

**Horizon School Division No. 67
Regular Board Meeting – Division Office
ERIC JOHNSON ROOM
Tuesday, September 22, 2015**

Regular Board Meeting Agenda

A - Action Items

- A.1. Agenda
- A.2. Minutes of Regular Board Meeting held Monday, August 24, 2015 **ENCLOSURE 1**
- A.3. August-September 2015 Payment of Accounts Report **ENCLOSURE 2**

I- Information Items

- I.1. Superintendent's Progress Report – Wilco Tymensen **ENCLOSURE 3**
- Enrollment Update (**Enclosure 3A**)
 - Transportation Update (**Enclosure 3B**)
- I.2. Trustee/ Committee Reports:
- I.2.1 Zone 6 ASBA Report – Marie Logan
 - I.2.2 September 8th Administrators' Meeting Report – Bruce Francis **ENCLOSURE 4**
 - I.2.3 Facilities Committee Report – Derek Baron **ENCLOSURE 5**
- I.3. Associate Superintendent of Finance and Operations Report – John Rakai
- I.4. Associate Superintendent of Programs and Services Report – Clark Bosch **ENCLOSURE 6**
- I.5. Associate Superintendent of Curriculum and Instruction Report – Amber Darroch **ENCLOSURE 7**
- I.6 Correspondence: **ENCLOSURE 8**
- Press Release from AB Ed re Tuition Freeze
 - Letter to Minister Eggen from HSD Board Chair
 - Memo from Deputy Minister re Mental Health Review Update
 - September 2015 Education Law Reporter

Horizon School Division No. 67

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The Board of Trustees of Horizon School Division No. 67 held its Regular Board meeting on Monday, August 24, 2015 beginning at 1:00 p.m. in the Eric Johnson Room

TRUSTEES PRESENT: Marie Logan, Board Chair
Bruce Francis, Board Vice-Chair
Blair Lowry, Derek Baron, Jennifer Crowson, Terry Michaelis, Rick Anderson

ALSO PRESENT: Wilco Tymensen, Superintendent of Schools
John Rakai, Associate Superintendent of Finance & Operations
Clark Bosch, Associate Superintendent of Programs, Services & Human Resources
Amber Darroch, Associate Superintendent of Curriculum & Instruction
Barb McDonald, Recording Secretary
Greg Price, Taber Times

ACTION ITEMS

- A.1 Moved by Derek Baron that the Board approve the agenda as presented with the following additions:
- Under Action Items:**
A.4.2 – Locally Developed Course Religion 15-25-35
A.4.3 – Locally Developed Course Reading 15-25
A.8 – Minutes of Special Board Meeting held Tuesday, July 28, 2015
A.9 – Hays IMR Project
- | | | |
|--|---------------------|--|
| | Carried Unanimously | AGENDA
APPROVED
94/15 |
| A.2 Moved by Terry Michaelis that the Board approve the <i>Minutes of the Regular Board Meeting held Tuesday, June 16, 2015</i> as provided in Enclosure 1 of the agenda. | Carried Unanimously | BOARD MEETING
MINUTES
APPROVED
95/15 |
| A.3 Moved by Jennifer Crowson that the Board approve the <i>June/July/August Payment of Accounts</i> report in the amount of \$9,206,611.10 as provided in Enclosure 2 of the agenda. | Carried Unanimously | PAYMENT OF
ACCOUNTS REPORT
APPROVED
96/15 |
| A.4.1 Moved by Blair Lowry that the Board approve the Horizon School Division locally developed course <i>German Language and Low German Speaking Mennonite Cultural Studies</i> and the resources named in the course outline to teach this course from September 1, 2015 to August 31, 2018. | Carried Unanimously | LOCALLY
DEVELOPED
COURSE GERMAN
LANGUAGE AND
LGSM CULTURAL
STUDIES
APPROVED
97/15 |

- A.4.2 Moved by Rick Anderson that the Board approve the following acquired Koinonia Christian School locally developed senior high school courses and the resources named in the course outline to teach these courses from September 1, 2015 to August 31, 2019:
- Religious Studies 15
 - Religious Studies 25
 - Religious Studies 35
- Carried Unanimously
- ACQUIRED
LOCALLY
DEVELOPED
COURSE RELIGIOUS
STUDIES 15, 25, 35
APPROVED
98/15
- A.4.3 Moved by Jennifer Crowson that the Board approve the following acquired Calgary School District locally developed senior high school courses and the resources named in the course outline to teach these courses from September 1, 2015 to August 31, 2016:
- Reading 15
 - Reading 25
- Carried Unanimously
- ACQUIRED
LOCALLY
DEVELOPED
COURSES READING
15 AND READING 25
APPROVED
99/15
- A.5 The Board confirmed that the annual Organizational Meeting will take place, as previously resolved, on Tuesday, October 20, 2015 beginning at 1:00 p.m.
- A.6 Moved by Bruce Francis that the Board approve Division Office Senior Management remuneration effective August 1, 2015 as recommended in Board Committee of the Whole.
- Carried Unanimously
- SENIOR
MANAGEMENT
REMUNERATION
APPROVED
100/15
- A.7 Moved by Derek Baron that the Board approve Trustee remuneration effective November 1, 2015 as recommended in Board Committee of the Whole.
- Carried Unanimously
- BOARD
REMUNERATION
APPROVED
101/15
- A.8 Moved by Bruce Francis that the Board approve the *Minutes of the Special Meeting held Tuesday, July 28, 2015.*
- Carried Unanimously
- BOARD SPECIAL
MEETING MINUTES
APPROVED
102/15
- A.9 Derek Baron reported that due to water lines freezing during cold weather at the Hays School, the Facilities Department engaged the services of a consultant to conduct a complete review of the roof system, cold space ventilation and the general condition of the building envelope.
- As the new roof is only approximately twelve years old, an IMR contingency fund project is being recommended to convert the roof system to a warm roof type. This requires that soffit vents be sealed and ensuring that the insulation above the exterior wall meets the roof insulation so as to create a continuous layer of insulation around the conditioned spaces within the exterior envelope.
- The scope of the project requires the removal of concrete board containing low level asbestos which requires specific procedures for proper and safe removal, as well as framing new wall partitions from the existing ceiling space to the newly installed roof deck, applying no less than an R40 level

spray foam insulation, replacing the removed concrete boards and installation of new non-vented metal soffit.

Moved by Derek Baron that the Board approve the Hays IMR contingency fund project estimated at \$90,215 to repair the building envelope to prevent water lines from freezing.

Carried Unanimously

HAYS IMR
APPROVED
103/15

DISCUSSION ITEMS

D.1 School and Colony School Tours

The Horizon School Division Board of Trustees as well as members of the Senior Administrative Leadership team will be visiting and touring the following schools during the 2015-2016 school year:

- Tuesday, October 27, 2015 Vauxhall Elementary School, Vauxhall High School, Hays and Horizon MAP School
- Monday, November 2, 2015: Chamberlain/Arden T. Litt, Hillridge Colony and Oaklane Colony
- Monday, April 4, 2016: Milk River Elementary School, Erle Rivers High School and Warner School

D.2 2016 – 2017 School Year Draft Calendar

Amber Darroch, Associate Superintendent of Curriculum and Instruction presented the *initial draft of the 2016-2017 school year calendar* to the Board for their review and input. Following discussion, Amber will now present the draft calendar to school administrators at their September 8, 2015 meeting as well as share the draft with various stakeholders for their input. The intent is to bring the calendar back to the November 2015 Board meeting for final approval.

D.3 September 2015 Board Meeting Date

Due to some Board members' conflicting schedules, the Board agreed that the original September Board meeting date that was scheduled for Tuesday, September 15, 2015 be rescheduled for Tuesday, September 22, 2015.

INFORMATION ITEMS

I.1 Superintendent's Progress Report

Wilco Tymensen presented a brief verbal report to the Board including:

- The majority of the summer was spent preparing for the start-up of the new school year
- Preparing for the Horizon Induction Program (New Teacher Orientation which will take place on August 25th and 26th)
- Attended the annual CASSIX Conference in Waterton
- Completed and attained Doctorate designation over the summer months

I.2 Trustee/Committee Reports

2.1 Zone 6 ASBA Report - Marie Logan, Zone 6 Representative

- No activities took place over the summer months. The next ASBA Zone 6 meeting will take place on Wednesday, September 9, 2015 in Lethbridge

2.2 CSBA Conference Report – Rick Anderson

- Rick Anderson provided a report regarding the annual CSBA (Canadian School Boards' Association) annual conference he attended in Saskatoon this past July. This annual professional development event takes place each July where trustees from across the country gather to share best practices, compare experiences and learn new ways of better serving their students and communities. As in the past, the

conference was very positive with several very interesting sessions that were attended. The July 2016 conference will take place in Winnipeg.

2.3 Facilities Committee Report

Derek Baron, Facilities Committee Chair, provided an update on work undertaken during the past month within the Facilities Department. *Click here* to view the entire summer 2015 Facilities Committee Report.

I.3. Associate Superintendent of Finance and Operations Report

John Rakai provided the following report

- With official retirement occurring in October, Mr. Rakai spent time during the summer preparing for the transition of the new incoming Associate Superintendent of Finance and Operations
- Along with the Superintendent, Associate Superintendent of Curriculum and Instruction, IT Support and the Transportation Coordinator, a review and analysis was undertaken of three different software packages for a new transportation routing software system. It is the intent to have a new system in place and operational by January 2016. This new system will provide better maps, provide us with Google Map overlays, parents, school and First Student portals to view route mapping and synchronization with Power School and PASI.

I.5 Associate Superintendent of Programs, Services and Human Resources Report

Mr. Bosch provided the following update in terms of staffing within Horizon School Division:

- All teachers and school-based administrators have been hired and placed for the 2015-2016 school year with 30 of those positions being new teachers to the division
- An additional 10 teaching positions are temporary
- Currently have several positions out for assistants as well as a pre-k instructor position
- Tanya Harvey has been hired as Horizon's new Early Learning/Pre-K Consultant, replacing Lynn Saler
- Angela Miller will assume the role of Clinical Team Leader for the 2015-2016 school year
- As of August 24th, Horizon had 138 Pre-K registrations for the 2015-2016 school year. Hays will be having a Pre-K program this year and Milk River Elementary will be providing both a morning and afternoon program . Due to low enrollment, Enchant will not have a Pre-K program this year.

I.4 Associate Superintendent of Curriculum and Instruction Report

Amber Darroch's report was distributed as a handout and included the following information:

KEY ACTION AREA: 21st Century Learning Competencies

- Assessment – Policy HK Student Assessment, Evaluation and Reporting is being implemented across the division. The Associate Superintendent is providing principals with a companion resource to assist them in promoting the new policy with their staffs and offering professional development sessions to staff as requested. An afternoon session was provided to Lomond School staff on August 20, and the Warner and Milk River schools are combining for a workshop August 28.
- Career and Technology Foundations – This curriculum for junior high/middle school students will be supported by an electronic repository of CTF Challenges (projects) and equipment kits that will supply teachers with tools and supplies they may not have in their schools (IE. woodworking hand tools, hand sewing equipment and notions, wind turbine building materials, basic kitchen tools, solar energy building materials).
- International Education – Horizon School Division welcomes 12 international students for the first semester. One Chinese student is returning for her third and final year of high school, one Columbian student who attended a couple years ago is returning for Grade 12, and we are hosting 7 Brazilian students as part of a new Brazilian government-funded partnership. Three Japanese students who arrived in January 2015 return for a second semester.

