational measures program”. While that term is not defined in Bill 206, the assumed intention is that such a program

Action By:

would educate a student on the harms that can be caused by engaging in a prohibited act and the consequences to the student in doing so. The Bill states that the Board must provide educational measures programs, presumably at its own cost. The Bill further provides that a community's police officers potentially become involved in the matter and work with a school in assessing and referring a student to an educational measures program.

More specifically, the referral process is to work as follows:

- First, if the teacher or Board is aware that a student may have committed a prohibited act, the Board or teacher must advise the principal.
- Secondly, once a principal is aware a student may have committed a prohibited act, the principal must consult with the Board and may consult with a police officer. The Bill does not provide guidance to a principal as to when a police officer should be consulted, but it should be noted that, in order for a referral to be made to an educational measures program, that decision must be made jointly by both the principal and a police officer.
- Thirdly, if a principal determines "on reasonable or probable grounds" that a student may have committed a prohibited act, the principal may meet and consult with the student, the student's parent and the police officer that the principal may have involved. It should be noted here that the Bill does not require that a student's parent or guardian be notified before a principal consults with a police officer on the matter.
- Fourthly, should a police officer that has been engaged believe "on reasonable and probable grounds" that a student has committed a prohibited act, the police officer and the principal may determine that the student participate in an educational measures program, in which event the principal must direct the student to participate. Therefore, it appears on a plain reading of Bill 206 that a referral of a student to an educational measures program really cannot happen without the involvement of a police officer.
- Fifthly, a principal must advise the Board that a student has been referred to an educational measures program.

Bill 206 then introduces a Section to the School Act that provides that a student who fails to participate in an educational measures program is "guilty of an offence". It is worth noting that the School Act does not use that terminology in relation to any other student behaviour. This type of language is usually invoked under Provincial legislation when "quasi criminal" conduct and sanctions are intended to be applied by a governing body, but the Bill does not articulate what sanctions result from a student's committing such an offence.

Bill 206 introduces amendments to the current School Act's Section 24 "Suspension", that, on a plain reading of the language, appear to qualify the right of a principal to suspend a student from school for having committed a prohibited act prior to that student first being referred to participate in an educational measures program followed by failure by that student to participate. In other words, it appears that a referral to, and failure to participate in, an educational measures program, is a prerequisite to allowing a principal to invoke the consequence of suspension under Section 24 of the School Act.

Action By:

Another important aspect of Bill 206 is the reporting obligations placed on a Board. The Board is to report to the Education Minister, within 30 days of the end of the school year, all alleged prohibited acts of which the Board is aware or has been advised.

While a legal interpretation of the Bill, should it become law in its current wording, can only be given by the Courts, several potential concerns can be noted:

1. There is a concern about the implications of involving police officers, and by extension the criminal justice system, into a Board's decision making process on how to address student behavioural issues. At the one end of the spectrum, where such behaviours may not be traditionally regarded as a particular threat to other students or its operations, such involvement may tend to "criminalize" behaviours that have previously been effectively addressed through the school working with a student's parents or guardians. At the other end of the spectrum, Bill 206 may introduce a response process that prevents a Board from promptly addressing more serious behavioural issues that would typically result in immediate suspension from school, in order to ensure that the offending student is withdrawn from the school environment.
2. Significant questions may arise with respect as to the capacity of administrators to apply judicial or quasi judicial tests such as determining "reasonable and probable grounds" in ways that are fair from an administrative law perspective.
3. Reference to "weapons" and "controlled substances" that are tied to the Criminal Code and the Controlled Drug and Substances Act may be problematic in terms of administrators appropriately being able to make such determinations.
4. It is unclear what the "educational measures programs" would entail and what resources would be necessary for Boards to comply with the requirements of delivering those programs.
5. The clear implication of Bill 206 is that Boards may have to establish various infrastructures, including educational measures programs, reporting regimes and support and advice to school principals, all at their own cost, to implement what is required under Bill 206.

Motion Arising:

MOVED by Trustee Ferguson:

THAT, due to the emergent nature of this issue, the Board of Trustees temporarily waive the requirement in the Board Procedures that require that a two week notice of motion be provided prior to a Trustee introducing a motion, in order to bring forward a Trustee motion at this meeting to pursue further action on this issue.

The motion was
CARRIED UNANIMOUSLY.

MOVED BY Trustee Ferguson:

Action By:

BE IT RESOLVED THAT the Board of Trustees support and forward to Alberta School Boards Association (ASBA) by tomorrow (November 18, 2009), for consideration at the ASBA fall general meeting, an emergent motion that addresses the identified concerns regarding Bill 206 Enhanced Protection of Students and Teachers, and encourages other school boards to communicate to the province regarding the lack of support for this bill.

Trustees expressed many comments in support of the motion.

The motion was
CARRIED UNANIMOUSLY.

6.0 ACTION ITEMS

7.0 MONITORING AND RESULTS

7.1 Annual Monitoring of Ends 1: Mega End

Superintendent Faber provided opening remarks for the revised report and thanked the staff responsible for the work on it.

Chair Cochrane noted that Trustees must determine whether reasonable progress has been made to the ultimate achievement of this Ends result; that the emphasis is on progress, not compliance.

