

January 18, 2011

Mr. Keray Henke  
Deputy Minister  
Alberta Education  
7<sup>th</sup> floor; Commerce Place  
10155 – 102 Street  
Edmonton, AB T5J 4L5

Dear Keray:

**Re: Education Act 2011 Proposed Framework**

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The Alberta School Boards Association (ASBA) is pleased to provide Alberta Education with the following comments in response to the *Education Act 2011 Proposed Framework* (the “Framework”) that was distributed to stakeholders on October 7, 2010. The following comments are in addition to, and not in place of, the ASBA’s previous submission to Alberta Education dated November 2, 2009, referred to as the *ASBA School Act Submission 2009*, which is attached for ease of reference.

The following submission does not consist of commentary on each of the Government of Alberta’s proposed provisions. Instead, the ASBA wishes to highlight only certain proposed provisions that the ASBA believes require clarification or where the ASBA seeks to provide additional context regarding the proposed provision.

**Preamble**

The ASBA supports the proposed Preamble statements. However, for greater clarity as to the intent and purpose of the new *Education Act*, the ASBA believes that the “other foundational statements which many people would expect to see in the Preamble”<sup>1</sup> should indeed be included:

- All Alberta children shall have access to the early childhood services to grade 12 education system.
- The educational interest of the student is the paramount consideration in making decisions about a child’s education.
- Parents have rights and responsibilities for their children’s learning.

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<sup>1</sup> Pages 1-2 Preamble, *Education Act 2011 Proposed Framework*

- Student success is the primary goal of the education system and government has a responsibility to provide the structure and supports to enable student success.
- The Government of Alberta is committed to the preservation and continuation of rights to minority language and minority denominational education as described and protected by the Constitution of Canada.

The ASBA further submits that the Preamble specifically recognize the primacy of public education in Alberta and its three faces, as well as the role that school boards play as a representative of their local communities:

*WHEREAS the Government of Alberta affirms its commitment to the preservation and continuation of its one publicly funded system of education through its three dimensions: the public schools, the separate schools, and the francophone schools.*

*WHEREAS democratically elected school boards play an important role in providing public education that is responsive to local needs and conditions.*

### **Part 1 – Access to Education**

The education of all children, regardless of nationality, belief or ability is an underlying principle of public education. The ASBA supports provisions that would strengthen the operation of this principle.

#### **Proposed Provisions in the Framework that Require Further Comment from ASBA:**

1. *Access will be provided to children who are four years and six months of age or older on September 1 of the school year.*

The ASBA supports earlier access to funded public education as a strategy to increase the chances of success in life for Alberta's children. Consistent with earlier access, is an obligation to enable a universal developmental needs assessment of all children, by age 30 months, to identify children who are at risk. Without such universal assessment, the gains made by providing earlier access to education would not be fully realized.<sup>2</sup> Furthermore, with respect to earlier access to education, the ASBA asks whether kindergarten and pre-kindergarten programs will be provided with sufficient resources to support their operation.

In addition, consistent with *ASBA Policy 6-1 Education Finance*, the ASBA recommends that the new Act provide that children who are 30 months of age or older at September 1 of the school year who are identified as "at risk" have funded programs available to them as well.

2. *Access will be provided to individuals who are younger than 21 years of age on September 1 of the school year.*

Given the research (referred to in the ASBA's previous submission) regarding the abundant benefits of an investment in early childhood services, the ASBA inquires as to whether the

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<sup>2</sup> Page 7, ASBA School Act Submission 2009

investment of resources at the later end of the K-12 spectrum would yield comparable benefits. While the ASBA is supportive of this investment, it recognizes that there may be logistical challenges with providing funded access to older students.

***3. Access will be provided to individuals who are lawfully entitled to be in Canada, are resident in Alberta and who have a parent that is lawfully resident in Canada.***

The entitlement to public education is triggered by the concept of residence. The ASBA inquires as to how the concept of “residence” is to be interpreted. Currently, rules are established in section 273 of the *School Act* and there are provisions regarding “residence” in the federal *Immigration and Refugee Protection Act* that have bearing on the concept of “residence.” The ASBA also notes that while “temporary resident” is not currently defined in the *School Act*, it is defined in the *Funding Manual for School Authorities September 2010/2011*.