KEY ACTION AREA: Literacy and Numeracy

- SLAs – Horizon’s Grade 3 students will be completing the components of the Student Learning Assessment. This second pilot year will offer teachers a three week window (Sept. 14 – Oct. 9) to have students complete the digital interactive literacy and numeracy questions, and an addition four weeks, until Nov. 16, to complete the literacy and numeracy performance tasks.
- Literacy assessment training – Terri-Lynn Duncan, new Director of Learning, will be working with teachers to improve literacy instruction and to learn how to use the Fountas and Pinnell assessment tools.

KEY ACTION AREA: Effective and Purposeful Use of Technology

- Summer Technology Installations – The technology staff tackled a great deal of work in schools in July/August, including:
 - the installation of 51 wireless access points across 9 different schools
 - computer evergreening at Hays, Milk River Elementary, Taber Mennonite School, WR Myers, and Horizon MAP
 - 6 new server deployments
- Remote Desktop Server – This service is close to launching for all Horizon staff. It will enable employees to access their U: drive, Staff Common and Horizon Common folders from any remote location. The desktop also offers staff the Microsoft Office Suite of applications. Remote desktop will enable staff to work from home during evenings and weekends without having to travel to their school site.
- iPad Leasing – 145 additional iPads are being deployed across 11 different sites at the start of this school year. Most of these devices (130) have been acquired on a three year lease from CSI Leasing.
- Internet Service improvements – Horizon is in the final stages of transition from the past internet provider to Cybera. This new service will deliver a much greater return on investment, with higher bandwidth at a similar or lower cost.

Leadership Practices

- Horizon Induction Program – approximately 25 teachers new to Horizon will be attending the Horizon Induction Program on August 25 and 26, coordinated by the Associate Superintendent.

Correspondence

No items of discussion came forward from Correspondence as provided in Enclosure 7 of the agenda.

COMMITTEE ITEMS

Moved by Jennifer Crowson that the Board meet in Committee.

Carried Unanimously

COMMITTEE
104/15

Moved by Derek Baron that the meeting reconvene.

Carried Unanimously

RECONVENE
105/15

Moved by Bruce Francis that the meeting adjourn

Carried Unanimously

MEETING
ADJOURNED
106/15

Marie Logan, Chair

Barb McDonald, Secretary

PAYMENT OF ACCOUNTS REPORT

Board Meeting - September 22, 2015

General	August 18/15		140,290.48
General	August 25/15		413,073.77
General	August 31/15		204,877.40
General	August 31/15		60,669.39
General	September 1/15		982,973.15
U.S. Funds	September 11/15		6,383.41
General	September 15/15		134,054.92
"A" Payroll	August 2015	Teachers	1,435,845.89
	August 2015	Support	488,509.97
"B" Payroll	August 2015	Casual	10,489.25
Total Accounts			3,877,167.63
Board Chair	_____		
PJ:dd			
September 15/15			

Superintendents Progress Report

June, 2015

Educational Leadership and Student Welfare

- Meetings and conversations have been ongoing regarding student welfare and jurisdiction practices. Dialogue has included consultation with legal counsel regarding a number of items.

Fiscal Responsibility

- Student enrollment monitoring is ongoing as is the monitoring of budget implications. To date Horizon is down approximately 30 students from the 2015-16 school year. Initial analysis appears to be that more families have opted to home school this year. We have yet to receive Home Schooling Enrollment Verification as of yet however.

Personnel Management

- Held interviews for the Director of Finance and successfully filled the position
- New principal evaluation and teacher evaluation conversations have occurred

Policy and Strategic Planning

- AB ED Field Services meeting – regarding jurisdiction three year plan

Organizational Leadership and Management

- Meetings with Barnwell Administration, Barnwell Community, Sahuri, Altus, Alberta Education, and Alberta Infrastructure are ongoing. Recommendations to bring the scope within budget are also ongoing. Barnwell is at 90% stage and dialogue about the community's level of contributions being finalized. Warner is at the 60% stage with dialogue about unforeseen expenses being discussed with Alberta Education.
- Meeting with the Transportation Coordinator occurred to discuss the high level of last minute transportation requests (over 170 requests were processed just prior to school). The meeting also included a review of approval priorities given that a number of buses reached capacity. Parents will be reminded that the deadline for such requests is June 1.
- Meet with Associate Superintendent and Director of Learning to discuss Dual Credit opportunities within Horizon (e.g. welding)

Communications and Community Relations

- A number of other meetings and celebrations have taken place over the last month. These include but are not limited to
 - Schools (over 75 senior administration visits have already been made to schools)
 - Warner Hockey Program (welcomed the new Warner Warriors and their parents)
 - Government of Alberta meeting regarding Provincial Mental Health Review
 - Child and Family services meeting regarding high risk youth
 - Administrator's meeting
 - Division Office staff meeting
 - Maintenance end of summer BBQ and Rick Petrov's retirement
 - CASSIX meeting
 - ATA Executive meeting

HORIZON SCHOOL DIVISION SEPTEMBER 2015 ENROLLMENT UPDATE

Although attendance numbers within the first couple of weeks are typically viewed as unreliable due to the high absence rates within the LGSM population, I thought I would nonetheless provide a quick update.

We know that due to the state of the economy that there is more mobility than historically occurs. e.g. some families left towns as they were let go from jobs and are looking for new jobs in bigger centers. e.g. some families lost jobs in bigger centers and are returning to smaller communities or moving in with other family.

We know that the biggest variations are within our schools with large LGSM student numbers.

- The congregated schools were actively recruiting this summer and we know that many families transferred to home schooling.

Most schools's enrollment numbers are within plus/minus 5 students of their projection numbers. Within all schools variations from projections are not isolated to specific grades; rather additions or reductions are a few students at each grade.

As a jurisdiction we are about 30 students below enrollment projections (but last year we were also below projections for the first few weeks and then we registered 80 students in September)

We are currently tracking down students we were expecting back but who have not shown up to date.

- Chamberlain is down 25 students
- Enchant is down 22 students
- Lomond is down 10 students
- Hays is down 18 students

A few schools are also up

- W.R. Myers is up 15
- Central is up 25 students
- L.T. Westlake is up 8 students
- All south schools are up around 2 students

HORIZON SCHOOL DIVISION SEPTEMBER 2015 TRANSPORTATION UPDATE

I thought I would provide an update with regard to Transportation as some of you may be getting phone calls from families with regard to their children being placed on a waiting list due to full buses

Although Policy IC: School Attendance Areas, states that “parents desiring that their child(ren) attend a school other than a school in their attendance area and/or desiring division transportation shall make written application by June 1”, most parents wait till the last minute. In fact, Tenille has processed over 180 requests that have come in within the last week or two.

Most of these have been processed and approved but some families were placed on waiting lists until we could confirm load counts on their buses given that some students may have moved and are able to be removed.

With regard to load count, note that our largest bus has a load count of 72. Load count differs from passenger capacity as students over grade 6 count as 1.5, so maximum passenger capacity will vary depending on the ages of the students riding (it could be as low as 48 high school students or as high as 72 elementary students)

Given the low regular rider numbers for in-town buses (many kids walk or parents drive) we approve more students than there is room for on these buses. We cap load capacity at 122% of capacity for in-town buses (88 load count for a 72 load count bus). This means that if all students were to actually ride that day that we actually have about 15 kids too many and there would not be enough seats on the bus, this has never happened as there are always some absent. It is important to note that we actually get invoiced by First Student for the 88 load count even though we never actually have more than 72 on the bus any given day. It is also important to note that in most cases these are unfunded students.

Policy IC: School Attendance Areas, also addresses how we prioritize student requests.

The review of an application for busing services, to a school other than that in the student’s attendance area and/or transportation service area, shall be based on the following factors:

1. the listed priority of enrollment;
 - In attendance area;
 - Our in-attendance area first,
 - then Holyspirit in-attendance area
 - Special needs students who can best be educated at the school;
 - Out of attendance area;
 - students who have siblings in the school;
 - outside students whose family needs or arrangements are special; (we do not prioritize Central's Mennonite Program requests over other family's needs or other special requests)

Policy also states that there needs to be space on the bus and that there is no additional cost to the division. The comment regarding cost has never been followed as there is almost always additional costs for such requests.

As of September 4, 2015 we do have some buses that have reached maximum capacity (either load count for rural has been reached or 122% of load count for in-town buses. These buses include:

Bus 56 (Heritage Estate bus in Taber)

- The only students who qualify for funding on this bus are Jr./Sr. High students
- It is at 88 and is a 72 load count bus (at 122% capacity)
- The waiting list contains 9 applications (11 kids)
- 1 LTW application (1 student)
- 3 DRH applications (3 students)
- 4 CEN applications (6 students)
- 1 Holyspirit application (1 student)

Bus 65 (South Side bus – through middle of south side in Taber)

- Technically only Holyspirit students qualify for funding on this bus.
- The 72 load count bus is at 70.5
- Waitlist was 10 applications (15 kids) but all will be approved (all except 2 Holyspirit are non-funded).

Hays transfer bus

- At load capacity
- Waiting list is 3 applications (4 students)

Barnwell to Taber transfer buses

- Taber Christian bus is full with no waiting list
- Other buses have room so the current waiting list, 3 applications (5 kids) will be approved.

Taber to Grassy Lake transfer bus

- Continues to be grandfathered (no new riders even when families drive to pre-existing stops)
- The two transfer buses have been amalgamated into one transfer bus

Note that we are following up with first student every two weeks for the first few weeks and then will follow up monthly to get updated ridership numbers in order to review ridership (remove non-riders) and add students on wait lists.

ADMINISTRATORS' MEETING

Tuesday, September 8, 2015
DIVISION OFFICE – ERIC JOHNSON ROOM

SUMMARY

MEETING CHAIR: Wilco Tymensen

BOARD MEMBER IN ATTENDANCE: Bruce Francis

ATA REPRESENTATIVE: Linda Virostek

PROFESSIONAL LEARNING

The morning portion of the meeting consisted of Professional Learning sessions and discussions that included:

- Horizon School Division's goals and key action items (School Education Plans)
- Horizon School Division professional learning for the 2015-2016 school year
- The Spring 2016 Administrators' Leadership Symposium
- Leadership Program

WELCOME AND INTRODUCTIONS

Wilco Tymensen welcomed Administrators back to the start-up of the 2015-2016 school year. New staff were introduced including:

- Bryan Pritchard, Principal of Hays School
- Terri-Lynn Duncan, Director of Learning (Division Office)
- Tanya Harvey, Early Learning/Pre-K Consultant (Division Office)

Those in attendance shared their summer experiences, travels and adventures with the group.

DISCUSSION ITEMS

1. Administrator Representation on Committees for the 2015-2016 School Year

Policy Committee: Johanna Kutanzi, David LeGrandeur, Sheldon Hoyt, Dale Cummings, Todd Ojala

Budget Committee: Alyson Archibald, Travis Magierowski, Kelly Schmidt

2. 2015-2016 Administrator Meeting Dates

Administrator meetings for the 2015-2016 school year will take place as follows:

October 13, 2015
December 1, 2015
January 12, 2016
February 9, 2016
March 9, 2016
April 12, 2016
May 10, 2016
June 14, 2016

Unless otherwise indicated, all meetings will be held at Division Office (Eric Johnson Room) and will begin at 10:00 a.m.

3. 2016-2017 School Year Draft Calendar

Amber shared the initial draft of 2016-2017 school year calendar with Administrators. After some discussion and input, some minor modifications were made and the current draft is saved in Horizon Common > Administrators for principals to share for discussion and input with their staff and parent councils. The calendar will be presented to Administrators again at their October meeting as it is the intent to present a final draft of the 2016-2017 school year calendar to the Board for approval at their November meeting.

