

**Horizon School Division No. 67**  
**Regular Board Meeting – Division Office**  
**ERIC JOHNSON ROOM**  
**Tuesday, September 20, 2016 – 1:00 p.m.**

***Regular Board Meeting Agenda***

**A – Action Items**

A.1 Agenda A.2 Minutes of Regular Board Meeting held Tuesday, August 30, 2016 A.3 September 2016 Payment of Accounts Summary	<b>ENCLOSURE 1</b> <b>ENCLOSURE 2</b>
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**D – Discussion Items**

D.1 ASBA Zone 6 Meeting Date Change D.2 Zone 6 Survey	<b>ENCLOSURE 3</b> <b>ENCLOSURE 4</b>
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**I- Information Items**

I.1 Superintendent's Progress Report I.2 Trustee/Committee Reports <ul style="list-style-type: none"><li>• I.2.1 Zone 6 ASBA Report – Marie Logan<ul style="list-style-type: none"><li>○ ASBA Parliamentary Procedures Presentation</li></ul></li><li>• I.2.2 Facilities Committee Report- Derek Baron</li><li>• I.2.3 CSBA Report – Rick Anderson</li><li>• I.2.4 Admin. Meeting Update – Terry</li></ul>	<b>ENCLOSURE 5</b>  <b>ENCLOSURE 6</b> <b>ENCLOSURE 7</b>  <b>ENCLOSURE 8</b>
I.3 Associate Superintendent of Finance and Operations Report – Phil Johansen I.4 Associate Superintendent of Programs and Human Services Report – Clark Bosch I.5 Associate Superintendent of Curriculum and Instruction Report – Amber Darroch I.6 Vice/Assistant Principal's Appointment	     <b>ENCLOSURE 9</b>

**Correspondence**

<ul style="list-style-type: none"><li>• September 1, 2016 News Release: Students, families celebrate new and upgraded schools</li><li>• CBC News – Two private schools won't comply with Alberta LGBTQ Policy</li><li>• September 2, 2016 – Edmonton Journal – Grade 6 math students are now going to have to give up their calculators for at least 15 minutes</li><li>• News Release – September 6, 2016 – Standing Committee Invites Input on Legislation that Helps Vulnerable Children and Youth</li><li>• Elementary-V28-N1-SEPTEMBER-2016</li><li>• Letter to the Village of Warner</li></ul> <p><b>Dates to Remember:</b></p> <ul style="list-style-type: none"><li>• October 6<sup>th</sup>, 2016 – ATA Induction @Heritage Inn</li></ul>	<b>ENCLOSURE 10</b>
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# 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 Tuesday, August 30, 2016 beginning at 12:40p.m. in the Eric Johnson Room.

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

ALSO PRESENT: Dr. Wilco Tymensen, Superintendent of Schools  
Phil Johansen, Associate Superintendent of Finance & Operations  
Clark Bosch, Associate Superintendent of Programs, & Human Services  
Amber Darroch, Associate Superintendent of Curriculum & Instruction  
Nikki Jamieson, Taber Times  
Sheila Laqua, Recording Secretary

## ACTION ITEMS

- |     |  |   |
|-----|--|---|
| A.2 | Moved by Blair Lowry that the Board approve the <a href="#"><u>Minutes of the Regular Board Meeting held Tuesday, June 21, 2016</u></a> , as provided in Enclosure 1 of the agenda.<br>Carried Unanimously   | BOARD MEETING<br>MINUTES APPROVED<br>93/16                            |
| A.3 | Moved by Jennifer Crowson that the Board approve the <a href="#"><u>Minutes of the Special Board Meeting held Thursday, June 30, 2016</u></a> , as provided in Enclosure 2 of the agenda.<br>Carried Unanimously   | SPECIAL BOARD<br>MEETING MINUTES<br>APPROVED<br>94/16                 |
| A.4 | Moved by Terry Michaelis that the Board approve the <a href="#"><u>July/August 2016 Payment of Accounts Report</u></a> in the amount of \$10,347,186.64 as provided in Enclosure 3 of the agenda.<br>Carried Unanimously   | PAYMENT OF<br>ACCOUNTS REPORT<br>APPROVED<br>95/16                    |
| A.5 | Moved by the following that the Board approve <a href="#"><u>the Locally Developed Courses</u></a> as provided in Enclosure 4 of the agenda<br><br>Terry Michaelis moved that the Board approve the locally developed high school course <i>Chamber Ensemble 15/25/35</i> acquired from Calgary Board of Education from September 1, 2016 to August 31, 2020.<br>Carried Unanimously | LOCALLY DEVELOPED<br>COURSE CHAMBER<br>ENSEMBLE -APPROVED<br>96/16    |
|     | Rick Anderson moved that the Board approve the locally developed high school course <i>Film Studies 15/25/35</i> acquired from Calgary Board of Education from September 1, 2016 to August 31, 2017.<br>Carried Unanimously  | LOCALLY DEVELOPED<br>COURSE FILM STUDIES<br>APPROVED<br>97/16         |
|     | Derek Baron moved that the Board approve the locally developed high school course <i>Instrumental Jazz 15/25/35</i> acquired from Calgary Board of Education from September 1, 2016 to August 31, 2017.<br>Carried Unanimously   | LOCALLY DEVELOPED<br>COURSE<br>INSTRUMENTAL JAZZ<br>APPROVED<br>98/16 |

Jennifer Crowson moved that the Board approve the locally developed high school course *Reading 15/25* acquired from Calgary Board of Education from September 1, 2016 to August 31, 2020.

Carried Unanimously

LOCALLY DEVELOPED  
COURSE READING  
APPROVED  
99/16

Blair Lowry moved that the Board approve the locally developed high school course *Forensic Science 35* acquired from Pembina Hills School District #7 from September 1, 2016 to August 31, 2020.

Carried Unanimously

LOCALLY DEVELOPED  
COURSE FORENSIC  
SCIENCE APPROVED  
100/16

Bruce Francis moved that the Board approve the locally developed high school course *Religious Studies New Testament 35* acquired from Westwind School Division from September 1, 2016 to August 31, 2020.

Carried Unanimously

LOCALLY DEVELOPED  
COURSE RELIGIOUS  
STUDIES NEW  
TESTAMENT 35  
APPROVED  
101/16

## **DISCUSSION ITEMS**

### **D.1 2017 – 2018 School Calendar – DRAFT**

Amber Darroch, Associate Superintendent of Curriculum and Instruction presented the draft 2017-2018 school year calendar. Amber will be present the draft calendar to school administrators at the September 13, 2015 administrators meeting and asking principals to gather school council and staff feedback. The calendar will be brought back to the Board for final approval at the November Board meeting.

### **D.2 – Board Meeting Dates (addition)**

The following *tentative* dates have been set for the 2016-2017 Board meetings:

September 20, 2016	February 28, 2017
October 18, 2016	March 21, 2017
November 15, 2016	April 25, 2017
November 29, 2016 – Budget Meeting	May 16, 2017
December 20, 2016	June 20, 2017
January 17, 2017	

## **INFORMATION ITEMS**

### **I.1 Superintendent’s Progress Report**

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

- Bi-weekly meetings were held over the summer months for the DAF/WRM Modernization
  - RFP and construction to start within the next 6 month
  - Draft Floor plan and exterior architectural drawings should be available to the public within the next couple of weeks
- Several new teachers and support staff have been hired over the summer months
- Staff have been in the schools preparing for school start-up
- Provincial ATA Negotiations are moving forward

### **I.2 Trustee Committee Reports**

#### **I.2.1 Zone 6 ASBA Report**

Marie Logan, Zone 6 Representative reported that the next Zone 6 meeting will take place on Wednesday, September 14, 2016 at the Holy Spirit School Division in Lethbridge. This meeting will include a session on principles of parliamentary procedures to enhance the effectiveness of governance at local Board tables. The meeting will be facilitated by Kevin Feehan.

### **I.2.2 Facilities Committee Report – Derek Baron**

Derek Baron, Facilities Committee Chair, provided a report to the Board on the work undertaken during the past month within the Facilities Department. [Click here](#) to review the entire August 2016 Facilities Committee Report.

### **I.3 Associate Superintendent of Finance and Operations Report**

Phil Johansen provided the following update to the Board:

- Busy summer with the Facilities Department
- Worked with Jason, Director of Finance, preparing KEV, the new School Cash Accounting system
- Modifications were made to chartered accounts and budgeting processes in order to expedite the budget process for schools.
- Year end is August 31, 2016

### **I.4 Associate Superintendent of Programs, Services and Human Resources Report**

Clark Bosch's August report to the Board included the following information:

- A total of 70 teaching position have been filled within the Division
  - 28 probationary teachers require 2 evaluations, one from the Principal and one from Division Office
  - 7 temporary teachers
- **New Principals for 2016-17:**
  - Rebecca Edwards - L.T. Westlake School Principal
  - Barb Arend – Erle Rivers High School
  - Travis Magierowski – Lomond School
- **New Division Office Staffing:**
  - Andra Johnson – Early Childhood Supervisor
  - Angela Miller – Clinical Team Leader
  - Sharon Skretting – Assessment Coach
  - Sheila Laqua – Executive Secretary to the Superintendent and Board of Trustees
  - Jillian Ankutowicz - Speech Language Pathologist – part-time

### **I.5 Associate Superintendent of Curriculum and Instruction Report**

Amber Darroch's report to the Board included the following:

- Horizon Induction Program was held on August 25 & 26, 2016
  - 21 new teachers attended the program
  - First teaching experience for 7 of the teachers
- Launch of Grade Book & Report Card Program pilot (Student's Achieve)
  - This is a landmark program for Horizon which is based on best practice
  - Sharon Skretting will be working with the schools to help with the smooth transition of the program to all schools involved which will also include an online help support. Sharon has also been working on an on-line program called "Horizon University".
- Technology
  - The tech department has been working hard over the summer months to Evergreen all of the schools
  - All schools now have wireless accessibility with access points throughout the school in order to achieve the same standard of connectivity
  - 70 projectors installed over the summer

### **Correspondence**

**2 items of discussion** came forward from Correspondence as provided in Enclosure #6 of the agenda.

- Jennifer Crowson brought forward the conversation regarding nutrition within the schools stemming from the July 21 MD of Taber meeting.

- Amber Darroch updated the Board on the Student Learning Assessments (SLA) which replaces the grade 3 P.A.T. For the current 2016-17 school year the Province selected 20 school jurisdictions to participate. Horizon School Division was not selected to be part of the pilot. Horizon's grade 3 students will not be partaking in any provincial assessment.

**COMMITTEE ITEMS**

Moved by Derek Baron that the Board meet in Committee.

Carried Unanimously

COMMITTEE  
102/16

Moved by Jennifer Crowson that the meeting reconvene.

Carried Unanimously

RECONVENE  
103/16

Moved by Rick Anderson that the meeting adjourn

Carried Unanimously

MEETING  
ADJOURNED  
104/16

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Marie Logan, Chair

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Sheila Laqua, Secretary

**PAYMENT OF ACCOUNTS REPORT**  
**Board Meeting - September 20, 2016**

General	August 31/16		1057891.45
General	August 31/16		738576.7
General	September 12/16		55598.41
General	August 31/16		266641.41
"A" Payroll	August 2016	Teachers	1,510,767.41
	August 2016	Support	522,499.12
"B" Payroll	August 2016	Casual	17,032.65
	August 2016	Subs	
<b>Total Accounts</b>			<b>2,050,299.18</b>
Board Chair _____			
PJ:dd			
September 14, 2016			

## ZONE CHAIR REPORT, SEPTEMBER, 2016

WELCOME BACK! Hope everyone had a great summer and is looking forward to a new school year.

Last year ended with another successful Edwin Parr evening. Many thanks to Marie Logan and her committee for organizing everything. Thanks also to Vice Chair Peter Scott for being the emcee.

There was a zone chair / board of director meeting in Edmonton August 15 - 17. Zone chairs shared a lot of information - meeting dates, PD sessions (such as LGBTQ presentations, social media and politics, yoga sessions, etc.).

