

Edmonton Catholic Separate School District No. 7

Response to the School Act Review

October 28, 2009

Question A—What is your reaction to these themes? Are they an appropriate foundation on which to build a new education act?

We understand and agree with the foundational themes of opportunity, fairness, citizenship, diversity, and choice, and we support them as foundational themes of a new education act.

We support the themes of **opportunity** and **fairness**. School districts need to remain locally governed so that opportunity and fairness can continue to be realities in our province. The citizens elected to local school boards are best placed to ensure availability and equity of opportunity for all students to ensure that they achieve their highest potential. We recognize that advantages and disadvantages vary widely amongst Albertan students and we affirm the “grass roots” ability of locally elected and governed school boards to best address those variations. Future legislation should clearly support locally elected and governed school boards.

We fully support the inclusion of the theme of **citizenship** and the theme of **diversity** as foundational themes of new legislation. Both of these themes recognize and affirm the reality of students today and in the future.

We recognize that the theme of **choice** is currently expressed through Alberta’s publicly funded public school systems, Catholic school systems, and francophone school systems. We strongly support the inclusion of this multi-dimensional publicly funded system of education in any future legislation as the central means of continuing to provide Albertan students with choice in public education. We believe that new legislation should include a commitment from the Government of Alberta to the preservation and continuation of publicly funded education through public school systems, Catholic school systems, and francophone school systems.

In response to the five main themes of access for students, educational opportunities, student success, governance, and financial responsibility, we have the following comments.

Access for students: This right of access should include access to Catholic public education in the context of Catholic school districts.

We feel the current definition of residence and resident students currently in the *School Act* are working well.

Educational opportunities: It is important to ensure that all students have flexible educational opportunities available to them. New legislation should ensure that school boards continue to have a voice when curriculum is being developed, retain the right to set locally developed curriculum, and are able to choose instructional resources and methods of delivery, in order that educational opportunities most appropriate to any particular area are provided to all students.

Student success: We agree that parent, community, and student involvement are beneficial to student success. Choice is certainly beneficial to student engagement, and it does need to be balanced with fiscal responsibility. Future legislation needs to entrench support for and recognition of public school systems, Catholic school systems, and francophone school systems. One of the greatest Alberta Advantages is the superior educational programming students receive as a result of the school system choices. We believe that this type of choice offers more students more opportunities for success, than does choice of schools within a single school system.

Governance: We agree that the government has a responsibility to support maximizing trustee and board competence; however, we believe that “provincial standards for the roles and responsibilities of boards” are not set in legislation for other elected members of government (including city councilors and Members of the Legislative Assembly), so neither should they be for elected school trustees. An important principle of board governance is self-governance, and to the highest degree possible, that principle should be respected and supported. We do support a provision that would strengthen individual trustee accountability. We strongly believe that the unfettered authority of a school board to hire its chief executive officer should be entrenched in any future legislation. School boards should have, through legislation, all the same corrective disciplinary measure available to them to use with teachers as they have available to use with other employees that are covered by the Alberta Labour Relations Code. We believe that only the electorate can choose a trustee, and only the electorate by plebiscite can choose to remove a trustee or to dissolve a board. This is the purest form of democracy.

Fiscal responsibility: We agree that there should be balance; however, we also believe that the balance is currently skewed too far in favour of centralized (i.e., provincial government) control. We support the principle of subsidiarity in any new legislation. The principle of subsidiarity supports decentralizing as much as possible in order for decisions, in this case financial decisions, to be made by the lowest or least centralized competent authority. We also support legislation that would treat elected school trustees in the same manner as elected municipal

officials in terms of taxation exemptions. We want to ensure the *School Act* makes it more efficient for school boards to close schools that are draining resources.

Question B—What should be included in legislation to support the foundation?

“Whereas there is one publicly funded system of education in Alberta whose primary mandate is to provide education programs to students through its two dimensions, the public schools and the separate schools, in such a way that the rights guaranteed under the Constitution of Canada of separate school electors are preserved and maintained; and

Whereas the Government of Alberta affirms its commitment to the preservation and continuation of its one publicly funded system of education through its two dimensions: the public schools and the separate schools.”

Question C—Is there anything in the existing legislation which would impede the application of these themes?

We believe that the following should be removed from legislation.

1. **Section 44(3)** says that every individual is a resident of a public school district or division. This section is not needed if different categories of residency are created. Subsection 44(1) in combination with subsections 44(4) and 220(6) clearly indicate the district or division in which the individual or student is a resident.
2. **Section 50(2)** entitles a parent of a student to allow the student to be excluded from religious instruction or exercises by having that student leave the classroom, or remain in the classroom without taking part in the religious instruction or exercises. This provision should not apply to Catholic separate or Catholic public schools. The essential purpose of Catholic schools is to fully permeate Catholic theology, philosophy, practices and beliefs, the principles of the Gospel and teachings of the Catholic church in all aspects of school life, and all resident students should be required to participate fully in religious instruction or exercises in a Catholic school.
3. **Section 221.3** is located within Division 2.1: Establishment of Separate School Regions, which are the expansion of separate school district provisions. However, section 221.3 references “the establishment of a new separate school district in a Region,” which is a reference to the 4 x 4 formation provisions in sections 212 through 221. Secondly, the discussion of the establishment of a new separate school district in a Region is contrary to section 221.2(3) which allows for only one separate school board in a region.

4. **Section 225** is the “compulsory regionalization” provision which is clearly unconstitutional with respect to separate school districts or regional divisions and should be deleted.

Question D—What are the opportunities which these themes present? What are the challenges?

The opportunities are when making decisions; we can always refer to the five foundational themes of the *Education Act*. This will keep us focused on making decisions based on whether or not they are good for children.

The challenges are interpretation of these themes by our stakeholders and what costs would be associated with their expectations.

Question E—What additional policy areas should be considered?

Edmonton Catholic Schools advocates the creation of a legislated, provincial teacher bargaining model premised on the notion of single table provincial bargaining. We also believe that a similar bargaining model should be developed and legislated for unions associated with schools’ support, maintenance, and custodial staff, and should be premised on the notion of single table provincial bargaining.

Edmonton Catholic Schools maintains that under the provisions of any new education legislation, Kindergarten student programs be funded for full days. We also believe that all children whose parents wish them to attend should be funded for junior kindergarten.

We strongly support legislative changes that strengthen Kindergarten to Grade 12 and Post-Secondary Linkages.

We agree that every child in Alberta should have access to a K to 12 public education; however, there are some students with severe emotional or physical needs that boards are unable to provide suitable programming for. In these cases, boards search out a suitable specialized facility and we feel that the funds that it costs to provide an outside environment for these students should be fully funded by the government.

Edmonton Catholic Schools supports the development of a federal/provincial agreement to better accommodate the education of First Nations students who live on reserves and who choose to attend provincial schools. We believe that with the growing FNMI school age population there is a need to address the dual track system of a choice between public schools and reserve schools. It may be time for all FNMI children to attend public schools and have federal funding advanced to the provinces.

Question F—What are your top three priorities?

1. The inclusion in future legislation of the Government of Alberta's support for public funding of public, Catholic, and francophone school systems
2. The inclusion in future legislation of the Government of Alberta's support for Catholic schools to be governed by Catholics through locally elected Catholic school boards and districts
3. The inclusion in future legislation for programming of children who cannot cope with any of the educational programs currently offered in K to 12 programs across the province.