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4. Assessment Policy Update

Amber reviewed some of the [key points](#) and highlights of Policy HK *Student Assessment, Evaluation and Reporting* with Administrators. She added that this document was developed to provide a better understanding of the key points of the policy. Principals were also encouraged to share this document with their parent council groups.

Amber also informed Administrators that Horizon has renewed its membership with the [Alberta Assessment Consortium](#). She encouraged Principals to share this website with their staff as there are excellent tools, resources and PD support available. The same username and password will be used as before (Username is [Horizon](#); Password is [learning](#)).

5. Budget/Financial Update

- Phil Johansen provided information regarding new account codes that have been added to school budget centers called *Special Initiative 1 and Special Initiative 2*.
- Information was provided regarding Alberta Education financial spreadsheet that was sent by Phil to school secretaries. Alberta Education has requested that schools provide them with information regarding any fees that schools have been charging to families/students over the past two years. This is due back to Phil by September 21st.
- Phil has requested that Principals inform him as to how much money is to be taken from their last year's school budgets that will be applied to their new photocopy purchases.
- Phil provided a quick review/tutorial of a new budget process that will be put in place called "MyBudget File. Principals will be contacted with usernames and passwords for access to the program.

INFORMATION ITEMS:

1. Division Office Roles and Responsibilities

Wilco shared a [flow chart](#) which outlined a schematic of the roles and responsibilities of Division Office Staff.

2. Professional Growth Plans and AERR/Three-Year Education Plan Meetings

Wilco informed Administrators that meeting times will be set up within the next month for him to come out to schools to discuss annual Professional Growth Plans as well as school AERR/Three-Year Education Plans. Barb will be sending out an email to Administrators within the next few days to set up a schedule for these meetings. Wilco also reminded Principals that they are required to meet with their staff members to have discussions regarding their professional growth plans.

3. School Safety Plans and Lockdown Procedures

Wilco reminded Administrators that School Safety Plans need to be up-to-date and that a copy of the Safety Plan needs to be kept in the school office. Please ensure that for any school safety plans that have been updated, to please send the revised copy electronically to Barb.

A reminder was also provided to Administrators that as per [Policy EBCE School Security \(Lockdown\)](#), schools are required to have a total of six fire drills and three school lockdowns throughout the school year. A record of the drills that have taken place over the course of the year will be requested by Division Office sometime in the spring.

4. School Councils

Barb has sent out an email request to school secretaries asking them to provide an updated list of their new parent councils for the 2015-2016 school year.

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5. “Around Horizon” Newspaper

Wilco informed Administrators that the Division will be once again publishing a Fall “Around Horizon” newspaper. He requested that schools start thinking about news/events that they would like to share in this paper. Dorthea will be sending out a reminder to schools that they will need to provide her with their story/article.

6. Alberta Health Services Update

Terri-Lynn provided an update to Principals regarding some upcoming events with Alberta Health Services. Please refer to the [AHS Document](#) for detailed information.

7. Automated Substitute Teacher Requisition System

Amber informed Administrators that D.A. Ferguson and W.R. Myers continue to pilot the Breeze automated absence and sub dispatch system. This school year included some refresher tips for staff and clarifications to subs. Feedback provided from school Admin. indicates it really is a gain in efficiency and there is good feedback from teachers about it. As long as all goes well this fall, it is expected that we would make a recommendation to implement this practice division-wide and get all subs using it. Implementation would be determined at a natural break: perhaps following Christmas break or for the beginning of the second semester. Some best practices will be outlined based on the pilot experiences in order to minimize user error on both the substitute or teacher sides of the transactions.

8. Acting Taber Mennonite School Principal

Clark informed Administrators that Crystal McGregor, Principal of Taber Mennonite School will be commencing a maternity leave at the beginning of November. He requested that they pass on the information regarding the availability of her position during to any teaching staff that may have an interest in pursuing a leadership role during the course of Crystal’s leave. Any additional questions regarding the roles and responsibilities of the position can be directed to Clark.

9. CTF Reporting

Amber provided a reminder that principals accepted the CTF Committee's recommendation at the May Administrators' Meeting to report achievement in CTF courses using the 13 learning outcomes and the language "Acquiring/Applying/Adapting". Two sample templates can be found in the Horizon Common > CTF folder and Dorthea has developed a template in PowerSchool that teachers can copy and use. A brochure will be made available to send home with report cards so that parents understand the language of the outcomes and the three "A's".

10. Technology Update

Information about internet services was sent via email to principals and tech guides on Friday, Sept. 4th. Summer work in the technology department had the team of technicians working out in schools right up until teachers' first day back. Summer projects included:

- the installation of 51 wireless access points across 9 different schools
- computer evergreening at Hays, Milk River Elementary, Taber Mennonite School, W.R. Myers and Horizon MAP
- 6 new server deployments

A new remote desktop server is available and enables all users to access a virtual Horizon desktop including all drives (U:, Staff Common, Horizon Common) and the Microsoft Office Suite of programs. This way staff can access their files from home on evenings or weekends without having to worry about special settings or preparations.

A staff intranet portal has been under development and is designed to be a one-stop shop for essential information about teaching, learning and operations in Horizon School Division. Staff with Horizon network access can access the portal by clicking on "Sign In" at the bottom of the division or school webpage, entering

ADMINISTRATORS' MEETING

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the username and password used to log-in to the computer, and then clicking on the "Intranet" icon. All content here is for employees only, and the news feed will be used to share relevant information with staff about internal initiatives, events, and information.

11. Blanket Facility User Group Insurance

John provided information to Administrators regarding Horizon' insurance providers and the steps that need to be adhered to regarding facility usage by outside groups. Please refer to the two documents below for more detailed information:

- o [*ASBIE Facility User Groups Insurance Memo*](#)
- o [*ASBIE Facility User Groups Program for 2015*](#)
 - Please identify any of the users of your school facilities and their proof of insurance to John.

12. Fair Notice Letter

Clark reminded Administrators of the following excerpt from [*Policy IFCI Threat Assessment Protocol*](#)

“Prior to any threat assessment protocol being implemented, all students, staff, and parents shall be provided with information about the protocol and procedures so that “fair notice” is given that threat behavior will not be tolerated.”

“The Threat Assessment Team Leader (Clinical Team Leader) shall take the lead to ensure that students, staff, and parents are aware of the protocol and that a consistent message is given regarding the use of the protocol.”

A [*Fair Notice Letter*](#) (which provides information to parents regarding the Division's policy regarding high-risk behaviours) is sent to each school prior to the end of the school year. It is expected that this letter be sent home with each student. If schools prefer, they can send it out on the first day back to school in September rather than at the end of the school year in June.

Meeting adjourned.

Next Meeting – Tuesday, October 13, 2015

HORIZON SCHOOL DIVISION #67 FACILITIES DEPT.

September 22, 2015

HORIZON SCHOOL DIVISION NUMBER 67 - FACILITIES DEPARTMENT Facilities Committee Report *Jake Heide*

It has once again been an honor and a privilege for the facilities crews to work together with all administrators, staff and students in doing our part to ensure all learners possess and have access to facilities well suited for engaged thinkers during the 2015/16 school year.

Facility crews have been engaged in all aspects of the physical plants and its contents ensuring prepared facilities for returned staff and students. As an integral part of the facilities department responsibilities, we have been involved in all areas that operate behind the scenes such as enabling and setting up air moving equipment, water heating, all roof top equipment, as well as upgrading barrier free access as needs arise.

We anticipate another exciting and productive year as we continue to contribute to maintaining and upgrading our facilities to meet new technological advances and provide the best physical learning atmosphere possible to the global citizens whom we serve.

The following is a summary of activities during the months August and September:

2015 Infrastructure Maintenance and Renewal (IMR)

While most of the IMR projects were completed during the months of July and August, a few remain in progress including the large project in Hays school which is scheduled to begin in October as well as a few smaller projects in Taber. We anticipate the Hays projects completion in November while the smaller projects in Taber to be completed in mid-October.

Maintenance Work, August and September

During the past month, a total of 114 new service request and generated preventive maintenance requests were submitted through Horizons electronic service request generating software, Asset Planner. Most requests were completed while some are in progress

Several other Maintenance repair projects and preventative maintenance projects were undertaken during the month. Graffiti removal, wall repairs and painting, plumbing and heating initiating and repairs, installation of tack boards, rooftop unit repairs etc.

As cooler weather approaches, all primary heating systems have been set up and prepared to go as needed. In most facilities, the Automated Building Management System will regulate the use of heat and disable when exterior temperatures exceed their preset limits.

Maintenance Projects

Barrier Free Access Improvements

Barrier Free Access upgrading is an ongoing process throughout the division. To meet current needs, the following upgrades are complete or in progress.

WRM / DAF

- Foods room upgrading to provide Barrier free counter space, supply accessibility and range upgrading. Complete
- Gymnasium wheel chair ramp providing access to the change rooms as well as washrooms
- Additional grab bar installation in barrier free spaces throughout the division. Completed
- Replaced various lavatories to change to appropriate heights. Complete.

Milk River Elementary

- Facility access – Rear of the school requires barrier free access and egress enabling free traffic to and from the parent pick-up space as well as playground. In progress
- Installations of change table in an existing barrier free stall. In progress
- Replacement of basin taps to motion activated. In progress

Painting

- Interior painting of classroom, corridor and administration spaces is ongoing,
- Painting of door jams, interior and exterior doors remains ongoing as weather permits

Dr. Hamman Bus Route

- Installation of the side walk and paving stone along the west side of the building is in progress. This portion of the project includes installation of a poured concrete sidewalk the entire length of the school, relocating the irrigation system, placing new pavers between the school and the sidewalk, and planting one tree and shrub.
- In addition to the before mentioned tasks, the deteriorated wooded barriers on the perimeter of the playground structure will be removed and replaced with poured concrete. Completion expected by September 30, 2015

DA Ferguson / WR Myers Foods Room

- Modifications were made to the foods room to provide additional barrier free access and usability. Modifications included extending the barrier free counter top, changing storage methods by incorporating rolling shelves and drawers, modifying the teachers' desk to allow more maneuvering space, addition of electrical circuits and adding shelving for storage. The counter top range was also replaced with a modern and friendlier version.

DAF / WRM Capital Project

Horizon School Division #67 engaged the services of an engineering firm out of Lethbridge to prepare the design work and continue with a more detailed structural review of the existing facilities. As part of the design and preparation work, a complete hazardous materials assessment has been completed and a complete review of the underground wastewater and storm drainage infrastructure.

- The engineering firm has created a master footprint plan of the entire school and is in the stages of preparing the different options to consider for the modernization. Options will be presented in an upcoming meeting to be scheduled by the firm
- In each of the options presented, the intention is to outline and highlight the areas to be addressed for all the engineering disciplines including civil, architectural, structural, mechanical and electrical
- When parameters for each option have been established, a cost estimate on the respective work can be completed.
- The preliminary design and investigative work is complete and will be reviewed on September 24, with final versions ready for presentation on October 25.

Barnwell Capital Project Decanting and preparation

Decanting progress has functioned well for the time being. The 1955 section has been vacated with all instruction and administration moved to the 1910 / 1941 section.

While instruction space has been re-located, access to the phase 1 (1955 Section) area remains accessible for staff and students for day to day use as well as evening activities. Access includes the gymnasium space, corridors, washrooms and the existing modular classrooms.