\*\*\* Of note: zone 1 has the same meeting date as us. Would we be able to change our meeting dates to the 3<sup>rd</sup> Wednesday? This would make it easier for our ASBA executive, and our zone director (whose meeting in Edmonton is the day after our zone meeting). Changing to the 3<sup>rd</sup> Wednesday would alleviate issues and information shared by the zone director would no longer be a month old. Discuss with your boards, and send your zone representatives to October's executive meeting with your thoughts on the issue.

The upcoming FGM will include a Pecha Kucha format presentation from the zones, capturing what zones feel is important. How has the economy affected our boards? Heather T to provide a template for us to use.

Executive search - ASBA has apparently received a number of qualified candidates. More info to follow.

Edwin Parr evening at FGM will probably follow the same format as last time - but on the Sunday as opposed to Monday. MC to be determined.

The Board of Directors is looking at continuing the review of foundational statements. The process was initiated at the SGM and the details are to be provided at the Provincial Issues Forum (Edmonton, September 27 & 28).



# Efficiency within Zone 6 Survey

Please complete the following survey, as a Board, *by October 7th, 2106.*

You may email your responses to [pam.boyson@westwind.ab.ca](mailto:pam.boyson@westwind.ab.ca) or send it with your Board Zone Rep Board to the October 12th, 2016 Zone 6 Executive Meeting. Thank you!

## The Background:

The last few years have proven to be tight budgets for Zone 6. This is forcing us to look at efficiency within our Zone 6 structure. The following questionnaire is intended to generate dialogue among Zone 6 boards. Some questions may appear leading, but the intent is not to lead, but to stimulate some rich conversation.

## The Facts...

- Financial statements showed Zone 6 running a deficit budget for the past 2 years. In the 2014 year the Zone cashed in a term deposit to balance the budget. In the 2015 year one executive meeting was tagged onto the end of a general meeting to balance the budget
- Zone 6 currently has the highest fees in the province based on our current meeting structure.
- We are the only Zone to hold executive meetings separate from general meetings. ie general meeting in November and executive meeting in December
- Composition of our executive
  - Chair;
  - Vice – Chair;
  - Zone Director to the Alberta School Boards Association (ASBA)Board of Directors;
  - Alternate Zone Director to ASBA;
  - Labour Relations Coordinator;
  - Edwin Parr Coordinator;
  - Professional Development Coordinator;
  - Handbook Review Coordinator;
  - Trustee representative from each Member Board within the boundaries of Zone 6; and
  - Secretary-Treasurer
- Per Diem, daily allocation for meals and travel allowance shall be paid at the rate established by the ASBA budget approved at the Spring General Meeting.
- Per Diem, daily allocation for meals and travel allowance shall be paid to:
  - Any member of the Executive attending an Executive meeting unless such expenses are covered by an alternative source.
  - Zone 6 Representatives to External Organizations, when representing Zone 6 in the capacity and function of their elected position unless such expenses are covered by an alternative source.
  - Zone 6 Coordinators, when representing Zone 6 in the capacity and function of their elected position unless such expenses are covered by an alternative source.



# Efficiency within Zone 6 Survey

- Any member of a Zone 6 standing or ad-hoc committee member attending a committee meeting unless such expenses are covered by an alternative source.
- All members at the Zone 6 General meetings by their respective boards.
- Our Current Handbook lists the following Zone 6 Trustee Representatives to External Organizations
  - SAPDC - per diem covered by SAPDC
  - South Zone Comprehensive Health- per diem covered by Zone 6
  - 2nd Language Caucus- Per diem covered by representatives own board
  - University of Lethbridge –Faculty of Education Teacher Education Advisory Committee (TEAC) - Per diem covered by Zone 6
- Our current Handbook/Bylaws can be found at [http://www.asba.ab.ca/wp-content/uploads/2014/10/zone6\\_handbook.pdf](http://www.asba.ab.ca/wp-content/uploads/2014/10/zone6_handbook.pdf)

## The Questions...

1. Do you think the fees for Board membership in Zone 6 should remain the same?

Yes

No

Comments:

2. Does your Board think there is value in sending a Zone 6 representative to SAPDC?

Yes

No

Explain:

3. Does your Board think there is value in Zone 6 sending a rep to South Zone Comprehensive Health?

Yes

No

Explain:

# Efficiency within Zone 6 Survey

4. Does your Board think there is value in Zone 6 sending a rep to UofL Teacher Education Advisory Committee (TEAC)?

Yes

No

Explain:

5. Does your board feel all Coordinator positions (Labour, Edwin Parr, etc.) should be filled by trustees already serving on the Executive?

Yes

No

Or...

Should these positions be elected from the general membership to serve as additional positions on the Executive?

Yes

No

Explain:

6. Does your Board think there is value in having the Zone 6 Labour Relations Coordinator at all executive meetings?

Yes

No

Explain:

7. Does your Board think there is value in having the Zone 6 Edwin Parr Coordinator at all executive meetings?

Yes

No

Explain:

# Efficiency within Zone 6 Survey

8. Does your Board think there is value in having the Professional Development Coordinator at all executive meetings?

Yes

No

Explain:

9. Does your Board think there is value in having the Handbook Review Coordinator at all executive meetings?

Yes

No

Explain:

10. Would your Board Support having Zone 6 Executive meetings as video conference?

Yes

No

Comments:

11. Do you think the current Zone 6 meeting structure of General meetings in the months of September, November, January, March, and May with executive meetings in the months of October, December, February, April, and June is working well?

Yes

No

Do you have a suggestion for an alternative meeting structure?

# Efficiency within Zone 6 Survey

12. Do you have further thoughts you would like to share to help us improve Zone 6!

Generative Thoughts...

Thank you so much for taking the time to share your thoughts!

Together we can move from Good to GREAT!

# **Superintendents Progress Report**

## **September, 2016**

### **Educational Leadership and Student Welfare**

- Dialogue between schools and division office are ongoing. Conversations/topics typically focus on processes that ensure student safety and well-being, financial management, instructional leadership, and off-campus activities. This month they also included legal matters, staffing, and facility use.
- Met with a PhD candidate regarding conducting research within Horizon.

### **Fiscal Responsibility**

- Monitoring enrollment. As of the middle of September our enrollment is down approximately 38 students. Enrollment will be updated in the budget on September 30 and budgets adjusted accordingly.

### **Personnel Management**

- Evaluation meetings with two (2) Principals and corresponded with eleven (11) principals regarding their evaluation as their term is ending June 2017.
- Employee contracts have been reviewed and updated
- Meeting with CUPE president occurred
- Meeting with the CUPE negotiation committee occurred in preparation for the upcoming negotiations

### **Policy and Strategic Planning**

- Drafting updated Policy JG Community Use of Facilities.

### **Organizational Leadership and Management**

- Meeting with DAF/WRM modernization with Sahuri, Alberta Infrastructure and Alberta Education
- Working with Tenille to process transportation requests. Although the deadline for making requests, changes to transportation is June 1 of the prior year, Tenille has received over 165 requests in the last part of Aug. As such, not all are approved. To date there are 580 students attending non-designated schools within the jurisdiction. This includes all outreach students.

### **Communications and Community Relations**

- A number of meetings and celebrations were attended over the last month. These include but are not limited to
  - Alberta Education meeting
  - Alberta School Board Association meeting
  - Senior Administrative Leadership Team meeting
  - School Administrator's meeting

- Staff meeting
- Hays welcome back pancake breakfast
- Schools were also visited at as the school year started. Between the senior leadership team, all schools were visited. The Superintendent has visited the following schools to date.
  - Chamberlan, LT Westlake, Taber Mennonite School, Taber, Christian School ACE Place, Warner, Erle Rivers, Milk River Elementary, Dr Hamman, DA Ferguson, WR Myers, Vauxhall Elementary, Vauxhall High School, Horizon MAP, and Hays



## September 14, 2016 ASBA MEETING

### Parliamentary procedures and rules of order Kevin P. Feehan, Q.C.

#### Canadian Rules

- *Beauchesne's Parliamentary Rules and Forms of the House of Commons of Canada, 6<sup>th</sup> Edition, 1989*
- *Bourinot's Rules of Order, 4<sup>th</sup> Revised Edition, 1995*

#### American Rules

- *Robert's Rules of Order, 11th edition, newly revised, 2011*
- *O. Garfield Jones, Parliamentary Procedure at a Glance, 1971*

#### Types of governance models

1. Operational board model
  - Boards were historically very operational
    - eg one room schools on a 4 x 4 - where boards did everything, they were involved in all aspects of operation
2. Executive board model (Horizon has this model)
  - 1930-1950s schools amalgamated and boards set up administration as they got bigger
  - Boards need to determine where the line is between executive decisions and roles of the Board and administration (define each sandbox)
    - Not having a clear description of each role creates frustrations and problems as people enter each other's area of responsibility
3. Carver model
  - 1990s, Boards shifted to the Carver Model (this is this executive model on steroids)
  - Board's role is to hire the Superintendent and the Superintendent then does everything except where the Board takes back specific things (done by limitation motions)
  - Many Boards are moving back to an Executive Model

#### Canada (Beauchesne's and Bourinot's) vs American (Robert's) Rules of Order

1. Canadian Rules
  - Sir Jon A. Macdonald asked the first speaker of the house, Beauchesne, to go to England for 1 year and sit in house of lords to see how they do it (his descriptions is now called "standing rules" and was last updated in 1989, there are 26 volumes)
  - CPR railroad scandal (accusation of bribes regarding location of railroad line, and Sir John A. Macdonald ended up being defeated.
  - He gets reelected and in the third parliament he asks the new speaker, Bourinot, to simplify Beauchesne's rules (Note: unions are legally required to use Bourinot's). 1995 edition is the last edition - 4th edition
  - Francophone boards across Canada have just approved their own rules.
2. American rules
  - Abraham Lincoln assassinated, Ulysses S. Grant becomes president, General Roberts is asked to sit in American Senate and write down their rules in 1867.
  - 11th edition is published in 2012

- Garfield Jones published “Cole’s notes” version entitled "parliamentary procedures at a glance in 1971 (it has a 2 sided split page guide that summarizes all motions for ease of reference

### Difference between America and Canada

- USA constitution is grounded in life liberty and happiness (individual)
- Canada constitution is grounded in peace, order and good government (collective)
- 1982 charter of rights and freedoms was Trudeau to imitate USA bill of rights, but provinces did not go along, first section says can infringe on those rights for the collective good (section 35 also allows provinces to opt out - notwithstanding clause)

ASBA uses Roberts

Boards are split between Roberts and Bourinot (need to decide what you are using)

### Constitutional documents governing a meeting (precedence if rules)

There is a hierarchy to the rules you follow. One starts with No. 1 and then goes to No. 2 and then finally No. 3

1. Constitution or incorporation documents trump rules of order (eg School Act)
2. Specially drafted rules and regulations (eg Board policies and procedures) trump general rules of order
3. If item is not addressed in 1) or 2) then one refers to the general rules of order
  - Boards should determine which parliamentary rules they follow (Robert’s or Bourinot’s)

### The chairman of the meeting

1. Neutrality
  - If you care about the motion, get out of the chair, as you can’t care about the outcome and remain neutral
  - Can get out of chair by handing it over to vice chair providing that they can be neutral, if not, it drops down to another trustee, if trustees can’t be neutral then secretary treasurer becomes chair
  - School Act says all trustees must vote (prior to asking mover of motion to close, state you are transparent and neutral and say how you are going to vote, then let closer speak and then everyone votes) (could be accused of influencing others but must balance neutrality with responsibility to vote)
2. Fairness
  - Treat everyone the same procedurally (eg lets hear from my good friend Jane vs ok folks let’s hear from talkative Don again for the fifteenth time)
  - Need to be fair in terms of balance (eg one person always talks and other never does, - need to draw quiet people out and silence others)
3. Firmness
  - Bring order out of chaos, make the calls
  - Be firm over correct as can fix a mistake
4. Humor
  - Need to follow 3 rules
    - Don’t use prejudice, discriminatory or be hurtful to people
    - The best humor is self-facing, you are the butt of your own joke

- Know your audience

### The business of the meeting

- Once you are elected, you lose your individuality, you can only act corporately
- You cannot speak on behalf of the board
- You cannot direct administration, only the Board can

