

Alberta School Councils' Association Submission to the Regulatory Review Committee

November 2013

General Comments

The Alberta School Councils' Association (ASCA) is pleased to have been part of the Regulatory Review process. ASCA has been represented at public consultation opportunities, on several external working groups, through member participation in the online survey and with this formal submission.

With all of the regulations under discussion during the review ASCA advocated that each regulation include language that promotes:

- A process that includes parents' point of view and input, as individual clients of the system and through school council.
- A belief that to align with the *Inspiring Education* and the *Education Act* philosophy that school boards collaborate with and include parents in decisions, language in regulations needs to be as inclusive as possible.
- A belief that because the responsibilities of parents are now captured in the *Education Act*, the language of the regulations needs to recognize parents as an audience for these documents.

School Councils Regulation

ASCA believes there should continue to be a school council regulation. While the current regulation has served well, there are some areas that need clarification. For example:

6(1)(b) governance model

6(1)(a) "size" of the school council

6(1)(d) "elect... the initial members of the school council..."

6(2) and 8(1)(d) members of a school council

6(2) states the decision on "size" includes "all parents of students enrolled in the school who wish to be members"

8(1) states "A school council must include the following..." and goes on to outline who must sit on a school council; (d) states "...parents of students enrolled at the school"

ASCA feels references to "size" meaning how many members, "members" meaning school council members, and "all parents who wish to be members" is confusing.

Current language in the regulation suggests those at the school council establishment meeting have the option to select some parents and not others of the school community to be members of the school council. This seems contrary to the spirit of *Inspiring Education*, which promotes generative dialogue and inclusiveness.

ASCA would suggest the following:

"All parents of students enrolled at the school, and parents whose children attend an ECS program housed in the school, are members of the school council".

The “model of governance” statement also confuses whether all parents are members of the school council (should they choose to avail themselves of that opportunity) or whether only the executive members (chair, vice chair, secretary, etc) are the “members” of school council.

13(2) and 13(3)

Define “reasonable” or remove the term.

14(1)(b) Financial reporting

ASCA believes clarity is needed in this section.

Either school council cannot fundraise (as their legislated role is advisory) or the phrase “money handled by the school council” means donations to support school council endeavours. ASCA knows that this clause has been interpreted to mean school councils should fundraise.

School Fees Regulation

ASCA supports the development of a regulation on school fees.

ASCA believes a new regulation should incorporate the following principles:

Consultation

Those paying the fees must be regularly consulted prior to fees being determined.

Transparency

Schools must demonstrate to the fee payers the need to charge fees, school boards need to demonstrate to fee payers, the need to charge fees.

Assurance

Those paying the fees are entitled to an assurance that the fees paid were used for the purpose for which they were collected.

Fairness

A fee waiver or alternative option for those unable to pay is advertised and implemented in cases of need. Residual fees (if any) are returned to the payers, or applied, on behalf of the family, the following year.

Closure of Schools Regulation

The *Education Act* (62) now states a Board shall have policy related to school closure. ASCA understands there may no longer be a need for a regulation. However, if a regulation is to continue to exist then the following should be considered:

With respect to the current school closure process requiring a decision to be made within a single school year:

- Although the decision must be moved and voted upon within a single school year however that decision making process exists independently from any prescribed timelines for consultation with stakeholders. School boards have the opportunity to involve constituents and parents in discussions without any time limits prior to the ‘decision making year’. How the school boards avail themselves of this opportunity is entirely up to each school board.

With respect to the confusion regarding the difference between closing school building/facilities and shutting down or moving educational programs:

- ASCA is familiar with situations where the ‘program closure process’ has been utilized by school boards to result in or circumvent a school closure situation. Providing separate standardized procedures that may be followed for closing of entire buildings and shutting down or relocating educational programs will alleviate this confusion.

With respect to inconsistencies regarding stakeholder and public engagement in the closure process and the right of appeal:

- See comments in the first bullet.
- ASCA queries if the inconsistencies are in the current regulation or legislation, or whether the inconsistencies are related to practice. Apart from a school closure decision making process being prescribed to take place within a single school year, ASCA is only familiar with a process relating to a right to appeal. If there is a defined process with respect to stakeholder and public engagement ASCA is unfamiliar with it, as it may be reflected in each school board’s policy or practices.