Upon construction start-up, access to the 1955 section will be restricted to authorized personnel only.

September 2015

Associate Superintendent of Prog. and Services / Human Resources Report – Clark Bosch

Human Resources:

- This fall finds Horizon School Division with 1 new Principal and 38 new teachers.
- 28 of our new teachers will be evaluated this year by their Principal and/or a Division Office representative.
- Only one school, Central, will be receiving additional teacher FTE this month. (.30 FTE).
- Armada Colony teaching position, (maternity leave) has been filled.
Taber Mennonite Acting Principalship (maternity leave beginning in October) has not yet been filled. There were no applicants for this position from our current Vice Principals or Assistant Principals. We are in the process of talking to past members of our Leadership Cohort about this opportunity.

Early Learning / Inclusive Education:

- JoAnn Hill has returned from her maternity leave. Welcome back JoAnn.
- Tanya Harvey is our new Supervisor of Early Learning. Tanya has replaced Lynn Saler in this position.

Submitted by Ann Muldoon, Director of Learning:

Key Action 2 - *Employ a Response to Instruction and Intervention Framework for teaching and learning to improve literacy and numeracy proficiency and enable all students to reach higher levels of academic achievement.*

Response to Instruction and Intervention

In September 2012 the division convened an Inclusive Learning committee to determine how we could best meet the needs of all Horizon students through a “Continuum of Supports and Services” approach. The work of this committee resulted in a new funding model that has facilitated the ability of schools to move forward with supporting all students through universal assessments, leveled literacy interventions, provision of time for completing benchmark assessments and monitoring progress, additional professional development for teachers, and collaborative team meetings.

At division level, supports for this work have included: focused PD for teachers and assistants on benchmark assessments and literacy learning, the creation of a new strengths-based Instructional Support Plan (ISP), the integration of the ISP and ESL Program Plans into PowerSchool to streamline teachers’ work, behavior consultation, specialized assessments, introduction of new Level B assessment (WIAT), the purchase of Leveled Literacy Interventions, a collaborative team at division office available to support schools as needed, and active participation in the SW Regional Collaborative Service Delivery to access additional supports for our students.

In the spring we sought to consolidate all these initiatives into a framework for student support by asking Kurtis Hewson from Jigsaw Learning to present on the Collaborative Response Model at the division-wide PD Day in March and the Admin Symposium in April. Although his model was useful in furthering our thinking, it did not fully reflect the elements we considered essential in a framework for teaching and learning that enables all students to be successful. Given that Alberta Education is now using the

terminology of “Response to Intervention” rather than “Continuum of Supports and Services”, we have proposed using a “Response to Instruction and Intervention (RTII)” framework that focuses primarily on support with core instruction but provides for supplemental and intensive instruction for students who are not meeting grade-level expectations. A draft framework is attached.

To support the work of schools in planning for and providing interventions, I attended two Fountas and Pinnell workshops (K-2 and Grades 3-8) in July on Leveled Literacy Interventions (LLI). Many of our schools already have the LLI systems, and I can now provide support with implementation.

Dossier

Following extensive work with Intellimedia to customize Dossier to meet the needs of Horizon teachers and students, we are ready to begin using the tool to plan for student support in 2015-16. All teachers now have access to Dossier through PowerSchool, thanks to the work of the tech department and Dorthea over the summer.

We arranged an introduction to Dossier for administrators and learning support teachers on August 27, and I have been working with individual schools to provide additional support to teachers. To date the following sessions have taken place or been scheduled:

August 24 – Lomond

August 28 – Colony Schools

August 28 – LT Westlake

September 11 – Dr. Hamman

September 14 – Chamberlain

September 18 – Warner

September 24 – Milk River Elementary

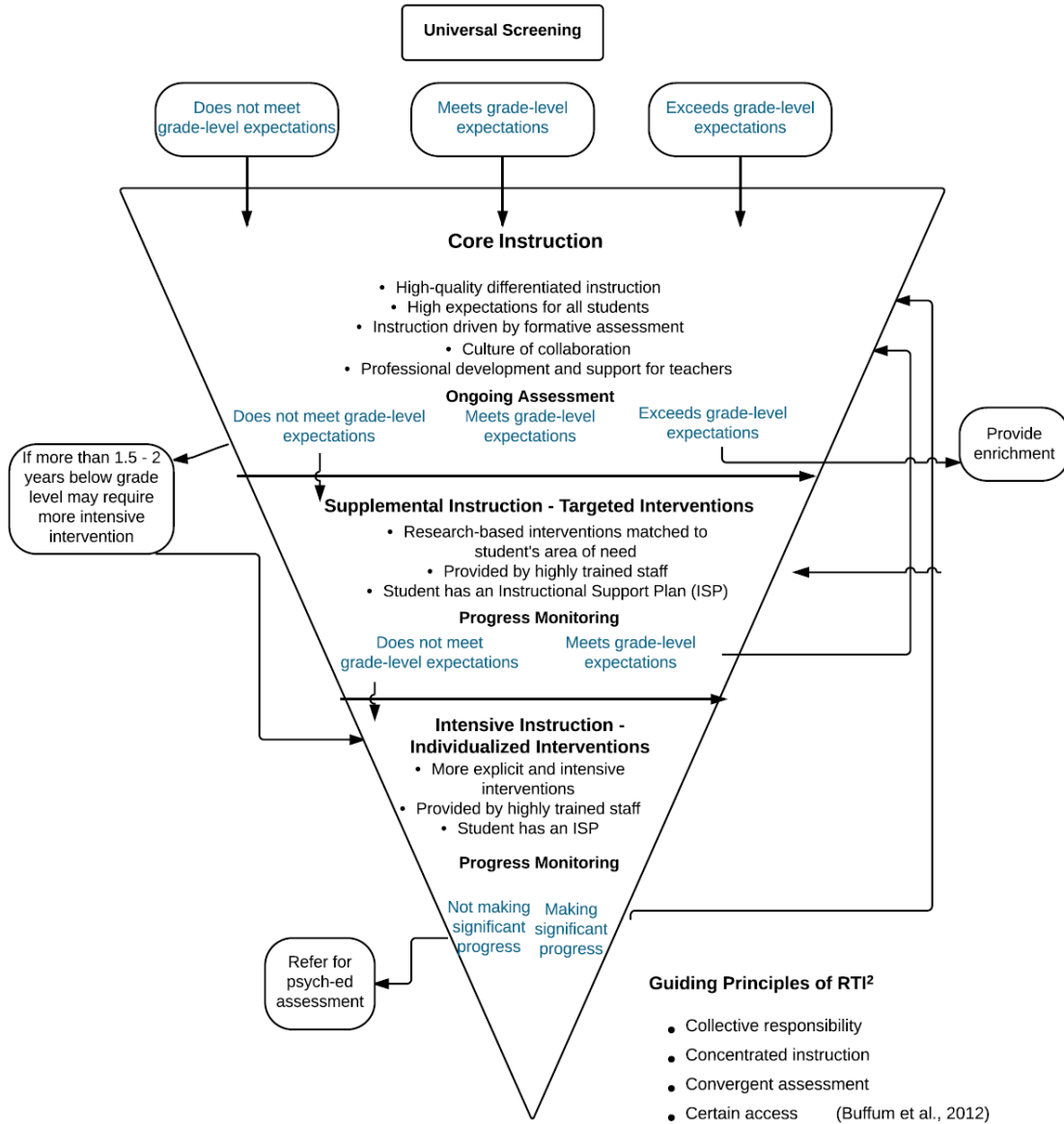
Key Action 3 - Increase parent and community engagement through reciprocal and collaborative relationships.

SW Regional Collaborative Service Delivery

The temporary boundary change that allows our three most northern schools – Lomond School, Lomond Colony, and Armada Colony – to access services through the SWRCSD is now in effect, and funds have been transferred from Bow River Collaborative Service Delivery for the 2015/16 school year. At present we have two students requiring speech/language support in Lomond School and no identified needs in the two colony schools.

Horizon holds the role of co-chair of the SWRCSD Leadership Team for the 2015/16 school year.

Response to Instruction and Intervention (RTI)² Draft Framework



RTI is a school-wide, systematic, collaborative process in which all school resources are seamlessly integrated and singularly focused on the same outcome - to ensure that every student learns at high levels.
(Buffum et al., 2009)

Career Counselling:

Submitted by Garth Mouland on Sept 11, 2015

Update for Itinerant Career Program in September 2015

1. Events and Dates:

DATE	EVENT and NOTES
Aug 31	Warner Hockey School meeting for parents
Sept 10	First Opportunity Shop Newsletter handed out to students, web page and parent email to follow
Sept 18	ELAA Admissions Update in Canmore
Sept 23	South Career Rally 12 presenters for Warner and ERHS at Milk River Community Center
Sept 25	Deadline for Career Displays in Schools (2 interns working and looking for more)
Sept ??	Job Shadow meetings at WHS and VHS arranged
Oct 3	U of L Open House – Advertise and attend but will not transport students
Oct 5	ELAA all Post-Secondary evening at Catholic Central in Lethbridge – Advertise and attend but will not transport students
Oct 7	Career Rally North 12 presenters for Lomond, Hays, Enchant, MAP, ACE and VHS at VHS
Oct 8	Parents Meeting – post secondary planning and scholarships – Vauxhall
Oct 14	PSAT Exam 8:30 to 12:30 at VHS
Oct 28	Parents Meeting – post secondary planning and scholarships – ERHS

- 2. Education Sub Committee for Lethbridge Chamber of Commerce:** I plan to withdraw from this group as travel to Lethbridge for events and meetings uses considerably more resources than we have.
- 3. Career Rally:** The Chinook Health Region Volunteer Recruitment Program dropped out of the Rallies but Career Transitions from Youth has volunteered to do a Career Building booth that will cover volunteering. Thanks to Career Transitions for the save.
- 4. Review of Program Goals**
 - 1.1 Provide students with career counselling
 - 1.2 Promote advantages of career management
 - 1.3 Supply and promote career resources
 - 1.4 Promote and provide special career events
 - 2.1 Provide career programming
 - 2.2 Connect present education to career choices
 - 2.3 Liaise with career / school related groups or projects
 - 3.1 Advise and assist students as they prepare to act on their transition plans
 - 3.2 Assist parents

FNMI Education:

- Lisa Sowinski has been registering new students around the Taber and south areas.
- We are planning the second year of our successful FNMI group which brings students, parents and elders together. Lisa would has set up an initial meeting for everyone who is interested. This meeting is to brain storm about forming a group committee for our FNMI students and families. Our initial meeting meeting will be held **Tuesday Sept. 15th, 2015** at the W.R. Myers High School library from 5:00- 7:00pm.
- Lisa has been involved in acquiring school supplies for students that need them.
- Lisa continues to help families with applications for their status or directing them to the proper places. It's a long process and does take a year or more. We have had some success in this area and am proud of that.
- We have been helping families fill out kid sport forms, taking moms to their appointments and bringing them to the schools for the student testing.
- Some families are in need of the food bank and have been helping them get set up with this. Also helping to try and get them into low income housing.
- Lisa has been working with Heather Brantner and Kristen Bodnar setting up students to see her to make sure they are on the right track with their credits etc...
- We have been setting up dates with teachers that have requested some aboriginal presentations in their class rooms.