#### 1. Motions

- Allows you to propose an idea, a suggestion to act
  - “I have a good idea, let’s talk about it, and if we're all in favour let’s do it”
- Motions should be in the positive
- Motions have preamble (eg where as... sneaks in early debate - preamble is not voted on)
- There are 3 levels of motions
  - The main motion
  - An amendment to the motion
  - An amendment to an amendment to the main motion
    - Rules 1 - every level has to be consistent with the spirit of the level above it
    - Rule 2 - work from the bottom up so fix amendments first
    - Rule 3 – can’t have multiple main motions on the floor, but can have parliamentary motion on the floor on same time as these are related to the process
    - Rule 4 - solve the amendment to the amendment to the main motion you can add another amendment to an amendment to the main motion
    - Think there are three boxes worth of motions and no more

#### 2. Amendments, amendments to amendments

- Allows you to change the particulars within the motion
- Picture the three boxes in the air, and remember which box you are in

#### 3. Friendly amendments and withdrawals

- Amendment by unanimous consent
- Used when it is so obvious that there is an error
- Look at mover and see if they agree
- If yes, ask if anyone on floor does not agree
- If all agree it’s done
- Now can’t revisit that idea and change as already agreed
- Withdrawals is similar to friendly amendments
  - Mover owns the motion until open to debate, then owned by the floor
  - If want to withdraw you must do so before it goes to debate
  - If goes to debate and want to withdraw all must agree that it can be withdrawn

#### 4. Points of order, points of information, points of privilege

- Point means "stop!"
- Can say stop for three reasons
  - Error in procedure (point of order)
  - Chair looks at error and decides if needs to fix it and makes ruling
  - One can appeal or challenge ruling of the chair (floor decides, need 50% +1)
- Point of information (stop, there is information that, if you knew it, would stop the debate in its tracks) - it is not a debating point, it will stop debate, can be a statement or question (where the answer will stop debate)

- Point of privilege, two types, offense to you as an elected official, or offense as a human. (Eg camera was allowed in the "Vader" trial in Edmonton). Offenses me as i am not an entertainer. Point of privilege is asking to go to bathroom
5. Notices of motion
    - Three types
      - Legislative - legislation requires at one meeting that matter will come up at another meeting (eg closing of school)
      - Parliamentary - rescission requires notice of motion (part of parliamentary procedure to do so)
      - Procedural
  6. Postponements, referrals, tabling (ways to get rid of stuff)
    - Consistently confused with each other
    - Tabling can only be done when something else of urgency comes along, you table temporarily to deal with issue and then immediately return to the debate
    - Once motion to is tabled, the only thing one can do is to return the motion to the floor (can't debate table motion). Most don't want to table they want to postpone
    - Postpone to a date certain (put to next meeting, eg new info coming, so let's wait till next meeting) - need to select date to revisit
    - Postpone indefinitely is only used in USA as it gives them a chance to count votes
    - Referral is a motion that another group has info that you need to make your decision (eg refer to budget committee). The group then gives you the info and then you vote
  7. Reconsideration, and rescissions (ways to bring stuff back)
    - Not something that is desirable
    - Sore losers can't bring motion for reconsideration forward. Only the winner of the motion can bring such a motion forward. Need to say, i won last time, and have changed my mind.
    - Can only bring motion to reconsider at the same meeting or very next meeting
      - Exception to this is that it does not apply to sessions. Sessions is the period of time between organizational meetings.
      - Rescission is also complex
        - Can only do it if you can't do reconsideration
        - Can only do if the motion is yes we will (can't rescind negative)
        - Can never rescind motion where action has been taken
        - Rescissions need notice of motion
  8. Calling the question and Adjournment
    - Can be done formally, semi-formal, or informally
    - If say, "question" that is informal, reminding chair to proceed
    - If semi-formal, can go to mic and say can we call the question?
      - Typically, chair says, thank you and I'll take two more comments then call the question
    - Formal calling the question, it is a formal motion ("I call the previous question) not debatable, chair has lost discretion and must go immediately to vote
      - Closer has no final comments
      - Ideally indicate that you are calling, eg the amendment to the amendment to the main motion
    - Adjournment is similar

- Chair can close informally
- I have reached the end of the agenda, and there is no the more business before us today. As such I declare adjournment.
- Can also be formal, someone makes a formal motion to adjourn

Scenario to show how it works (eg Pizza)

- Motion to order pizza for the afternoon break (first box)
- Amendment to the motion is to have each person order their own pizza (second box)
- Chair needs to know "What is the essence of the main motion? Of pizza essence"
- Is it bready thing with stuff on it or is it filling one's appetite?
- Chair has ability to make call based on their interpretation of the essence (chair calls "in order" or "out of order")
- If call it out of order only have motion on the floor (second box is empty)
- Amendment to motion is "ham and pineapple" (second box)
- Amendment to amendment is put ham on the side (third box)
- Can't make amendment to change time as is not germane with concept above (third box would be changing time which is not in alignment with second box - ham and pineapple), rather need to wait till second box amendment is settled and then can amend main motion to change time
- If someone says want pepperoni instead of ham and pineapple, chair can decide what the essence of the motion above is (is it toppings or ham and pineapple?)
- If the chair makes such a ruling and the floor does not agree, they can challenge it and the floor then makes the interpretation.
- As chair avoid simply making rulings (eg out of order) rather be helpful, (eg I think you are trying to make an amendment to the main motion)

September 20, 2016

**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 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 2016/17 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:

**Maintenance Work August and September**

During the past month, a total of 118 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

In addition to the generated requests, several other maintenance repair 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 mentioned, regular maintenance staff remains involved with ongoing capital projects as a regular part of the facilities department routine including providing electrical and technology support, preparation of owner supplied and installed materials into the completed facility etc.

**Maintenance Projects**

*Painting*

- Interior painting of classroom, corridor and administration spaces is ongoing,
- Painting of door jams, interior and exterior doors remains ongoing as weather permits
- Covering and removal of minor graffiti
- Painting bathroom partitions and added signage



- Replacement of damage sealed units (glass) in various doors and windows has been undertaken by the team of two painters

### Enchant School Storage

Constructing of a new storage building in Enchant is on-going, the concrete slabs are complete and material for facility assembly is on hand and is scheduled for completion by October.

Storage requirements are intended for gas powered equipment, miscellaneous school supplies and combustible shop storage

### IMR / Reserve funded Capital Projects

The majority of the 2016 IMR projects and board funded capital projects are complete. Seven of the thirty projects remain underway including:

- Re-roofing of the gymnasium sections of the DA Ferguson and WR Myers facility Contractors currently on site.
- Hays School Fire separation upgrading – Completion expected by the end of September
- Re-keying of Enchant and Hays school – Completion expected by the end of November
- Basketball backstop installation in Lomond – Vendor installation expected forthwith.
- Industrial Arts facility design and construction – Under review with work expecting to begin in October.
- Roof fall protection for all schools – Completion expected by the end of October
- Maintenance office Code upgrade – Ongoing

### Capital Projects

#### Barnwell School

The Barnwell Modernization construction process is proceeding as planned and on schedule. Bi weekly site meetings are scheduled and occurring.

Horizon School Division No. 67 facilities crews have made daily stops at the project site for meetings with Venture Holdings project manager and are able to address concerns as they arise very efficiently.

Progress to date is as follows:

#### **Progress to date:**

- All gym block walls are complete, OWSJ and decking are installed.
- Wood framing in West and North wing is complete and sheeted.
- The steel framing around the art room is sheeted.
- ARCA 2 ply SBS roofing complete
- OWSJ and fire rating underway
- Painting of completed sections underway
- Exterior insulation and vapor barrier complete

- Exterior metal cladding in progress
- Ventilation and Heating rough-in now at 85% complete

**Work Reviewed:**

- Masonry gym walls.
- Gym OWSJ and decking.
- General framing.
- Installation of deflection tracks in the north and west wings

Facility crews continue to work on site as different levels of construction are met, as well as continue regular visits for review and inspection purposes.

Over the next month, Horizon School Division No. 67 facility forces will be preparing flooring, including base preparations, grinding, floating and leveling.

Estimated Time line is as follows

Phase 1, substantial completion	December 2016
Phase 2, substantial completion	September 2017

**Warner School**

Demolition of the first phase is progressing well.

- HAZMAT abatement as identified prior to the start of design work was completed and within the allocated budget.
- Construction fencing has been erected complete with signage
- Temporary staff parking and bus drop off arrangements are complete
- Moving of all teaching tools, furniture and staffing requirements to the decanting section is complete
- Electrical demolition for phase 1 is nearing completion
- Mechanical demolition is complete
- Ceilings have been removed and disposed of as per specifications,
- Gymnasium flooring has been removed. Concrete slab was broken up and disposed of by the general contractor. 610 mm of earth was removed and replaced with specified fill and compacted. Compaction tests were conducted by Amec Foster and Wheeler prior to the new concrete preparation and pouring

**Progress to date:**

- Gymnasium concrete floor poured and ready for saw cutting. Every second section of rebar was cut at the saw cut lines in order to allow for concrete movement controlling cracking location
- Mechanical ventilation within main corridors and 1957 instructional spaces
- Electrical installations have begun
- 1957 sloped metal roofing has been removed with new insulation and vapor barrier installed. The ARCA 10 year warranty two ply SBS roofing system being installed. Horizon School Division No.

67 has engaged the services of an independent roofing consultant to supervise and report on the progress.

- Concrete is being cut and removed for the installation of underground utility infrastructure

Construction site meetings are scheduled on a bi-weekly basis and will be represented by MPE Engineering, Sahuri and Partners, Nitro Construction, School administration, Horizon facilities as well as subcontractor representation as required.

During the demolition, it was noted that there were pilaster alterations conducted in previous years, weakening an exterior wall in two respects; vertical load as well as resistance to wind load. Temporary shoring is in place as demolition continues, and structural engineers are in the process of designing a permanent solution.

The favorable solution is to install stub columns and steel plates within the pilaster foot prints for vertical load capacity, and install high strength steel on each side of each interrupted pilaster by the full height of the wall for wind resistance. This scenario would not be visible from the exterior and the window assemblies could continue past the pilaster locations. Permanent interior furring will be required.

### **DAF / WRM School Capital Project**

Project planning and design is on-going at the consultant level. Significant code upgrading requirements have the consultants and Alberta Infrastructure reviewing options.

Concept design meetings are continuing on a biweekly basis. Different designs are being reviewed by Horizon School Division No. 67 and Alberta Infrastructure. Following an approved design, costing will be applied and submitted to Alberta Education for approval. Design stages are nearing 30% completion which will now involve costing.

More detailed designs which include mechanical, electrical and structural requirements will be the main portion of discussion as we move towards the 60% drawings.

# ADMINISTRATORS' MEETING

Tuesday, September 13, 2016

MEETING CHAIR: WILCO TYMENSEN

BOARD MEMBER IN ATTENDANCE: TERRY MICHAELIS

ATA REPRESENTATIVE: LINDA VIROSTEK

## PROFESSIONAL LEARNING

### **Presentation: Review of Budget Allocation Process**

Phil reviewed aspects of Atrieve and MyBudgetFile and outlined the role of the principal in the budget process. He hopes to have revenues updated by October 1st using September 30<sup>th</sup> enrollments and asked principals to complete their fall update by October 14th. If a principal cannot complete the adjustments by that date, please contact Phil directly to make arrangements. Principals met in small groups to discuss the Budget allocation review and provided the following comments:

### **Budget Allocation – Group Discussion Summary**

- Simplify the categories
- Level the playing field – access to the same resources
- Best interests of the students should take priority - Cultures and identities of schools should be taken into consideration
- Flexibility to standards and common practices
- Discretion/focus at a school level
- How do we prioritize
- School allocations won't address the budget shortfalls as staffing is the primary expense
- Education plans should drive budgets
- Open conversations can lead to solutions
- There appears to be an increase in home-schooling
  - How do we meet the needs and wants of parents?
  - Are we listening to parents?
  - What can we do to strengthen our relationships with the Mennonite community
  - Are there ways to work together
  - How long do we continue to support segregation
  - What is the driver for home-schooling, it appears as if they include: finances, religion & culture
- Flexibility is key
- How do we balance individual school needs?
  - Large group discussions are hard when trying to identify individual needs
- Opportunities will be available for more conversations
- Do we re-open conversations about allocations of:
  - Teaching staff
  - Support staffing

## DISCUSSION ITEMS:

### 1. Jurisdiction Goals

Wilco reminded Administrators that their school plans need to be finalized and posted to the school website by the end of November.