The questions and discussion between Trustees and Administration is summarized as follows:

- Trustees expressed frustration that the targets that were approved by the Board last year were not included in this report, making it difficult to determine reasonable progress. A lengthy discussion ensued and Trustees questioned if there is a range that is considered acceptable in order to determine success or failure. Chief Superintendent Johnson stated that the range is affected by the context in which we are working and living and that recent economic times have been unpredictable. To determine reasonable progress, it is clear that we have held our own and results have not decreased. Superintendent Faber added that the chart on page 7-24 of comparative data shows that our numbers are comparable to that of Edmonton Public Schools and that across the province our numbers are comparable in both diploma rates and provincial achievement tests.

Mr. Bauer explained that last year targets were based on the previous year results. A table was created to show whether results were acceptable, improved or needs attention. Acceptable is a 1 percent increase from the 3 year average, more than 1 percent increase is improved and less than 1 percent, needs attention.

- The value of a high school education is recognized and prized by the Calgary community. Literacy and numeracy are foundational but the academic piece is just one part of the entire student. The role of parents and engagement in student learning will be addressed in new initiatives and parental input will be

Action By:

sought for program planning as evidence clearly shows that parent support gives improved student success.

- Results of student achievement on Provincial Achievement Tests and Diploma Exams by CBE's Special Education Students and English Language Learners do not include students who are exempted from writing these exams. Superintendent Lewis stated that although this report does not show a comparison from last year's results, there is an improvement.
- The definition of "transition" is provided by Alberta Education. Transition rates refer to transition to post secondary institutions from high school, and include apprenticeship programs. The Career and Technology Regional Centre is one part of the strategy to increase transition rates.
- The high school exit survey and student symposium are two measures that have been used to determine success. The exit survey is currently under review and consideration will be given to survey graduates of 5-10 years previous.

The student symposium included a range of students from a variety of programs. Students expressed concern that some teachers are teaching classes that they had no formal training for. Chief Superintendent Johnson stated that the relationship between students and teachers is extremely important and the quality of our CBE teachers is outstanding, it is rare that teachers are teaching where they have no expertise or discipline. The consolidation of the Career and Technology Centre into a regional centre will help to alleviate this, and they will strive to hire staff with both a teaching certificate and journeyman certification.

- There was discussion regarding the push towards post secondary education that students feel from parents, peers and society. Communication should be increased for other avenues such as the Registered Apprenticeship Program (RAP). Superintendent Faber noted that a new program is being introduced for junior high students based on industry standards such as the Conference Board of Canada that will give students a deeper understanding when they move into high school options.
- There was a brief discussion regarding the Certificate of School Completion that is of particular importance to students in Special Education. Parents and students pointed out that they too have completed 12 years of school and deserve to be recognized. There was a very short time line to apply for the certificate and very little communication from Alberta Education which might explain the low number that received it. Mr. Bauer noted that Alberta Education had informed that the Certificate of Completion in Special Education would be included under Certificate of Achievement in the 3 year results table on page 7-21. This information was not updated and they are currently waiting for a response from Alberta Education. Mr. Bauer also noted that the "Academic Standing" column of this chart represents students that have not achieved completion rates through the credentialed completer courses but are considered to have academic standing if they have passed a minimum of 5 grade 12 courses and included a Language Arts Diploma course plus 3 other diploma courses.
- Students that received both an apprenticeship certificate and high school diploma are not tracked.
- The drop out rate target was set at 4.8 percent as it was determined that it had never been below 4.9 percent over the past 5 years.

Action By:

MOVED by Trustee Ferguson:

THAT the Board of Trustees has reviewed the annual monitoring report for Ends 1: Mega End, and concludes that reasonable progress has been made towards the ultimate achievement of this Ends policy.

Trustee comments in support of the motion included:

- Completion rates remain relatively unchanged and in comparison to the targets agreed to in January, 2009, reasonable progress is shown on Ends 1.
- The percentage of CBE students who qualified for the Alexander Rutherford Scholarships and ESL students who achieved the acceptable standard are indications that we are on an upward rise.
- It is difficult to see from this report whether or not we are making reasonable progress but this is only the second year of monitoring Ends 1 and it would make sense that if reasonable progress is being made on Ends 3, 4 and 5 it should be on this Ends as well.
- A Trustee expressed concern that completion rates have taken a slight downturn in some cases. All of the data is not provided in this report to show progress, but students have given us some good ideas to encourage students towards high school completion. Support for future directions was noted, and it is hopeful that the Three Year Plan will see positive changes in completion rates, drop out rates and transition rates.
- There is evidence shown of significant increase in that students feel cared for and the relationship between teacher/students is very important. We need to review the measures we are examining.
- There have been some good clues in this report as to what we should be looking at to determine what reasonable progress should be. In the future we should be more specific regarding reasonable progress.

Chair Cochrane called for the vote on the motion.

The motion was
CARRIED UNANIMOUSLY.

Motion Arising:

MOVED by Trustee Dirks:

THAT the Board commends the Chief Superintendent for introducing and effectively carrying out the first Mega End Student Symposium.