Counselling:

- With the added FSLC position we were able to create a full time counselor position for D.A. Ferguson.
- Kelsey Atkinson former Family Connections Worker took on the full time counselor role at D.A. Ferguson.
- Melanie Mueller who was at DAF moved to L.T. Westlake and Vauxhall Elementary increasing FSLC time at Westlake.
- South Schools have increased FSLC time and our FSLC Amy Davis is based solely in the south schools.
- Family Connections Worker Amy Stroeve, is also based in the South one day a week.
- Joel Blake will be a .6 CYCW for Vauxhall High, Elementary and MAP.
- Family Connections Worker Brandon Petite is covering Angela Miller's .3 FSLC, at Ace Place and Taber Christian School. He will also serve as CYCW, Family Connections Worker/Assistant Coordinator to Angela Miller for the 2015-2016 school year.
- Two Family Connections Workers were hired both past Horizon students. Dionne Sawatzky will serve Central School and Westlake and Rylee Heller will be based out of D.A. Ferguson and W.R. Myers High.
- The Family School Liaison Counsellors and Family Connections Workers have begun planning for mentorship and training and mentorship will start in October.
- Tammy Vollo our Family Connections Worker will be running a friendship group with the grade 5 class at VES.
- Ashley, Cheryl and Tammy are starting a mental health series at VHS on Sept 21. At the first staff meeting before school started a survey was taken from the staff at VHS and had them let the counselor, FC Worker and Mental Health Worker know which topics they would like to know more about. This month the focus will be on stress. Tammy Vollo made up a bulletin board in the hallway that announces that the FSLP staff will be set up in the cafeteria on Sept 21 with more info on stress and has a bunch of ideas on there for "stress busting apps" that you can download.
- On Sept. 21 a booth will be set up where students will be given take aways and engage in some stress relieving activities. In October the focus will be on Emotional regulation and November will be substance abuse.

- In Grassy, Tammy Vollo will be taking 4 girls in grade 9 to the YWCA "power of being a girl" conference in Lethbridge next month.
Grassy Lake junior high students are learning about fitness opportunities in their community. They are learning to be creative and use what is available in town such as using the playground equipment to exercise, hill exercises, and work out cards available for free online.
- The Family School Liaison Program will be offering free Fourth R (Healthy Relationships) training to Division staff and community members. The training will take place on Nov. 17 all day at Division Office.
- Angela Miller, Glenn Jankowiak, Amy Davis (FSCLC's) and Alyson Archibald and Todd Ojala will be taking Go To Educator Train the Trainer in Calgary October 13-16. This is a mental health literacy program for teens that once trained they can come back to Horizon and provide a day and half training to staff to be able to use in the classrooms. The curriculum is for high school however there are resources that can be used with elementary school children. For more information please go to the website teenmentalhealth.org/curriculum.

High School Redesign:

- We will be meeting with Alberta Education representatives in the near future to discuss our successes and plans for the future to each of our schools in the project this year. (Lomond, WRM, ERHS and Warner) to review successes and plans for the future. AB ED commended our schools on their efforts this year and wished them well in 2014-15.
- Vauxhall High School has initiated a cross graded Advisor Program for their students.
- Clark, along with representatives from participating Horizon schools will be attending a learning opportunity, aimed at teachers, in Red Deer hosted by Alberta Education for all schools in the project on October 1, 2015.
- Erle Rivers High School has made Assessment a focus of their school development plan for the 2015-2016 school year.

Hutterian Brethren Schools:

- We have one new teacher and several new assistants at our colony schools.
- One Colony elder has expressed displeasure with Horizon's practice only having Division personnel present during the interview process.
- It continues to be a challenge to staff our more remote colony schools with both teachers and support staff.

Teacher Evaluation:

- I have begun the process to evaluate 8 of our first year teachers. I will also be observing an additional 8 new teachers on temporary contracts.

Associate Superintendent, Curriculum & Instruction
Report to the Board of Trustees – September 22, 2015

KEY ACTION AREA #1:

Maximize instructional strategies and activities that enhance student competencies in Ministerial Order (#001/2013) in order for students to participate in more relevant, meaningful, engaging, hands-on, and interdisciplinary learning experiences.

- Assessment – In the move to support implementation Policy HK Student Assessment, Evaluation and Reporting across the division, schools have been invited to designate teachers to join one of three Report Card Template working groups: Kindergarten, elementary, and secondary. The goals of these working groups will be to discuss what effective reporting looks like at each level and make recommendations to the division. Some individual schools are beginning dialogue about improving clarity and coherence of report cards and the Associate Superintendent is working closely with them to do so.
- Project Innovation PD series – 18 teachers from 14 schools are part of this professional learning group identifying best practice in core instruction and technology integration. Apple Education is supporting training with this initiative.
- Jurisdiction Student Engagement Team – Initial planning is in the works to invite student representatives from all Horizon high schools to be part of an ongoing JSET whose mandate will be to consult on jurisdictions priorities, goals and plans as well as explore engagement at the local, provincial, national and global levels.
- Division Professional Learning – Communication is being shared with teachers about how to maximize their own learning on the three division days through their Teachers Learning through Collaboration groups. The first division day, October 26th, will include a half day session for all teachers offered in conjunction with Southern Alberta Professional Development Consortium (SAPDC) on the topic of performance-based assessment. The ATA PD Committee is involved in shaping this topic and the development of a long term Horizon Professional Development Plan.
- International Students- In the move to support principals, teachers, and international students, Director of Learning Terri-Lynn Duncan and Sheila Kurtz, Program Coordinator for International Students, went to individual schools to visit with the new students from Brazil, their teachers, Learning Support teachers and principals. Suggestions on apps and programming were given to the schools and the transition went very smooth. Communication between Principals and District Office has been positive and will continue throughout the students stay.
- Student Learning Assessments - The Director of Learning attended a SLA video conference with Alberta Education and provided schools with information on technology requirements in order to provide a smooth assessment for students and teachers. Feedback from the first week of SLA administration in schools regarding the technology indicates few problems compared to last year. At the SLA orientation held for Horizon's Grade 3 teachers on August 27, teachers felt this year's pilot assessments have improved in many of the ways they had shared it should. Comments included, "I was dreading the SLAs, and now I'm actually looking forward to it!"

KEY ACTION AREA #2:

Employ a Response to Instruction and Intervention Framework for teaching and learning to improve literacy and numeracy proficiency and enable all students to reach higher levels of academic achievement.

- The Director of Learning provided instruction to Hays staff for a half day on August 31 for Fountas and Pinnell Benchmark Assessment System.
- Fountas and Pinnell Benchmark Assessment training was offered two days, after school on September 14 and September 16 in the afternoon. Both sessions were well attended by new and veteran staff members. Feedback on the session has been positive.
- A network of Horizon teachers interested in improving numeracy instruction has been established. The Numeracy Committee will have a face to face meeting next month.

KEY ACTION AREA #3:

Increase parent and community engagement through reciprocal and collaborative relationships.

- In order to support Home Stay Families and our new students from Brazil, the Director of Learning had the entire group meet at Boston Pizza for dinner on Saturday, September 5, 2015. The students were able to speak Portuguese and the Director of Learning and Home Stay families were able to discuss how things are going. All families are very happy with the children in their homes and 2 families commented in particular noted what a great fit it was for their family.

Leadership Practices

- Leadership Cohort – Invitations have gone out to schools to nominate teacher leaders for this jurisdiction program. Current vice principals who have not previously participated and other potential leaders will be part of this program. Sessions promote effective school leadership practice, as well as awareness of administrative roles specific to Horizon.
- Remote Access Service – In order to support staff in accessing files they need when they are working from home in the evenings or weekends, Remote Access Service is now actively being rolled out to schools. Central, Hays, Division Office and WR Myers were the first four staffs to trial this service, and it is now being extended to additional schools each week. For improved network security, a forced network password reset is also being implemented at the same time.

REPORT ON LOW GERMAN MENNONITE MATTERS

George Epp, Mennonite Liaison Worker, now has a listing from all schools of the Low German Mennonite students that are registered and attending classes. The Liaison Worker also has a listing of LGM children who were attending Horizon schools, but have withdrawn for this school year. The Liaison Worker has called all of those homes and has developed a record of where they are now registered for schooling. Discussion with parents includes seeking the reasons for withdrawal, especially when some of them have attended for many years. The discussions are going well and it is most important that they feel that could come back anytime, without difficulties.

We know that the Old Colony Church leaders have been very active in the past 12 months making sure they visit homes and tell their people that they should not attend public schools. A number have been pulled from Chamberlain School to attend the OC Church / School just east of Grassy Lake. The same has happened north of Taber at the Circle Hill OC Church / School. There are in the range of 50 LGM children pulled out of our schools, from Hays, VES, Enchant and Lomond.

The work now is to continue with home and school visits and focus on the LGM families that continue to send their children to Horizon schools. Many of those parents have a close connection with school staff and we want to encourage them to get more involved with any school activity or function.

As it has been previously established, Horizon benefits from the partnership with the MCC and their promotion of public education to all school-age children. The MCC is a very effective place to connect with young people and their parents.

Tuition and fees freeze begins for post-secondary students

September 08, 2015 [Media inquiries](#)

Alberta post-secondary students will have more money in their pockets as classes begin this month and a two-year tuition and fees freeze takes effect.



Lori Sigurdson, Minister of Innovation and Advanced Education, joined Students' Association leaders at Mount Royal University Tuesday as part of their student orientation and welcome back activities Innovation and Advanced Education Minister Lori Sigurdson greeted students on their way to classes at Mount Royal University today and discussed the tuition freeze and rollbacks on market modifiers with them.

An estimated quarter-million full and part-time students and apprentices are returning to 26 institutions across Campus Alberta. They will directly benefit from a \$133 million funding increase commitment that is bringing stability to this crucial sector.

“Stabilizing government’s investment in post-secondary education means educators can focus on delivering some of Canada’s best education and training. Higher education is vital to our future prosperity and ensuring that it remains affordable and accessible for families is one way our government is investing in Albertans.”

Lori Sigurdson, Minister of Innovation and Advanced Education

In addition to a freeze on tuition, [government re-invested funding](#) that had been previously cut. These extra dollars will help to ensure all institutions freeze the cost of mandatory non-instructional fees.

“Alberta’s university students are pleased with the decision to freeze tuition for the next two years as it will help prevent post-secondary education from becoming unaffordable and out of reach for Albertans. During the freeze, students are looking forward to collaborating directly in the planning of the long-term funding framework for post-secondary education, and to ensuring that the principles of affordability and predictability continue to guide future considerations for the tuition and fees we pay.”

Romy Garrido, Chair, Council of Alberta University Students

“I can tell you that even a temporary tuition freeze is a welcome relief for post-secondary students and their families. It’s a good first step after years of increases and ever-growing student debt. Every penny counts. Students are pleased that the government is considering students’ needs and that they’re consulting us. We look forward to working with the government to ensure the provincial operating grants and tuition structure is and equitable and best serves students across the province.”

Erik Queenan, President, Students’ Association of Mount Royal University

These freezes will last for the 2015-16 and 2016-17 school years as government begins the process of reviewing the overall funding model for Campus Alberta. This review will begin later in the fall. Tuition increases in 25 specific programs, previously approved under the market modifier provision, have also been [rolled back and cancelled](#).

Facts on Student Aid

Alberta students who need help paying for their education can still apply for financial assistance. Student Aid Alberta accepts applications at any point during the school year up to 30 days before the end of class.

In addition to the funding provided to student loan borrowers, the Alberta government provided \$73.5 million in scholarships and awards to 38,961 post-secondary students in 2014-15. This funding was disbursed through more than 60 different scholarship and award programs, including the Alexander Rutherford Scholarship.