The deadline for families to request transportation is June 1<sup>st</sup>. This is to allow time for the requests to be processed. We have had about 175 late requests which has resulted in requests not being processed prior to school start up. We ask that parent be patient as we finalize the requests.

### 2. Administrator Representation on Division Committees for the 2016-2017 School Year

- Policy Committee: Johanna Kutanzi, Rebecca Edwards, Dale Cummings, Todd Ojala, Allison Archibald, Allan Rancier, Sheldon Hoyt
- Indigenous Committee: Johanna Kutanzi, Holly Godson, Barb Arend
- Budget Committee: Johanna Kutanzi, Todd Ojala, Kelly Schmidt, Dave LeGrandeur

### 3. 2016 – 2017 Administrator Meeting Dates

Administrators meetings for the 2016-2017 school year will take place as follows:


September 13, 2016	February 14, 2017
October 4, 2016	March 14, 2017
November 8, 2016	April 11, 2017
December 13, 2016	May 2, 2017
January 10, 2017	June 13, 2017

#### 4. 2017-2018 Draft Jurisdiction Calendar

Amber shared the initial draft of the 2017-2018 school year calendar with Administrators. Administrators will have time to share and discuss the calendar with staff and parent councils. The calendar will be presented again at the October and November Admin Meeting as it is the intent to present a final draft of the 2017-2018 school year calendar to the Board for their approval at their November meeting. Principals are asked to gather feedback regarding:

- Your preferred parent/teacher interview date (we will try to reach consensus on this)
- Your preferred date for the May school-based PD day (perhaps May 10, 11, 18?)
- ISP date, should it be scheduled for a full day

**HORIZON SCHOOL DIVISION #67**  
**2016-2017 School Year Calendar**



M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

Instructional Days: 20 M-Th F

M	T	W	T	F
H 5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

Instructional Days: 20 M-Th F 4

M	T	W	T	F
	3	4	5	6
H 10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

Instructional Days: 18 M-Th F 3

M	T	W	T	F
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

Instructional Days: 20 M-Th F 2

M	T	W	T	F
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
H 26	H 27	H 28	H 29	H 30

Instructional Days: 17 M-Th F 4

M	T	W	T	F
H 2	H 3	H 4	H 5	H 6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

Instructional Days: 16 1st Sem. M-Th F 3  
1 2nd Sem. M-Th F 0

M	T	W	T	F
6	7	8	9	10
13	14	15	16	17
H 20	H 21	H 22	23	24
27	28			

Instructional Days: 14 M-Th F 2

M	T	W	T	F
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

Instructional Days: 22 M-Th F 3

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

Instructional Days: 14 M-Th F 2

M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
H 22	23	24	H 25	26
29	30	31		

Instructional Days: 20 M-Th F 3

M	T	W	T	F
H 5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

Instructional Days: 21 M-Th F 4

**Symbols Legend:**

- 1 First Day of School (1-12)
- 2 First/last day of ECS classes
- 3 ECS Orientation/Assessment Day
- 4 ECS Instructional Day
- 5 Last day of 1st Semester
- 6 First day of 2nd Semester
- 7 Observance (Mennonite, Colonies): Regular School
- 8 Last Day of School (Elem.)
- 9 Last Day of School (Jr. High & Sr. High)
- 10 Proposed PAT (confirmed in Fall 2016)
- 11 PAT Grades 6, 9
- 12 PAT & Diploma Exams
- 13 Proposed PAT & Diploma Exams
- 14 Report Card
- 15 Division Wide Teacher Preparation Day - no students
- 16 Division Wide Holiday - no students, no teachers
- 17 Division Wide Parent/Teacher Interviews - no students
- 18 Division Wide PD Day - no students
- 19 Division Wide PD (Half) Day - no students
- 20 Division Wide P.D. Day - joint Horizon/ATA PD day - no students
- 21 School Based Teacher Preparation Day - no students
- 22 School Based Holiday - no students, no teachers
- 23 School Based Parent/Teacher Interviews - no students
- 24 School Based PD Day (All Schools) - No Students
- 25 School Based PD Day (All Schools) - no students
- 26 Planning for Student Support Day (All Schools) - no students

	Sem. 1	Sem. 2	Total
Instructional Days	91	92	183
Teacher Prep. Days	3	0	3
Division Wide PD	2	4	6
Parent Teacher Interviews	1	0	1
School Based T. Prep. Days	0	0	0
School Based Holidays	0	0	0
School Based Parent Teacher Interviews	0	0	0
School Based P.D. Days	1	2	3
<b>Staff Days</b>	<b>98</b>	<b>98</b>	<b>196</b>

Date	Holidays & Observance
September 5, 2016	Labour Day
October 10, 2016	Thanksgiving Day
November 6, 2016	Remembrance Day
November 11, 2016	Daylight Savings Ends
December 25, 2016	Christmas Day
December 26, 2016	Boxing Day
January 1, 2017	New Year's Day
January 6, 2017	Epiphany
February 20, 2017	Family Day (Alberta)
February 23 & 24, 2017	Teachers Convention
March 12, 2017	Daylight Savings Begins
April 14, 2017	Good Friday
April 17, 2017	Elder Monday
May 22, 2017	Victoria Day
May 25, 2017	Ascension
June 5, 2017	Pentecost
July 1, 2017	Canada Day

Gr. 12 Diploma Exams	Nov.	Jan.	Apr.	Jun.
English LA 30-1 Pt. A	2	16	5	15
English LA 30-2 Pt. A	2	16	5	15
Social 30-1 Pt. A	3	17	6	16
Social 30-2 Pt. A	3	17	6	16
English LA 30-1 Pt. B	4	23	7	22
English LA 30-2 Pt. B	4	23	7	22
Social 30-1 Pt. B	7	24	10	23
Social 30-2 Pt. B	7	24	10	23
Math 30-1	8	25	11	28
Math 30-2	8	25	11	28
Physics 30	9	30	13	29
Chemistry 30	8	27	11	27
Biology 30	9	26	12	28
Science 30	30	12	29	

Achievement Exams	Gr. 9	Gr. 6
English Language Arts Part A	Jan 19	May 9
English Language Arts Part B	Jan 28	June 27
Science	Jan 24	June 23
Mathematics	Jan 25	June 28
Social Studies	Jan 23	June 26

\* used to indicated proposed PAT date; pending AB EA approval

APPROVED: January 13, 2016

Last updated February 9, 2016

## 5. Supporting Teacher Assessment Practice

Amber reviewed the workflow of projects associated with assessment over the last two years, from revised Policy HK: Student Assessment, Evaluation and Reporting to the development of common report cards last year to the implementation of Students Achieve. Supports for teachers moving forward were outlined, including the "Horizon Staff University" section of the Intranet. Sharon Skretting, Assessment Coach, is available to work with individuals, small groups or all school staff. Specific examples of Sharon's support include: direct support with Students Achieve or FreshGrade; consulting with teachers about how to bridge their current assessment practice and/or data gathering with new reporting; leveraging technology to gather assessment evidence; and linking planning with assessment. Discussion concluded that Sharon will communicate her availability through principals/staff but principals are also encouraged to contact her to make arrangements.

## 6. Admin Meeting PD

The following are topics that will be discussed at upcoming Admin Meeting PD days.

- Oct – work on AERR/Student assessment
- Nov – Mental Health Support/Budget Allocation Process
- Dec – TQS, SLQS, Growth, Supervision, & Evaluation
- Jan – Literacy Framework
- Feb – Budget Allocation Process
- Mar – FNMI
- April – TQS, SLQS, Growth, Supervision, & Evaluation
- NOTE:
  - i. LTPF session including VP/AP (Suhayl – November and March)
  - ii. April – Admin Symposium (Wilco will be seeking feedback regarding the admin symposium via email)

## 7. Student Voice – Our School (Tell Them From Me)

Clark spoke about "Our School" (OS) survey, (formerly known as Tell Them From Me). The cost for this school year would be paid out of the Division's Health and Wellness Grant and there would be no cost to schools to participate. If opting in, schools could administer the OS survey which has embedded within it, the "Accountability Pillar" (AP) questions, thus avoiding the need to capture student voice with two surveys. Schools could also use the OS survey to capture voices from all of their students rather than the required Grades 4, 7 and 10 students specified by the AP survey. More specific information will be forthcoming.

## 8. Level 1 VTRA/Refresher Training Date

Angela will be setting up two VTRA training dates during the month of November. Certification lasts three years, so if training occurred over 3 years ago, the 2-day training course will be needed. If individuals were trained less than 3 years, a ½ day refresher course will be needed.

## 9. Inclusive Education Update

Robbie shared the Inclusive learning update with the administrators. Early Learning, Sept. 30<sup>th</sup> Planning for Student Support Day, Dossier, Meetings, Coding, Collaborative Response to Instruction and Intervention, Positive Behavior Support, Alberta Education Update and Forms, were all topics covered by the report. The September 2016 update can be found on Google Drive.

## 10. Support Staff Hours

Clarification was provided related to paid "recess" breaks so that there is a consistency of practice across all types of assistants irrelevant of funding sources (e.g. PUF, Centralized, Decentralized, etc).

## 11. ELL

ELL coding can be removed after 5 years if supports are no longer needed and students have already received 5 years of funding, however, if in doubt leave the coding in place.

## 12. Anita Richardson School Visits

Clark and Anita (new Associate Superintendent) will be visiting each school at the end of October. A schedule will be sent out as to when the visits will take place. Clark also asked that a school staff photo be sent to him, along with the names of the staff members to assist Anita with placing names to faces.



### 13. Enrollment

Administrators were thanked for sending in their current enrollment numbers. To date, the jurisdiction is down about 35 students.

## INFORMATION ITEMS:

### The following information items were provided, no discussion occurred.

#### 1. Reminder to enter PD activities on google doc. entitled "School PD Plans for 2016-17" – Amber

This is a reminder to please contribute your school data as soon as you've determine your PD plans. You can also indicate priorities that you haven't addressed yet so others recognize the opportunity for collaboration. Principals are reminded to add their schools' plans for all school-based PD days on the Google Sheet sent out in June. Please contribute information on both the three common dates as well as any additional PD scheduled for your school. This tool can also be used to source out opportunities for collaboration between schools if you note another school with the same interest or need.

#### 2. Principal Professional Growth Plan Meetings

Sheila will be contacting all principals to schedule a 2-hour meeting for the end of September or early October to discuss schools three year plans. Associate Superintendents will also be attending the meeting and vice/assistant principals are welcome to partake in the discussion.

#### 3. School Safety Plans

Schools are reminded to use the new safety plan template and submit completed/updated plans to Sheila by **November 30, 2016**.

#### 4. Fire Drills and Lockdown Procedures

Schools are reminded that, as per policy, they must conduct 3 fire drills per semester and 3 lockdown drills per year. Schools are required to record the date of these drills and will be asked to submit such dates to Division Office (Sheila) at the end of each semester (end of January 2017 and end of June 2017).

#### 5. Council of School Councils

Schools are asked to submit the name of their school council chair to Sheila once the first COSC meeting has been held. The first COSC meeting is scheduled for Wednesday, October 26, 2016 and School Council Chairs and Principals are invited.

#### 6. "Around Horizon" Newspaper

Schools are reminded that the jurisdiction will once again be publishing an "Around Horizon" newspaper insert. Schools are asked to draft a story and submit it to Dorthea (dorthea.mills@horizon.ab.ca) by Christmas.

#### 7. Alberta Health Services Update

Healthy Children and youth team (AHS) can help schools with Comprehensive School Health and the following is available to help with this initiative: Health promotion, registered dietitians, mental health promotion staff and counsellors, addictions prevention staff, tobacco reduction staff, oral health staff, public health inspectors, allied health for referrals, injury prevention staff, public health nurses. If you are interested in any of these services for your school please contact Norah Fines our Health Promotion Coordinator at [norah.fines@albertahealthservices.ca](mailto:norah.fines@albertahealthservices.ca).