A Trustee commented in support of the motion that receiving comments from students is a significant step forward. Although the methodology may need to be changed, it is encouraging to see the introduction of a new data source.

A Trustee commented not in support of the motion that this is a means to an End, not an End itself. Although it is a great idea, it is not something that should be commended.

Chair Cochrane called for the vote on the motion:

Action By:

The motion was
CARRIED.

In Favour: Trustee Dirks
Trustee Ferguson
Trustee King
Trustee Cochrane
Trustee Lane
Trustee Kryczka

Opposed: Trustee Bazinet

MOVED by Trustee Bazinet:

THAT the Board of Trustees requests the Chief Superintendent to provide a report for Board consideration that includes reasonable interpretation, indicators and targets for the next monitoring report period for Ends 1 at or prior to the January 19, 2010 Regular Board Meeting.

The motion was
CARRIED UNANIMOUSLY.

Recessed at 7:30 p.m.
Reconvened at 7:43 p.m. (Trustee Dirks did not return to the meeting)

8.0 POLICY DEVELOPMENT AND REVIEW

9.0 CONSENT AGENDA

Chair Cochrane declared the following items to be adopted as submitted:

9.1 Board Consent Agenda

9.1.1 Approval of Minutes

- Regular Meeting held November 3, 2009

THAT the Board of Trustees approves the Minutes of the Regular Meeting held November 3, 2009 as submitted.

9.1.2 EducationMatters Quarterly Report

THAT the Board of Trustees receives the EducationMatters quarterly financial report for information and for the record in the form as submitted with the Agenda of the Regular Meeting of the Board of Trustees on November 17, 2009.

9.1.3 ASBA Liaison Report

THAT the Alberta School Boards Association (ASBA) Liaison Report containing the ASBA Board of Directors' Meeting Highlights dated

Action By:

April 16-17, 2009; May 7-8, 2009; June 12, 2009; September 10-11, 2009 and October 8-9, 2009 for information.

9.2 Chief Superintendent Consent Agenda

9.2.1 School Enrolment Report 2008-2009

In response to a Trustee question, Director Carlton reported that trends in the CBE's market share of total Calgary student enrolment has decreased over the past few years from 56.6 percent in 2001 to 53.9 percent in 2009. There is evidence that the CBE's market share increases between 2- 4 percent when a new school opens in a new community. The communities of Chaparral, Tuscany and Taradale were evaluated to obtain this evidence. It is apparent that a higher percentage of new enrollments are from students in kindergarten and grade one which is part of the strategy, to keep younger students closer to home.

Mr. Carlton apologized that there was an error in the report, Attachment II highlighting enrolment in system Special Education Programs was omitted, and will be provided at the next Regular Board of Trustees' Public Meeting.

Director Carlton explained that the potential excess classroom space in Areas II and IV is because these are areas that have the largest percentage of established communities that have stable and declining populations.

The Traditional Learning Centre program continues to be popular. We have tried to eliminate wait lists. There are 200 kindergarten registrations in the Traditional Learning Centre program for Area III, it has leveled off in Area V, but growth is seen in Areas I and IV.

MOVED by Trustee Ferguson:

THAT the Board of Trustees receives the School Enrolment Report as information and for the record.

The motion was
CARRIED UNANIMOUSLY

Absent: Trustee Dirks

At 7:53 p.m. Chair Cochrane received the consent of the Board to continue to the end of the agenda.

9.2.2 Planning and Implementation of the Career & Technology Regional Centre

In response to a Trustee question, it was noted that the apprenticeship and industry standards are legislative requirements that are required for the occupational areas of Lord Shaughnessy High School. Career and Technology Studies (CTS) courses such as welding and automotives require the facility to be reviewed by a designate to ensure that it meets trade standards. These spaces were designed for 12-15 students but the number of students varies per instructor and impacts facility planning.

Action By:

Superintendent Coppinger stated that in the capital budget that was approved for this year there was \$2 million allocated for this project and an additional \$2 million for next year. The project is estimated to cost \$6 million and the Board of Trustees has requested that the Minister of Infrastructure approve \$6 million to be reassigned from the West Calgary High School project to complete the retrofits at Lord Shaughnessy High School. If this request is not approved the capital budget funds will be used.

Students currently attending Ernest Manning High School will be given priority registration to the Career and Technology Centre in September 2010. In Phase II, students will be asked to indicate their areas of interest. Data from other high schools will also be used to identify current and future plans. The prototype in Phase III indicates the types of programs that will be included; these are the programs that are currently being offered at Ernest Manning High School.

The Three Year Education Plan focuses on strategies to personalize learning which includes the Career and Technology Centres. All students can apply to this program. It will also provide a venue for students who are enrolled in the Knowledge and Employability courses.

MOVED by Trustee Ferguson:

THAT the Board of Trustees receives the Planning and Implementation of the Career and Technology Regional Centre report for information and for the record.

The motion was
CARRIED UNANIMOUSLY.

Absent: Trustee Dirks

10.0 TRUSTEE NOTICES OF MOTION

12. ADJOURNMENT

Chair Cochrane declared the meeting adjourned at 8:04 p.m.