Average student loan size:

In 2014-15, the average Alberta post-secondary student loan borrower received approximately \$12,500 in combined Canada and Alberta student loans and grants. Students receive a combination of Alberta and Canada loans and grants by applying to Student Aid Alberta on a single application.

Average student debt after graduation:

The average debt owed to government at the time of graduation for the Class of 2011-12 was \$20,100.

Amount of loans given out each year:

In the 2014-15 school year, a total of 62,725 Alberta post-secondary student loan borrowers received a combination of Alberta and Canada student loans and grants:

- Total Alberta student loans = \$395.7 million
- Total Alberta grants to student loan borrowers = \$65.1 million
- Total Canada student loans = \$284 million
- Total Canada student grants = \$75.3 million.



Horizon School Division No. 67

Our Learning Community

BARNWELL

Barnwell School
Phone: (403) 223-2902

ENCHANT

Enchant School
Phone: (403) 739-3770

GRASSY LAKE

Arden T. Litt Centre for Learning
(Outreach School)
Phone: (403) 655-2211

Chamberlain School
Phone: (403) 655-2211

HAYS

Hays School
Phone: (403) 725-3755

HUTTERIAN BRETHREN SCHOOLS

Phone: (403) 223-3547

LOMOND

Lomond Community School
Phone: (403) 792-3620

MILK RIVER

Erle Rivers High School
Phone: (403) 647-3665

Milk River Elementary School
Phone: (403) 647-3747

TABER

ACE Place Learning Centre
(Outreach School)
Phone: (403) 223-4761

Central Elementary School
Phone: (403) 223-2170

D.A. Ferguson Middle School
Phone: (403) 223-8971

Dr. Hamman Elementary School
Phone: (403) 223-2988

L.T. Westlake Fine Arts
Elementary School
Phone: (403) 223-2487

Taber Christian Alternative School
Phone: (403) 223-4550

Taber Mennonite School
Phone: (403) 223-0179

W.R. Myers High School
Phone: (403) 223-2292

VAUXHALL

Horizon MAP
(Outreach School)
Phone: (403) 654-4654

Vauxhall Elementary School
Phone: (403) 654-2422

Vauxhall High School
Phone: (403) 654-2145

WARNER

Warner School
Phone: (403) 642-3931

August 24, 2015

Honourable Minister Dave Eggan
Alberta Education
320 Legislature Building
10800 – 97 Avenue
Edmonton, AB T5K 2B6

Dear Honourable Minister Eggan:

On behalf of the Horizon School Division Board of Trustees, I would like to once again extend our congratulations on your appointment as Minister of Education. We know you have a huge portfolio and are aware that your decisions will influence the future of our children. As you know, education is more than preparing children and youth for their future careers. It is about creating contributing global citizens who have the competencies required for the 21st century. Education is also about the formation of the individual person, as well as family, community, and society.

Within the NDP election platform, the NDP indicated that one of their top priorities would be preserving and building our education system. Your platform goes on to state that the NDP will:

- invest in our children's education, so there are schools in your neighbourhood, and teachers in your children's classrooms.
- support Alberta's growing population and the need for quality education in a modern economy.

Your election platform also stated that:

- Mr. Prentice's government plays politics with the education of children
- Alberta now has the lowest postsecondary education participation rate among the provinces, even as Jim Prentice talks of a "well-educated workforce".
- More children and families in Alberta are facing growing inequality and poverty, despite PC promises.

As the Minister of Education, you are responsible and accountable for the education our children receive. We are excited about where education is going in this province and support many of the initiatives stemming from *Inspiring Education: A Dialogue with Albertans*. Initiatives such as: the shift towards a more inclusive education system, the focus on literacy and numeracy, shifts in provincial assessments, the focus on technology (e.g. Learning and Technology Policy Framework), the dual credit strategy, and high school redesign.

As you continue to lead the Ministry of Education and influence our children's future, we ask that you think of the children and their right to receive a quality education. As you review the Education Act and 16 proposed regulations I would urge you to reflect upon your election platform promises. We must ensure that all of Alberta's children receive a quality education, for only through quality education will Alberta create a well-educated workforce and reduce the growing inequality and poverty of its citizens.

As a Board of locally elected trustees, we strongly believe in parental choice. I would however urge you to closely review the home education regulation given that there was a consensus amongst the representatives from CASS, ASBOA, the ATA, ASBA, and PSBAA that the current regulation does not adequately protect the rights of all Alberta students to a quality education.

We are not suggesting that parents should not have a right to educate their own children. However, a child has a right to a quality education and the parent's right to home education should not extend to depriving a child of a quality education. We all have a role to play in ensuring that all students are receiving a quality education. Horizon for instance is working with our immigrant families, many of whom are Low German Speaking Mennonites with limited illiteracy skills, in partnership with a coalition of health, justice, education, social services, and local government representatives in an effort to ensure that all our children develop the literacy and employability skills necessary for active engagement in our society.

Together we can stem the growing inequality and poverty within children and families in Alberta and ensure that Alberta's model for K-12 education continues to be a world-class education system.

Respectfully,



Marie Logan
Board Chair

From: **Education Deputy Minister** <EducationDeputyMinister@gov.ab.ca>
Date: Tue, Sep 15, 2015 at 3:29 PM
Subject: Mental Health Review Update – Online Questionnaire
To:

**To: Superintendents of Public, Separate, Francophone and Charter School Boards
First Nation Education Director/Superintendents
Executive Directors of Stakeholder Associations**
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AISCA (Association of Independent Schools & Colleges in Alberta)
CASS (College of Alberta School Superintendents)
CCSSA (Council of Catholic Superintendents of Alberta)
Federation des parents francophones de l'Alberta
Federation des conseils scolaires francophones de l'Alberta
Learning Disabilities Association of Alberta
PSBAA (Public School Boards' Association of Alberta)

I would like to provide you with an important update regarding Alberta's Mental Health Review, which was announced by Honourable Rachel Notley, Premier of Alberta, in June 2015. The review is co-chaired by MLAs Dr. David Swann and Danielle Larivee. Tyler White, CEO of Siksika Health Services, which is affiliated with Treaty 7 Management Corporation, recently joined the Mental Health Review as a third committee member.

The Mental Health Review will look at all parts of Alberta's addiction and mental health system, with the goal of improving the lives of Albertans who are facing addiction and mental health challenges.

The scope of the review focuses on:

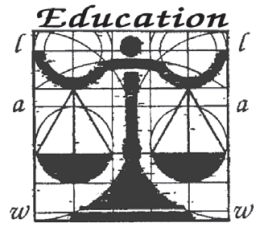
- increasing access to addiction and mental health services, including school-based mental health programs, community-based programs and preventative services;
- in-patient support services;
- addiction;
- geographic challenges; and
- ensuring services are inclusive of and culturally appropriate for Alberta's diverse population.

Albertans and stakeholders are invited to provide input into the review and identify opportunities in the addiction and mental health system for improvement. I encourage you to participate by completing the online questionnaire at www.health.alberta.ca/initiatives/Mental-Health-Review.html. The questionnaire is open until Friday, October 23, 2015, and the report and recommendations will be presented to government by the end of the year.

I appreciate you sharing your feedback and insight.

Sincerely,

Lorna Rosen
Deputy Minister of Education



Education Law Reporter

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Elementary & Secondary

EDITORIAL

New Perspective on Bullying

A recent article in the National Post, July 28, 2015, raises the theory that, “contrary to conventional wisdom, bullies are not ‘maladapted’, troubled people, lashing out because they had been abused or harassed or at least had dysfunctional home lives.” Rather, according to the theory of evolutionary psychology, bullying is hard wired in the genes rather than learned behavior, “an inherited trait that helps build social rank and sex appeal . . . “a genetic edge to gain better sexual opportunities, physical protection and mental health”.

Research by Jennifer Wong at Simon Fraser University involving a relatively small sample of 135 Vancouver high school students found, for example, that bullies were least likely to be depressed, had highest self-esteem and the greatest social status. The article distinguishes, however, between two types of bullies identified by Tony Volk at the University of Guelph: “pure” bullies comprising an estimated 80-90% of all bullies, who are “more socially adept, more popular and fly more under the wire”, and a separate category of bullies identified as “bully-victims who are troubled themselves and strike out in visible ways that quickly come to the attention of authorities” and who form the public face of the bullying debate.

These findings have both educational and legal implications for educators. Wong recommends, for example that, instead of trying to change the way bullies **think**, educators should focus on changing the way they **act** by engaging them in an expanded range of competitive supervised activities that provide “a less harmful channel for their domineering tendencies.” In an Arizona pilot study involving Volk, students identified as bullies, were steered into high status jobs in school to focus their attention on less harmful behavior. Bullying declined dramatically. If it is true that the vast majority of bullies seek status, punishing bullies may be counter-productive as it may serve to give them greater negative status, particularly among certain school populations.

While many in what we could call the “bullying industry” challenge these findings they do have legal implications for schools. Since schools owe students a duty of care, the efforts they take to prevent harm to students from bullying may require a two-pronged approach: one dealing with the 80-90% of bullies who do so for status; and another, dealing with “bully-victims” whose bullying behavior is usually part of a wide scope of maladaptive behaviors among a small minority of students who are identified in schools as needing extensive intervention at very young ages.

In our view, resources are better spent on these students than on generalized sexual harassment and bullying programs typically aimed at whole school populations collectively.

Eleanor Doctor B.Ed., M.A. LL.B. 

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STUDENTS and THE LAW

Individual or Systemic Discrimination?

In the following decision, the type of information the Claimant is trying to secure goes to systemic discrimination and the Human Rights Tribunal appears to take the position that even though systemic discrimination was not claimed initially, proof of Systemic Discrimination might help the Claimant prove discrimination against him as an individual.

Facts

Noah Tsehai, a black male student within the Durham School Board, was identified as an exceptional student with a learning disability by the Board's Identification Placement Review Committee ("IPRC") in 2008. He later made a complaint to the Human Rights Commission alleging discrimination on the basis of race, disability and age. He alleged that he was subjected to a series of unfair and inappropriate suspensions, both at the elementary and secondary school levels, imposed without regard to his identified learning disability. He claimed to have been marginalized and given harsher discipline due to have race, and that his placement in locally developed courses and the Supervised Alternative Learning ("SAL") program was discriminatory due to his disability and age. He later added a claim of reprisal.

The allegations relating to discrimination in relation to Tsehai's time in elementary school were settled between the parties at mediation on December 11, 2011. Minutes of settlement were entered into in relation to this settlement on October 10, 2013.

Cause of Action

The main action was scheduled for hearing February 19, June 23, 24, 25 and 30 and October 6, 7 and 8, 2015. This was an interim application or Re-

quest for an Order during Proceedings ("RFOP") made April 7, 2015 in which Tsehai requested a number of additional documents be produced by the School Board.

It should be noted that an earlier application for similar documents had been made, and was dismissed as being premature, on April 7, 2015.

Reasons

As noted in many other discrimination cases, bias and prejudice are very hard to prove, as discrimination is rarely overt. Such cases are almost always proved by circumstantial, rather than direct evidence. It is clear from the context of this application that Tsehai will be trying to demonstrate a pattern of system racial discrimination within the schools he attended and/or the Durham School Board. This was not lost on the Board, which tried to deny production of any documents not relating directly to Tsehai himself on the basis that systemic discrimination is not a matter in issue.