The Healthy Children and Youth team (HCY) work at a systems-level with health (Alberta Health Services) and education stakeholders

(school jurisdictions) to improve healthy eating, active living and mental health among school-aged children and youth, through a

Comprehensive School Health Approach. As a result of this program, many school districts are implementing strategies to improve healthy eating, active living and mental health in their schools. School Health nurse: Public Health nurses make many visits to schools for the purposes of immunizing students, giving presentations or providing information or support as requested.

#### 8. Police Information Check Regarding Volunteers

It has come to our attention that the Taber Police and possibly the RCMP may no longer accept letters for Criminal Record Checks and Child Vulnerable Checks if the "volunteer" is receiving any sort of remuneration. This could include

gift certificates. This came to our attention when our Home Stay families went into Taber Police with a division letter for a CRC and CVC and they called to see if the family received any sort of remuneration.

## 9. Blanket Facility User Groups Insurance

### ASBIE Facility User Groups Insurance Memo

The Alberta School Board Insurance Exchange (ASBIE), Horizon's insurance provider, provides a Blanket Facility Users Group (non-school based users – individuals or groups) policy to provide liability coverage for the protection of Facility Users. This is extremely valuable particularly when a Facility User does not have access to liability insurance coverage of their own from other sources. This coverage provided for the Users transfers liability away from the Board back to the User of the facility.

### ASBIE Facility User Groups Program

ASBIE Facility User Group Program 2016-2017 Rates			
Low Risk Activities	Included in Blanket Program		
Medium Risk Activities	Included in Blanket Program		
High Risk Activities	Not Included in Blanket Program and must be referred to Insurer for consideration and premium quote		
LOW RISK ACTIVITIES	MEDIUM RISK ACTIVITIES	HIGH RISK ACTIVITIES	EXCLUDED ACTIVITIES
Badminton	Baseball	<b>Any activity not indicated in Low Risk / Medium Risk / Excluded Category</b>	Alpine Skiing or Ski Hills
Bowling	Basketball		Animals, Petting Zoos
Curling	Field Hockey		Bungee Jumping
Dance Lessons	Ball/Floor Hockey		Boxing
Horseshoes	Handball		Carnivals
Tennis	Racquetball		Climbing Walls
Piano lessons	Soccer		Contact Hockey
Rope skipping	Softball		Cycling
Yoga/Pilates/Aerobics(subject to certified instructor)	Squash		Fireworks (unless under direction of a licensed pyrotechnician)
Art classes	Non-Contact Touch/Flag Football		Gymnastics
Meetings	Track & field	Events with Alcohol	Equestrian/horse related events
	Volleyball	Beer Gardens	Kickboxing
	Swimming with Lifeguard		Lacrosse
	Adult non-contact hockey		Minor Hockey (18 & under)
	Ball hockey, in-line hockey		Mountain Climbing
	Recreational Skating		Rugby
	Farmers Markets		Skateboarding / Skateboard Parks
	Swap Meets		Snowboarding
	Garage Sales		Snowmobile or Sea-do Rentals
			Tackle Football
			Contact Martial Arts
Additional Premium required (includes 15% LS Fee)			
<b>Non-contact Martial Arts</b>	1 - 25 students		\$575
	26 - 100 Students		\$863
	closed tournament (own students only)		included
	open tournament day (outside participants invited or allowed - up to 100 extra)		\$288
<b>League Hockey</b>	\$225 per team per season		
<b>Tournaments</b>	Up to 8 teams		\$288
	9-16 teams		\$431
<b>Beer Gardens</b>	1-100 Participants		\$115/day
	101-250 Participants		\$173/day
	250-500 Participants		\$230/day
<b>Events with Alcohol</b>	Over 500 Participants		Refer
	1-100 Participants		\$155
	101-500 Participants		\$190
<b>Events without Alcohol</b>	Over 500 Participants		Refer
	1-100 Attendance		\$115
	101-500 Attendance		\$144
Make cheque payable to Lloyd Sadd Insurance			
We Listen. We Think. We Deliver.			

## 10. Fair Notice

Schools are reminded that if they have not done so, that the "Fair Notice Letter" and brochure must be send home to all parents.

## 11. Lord's Prayer

Schools are reminded that those schools that have been directed by the Board to commence the day with the recitation of the Lord's Prayer, are legally required to inform parents as per Policy HGA and provide parents with the opportunity to exempt their children from such activity.

12. Evaluation of Division Office Staff

Robbie Charlebois' evaluation will be sent out to Administrators within the next week.

13. 2016-17 Absence Approval Guidelines

Clark shared the 2016-2017 Absence Approval Guidelines with the Administrators

14. Career Transitions

School leaders are reminded about the great variety of programming available from Career Transitions, from individual student supports like Project SPARC and personalized job shadow placements, to special events like EPIC, Skills Canada and the Career Development Conference (for educators), to a variety of classroom presentations. This year, Career Transitions is specifically targeting Horizon students through the Ag Career Pathways project for Gr 9-12 Mennonite students and the potential to do a Merit Contractors Association carpentry skills boot camp dedicated to our students. See the attachment for further information.

**DATES TO REMEMBER:**

• September 14 <sup>th</sup> - New Learning Support Teacher orientation 9 - 11:45 a.m.
• September 14 <sup>th</sup> - LST Meeting 1 - 4 p.m.
• September 19 <sup>th</sup> - Inclusive Practices Cohort 9 a.m. – 3 p.m
• September 19 <sup>th</sup> - ATA PD Committee 5 p.m.
• September 20 <sup>th</sup> - Board meeting
• September 20 <sup>th</sup> - Family Connections team meeting (afternoon)
• September 27 <sup>th</sup> - SIVA Training Part A 8:30 a.m. - 3:30 p.m.
• September 28 <sup>th</sup> - Fountas & Pinnell Training 8 a.m. - noon
• September 28 <sup>th</sup> - SIVA Training Part B 1 - 4 p.m.
• September 30 <sup>th</sup> - Planning for Student Support Day (all schools) – Day dedicated to staff collaborative time discussing, developing and planning individual student ISP's, instructional strategies, accommodations and interventions (tiers 1,2 & 3)
• October 3 <sup>rd</sup> - Deadline for November Diploma Exam registrations
• October 3 <sup>rd</sup> - Multi-Year Diploma and Achievement Test reports are released on Extranet
• October 4 <sup>th</sup> - Admin Meeting 8:00 - 10:00 a.m. work on AERR
• October 6 <sup>th</sup> - ATA Induction Program 5:00 p.m. at the Heritage Inn (Taber)
• October 11 <sup>th</sup> - AB Ed deadline for November Diploma Exam accommodations requests
• October 13 <sup>th</sup> - School authorities release diploma and achievement test data
• October 13 <sup>th</sup> -14 <sup>th</sup> - Go To Educator Training
• October 20 <sup>th</sup> – Joint ATA/Horizon Professional Learning Day – All Staff to Attend

**2016 – 2017 VICE/ASSISTANT PRINCIPAL DESIGNATION**

ACE Place	NO Designation
A.T.L / Chamberlain	Vice-Principal: Terryn Gutfriend Jaimie Van Ham
Barnwell School	Vice Principal: Aaron Edlund
Central School	Vice Principals: Barb Kusnir Coral James
D.A Ferguson Middle School	Vice Principal: Bev Wilk
Dr. Hamman School	Vice Principal: Christopher Ward
Enchant School	Assistant Principal: Cindy Kurek
Erle Rivers High School	Vice Principal: Karen Ellertgarber
Hays School	NO Designation
Horizon MAP	NO Designation
L.T. Westlake School	Assistant Principal: Tom Filgas
Lomond School	Vice Principals: Melissa Gartly Tami McClure
Milk River Elementary School	NO Designation
Taber Christian School	Assistant Principal: Rene Angermeier
Taber Mennonite School	NO Designation
Vauxhall Elementary School	Assistant Principals: Lori Jo Barnes Shelley Rourke
Vauxhall High School	Assistant Principal: Scott Reiling
W.R. Myers High School	Assistant Principals: Mark Harding Greg Thompson
Warner School	Assistant Principal: Janet Serniak



Sheila Laqua <sheila.laqua@horizon.ab.ca>

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## Fwd: News Release: Students, families celebrate new and upgraded schools across Alberta

1 message

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**Wilco Tymensen** <wilco.tymensen@horizon.ab.ca>  
To: sheila laqua <sheila.laqua@horizon.ab.ca>

Thu, Sep 1, 2016 at 11:39 AM

Please include in regular board meeting correspondence.

# Wilco

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Superintendent  
Horizon School Division No.67  
"Engaging and Empowering all learners for success"  
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From: <[alberta.news@gov.ab.ca](mailto:alberta.news@gov.ab.ca)>  
Date: Thu, Sep 1, 2016 at 11:02 AM  
Subject: News Release: Students, families celebrate new and upgraded schools across Alberta  
To: [wilco.tymensen@horizon.ab.ca](mailto:wilco.tymensen@horizon.ab.ca)

## Students, families celebrate new and upgraded schools across Alberta

September 01, 2016 [Media inquiries](#)

Thousands of Alberta students are starting the school year in new and modernized schools.

With 32 school projects – both new schools and modernizations – opening for students this month, government’s continued commitment to meet the needs of Alberta’s growing student population has created more than 22,000 new and modernized spaces.

And by fully funding for enrolment growth, the province has restored proposed cuts that would have meant 1,100 fewer teachers in Alberta classrooms.

“We believe that investing in education is one of the most important things we can do to ensure the long term success of our province. That’s why we will continue to reject calls for short-sighted cuts. Our commitment to students and families in tough economic times is not only the right thing to do, it also means good jobs when we need them most.”

Rachel Notley, Premier

Thousands of jobs – both direct and indirect – have been created by the government’s commitment to build and modernize schools across the province. Approximately 300 of them brought the state-of-the-art Nellie Carlson School to life in south Edmonton.

“Clark Builders is extremely proud to have been involved with the construction of Alberta schools over the past year. The 12 projects we were involved with directly affected more than 5,000 Albertans by providing excellent employment opportunities on our various school project sites. We are grateful for the province’s investment in our economy today and proud to be associated with the investment in Alberta’s future economy and the children and families who will be using these new schools for years to come.”

Paul Verhesen, President and CEO, Clark Builders

“The three new schools that Edmonton Public opens today are a significant step in helping our school district deal with rapidly growing enrolment. Predictable, sustainable funds from government mean Edmonton Public can offer students a high-quality learning environment in three new areas this year and 11 new areas next year. We’re excited to start the new school year on such a positive note.”

Michael Janz, Chair of Edmonton Public Schools Board of Trustees

The province has also introduced new transparency measures to meet the needs of Alberta’s students, families and educators. Improved monitoring and reporting on school capital projects along with a school construction website allows families to plan for their futures. For up-to-date information on new school and modernization projects, parents are encouraged to visit [www.projects.alberta.ca](http://www.projects.alberta.ca).

## Quick facts

- September 2016:

- 32 school projects opening for Alberta students
- 22,000+ student spaces created and/or modernized
- October to December 2016:
  - 18 school projects scheduled to open for students
  - 12,000 student spaces to be created and/or modernized
- January to June 2017:
  - 32 school projects scheduled to open for students
  - 21,000 student spaces to be created and/or modernized

## Related information

- [www.projects.alberta.ca](http://www.projects.alberta.ca)

## Media inquiries

**Matthew Williamson**

587-987-6345

Deputy Director of Communications, Office of the Premier

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## Two private schools won't comply with Alberta LGBTQ policy, says pastor

'There's a big difference between protecting students and the promotion of a lifestyle'

By Andrea Huncar, [CBC News](#) Posted: Aug 30, 2016 2:30 AM MT Last Updated: Aug 30, 2016 11:32 AM MT

A Spruce Grove pastor who oversees two Christian private schools has accused Alberta's education minister of wielding "dictatorial power" on the issue of LGBTQ rights, and says his board has no intention of complying with the government's new policy.

"I have a duty as a pastor to protect the flock of God," said pastor Brian Coldwell, chair of the Independent Baptist Christian Education Society, which runs two schools in rural Parkland County with a total of 200 students. "And there is no way under heaven I'm going to allow gay activists to come in here and basically undermine our ministries and our religious freedoms or confuse and corrupt our children."