The ASBA notes that proposed provision #6 refers to “definitions of residence” being included in the *Education Act* and urges that clarity be provided with respect to the application of sections 8 and 273 in the *School Act*, definitions in the *Funding Manual* and the federal *Immigration and Refugee Protection Act* in determining student residency.

The ASBA’s overarching position supports a principle in which every child resident in Alberta should have access to education regardless of the immigration status of the child’s parents.

***4. A student is a resident student of the board of the district or division in which the student resides.***

Given the changing nature of families whereby a student may split time between parental households that are located in different school jurisdictions, the ASBA would seek a resolution system in the *Education Act* that would assist school boards in determining whether a particular student is their resident student similar to the current system as outlined in subsections 44(8) to 44(13) in the *School Act*.

As previously submitted, the ASBA believes that every Albertan deserves the same level of educational funding from the provincial government. Consequently, the ASBA believes that it is of the utmost importance that clarification be provided regarding the educational funding of First Nations students living “on reserve” who access nearby provincial public education services and how the new definition of a “resident student” may impact this issue. Furthermore, the ASBA seeks clarity on how the Memorandum of Understanding between the Government of Canada, the Government of Alberta and the Assembly of Treaty Chiefs in Alberta regarding the education of First Nation learners may be reflected in the *Education Act*.

***5. Individuals who are older than five years and six months of age and younger than seventeen years of age on September 1 shall attend school.***

Although the ASBA generally supports measures to increase high school completion rates, the ASBA is concerned that increasing the age of mandatory school attendance will compound the challenges that boards currently face in enforcing mandatory attendance without additional supports.

## **Part 2 – Opportunities for Learning**

The Framework states that “[t]his Part will reflect the concepts of access to instruction in various ways – in a variety of settings, times, and at a pace that reflects the individual needs of students and supports learner success. It will also describe the responsibilities of the Minister and the school authorities for programming and curriculum.”

### **Proposed Provisions in the Framework that Require Further Comment from ASBA:**

- 1. The Minister may prescribe and authorize courses of study and education programs. Provisions contained in the Guide to Education are requirements, where indicated.***

School boards must continue to have a voice when curriculum is being developed and retain the right to set locally developed curriculum and be able to choose instructional resources and methods of delivery for provincial curriculum that best meets students’ needs.<sup>3</sup>

- 3. A board or, with the approval of the Minister, a person may, subject to the act and the regulation, operate an early childhood services program.***

For clarity, given that the proposal is to lower the age of access to four years and six months of age or older on September 1 of the school year, would it be correct for the ASBA to assume that the contemplated early childhood services program would refer to a program for a child who, as of September 1, is younger than four years and six months of age?

Furthermore, the ASBA inquires as to what the funding structure would be for the early childhood services program.

- 6. A board may determine that a student is in need of specialized supports and services. The board shall, subject to the act and the regulations, provide access to those supports and services to meet the identified needs of that student.***

The *Inspiring Action Discussion Paper* states:

“The implementation of a truly inclusive education system requires each one of us to think and work differently. It will occur through the development of a collaborative model based on collective responsibility for the success of each student. Supports and services for students will be delivered collaboratively in the most logical and natural setting to “wraparound” the student. Efforts will need to be made to expand the capacity of our education system so that it responds to the needs of all students. To make this possible, a collaborative process will be established between Alberta Education, Health and Wellness, and Children and Youth Services. This means an enhanced opportunity for everyone to work together across provincial, regional, and local levels.”<sup>4</sup>

The ASBA supports and welcomes the concepts of such a collaborative model. As previously submitted by the ASBA, the question is, “Where do the responsibilities of social service agencies end and the responsibilities of the education system begin --- and end?” The

<sup>3</sup> Page 15, *ASBA School Act Submission 2009* and supported by proposed provision #5