- Copies of all of his suspensions, notices of discipline and Safe School reports, including, but limited to material setting out the context in which the discipline was imposed, from 2008 to 2013;
- Copies of yearbooks from Williamsburg Elementary School ("Williamsburg") from 2008 to 2010;
- Coloured photos of Williamsburg students with a Behaviour Safety Plan from 2008 to 2010;
- Coloured photos of Williamsburg students suspended between 2008 to 2010 on the basis of opposition to authority, assault, engaging in or encouraging a fight and swearing with letters providing notice of discipline and any Principal and Safe Schools reports, including, but not limited to, material setting out the context in which the discipline was imposed;

- Copies of yearbooks from Donald A. Wilson Senior Secondary ("Wilson") from 2010 to 2013;
- Coloured photos of Wilson students with a Behaviour Safety Plan from 2010 to 2013;
- Coloured photos of each student suspended and/or expelled from Wilson from 2009 to 2013 on the basis of opposition to authority, assault, engaging in or encouraging a fight and swearing with letters providing notice of discipline and any Principal and Safe Schools reports, including, but not limited to, material setting out the context in which the discipline was imposed;
- Coloured photos of Durham District School Board's Whitby students placed in the Behaviour Intervention Centre ("BIC") alternative program from 2008 to 2013;
- Coloured photos of students placed in locally developed and applied streams from 2009 to 2013 noting exceptionalities;
- The methodology and findings of the racial data collected by Supervising Officer Doug Crichton pertaining to Wilson;
- All communication summaries and documentation including, but not limited to, submissions to the Ministry of Education, pre-SAL procedures, written and verbal instruction and direction to Warren Palmer and Andrea Pemberton with respect to the applicant's placement in the SAL program in 2012;
- All communication summaries including, but not limited to, meetings, written and verbal instruction, direction and expressed behavioural concerns expressed and/or provided to Educational Assistant Carol Thickett regarding the applicant; and
- Copies of all consideration forms as per the Mediation Agreement.

The Board argued that the RFOP should be denied on the bases that it is

being made in the middle of proceedings (the application was in April 2015) and is, accordingly, untimely. Further, they have argued, the scope of the request is too broad and the information contained in the requested materials is arguably not material to the matters in issue between the parties. Finally they argued that the information contained in the documents have no probative value when considered out of context or without expert evidence to analyze and interpret them.

Timeliness - The Tribunal agreed that, technically, the Application had begun but noted that no witnesses or evidence had been adduced on the first and, as of the date of the interim application, only hearing date. The Tribunal also noted that since the Applicant's initial request for documents had been dismissed as premature (in December 2013), the applicant had turned 18 and begun to instruct counsel on his own, and had changed counsel as well, and that these factors tended to mitigate the delay.

Onerous - In response to the Board's argument that identifying, collecting, collating and copying the documentation requested would be an onerous task, requiring at least 40 hours of work, the Tribunal pointed out that the thrust of the complaint had not changed since the complaint was first made: Tsehai claimed that black male students were discriminated against as regards discipline and the Board knew he would be looking for information to support that allegation.

Accordingly, this request, made two months before the hearing resumes, was not considered prejudicial to the Board nor did it appear to represent and undue hardship on the Board to respond to it.

The Tribunal also noted that on October 10, 2013, the parties had settled all matters in issue between themselves up to December 20, 2011. This settlement included a release, and accordingly the claimant's request for documentation which predate December 11, 2011, or which otherwise relate to Williamsburg or any of its students (including the ap-

plicant himself), are not producible in the ongoing proceedings.

Documents not in the Board's Possession - The Board refused to produce a number of the requested records on the basis that they did not have, or did not collect, the kind of information that was requested. Specifically, they said they did not have coloured photographs of Wilson students who, during the time period in issue, were suspended, had a Behaviour Safety Plan and were in locally developed or applied level courses. Further, even if such information was available, it would require parental consent to produce it, due to privacy issues.

The Tribunal accepted that the School Board did not have this information in the requested format, and that the students in question were entitled to privacy regarding their involvement in discipline proceedings and special programming. However, the Board also accepted the applicant's argument that the information that this kind of documentation would provide to the Tribunal would arguably be very relevant in determining whether the applicant's allegations regarding the link between race, disability, disciplinary proceedings and placement in locally developed courses (rather than academic and applied courses with accommodations), have any validity. The Tribunal also noted that the Board would still have its 2011/12 and 2012/13 yearbooks from Wilson, as well as information regarding students involved in disciplinary proceedings and locally developed courses.

Accordingly, the Tribunal ordered the Board to produce:

- A list of all Wilson students with a Behaviour Safety Plan during the 2011/ 12 and 2012/2013 school years;
- A list of all students suspended and/or expelled from Wilson during the 2011/12 to 2012/2013 school years on the basis of opposition to authority, assault, engaging in or

encouraging a fight and swearing, together with letters providing notice of discipline and any Principal and Safe Schools reports including, but not limited to, material setting out the context in which the discipline was imposed;

- A list of Wilson students placed in the BIC alternative program during the 2011/12 and 2012/2013 school years;
- A list of Wilson students placed in locally developed and applied streams during 2011/12 and 2012/2013, noting exceptionality;
- For each of these students, a yearbook photograph for the specified school years, or a colour photo if available in the respondents' possession, with each student's initials or non-identifying designation that matches the student's name on the above lists; and
- the yearbooks for both relevant years, in order to provide context.

In order to protect the other students' privacy, the Tribunal ordered that their names be redacted and replace with initials or some other non-identifying designation, so that the Board would not have to obtain consent from their parents.

Regarding the materials the Board claimed had already been provided, the Tribunal noted that some, but not all of the following had been produced:

- Copies of all of the applicant's suspensions, letters providing notice of discipline and Safe School reports, etc;
- All communication summaries and documentation including, but not limited to, submissions to the Ministry of Education, pre-SAL procedures, written and verbal instruction and direction to Warren Palmer and Andrea Pemberton with respect to the applicant's placement in the SAL program in 2012;
- All communication summaries including, but not limited to, meetings,

written and verbal instruction, direction and expressed behavioral concerns expressed and/or provided to Educational Assistant Carol Thickett regarding the applicant; and

- Copies of all consideration forms as per the Mediation Agreement.

The Tribunal ordered that the Board produce

- The suspension letters and related relevant documentation addressed to his parents and/or others as well as any communication related to the applicant sent to the Ministry of Education, after December 20, 2011.
- The email chains which include references to Warren Palmer, Andrea Pemberton and Carol Thickett, as Palmer and Pemberton are witnesses whose conduct and communication with one another and other staff may be key to the allegations in the Application and the amendments relating to reprisal. Thickett is a witness who is expected to give evidence about instructions she was given regarding the applicant, and accordingly these should be produced, as well.

The consideration forms request has been satisfied.

Systemic Discrimination - The Board argued that the claimant should not be allowed to prove his claim by adducing evidence of systemic discrimination, and that he does not have standing to make a claim of systemic discrimination on his own. Accordingly, they say that the evidence requested in this interim application has little or no probative value.

The Tribunal agreed that the claimant did not specifically allege systemic discrimination in his complaint, but the issue s/he had to deal with was whether the materials requested by the applicant are arguably relevant to the allegation that the applicant had been treated unjustly because of his colour and disability. The use of systemic or “pattern” evidence is arguably relevant and may be of assistance in helping the Tribunal

draw an inference of discrimination in this largely circumstantial case.

Request for Superintendent Crichton’s “Racial Data” Report -

The Board did not respond or comment on the request for this report, and it was not clear from the RFOP what the requested report was, or what it contains. Accordingly, this part of the request was denied but the applicant was given leave to renew his request for the report by filing a further RFOP, clarifying the nature of the report and how it is arguably relevant to the proceedings.

The Tribunal also noted that the School board should be able to provide the requested information on the special education placement of students, as determined by its IPRC. This should be available at any school, as it is routinely made available to trustees and committees of the board.

Tsehai v. Durham District School Board, [2015] O.H.R.T.D. No. 653; 2015 HRTO 616

Authored by
Hilary Stout, LL.B., LL.M.



TEACHERS and THE LAW

Non-Sexual Relationship Still

Inappropriate

Facts

Johanne Ste-Croix had been the teacher of X, a male student, for several years. During the 2011 – 2012 academic year, the relationship became inappropriate. Specifically, the inappropriate aspects included:

- paying special attention to the Student outside of the classroom;
- attending the Student’s games on a regular basis;
- providing personalized tutoring to the Student outside of school hours;
- visiting the Student’s residence;
- allowing the Student to sleep at her home on two occasions;
- inviting the Student to attend a game with her and her family;
- wrestling with the Student at her home;
- hugging the Student.
- Regularly communicating with the student by email, telephone or text during evenings, weekends and school holidays;
- Offering to have the Student stay with her when his school team made the provincial finals during a time the

Student’s family had made prior arrangements to be away;

- Traveling to the provincial finals even though her children were not on the team and she had no involvement with the team, then arranging to have the Student stay a night in her room sharing a bed with her son, by telling the family he had been traveling with that she was like a “second mom” to the Student;
- Going to the Student’s home while his parents were away and his grandmother was staying with him, arriving after 10:30 pm, spending the evening alone with him downstairs while the grandmother remained upstairs, and leaving after midnight;
- Returning the next night, again after 10:30, sitting with the Student on the couch and conversing with him in French, which the grandmother did not understand, and hugging him. The grandmother had to ask the teacher to leave, at some point after midnight. As she left, she put candy in the student’s bag, told him “you are taking me for granted” and told the grandmother that she loved the Student very much but “he makes me very angry.” After she left, the

Student told the grand-mother that the teacher thought she was his girlfriend.

The next day, the teacher and the Student's grandparents attended one of his games. After the game, the teacher went into the locker room to speak to the Student. The grandmother sent her husband in to find him and escort him out.

When the Student's parents returned from vacation, the grandmother told them what she had observed. The parents then reported the matter to the police.

Cause of Action

The matter was heard before a panel of the Discipline Committee of the Ontario College of Teachers (the "College"). Allegations before the College included professional misconduct, physical abuse of a student, psychological or emotional abuse of a student, sexual abuse of a student, committing acts that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional, and engaging in conduct unbecoming to a Member of the College.

The charges of physical and sexual abuse were withdrawn. The teacher had been suspended, with pay, from March 22 2011 to the date of the hearing. Subsequently she was suspended without pay from May 12 to June 24, 2011. She also voluntarily completed a course on professional boundary violations, and in essence pled guilty to the allegations against her. The true issue was an appropriate disciplinary measure.

Decision

The College found the teacher guilty of professional misconduct, as alleged. Her actions were unprofessional and demonstrated a lack of sound judgement and was inexcusable and inappropriate. The Committee found the teacher's conduct to be disgraceful and dishonourable.

The College determined that the appropriate penalty would include:

- A reprimand;
- Suspension to June 24, 2011;
- A further two months' suspension upon the date of the Order of the College being issued;
- The Member is to enroll in and complete, at her own expense, a course of instruction approved by the Registrar on boundary violations; and
- The findings and order of the College is to be published in summary form in the official publication of the College, *Professionally Speaking*.

An issue arose with regard to whether or not the teacher's name should be included in the publication. Counsel for the College argued that publication of an errant member's name is one of the most effective tools the College has for both specific and general deterrence. It sends a strong message to the profession that this type of behaviour is not tolerated and is taken very seriously. Also, even though there was no sexual misconduct in this case, the relationship was inappropriate and transparency is an important aspect of the penalty. Further, although the Member could now be considered to understand how inappropriate the relationship was, publication of her name would advise the public and the profession of how seriously

the College would take similar conduct. It was important that others understand that even though there was no "touching" in this case, the relationship still constituted professional misconduct.