- ['Gay rights activists' likely to blame for graffiti, says Spruce Grove pastor Brian Coldwell](#)

Earlier this year, Education Minister David Eggen instructed boards to submit LGBTQ draft policies by the end of March. Some boards resisted, and in the case of the Edmonton Catholic School Board, Eggen appointed a consultant to help shape its new transgender policy.

"I'm not going to allow the minister of education to appoint anyone to come in here — he does not have that dictatorial power," said Coldwell, whose board receives between 60 and 70 per cent of its instructional funding from the province.

## Schools will respect your rights: minister

Two weeks ago, Eggen followed up his instructions to boards when he posted an [open letter to Alberta students](#), telling them "you have rights that your schools will respect."

"You have the right to create a gay-straight alliance or a queer-straight alliance, and you have the right to name your clubs this way," Eggen wrote. "You have the right to use the washroom that is consistent with your gender identity."

He provided an email to contact his staff "who can help you ensure your rights are being respected."

Coldwell said students who don't agree with his board's conservative Christian values could attend other schools.

"We're not saying that the gay community doesn't have any rights," he said. "But they just don't have the right to come in here and push their agenda, or what you might call the rainbow ideology."

"There's a big difference between protecting students and the promotion of a lifestyle."

## Counselling for LGBTQ students

Coldwell said his boards' two schools, Meadows Baptist Academy and Harvest Baptist Academy, have a zero tolerance for bullying but LGBTQ issues rarely arise. He said if a student came looking for help they would use the gospel and Christian counseling.



"There's many people that have been delivered from that type of lifestyle through the power of the gospel," said Coldwell.

In a statement, Eggen said his ministry would begin working closely with private school authorities on their policies.

"All schools are required to follow the law," he said. But he did not address CBC's question of whether non-compliant boards would face consequences.

Coldwell criticized the government, saying it has never properly consulted with religious school boards. He said he knows of at least a dozen other boards that feel the same way and he thinks "there's multitudes of other parents and other churches that will stand up."

He said the legislation should be amended to also protect the rights of parents and religious institutions, exempting their schools from GSAs that promote "the anti-Christian gay lifestyle."

[@andreahuncar](#) [andrea.huncar@cbc.ca](mailto:andrea.huncar@cbc.ca)

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# Grade 6 math students are now going to have to give up their calculators for at least 15 minutes

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SEPTEMBER 2, 2016 11:52 AM

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## *Here's the story from the Edmonton Journal's Janet French:*

Provincial math exams for Grade 6 students are changing to gauge if Alberta children's basic math skills are improving.

Prompted by parents' and academics' concerns that some students don't grasp the fundamentals of math, Education Minister David Eggen has tweaked the Grade 6 provincial achievement test to include a 15-question written section with no calculators allowed.

The K-9 math curriculum has also been updated this school year to emphasize basic numeracy skills such as knowing the times tables and step-by-step instructions for addition.

"I think it's one of those initiatives that should bear some fruit, to have basic numeracy available for students, and have a section of the exam not using calculators to reflect that change," Eggen said Thursday.

For example, the Grade 5 and 6 math curricula now explicitly say students must "understand, recall and apply multiplication and related division facts to  $9 \times 9$ ."

The Grade 6 provincial math exam was previously one 75-minute test composed of 50 multiple-choice questions. Now, the exam will be broken into two parts, to be written on the same day, says a briefing note sent to teachers and administrators.

Part A is a 15-question test including five multiplication/division questions, five "connecting experiences" questions, and five "number relationship" questions, according to a guide for testers. Calculators are not permitted, and the test is designed to be finished in 15 minutes.

Teachers can give students a break before they write the hour-long Part B exam, which includes 40 multiple-choice questions. Calculators are allowed for Part B.

The instructions say teachers can allot students with learning disabilities or other special circumstances up to 30 extra minutes to finish the test, divided among both parts of the exam as they see fit.

Calculators are allowed for all 90 minutes of the Grade 9 math provincial achievement test.

The change in curriculum and testing is a positive step forward, said Dr. Nhung Tran-Davies, a Calmar physician and mother who has been a vocal critic of the way math is taught in Alberta.

The calculator-free, time-crunched Part A sends the message children will be expected to master mental math and commit calculations to memory, which is something Tran-Davies has pushed for.

A bit of practice working under pressure is a good experience for students as they prepare for more taxing tasks in the higher grades, she said.

“In real life, a lot of jobs require you (to work) under pressure. This is an important start for kids. Kids do need to learn how to handle stress.”

She’s also happy to see the provincial achievement tests staying intact, which she says provide useful data for the government and public.

Although not supportive of high-stakes standardized testing, public education advocacy group Support Our Students spokeswoman Barbara Silva sees the calculator-free portion of the exam as an improvement.

She hopes the results will help guide the impending re-write of the K-12 curriculum.

Some teachers feel less hopeful about the change.

Research shows timed exams that cause stress and anxiety can limit students’ ability to access parts of their memory, said Red Deer high school math teacher David Martin.

“I look at this and this makes me disgusted,” he said.

The changes are a reaction to the pushback from parents for more rote learning, said Alberta Teachers’ Association president Mark Ramsankar. He questions the usefulness and validity of an exam that puts children under such rigid time constraints.

“Are we testing math, or are we testing children’s ability to deal with pressure,” he asked.

He wants to know what research the changes are based on, and wonders whether teachers were adequately consulted.

Eggen said he's willing to hear from teachers on the modifications.

"My choice to make some changes to the exam was not to add time or to add extra work, but to add numeracy testing without calculators," he said.

The Grade 6 math provincial achievement test is scheduled for June 20, 2017.

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From: <[alberta.news@gov.ab.ca](mailto:alberta.news@gov.ab.ca)>

Date: Tue, Sep 6, 2016 at 9:46 AM

Subject: News Release: Standing Committee Invites Input on Legislation that Helps Vulnerable Children and Youth

To: [wilco.tymensen@horizon.ab.ca](mailto:wilco.tymensen@horizon.ab.ca)

# Standing Committee Invites Input on Legislation that Helps Vulnerable Children and Youth

September 06, 2016 [Media inquiries](#)

EDMONTON – The Standing Committee on Legislative Offices invites Albertans to provide their thoughts on the *Child and Youth Advocate Act*. The Act enables the Advocate to represent the rights, interests and viewpoints of children and youth receiving intervention services or who are involved with the youth criminal justice system.

“While they are our greatest resource, children and youth are among the most vulnerable members of society,” said David Shepherd, chair of the committee and MLA for Edmonton-Centre. “*The Child and Youth Advocate Act* was established to safeguard Alberta’s most vulnerable children and to give them a voice in matters that affect them. I invite all interested Albertans to provide their thoughts on this most important legislation.”

The purpose of this review is to seek areas of improvement with regard to the legislation that governs the Office of the Child and Youth Advocate (OCYA). An independent officer of the Legislature, the Child and Youth Advocate works with children and youth in the foster care system, the youth justice system and those receiving help under the *Protection of Sexually Exploited Children Act*.

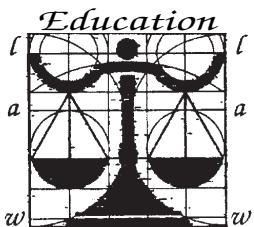
The committee is accepting feedback until October 14, 2016. Interested members of the public can submit their thoughts online at [assembly.ab.ca/committees/legislativeoffices](http://assembly.ab.ca/committees/legislativeoffices).

An informative discussion guide is also available online for those seeking details on the Act.

This review is being conducted in accordance with section 23 of the Act, which stipulates that a committee of the Legislative Assembly must complete a comprehensive review and report to the Legislative Assembly within a year of beginning its review. The Legislative Assembly referred the *Child and Youth Advocate Act* to the committee on June 2, 2016.

The Standing Committee on Legislative Offices is a multi-party committee consisting of 11 Members of the Legislative Assembly.

Please note that submissions from members of the public will remain confidential upon request; otherwise, they will be made public with the names of submitters and all third-party personal information removed.



# Education Law Reporter

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Vol. 28, No. 1, September 2016

*Elementary & Secondary*

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### STUDENTS and THE LAW

## School Ordered to Allow Prayers

### Facts

In February 2012, the parents of two students at the prestigious Webber Academy in Calgary, Alberta, commenced a human rights complaint on behalf of their sons, alleging discrimination on the basis of religion.

The parents, and the students, allege that prior to admission they were told that there would be no problems associated with the boys' religious obligations of prayer, which would arise once or twice per day during each school day. The school denied that this was the case, and its personnel insisted that had the subject of prayer come up, the parents would have been told that as a non-denominational school, prayer was not allowed.

For the first 2 ½ weeks that the boys were at the School, their various teachers and other staff members managed to find them a quiet and private place to pray each time it was required. At one point, however, the vice-principal came across one of the boys at prayer in the library, and came up to him and started to ask what he was doing. She was very insistent, and standing very close to him, and this upset him quite a bit. After this incident, the principal of the school contacted the parents to advise that they boys would not be allowed to pray in school. The parents, and the boys, insisted that they were required to by their faith. The school offered to allow the boys to leave class, and even go outside or leave the school grounds to pray, but reiterated that it could not take place in the school, as it was inconsistent with school policy and they did not want other students seeing the prayer process taking place.

The matter came before the Alberta Human Rights Commission (AHRC, the Commission) and on April 10, 2015 their decision was reached, stating that the School had indeed discriminated against the students on the prohibited grounds of their religious beliefs, that the school had made no, or inadequate, attempts to accommodate the students, and that the students had suffered as a result. The Commission went on to order damages in the amount of \$12,000 for Mr. Amir and \$14,000 for Mr. Siddique (the student who was interrupted by the vice-principal). They stopped short of ordering a letter of apology, and said that their decision made the school's obligations clear, such that no order that the school make express provisions for religious observance was required.

### Cause of Action

The School appealed the decision of the AHRC before a Justice of the Court of Queen's Bench.



## Decision

The appeal was dismissed.

## Reasons

### Issues

The following issues were addressed on appeal:

- Standard of review
- Characterization of key terms
- Tests for Discrimination
- Reasonable Justification
- Damages

### Standard of Review

The Court cited a recent decision by another QB judge as being “succinctly set out” as:

- Questions of procedural fairness are reviewed on the basis of whether the proceedings met the level of fairness required by law;
- Questions of law concerning the interpretation of the *Alberta Human Rights Act* ... are reviewed for reasonableness, unless they are “of central importance to the legal system and fall outside the adjudicator’s specialized area of expertise.”
- The test for *prima facie* discrimination is reviewed on the correctness standard.
- A lack of evidence in the record to support a Tribunal’s decision is reviewed on the reasonableness standard.

### Characterization of Key Terms

Quite a bit of confusion arose, both at the tribunal level and in court, in relation to a number of key words or phrases. For example, the School repeatedly characterized the students’ request for accommodation as being a demand for “**prayer space**.” However, at no time did the students ever request a designated prayer space. They asked to be allowed to find and use, for a period of 5 to 10 minutes, once or twice a day, a reasonably private area large

enough to accommodate the physical gestures (standing, kneeling, and prostration) associated with Islamic prayer. Suggested places included empty classrooms, unoccupied offices, empty areas of the library, even a close – anywhere that was not too crowded or noisy so that they could pray, uninterrupted, and return to their day.

Another problematic phrase was “**service customarily available to the public**.” The school took the position that providing prayer space was not a service it customarily provided to its students, therefore it was not in violation of the HRA, which forbids any person to

4(a) deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public, or

(b) discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are customarily available to the public,

because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons.

The Commission, and ultimately the Court, however, saw the school’s refusal to allow the boys to pray in school as a denial of access to the education which was the service made customarily available to the public. The school, accordingly, noted that s. 11 of the HRA provides that, notwithstanding s. 4:

A contravention of this Act shall be deemed not to have occurred if the person who is alleged to have contravened the Act shows that the alleged contravention was reasonable and justifiable in the circumstances.