Private Schools Regulation

There should continue to be a regulation regarding private schools.

School Council	Parent Advisory Council
<p><i>School Act</i> Section 22</p> <p><i>Education Act</i> Section 55</p> <p>(1) A school council shall be established in accordance with the regulation for each school operated by a board</p>	<p><i>School Act/Education Act</i></p> <p>Silent on any other form or group of parents</p>
<p><i>School Councils Regulation 113/2007</i></p>	<p><i>Private Schools Regulation 119/2000</i></p>
<p>Every school operated by a board must have a school council</p>	<p>Operator of a funded private school must establish a parent advisory council if the parents of students enrolled in the school do not constitute a majority of the members of the operating board of the school</p>
<p>School council exists as a forum for parents to advise the principal and the board – advisory only</p>	<p>In respect of a funded private school, “parent advisory council” means a group of parents of students enrolled in the school who provide advice to the principal of the school and the operating board of the school</p>
<p>Establishment process, including right of parents to decide governance model, members of council, executive, elections of executive members; quorum; suspension of a school council procedures – other general operations</p>	<p>Silent on these aspects. No establishment process; no guidelines for operations</p>
<p>Parents of children enrolled in the school must be majority; principal must be member; must be at least one teacher rep, school board role vis-à-vis provision of information to school council</p>	<p>Silent on these aspects. No member criteria or accountability statements.</p>

The Alberta School Council's Association (ASCA) is asked by parent groups/principals in charter, private, public, francophone, and Catholic schools for assistance in establishing school councils and providing ongoing support in their endeavours. ASCA supports all school councils and parent groups, including those in private schools through a comprehensive Progressive Learning Program, custom sessions, advice and mentoring to ensure parents understand their role along with the roles of the principal, professional staff and operating board (school board, society board or corporate board).

In the absence of legal guidelines (legislation or regulation), ASCA's position is to use the process outlined in the existing *School Councils Regulation 113/2007* as a guide and frame to help parent groups establish and make decisions that will enable smooth, transparent and flexible operations into the future.

To that end, ASCA is proposing a change to the *Private School Regulation*, Section 11, that would rename "parent advisory council" to "school council" and include that the parent group in a private school must be formally established and supported following the *School Councils Regulation*.

With respect to other aspects of the regulation, ASCA recommends that consideration be given to ensuring consistency around protocols, policies, procedures related to school closure regardless of the type of school.

With respect to financial accountability, ASCA recommends that Audited Financial Statements (AFS) and budgets made available by private schools to the Ministry be posted in a manner similar to that of other provincially funded schools.

ASCA recommends clarification throughout the regulation with respect to defining the different types of private schools.

Student Evaluation Regulation

ASCA believes there should continue to be a student evaluation regulation.

Regarding special cases and requests for provincially administered assessment accommodations:

- ASCA supports decision-making for special cases or accommodations being as close to the student as possible. School administrators and school district staff are best placed to know what supports are in place to support student learning/assessment in their districts.
- ASCA supports an appeal board for special cases that is comprised of individuals who were not involved in the original decision as to whether a student should receive an accommodation for a provincially-administered assessment.

ASCA believes that any appeals process related to any aspect of a provincially-administered assessment should be based on consistent protocols.

ASCA is unsure as to the fit between the current regulation which allows for the withholding of a student's official transcript for a period of up to one year in the case of student non-compliance with test writing procedures, and the *Education Act* references 31 (f), 32(b) and 33 1(g) which speak to

student and parent commitment and involvement in learning success and the Board's responsibility to enable smooth transitions for students from secondary to post-secondary education.

ASCA believes that there is no need for Alberta Education to retain province-wide student assessment data. Once a sample size has provided the necessary information for the purposes of public assurance and maintenance of consistent standards, the information can be returned to each of the districts from whence the data originated.

ASCA also believes that Alberta Education should consider that the students and their families are the 'owners' of their individual academic information. (Also applies to the *Student Record Regulation* discussion)

ASCA believes that Alberta Education should continue to remain the authority with respect to the circumstances of writing provincially-administered assessments.