Counsel for the teacher submitted that publication of her name was not warranted, as she was devastated by the investigations of the police and the College, had spent many months in therapy and counselling, and had not been in a classroom since the allegations were first made. Essentially, she had already learned a lesson from the entire experience. Her name was published in relation to the Notice of Hearing, which had been posted on the College website for years, and in a small community, further public shame was not warranted.

The Committee found that there were "compelling reasons for publication" of the Member's name in *Professionally Speaking*. Publication of the name of a member being disciplined is a sign to the profession, and hence the public, that the nature of the Member's conduct was considered very serious indeed. Publication also reassures the public that the profession acts decisively and takes the necessary steps to impose discipline in these cases.

Ontario College of Teachers v. Ste-Croix,
2015 LNONCTD 38

Authored by
Hilary Stout, LL.B., LL.M.



Abuse Disqualifies Teacher

Facts

On March 9, 2012, a teacher and member of the Ontario College of Teachers was convicted of child abuse between November 1, 2009 and May 13, 2010. On May 16, 2012, she was sentenced to 4 months in jail and two years' probation.

While it is not clear from the published decision of the College what Piatnitsa's relationship was to the child, it seems that she may not have been the child's

teacher but, rather, had some kind of personal or familial relationship with the victim.

A complaint was made based on Piatnitsa's conviction, and despite being properly notified, Piatnitsa did not attend the hearing. The Chair, accordingly, entered a plea of not guilty on her behalf.

Cause of Action

This appears to have been a disciplinary hearing arising from a member's conviction for child abuse. It is not stated,

and therefore it is assumed that it was not the case that the child or the child's family made the complaint. Presumably, it was a member of the College or of the public who made the complaint on the basis of the conviction.

Reasons

The only evidence put forward by Counsel for the College was the record of proceedings from the 2012 criminal conviction and sentencing of Piatnitsa, along with her Registered Member Information, which indicated that she was registered with the College during the period during which it was found she had committed the abuse.

College Counsel argued, and the Committee accepted, that the court documents were reliable evidence that the conduct which was the subject of the criminal complaint had been committed, and that there was no evidence to the contrary. College counsel further submitted that the member had not appealed either the conviction or the sentence. The essence of the argument was that the behaviour of the member, as found by the judge hearing the criminal trial, was sufficient to justify a finding, by the Committee, of professional misconduct under all the heads of misconduct alleged in the Notice of Hearing.

The Committee found it was able to accept, as evidence for its own purposes, a certified copy of a Court Information as proof that an offence had been committed by a person, in circumstances where there has been a finding of guilt and conviction in a Canadian Court, when there is no evidence to the contrary and where the Member has not appealed the conviction or the sentence.

The Committee also agreed with College Counsel's submissions that the conduct the Member had been convicted of was very serious, and that the nature of child abuse was inconsistent with being a teacher. Accordingly, the appropriate penalty would be to revoke the Certificate of Qualification and Registration of the Member.

The Court documents showed that the Member was found guilty of having assaulted this particular child on numerous occasions over a period of 6 months. The abuse included slapping, punching, pinching, and striking with a belt, resulting in bruising. All these injuries were documented and photographed by a doctor and were corroborated by other witnesses, including Educational Assistants, the Children's Aid Society, a police officer, and the child. Some of the assaults had been captured on video tape, which was accepted as evidence at trial. Despite the overwhelming nature of the evidence, the Member denied culpability at trial, even stating that the person in the video was not her but, rather, someone else wear-

ing her clothing. The Committee noted that it was troubled by the Member's refusal to take responsibility for her actions, her lack of remorse and failure to show any concern for the child's health or well-being. Her conduct brought the profession into disrepute and warranted the harshest sanctions the Committee was able to impose; specifically, forfeiture of the right to hold a teaching certificate and publication of her name and the reasons for the forfeiture in the College's official publication.

Ontario College of Teachers v. Olga Alexandrovna Piatnitsa, 2015 LNONCTD 34

Authored by
Hilary Stout, LL.B., LL.M.



Retroactive Pay for Teachers Limited

Facts

Under a collective agreement between the Greater Victoria Teachers' Association ("the Union") and the BC Public School Employers Association ("the Employer"), teachers are paid in accordance with their standing on a grid. The grid is comprised of different categories based on the individual teacher's level of education and 10 steps based on their years of experience.

Section 56(3) of the *Employment Standards Act* (the "ESA") relates to the granting of leave, including maternity or parental leave, to employees. It provides that:

The employee is entitled to all increases in wages and benefits the employee would have been entitled to had the leave not been taken or the attendance as a juror not been required.

The ESA came into force in November 1995. This dispute arose as a grievance against the Employer, alleging that the Employer was in breach of s. 56(3) of the ESA, in having failed to give employees on maternity or parental

leave credit for additional experience (thus, moving them up a step on the payment grid) since 1995.

The dispute has been very contentious. It has gone twice before arbitrators and twice before the BC Labour Relations Board, and the matter has also been considered by the Court of Appeal.

The central issue has to do with the interplay between s. 56(3) and the collective agreement that was in effect at the time the grievance was filed (2006-2011 collective agreement). That collective agreement provided that:

The grievance must be raised within thirty (30) working days of the alleged violation, or within thirty (30) working days of the party becoming reasonably aware of the alleged violation.

The Employer denied the grievance on the basis that it was not raised within 30 days. The matter was referred to arbitration. Prior to that arbitration, the Employer changed its practice, on a without-prejudice basis, and began paying employees according to their recalculated status on the grid for all leaves taken on or after April 1, 2009. No adjustments were made for em-

ployees who took leave between 1995 and March 31, 2009.

Accordingly, at the first arbitration the union sought to have all teachers given credit for leave time taken since 1995, and placed on the corresponding grid. They also sought retroactive payment for all teachers for the amounts they were underpaid as the result of having been on a lower grid-line, either dating back to 1995, or from the start of the then-current collective agreement, or from 30 days prior to the date of the grievance.

The employer argued that s. 56(3) of the ESA did not apply to the crediting of experience for the purpose of moving employees up on the pay grid or, in the alternative, that there could be no remedy for leaves taken more than 30 days prior to the date the grievance was filed. They further argued that, because they had already recalculated the grid status of teacher who had taken leave on or after April 1 2009 (which was 6 months prior to the grievance), there was no remedy to be applied.

The arbitrator found that the “increase in wages” referred to in s. 56(3) of the ESA did not include salary grid increases. As a result of making that decision, he did not make a decision regarding the appropriate remedy.

The Union appealed to the Court of Appeal under s. 100 of the BC *Labour Code*. After clarifying the different roles of the Court of Appeal and the

Labour Board, the Court of Appeal allowed the appeal and said that:

[36] The wording of s. 56(3) is that the employee is entitled to all increases in wages he or she would have received had the leave not been taken. The interpretation given to the section by the arbitrator resulted in a “reading down” of the wording to have the meaning that the employee is entitled to some of the increases in wages he or she would have received had the leave not been taken. There is no principled basis for giving the section this narrow interpretation.

The matter then went back to the arbitrator to reconsider. This time, the arbitrator agreed that all affected teachers should be placed on the grid level they would have reached, but for the leave, dating back to the enactment of the ESA, but declined to award back pay for any period earlier than 30 days prior to the filing of the grievance.

The Employer appealed the award to the Court of Appeal. The Court felt it did not have jurisdiction on the issue, and accordingly the matter went for review to the Labour Board. The Board found that the Employer had not established grounds for review under Section 99 of the Code and that this was not an appropriate case for the Board to interfere with the remedial discretion of the arbitrator.

The Employer then applied for reconsideration of that decision by the Board.

This review panel reversed the decision, with one member of the three-person panel dissenting.

Cause of Action

This was an application for judicial review of the Board’s reversed decision.

Reasons

Standard of Review

At common law, the standard of review for a Court looking at the reasons for a decision made by a tribunal is that of unreasonableness: *Dunsmuir v New Brunswick*. In BC, the *Administrative Tribunals Act* has codified the standard of review to that of *patent* unreasonableness, because the Labour Board is an “expert tribunal.”

Central Issue

The key issue in these various hearings was the effect of the 30-day limitation set out in the collective agreement on the statutory right to benefit from all salary increases applicable during a leave. In essence, it was clear that the failure to put the affected teachers onto the grid level they would have achieved “but for” the leave was a continuing wrong. The question was whether or not this meant that the subsequent remedy was payable back to the time of the first breach (1995) or only for the period starting 30 days before the grievance was filed, as provided for in the collective agreement.

This is because when there is a continuing wrong, each day that it continues



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restarts the limitation period all over again. Accordingly, the grievance can be brought at any time. The damages award that can be made, however, may be limited only to the period of time in which it was permissible to file the grievance.

The arbitrator decided that the obligation to credit the affected teachers with the appropriate increments of experience and put them on the grid level they would have reached but for the leave was a statutory obligation, and not subject to the 30-day limitation period set out in the collective agreement.

However, he went on to find that the rights to get more money with each increment arose from the collective agreement, not from the statute, and that therefore the entitlement to back pay was limited to 30 days before the grievance was filed.

The arbitrator also noted that he had the discretion, under s. 89(e) of the Code, to override the 30-day limitation period. However, the Employer argued that it would suffer significant prejudice from such relief, as school boards are funded on an annual basis and an order for back pay would create a significant unfunded liability. The arbitrator accepted this, and also noted that the union had known about the breach for some time, but had waited until an appropriate test case came along before bringing the grievance. These factors, in his opinion, disentitled the union from an extension of the time limit.

This was the decision that was appealed to the Court of Appeal, then sent back to the Board, which eventually issued

a reconsideration decision. That decision was related to what the Board decision was the determinative issue, “whether the ESA mandates by statute the remedy of crediting increments back to 1995.” Ultimately, they concluded that it does not, as s. 56(3) of the ESA is one that is made subject to the grievance enforcement mechanisms created by the applicable collective agreement.

The panel answered that question in the negative. In what may be said to be its conclusion, the panel then concluded that:

As a result, it is clear that the crediting of increments under the Act is subject to the same jurisdictional and time limits the Arbitrator noted and applied in respect to his monetary award. ... The conclusion is that the crediting of increments under the provisions in the Act is thus also limited to “the proper scale placement from September 1, 2009 onwards”.

It was the Union that applied for judicial review, the result of which is this decision. The basis of their argument was that

The Board had exceeded its jurisdiction by: (1) failing to base its decision on an established ground for reconsideration, specifically, that the decision was “inconsistent with the principles expressed or implied in the *Labour Relations Code*”; and (2) characterizing the determinative issue as “whether the ESA mandates by statute the crediting of increments back to 1995,” as the Court of Appeal had already determined that it was within the arbitrator’s mandate to order the recalculation of experience

credits. This was, therefore, something the Board should not have interfered with.

The review judge found that nothing was added by characterizing the error as jurisdictional. The true issue for review was whether or not the Board’s decision was patently unreasonable. He concluded:

In essence, the review panel’s line of reasoning was this: The Court of Appeal’s decision interpreted the substantive right provided by s. 56(3) of the ESA and remitted the matter of remedy back to the arbitrator. Parts 10 and 11 of the ESA deal with enforcement and therefore remedy, but under ss. 3(6) and (7) they do not apply to the grievance procedure under a collective agreement. Therefore the collective agreement governs the enforcement of a breach of s. 56(3). That incorporates the time limits of the grievance clause which applies to both remedies. The discretion of the arbitrator not to provide relief for the back-wage component was properly exercised and the same analysis ought to have been applied to the adjustment of the salary scale for leaves taken more than 30 days prior to the grievance.

For those reasons, the application for judicial review was dismissed.

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