According to its founder and principal, Dr. Webber, a part of the character of

the Webber Academy was that it is **non-denominational**. To him, this appeared to mean that therefore no prayer or religious practice would be allowed. The dictionary definition of “non-denominational,” however, which the AHRC adopted, was “not restricted to or associated with a religious denomination.” It was also of note that the school accepted, and even to some degree promoted its openness to other forms of religious expression – students were allowed to wear turbans, crucifixes, and hijabs, for example, and students wearing such accoutrements were featured in the school brochure. Moreover, the school purported to welcome students of all faiths, and to respect this diversity, but the HRC and the Court had trouble reconciling their stated policy of welcoming and respecting student faith with their unwritten policy of forbidding prayer.

### Test for Discrimination

In cases like this, the complainant must first establish a *prima facie* case of discrimination, after which it falls to the respondent to prove that either its policy is justifiable or that the complainant’s needs could not be accommodated without undue hardship.

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The test for establishing a *prima facie* discrimination claim derives from the 2012 Supreme Court of Canada case of *Moore v. British Columbia (Ministry of Education)* case and requires proof that:

- a) The complainant has a characteristic that is protected from discrimination;
- b) The complainant has experienced an adverse impact; and
- c) The protected characteristic was a factor in the adverse impact.

The Court found that *Moore* is the correct test, and that the AHRC's application of it was reasonable, being based on the evidence. The School took the position that Islam allows its adherents to change the times of day when prayer is required if it is necessary or convenient to do so. Expert evidence was called to establish this as fact. However, the test is not whether Islam actually requires a certain ritual at a certain time, but rather whether the boys' **sincerely held belief** dictated that prayers take place every day at specified times. In short, the test is subjective, not objective. Thus the school's evidence on the timing and frequency of prayer was irrelevant, whereas the boys' evidence that they believed it to be a sin to fail to pray in accordance with their beliefs was accepted. It was this belief that amounts to the characteristic that is to be protected.

As for the **adverse impact**, the Court agreed that this was fairly clear – the boys were being told they could not pray at school, and if they insisted, they would be allowed to leave the school and pray on the grounds (in all weathers, which is just not safe, given Calgary's winters), or leave the school grounds and find some other place to pray – either some random spot nearby (which is also unsafe, and inconsistent with the school's security policies) or at the nearest mosque (which would take an inordinate amount of time). Further, the effect of the dispute was to make the boys feel unwelcome and uncomfortable and

Mr. Siddique, who went through the unpleasant interruption experience with the vice-principal in the library, developed a severe case of anxiety regarding praying in public.

The third part of the test was clearly met, as well. The effect of the school's policy was, in essence, telling them that they would have to commit a sin in order to go to the school of their choice.

In short, the AHRC was correct in applying the *Moore* test and they applied it correctly, reaching a reasonable conclusion that a *prima facie* case of discrimination had been made out.

### Reasonable Justification

The onus then fell to the school to provide a reasonable justification for its refusal to accommodate the boys as requested. The test for establishing this defence is set out in *British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Counsel of Human Rights)*, [1999] 3 S.C.R. 868 (*Grismer*):

Once the plaintiff established that the standard is *prima facie* discriminatory, the onus shifts to the defendant to prove on a balance of probabilities that the discriminatory standard is a BFOR [*bona fide* occupational requirement] or has a bona fide and reasonable justification. In order to establish this justification, the defendant must prove that:

- (1) it adopted the standard for a purpose or goal that is rationally connected to the function being performed;
- (2) it adopted the standard in good faith, in the belief that it is necessary for the fulfillment of the purpose or goal; and
- (3) the standard is reasonably necessary to accomplish its purpose or goal, in the sense that the defendant cannot accommodate persons with the characteristics of the claimant without incurring undue hardship.

The Tribunal found that the School's "standard" in this case was "no overt prayer or religious activities on school property." Its purpose was to foster the non-denominational identity of the Webber Academy, with the objective of ensuring students could learn in an environment free from religious influence.

Specifically reserving the right to comment on the validity of the standard, the Tribunal found that it was rationally connected to the objectives.

There was no argument that the School was acting in bad faith.

The "reasonable necessity" part of this test, however, was not met. This part is very similar to the "proportionality" test for Charter violations, but in provincial human rights law, is generally dealt with by answering the question of whether or not the respondent tried to accommodate the complainant "to the point of undue hardship."

Here, it was clear that the School didn't even consider hardship. They had a policy of being non-denominational, and simply forbade the boys to pray in school. Their argument was that they did not want to set an example of accepting that prayer belongs in schools, but the fact was that they were already allowing other expressions of religious observance – turbans, kirpans – despite their non-denominational policy. Further, the evidence was that accommodation of the boys' prayers would not involve hardship at all – as demonstrated by the ease with which teachers and staff accommodated them during the first few weeks the boys were at the school.

### Damages

As to the damage awards, the Court considered that these were at the high end of the range of damages given by other human rights tribunals, but that they were within that range, and therefore reasonable. Accordingly, there was no reason to overturn or amend the damage awards.

## Conclusion

The Court concluded that the Commission's ruling had been made based on well-established principles of law, appropriately applied to the circumstances, and noted that

For many years, public and private schools have been required to adhere to human rights legislation in offering their educational services to the

public. As only one example ... a private school with a strict uniform policy was found to have unlawfully discriminated against a Sikh student in prohibiting him from wearing a turban, because a slight liberalization of the dress code would not compromise the school's objectives. It did not matter that there were many other schools available to the student with less strict dress codes.

Discrimination is permitted only when reasonable and justifiable as determined by well-established principles.

*Webber Academy Foundation v Alberta (Human Rights Commission)*, 2016 ABQB 442

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



## TEACHERS and THE LAW

# Angry Neighbour Defames Teacher

## Facts

Pritchard, a teacher, lived next door to the Van Nes family from about 2008 onwards in Auguston, a subdivision of Abbotsford, BC. In 2011, Van Nes installed a large fish pond ("waterfall structure") on their property. This structure was on two levels, and when in full operation required the water to be "run," or pumped, over 25 feet and two waterfalls. The waterfall structure, which was quite noisy, was operated constantly, day and night, summer and winter. It disturbed the sleep of the Pritchards, who complained to the municipality in 2012. After this, there was a brief period when the pond was turned off at night, but it was soon put back into 24/7 operation. The Van Nes family also started engaging in rather hostile actions toward the Pritchards, such as hosting loud late night parties, allowing their dog to wander onto the Pritchards' property to defecate, letting their children go into their yard at will, and parking or allowing visitors to park in front of a fire hydrant located on the Pritchards' front lawn, which had the effect of partially blocking access to the Pritchards' driveway. From time to time, the Pritchards would report this to the police. Tensions continued to escalate, until on June 9, 2014, Mrs. Van Nes

posted some comments about Mr. Pritchard on her Facebook account. It is of note that she had more than 2000 "friends" on Facebook, and no privacy settings, such that anything she posted could be seen by anyone on the internet. The statements she made referred to him as a "nutter" and a "creep," and she accused him of using a system of cameras and mirrors to keep her back yard, and her children, under 24-hour video surveillance. She did not come out and directly accuse him of pedophilia, but the innuendo was definitely there – as demonstrated by the fact that several of her Facebook friends posted replies, or reposted her original comments, with much more direct accusations of abnormal behaviour. One such friend downloaded the post and emailed it to Pritchard's principal, with a note calling him a potential pedophile. When Pritchard found out what was happening, he reacted immediately and contacted the police. Van Nes removed her post, about 27 hours after it first went online, but by then it had been read by at least 37 of her Facebook friends and an unknown number of other Facebook friends (people who read it, but didn't comment or share it), the Facebook friends of the 37 people who did comment or share the post, and so on and so on.

## Cause of Action

Mr. Pritchard sued Van Nes in nuisance (with regard to the waterfall structure, dog, trespasses, parking violations and so on) and in defamation. While Van Nes did not defend the action, thus essentially admitting liability, she did attend the assessment and was allowed to give evidence and raise arguments against the remedies being sought.

## Decision

Mr. Pritchard was given \$2500 in damages and a permanent injunction forbidding the running of the waterfall structure at night, and awarded a further \$50,000 in general damages plus punitive damages of \$15,000 for the defamation.

## Reasons

### Defamation

Defamation is established in law where the complainant can show that

1. Words which are defamatory, in the sense that they would tend to lower the plaintiff's reputation in the eyes of a reasonable person;
2. And which in fact referred to the plaintiff;
3. Have been published, meaning that they were communicated to at least one person other than the plaintiff.

Once these three things are proven on the balance of probabilities, the falsity of the words and the damage they have caused will be presumed by law. The



claimant does not have to prove malice, intention, or even negligence. Accordingly, defamation falls into the category of torts of “strict liability.”

The words used by Van Nes in her initial Facebook post and subsequent replies to friends’ comments were directly defamatory, in that “nutter,” “creep,” and “borderline obsessive and not normal adult behavior” are words that would tend to lower his reputation in the eyes of a reasonable person.

Worse than these direct words were the innuendoes made by Van Nes. An innuendo is made “where the defamatory meaning of words arises from inference or implication.” The innuendo must be one that a reasonable person would draw from the words, not guided by any special knowledge. Van Nes’ comments repeatedly couple the alleged misbehavior of Pritchard with references to children. She reinforced this with her comment that his behaviour should be a “red flag” because he works for the school district, implying he is a threat to students.

The court’s finding that these comments were defamation by innuendo is supported by the very directly defamatory comments made in reply by her “friends,” who very clearly understood that she was suggesting he was some kind of voyeur (at best) or pedophile.

Thus, Van Nes published defamatory words about Pritchard both directly and by innuendo. She also made it easy to identify who he was: she used his first name, she stated he lived next door, and she mentioned his occupation, the school and the school district where he works.

Further, these remarks were clearly communicated to at least the 37 people who posted their own comments in response to the initial post. Given her non-existent security settings, Mr. Van Nes could be considered to have published to all 2,059 of her “friends” on Facebook, or for that matter anyone

at all on Facebook who may have come across her page, and any one of these people could then have republished to their own friends, and so on and so on.

Accordingly, all three parts of the test for defamation were met, and Van Nes was held liable for publication of her own defamatory remarks – both direct and by innuendo.

### Republication

Apart from being liable for her own defamation, an issue arose with regard to the republication of these defamatory remarks by others. As a general rule, people are only liable for defamatory remarks they have personally published, but under certain circumstances they can be held liable when their remarks are republished by others. This occurs when the original “defamer” authorizes someone else to publish the remark on their behalf, or publishes it to someone who has a duty to repeat the information to someone else, or if republication is the “natural and probable result” of the initial publication.

In this case, two forms of republication occurred: republication within Facebook and republication by email.

With regard to Facebook, the Court took judicial notice that the dissemination of information is a fundamental purpose of social media. Facebook, in particular, facilitates the spread of commentary by its architecture. Posts an individual user makes to their own page is automatically shared with all of the “friends” linked to that user’s page. When a friend reacts by commenting or sharing (or by “liking,” although that was not an issue here), that in turn is made available not only to the original poster and all of their friends, but to all of the re-poster’s friends. The spread is exponential.

Accordingly, the Court felt that anyone posting remarks on Facebook must be taken to have some awareness that at least some degree of further dissemi-

nation may result. In short, republication of the original defamatory remarks was “the natural and probable result” of the initial posting, and therefore Van Nes was liable for all of the Facebook reposting.

With regard to Mr. Parks’ email to the school principal, that was a republishing outside of Facebook. Given the nature of Mr. Parks communications with her, the court found it was foreseeable that he might spread the defamation by means other than Facebook, and so Van Nes was responsible for that, as well.

Finally, wholly apart from republication of Van Nes’ words and innuendo, there was an issue regarding the additional defamatory comments made by Van Nes’ friends on her page, and any comments that might have been made in the course of republishing the initial post and those comments in other ways. For example, much of what Mr. Parks said in his email to the school principal amounted to additional defamation, albeit arising from the original defamation.

While liability for the defamatory comments of third parties is still a new issue in Canadian law, some principles have started to emerge. The Court reviewed some Canadian and foreign case law, and found there was:

... support for there being a test for establishing liability for third party defamatory material with three elements: 1) actual knowledge of the defamatory material posted by the third party, 2) a deliberate act that can include inaction in the face of actual knowledge, and 3) power and control over the defamatory content. After meeting these elements, it may be said that a defendant has adopted the third party defamatory material as their own.

Applying this to the Van Nes case, the court concluded that she was responsible for the defamatory comments made by her “friends.” The timing of her replies showed that she kept her Facebook account under almost constant review, responding to her “friends” posts as they were made.

## Damages

Accusing anyone of criminal behaviour is a serious matter. Accusing a teacher of pedophilia is extremely serious, as the cases show that even an entirely unjustified accusation, as this was, can literally destroy the career, and even the life, of a teacher. Certainly the actions of Van Nes did Mr. Pritchard an enormous amount of harm.

The allegations that Van Nes made about Mr. Pritchard were not true. There was absolutely nothing in their history to suggest in any way that Mr. Pritchard was surveilling her or their children. There was nothing in Mr. Pritchard's history to give rise to even the slightest suspicion of an unhealthy interest in children. The allegations Van Nes made on Facebook were, quite bluntly, made up out of whole cloth.

Before this incident, Mr. Pritchard was a music teacher at the local middle school. He was active in extracurricular school activities, working with the junior and senior concert bands, the student choir, the jazz band, a rock band, and three drum lines. In the three years he had been at the school, his presence had significantly "grown" the music department and according to the many appreciation letters he had received before these events, he was very much liked and admired by his students, their parents, and his colleagues.

After the incident, Pritchard testified he was extremely uncomfortable out in public, fearing that people he met knew about the allegations and possibly believed them. He reduced his extracurricular activities significantly. He felt it was unlikely that he could now get a job in another school, as the posts may have spread out beyond his immediate community. While there was no evidence to suggest this was the case, his principal admitted that if he did not know Mr. Pritchard, he would not hire him, based on the kind of allegations that were made against him. The Court found that whether or not this fear was unfounded, his belief in it was evidence of the huge

impact the incident had made on his psyche.

Because defamation is a strict liability tort, damage is presumed. Damages in these cases are difficult to assess, as they are not restricted to compensation for financial losses but are also intended to provide consolation for the pain and humiliation of being defamed and vindication of the victim's innocence.

The factors to be considered in assessing damages for defamation were summarized in *Leenen v. Canadian Broadcasting Corp. (2000), Ont. S.C., aff'd (2001) Ont. C.A.:*

one must always be aware of not only the damage inflicted to a person's reputation but also the fact that once damaged a reputation is very difficult to restore. Always mindful of the fine balance between freedom of speech and the protection of reputation, once the scales have been tipped through defamation, a plaintiff is entitled to be compensated not only for the injury caused by the damage to his integrity within his broad community but also for the suffering occasioned by the defamation. A number of cases ... established factors which might be considered in assessing the appropriate level of compensation. While not all inclusive, some of these factors are as follows:

- the seriousness of the defamatory statement;
- the identity of the accuser;
- the breadth of the distribution of the publication of the libel;
- republication of the libel;
- the failure to give the audience both sides of the picture and not presenting a balanced review;
- the desire to increase one's professional reputation or to increase ratings of a particular program;

- the conduct of the defendant and defendant's counsel through to the end of trial;
- the absence or refusal of any retraction or apology;
- the failure to establish a plea of justification.

The court found that the seriousness of Van Nes' defamatory post, applied to a teacher, could not be overstated and said that an "accusation of paedophilic behaviour must be the single most effective means of destroying a teacher's reputation and career, not to mention the devastating effect on their life and individual dignity."

The Court noted that recovery from this incident will not be easy – indeed, it may not even be possible. Accordingly, a significant damage award (\$50,000) was warranted.

Mr. Pritchard also sought aggravated damages. Aggravated damages are given where the evidence indicates the defamation was made with actual malice aimed at ruining the victim's personal and/or professional reputation. The Court did not find that sort of malice, but did note that her conduct was childish, self-centred, shallow, thoughtless, narcissistic and "simply ridiculous, speaking, to be blunt, more of stupidity than malice."

Thus aggravated damages were not awarded but the court decided to impose *punitive* damages of \$15,000. Rarely awarded in civil cases, punitive damages are awarded for the behaviour that is almost criminal, and like criminal law consequences, is intended to punish the wrongdoer, publicly denounce the kind of behaviour that took place, and let the public know just how seriously the courts will take even a few ill-considered remarks on social media.

*Pritchard v. Van Nes*, [2016] B.C.J. No. 781, 2016 BCSC 686

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# Teachers' Association Discipline Decision Unfair

## Facts

Cynthia Green was a teacher at the Lauderdale school. Her son was in Ms.

Rodych's grade 4 class at the Delwood school.

In November 2010, Ms. Green met with Ms. Rodych to discuss concerns about her son. According to Ms. Green, the specific concern was his relationship with the teacher. A further meeting was scheduled, but did not take place. The two did exchange a few subsequent emails regarding Ms. Green's son's difficulties.

In 2011, Ms. Green sent an email to the principal of the Delwood school, asking for a meeting. In the email, she mentioned an incident reported to her by her son in which another student ("D") had been acting up in class, and Ms. Rodych had said "Jesus Christ, D!" Ms. Rodych was not copied with the email and, when a meeting took place a week later between Ms. Green, the assistant principal and the acting principal of the Delwood school, prior notice was not given to Ms. Rodych.

When Ms. Rodych was advised of the meeting, she complained to the Alberta Teachers' Association ("ATA"), which charged Ms. Green with unprofessional conduct in having

- 1) sent an email critical of Ms. Rodych's teaching practice to school administration without previously providing Ms. Rodych a copy of the email, and;
- 2) met with school administration outside of Ms. Rodych's knowledge and criticized Ms. Rodych's teaching.

The matter came before a Hearing Committee of the ATA, which determined that the facts as set out in the charges were established, found Ms. Green guilty of professional misconduct, and ordered that a letter of severe reprimand be placed in her file.

Ms. Green appealed that decision to the Professional Conduct Appeal Committee (the "Appeal Committee"). The panel, in this particular instance, was made up of 4 members. Two would have allowed the appeal, and two would have dismissed it. As the result was a tie, the Appeal Committee decided to dismiss the appeal.

Ms. Green applied to the Court of Queen's Bench for judicial review. The Chambers Judge who heard the application found that while it was distasteful that the Appeal Committee had dismissed the appeal on a tie, particularly in circumstances where the matter under appeal had serious consequences for the appellant, he was bound by the


Alberta Court of Appeal's earlier decision in *Ostrensky v. Crowsnest Pass Development Appeal Board 1996 ABCA 18*, in which the Court found, with respect to another split decision by an even-numbered administrative board, that although there was no majority on the substance of the appeal, there had been an earlier decision by the Board that unless a majority of them agreed to grant the appeal, they would unanimously agree to dismiss it. Characterizing this as a "negative decision," the Court in that case pointed out that this was proper, in that the legislation there required a majority to vote in favour of an appeal in order for an appeal to be granted, and dismissal in the face of a tie vote was simply recognition that a majority had not been persuaded to grant the appeal. The Chambers Judge in this case felt that *Ostrensky* applied, and denied Ms. Green's application for judicial review.

## Cause of Action

Ms. Green then appealed the decision of the Chambers Judge to the Court of Appeal.

## Decision

The appeal was granted, and the matter sent back to the ATA to be heard by a 5-member panel.

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## Reasons

### Standard of Review

The Chambers Judge in this case had dismissed the application for judicial review on the basis of the privative clause found in s. 57 of the *Teaching Profession Act*, which states:

- (2) A decision made by a committee is final and binding on the parties in respect of whom the decision is made and, subject to subsection (3), shall not be questioned, reviewed or restrained by any proceeding in the nature of an application for judicial review or otherwise in any court.
- (3) On a question of jurisdiction only, a decision is reviewable on an application for judicial review of the decision.

While this is a fairly strongly-worded clause, it is almost impossible to insulate the decisions of an administrative board from judicial review on the basis that the decisions of such panels must be made subject to the rule of law, and the rule of law states that it is the Courts which are the guardians of the peoples' rights as regards government actions. Accordingly, a privative clause's wording is now taken as pertaining more to the degree of deference that the government wishes reviewing courts to pay to the administrative decision-maker, rather than a legitimate ouster of the authority of the Courts. The Chambers Judge, therefore, erred when stating he had no jurisdiction to hear the application for review.

A strong privative clause such as the one governing decisions of the ATA means that the decision of the administrative tribunal in question is to be based on a higher standard: that of reasonableness. The question thus becomes whether the decision was reasonable.

### Reasonableness of the ATA Hearing Panel Decision

The Court of Appeal focused on the fact that in this case, the rules governing ATA hearings stated that "Unless otherwise specified the votes or decisions of any committee or panel shall be by majority of those participating in the vote or decision." In short, no decision – positive or negative – can be made unless supported by a majority. This is distinguishable from *Ostrensky* because the governing legislation there only stated that a majority decision was a decision of the whole board. Further, the *Ostrensky* panel had agreed, in advance, that unless a majority of them were in favour of granting the appeal, they would all agree to dismiss it. The ATA Hearing Committee made no such agreement, nor did their rules permit them to make any decision on a tie vote. In short, the panel was improperly constituted and should never have heard the appeal with only four members. To have done so was unfair, and contrary to Ms. Green's reasonable expectation that her appeal would be decided by a majority. Thus the decision to dismiss without a majority was unfair, and the failure to give reasons as to why they were going to do it was unreasonable.

The Court of Appeal also noted that one of the two panel members who would have allowed Ms. Green's appeal stated that he would have done so on the basis that no reasons were given as to why this matter was not covered by *Eggertson v. Alberta Teachers' Assn.*, 2002 ABCA 262, in which the Court of Appeal stated that while a teacher who is also a parent is bound by the rules of conduct pertaining to teachers, it is only while acting as a teacher. In *Eggertson*, the parent of two children made a comment, at a parent-teacher meeting, that was derogatory to the children's' past teachers. As that parent was also a teacher, the current teacher decided to report the incident to the ATA, and the parent, like Ms. Green, was found guilty of professional misconduct for having done so. The Court of Appeal allowed the appeal and set aside the finding of professional misconduct as well as the sanction that was imposed. Clearly, this panel of the Court of Appeal felt that the Hearing and Review Committees should have addressed why, if at all, Ms. Green's case was distinguishable from *Eggertson*.

Accordingly, the matter was returned to be re-considered by a newly-constituted, 5-member panel of the Hearing Committee, which was not to include any members who had previously been on Ms. Green's panels.

*Green v. Alberta Teachers' Association*, 2016 ABCA 237

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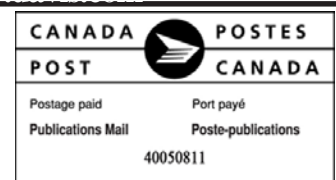
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September 9, 2016

Tyler Lindsay, Mayor and Council  
Village of Warner  
P.O. Box 88  
Warner, AB T0K 2L0

Re: Warner Hockey School

I write this message in order to provide current information regarding the Warner Hockey School for the upcoming 2016-17 school year and to provide some insight into the potential future of the program.

Despite the dedicated and continued efforts of those involved, we have arrived at the realization that we will not be able to recruit enough players to ice a team for the 2016-17 school year. As a result, we have suspended the operation of the Warner Hockey School for this school year. Although this is a difficult time for the program it in no way should be interpreted as a sign of its eventual demise as the School, the Division and the Society are not giving up on the Warner Hockey School. To this end, the Warner Community Hockey Society and its partners will be making presentation to our Board of Trustees on September 20, 2016 regarding the importance of the program to the community.

Furthermore, I anticipate that the School and the Division, will be approaching Hockey Alberta with an application for the continued operation of a School Hockey Program for the 2017-18 school year. This school application to Hockey Alberta may be for both a boys' and girls' program. This application is not meant to signal the end of a girls' program, but rather it is intended to maximize our potential for recruitment, thus giving the School its best chance at having a team for the 2017-18 school year. Once our application is approved we will enter discussions with the Warner Community Hockey Society regarding a course of action to successfully recruit enough players in order to begin operation once again in the 2017-18 hockey season.

We recognize how important the program has been to the School and the Village and we hope that, despite a one-year absence, the hockey program will return to Warner better than ever.

We would like to thank the Village for the support it has provided the program since its inception and we look forward to a continued partnership as we move along this journey.

Yours respectfully,

Marie Logan  
Board Chair