<sup>4</sup> Page 12, *Inspiring Action Discussion Paper*

ASBA wishes to again emphasize the need for the *Education Act* to ensure that there are clear lines of authority, accountability, and funding to provide an effective response to children's needs.<sup>5</sup>

Furthermore, the ASBA seeks clarification as to whether there will be any changes to the current legislation that allows school boards to enter into agreements respecting the provision of educational, managerial or other services with respect to the operation of schools, the provision of education programs or the promotion and development of recreation and community services.<sup>6</sup>

***7. A board may provide off-campus education programs to its students.***

As previously submitted, the ASBA seeks clarification as to the legislature's intention to either permit or prohibit the operation of schools, including virtual schools and non-resident home education school programs, outside a district's electoral boundaries.<sup>7</sup>

As part of this clarification, greater accountability for notifying resident boards of students choosing non-resident home education programs or other non-resident education opportunities need to be implemented.

**Part 3 – Student Needs and Dispute Resolution**

The Framework states that “[o]n occasion, the adults involved in making decisions concerning a student's education may disagree as to the best way to meet the student's learning needs, whether the needs arise as a result of the student's unique abilities, behaviours, or attendance.”

**Proposed Provisions in the Framework that Require Further Comment from ASBA:**

***1. Boards shall develop a dispute resolution process that is in accordance with the requirements of the Minister as established by Ministerial order.***

The ASBA looks forward to reviewing the details of the requirements contemplated for the dispute resolution process so that it may provide useful commentary on the matter. The ASBA seeks clarification as to the applicability of the dispute resolution process described in Alberta Education's *Guide to Education* regarding section 11.1 disputes under the *Alberta Human Rights Act* to the dispute resolution system contemplated in this proposed provision.

***2. The dispute resolution process must be used before a student may appeal to the Board of Trustees.***

The ASBA affirms its support of this proposed provision.

***3. The Board of Trustees may determine the limitations on which matters may be appealed to the Board.***

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<sup>5</sup> Page 20, *ASBA School Act Submission 2009* and supported by proposed provision #5

<sup>6</sup> Section 62 of the *School Act*, R.S.A. 2000, c.S-3.

<sup>7</sup> Pages 20-21, *ASBA School Act Submission 2009*

4. *A review by the Minister may be requested in circumstances where the issue is the student's right to access education or appropriate education programming for the student.*

The ASBA seeks clarification regarding the proposed provisions in items #3 and #4 above. Given that a review by the Minister would appear to be limited to a “student’s right to access education or appropriate education programming,” any limitation determined by a Board of Trustees that is contemplated under proposed item #3 could not be more restrictive than what the Minister could review. If the issues that are subject to Ministerial review are not clarified further, it is likely that any matter could be framed to fall within an access to education issue. For example, could a school board not allow appeals regarding transportation decisions? Particularly in rural areas, access to transportation may be framed as an access to education issue. As such, the ASBA suggests that item #4 could be amended to: “A review by the Minister may be requested, when in the opinion of the board, the issue is the student’s right to access education or appropriate education programming for the student.” Such a revision would ensure that those matters that are subject to appeal to the Minister are also, at first instance, subject to appeal to the board of trustees.

5. *The standard of review on a review by the Minister is whether the decision of the Board of Trustees was reasonable in the circumstances, that is, whether the policies with respect to appeals complies with the requirements of the legislation, whether the Board complied with its own policies fairly and transparently, and whether the education program provided for the student is reasonable.*

The ASBA supports the efforts to defer to the expertise of the local school boards and the decisions they make. This deference reflects the unique perspective that a locally elected school board provides in making its decisions with respect to being sensitive, knowledgeable and responsive to the needs of the communities that elect them.

7. *The Minister will, by regulation, establish processes to address circumstances where a board has determined that it cannot meet the identified needs of a student with complex or exceptional learning needs.*

The ASBA seeks clarification as to whether this proposed provision will replace the Special Needs Tribunal described in section 48 of the *School Act*.

8. *A teacher or principal may suspend a student for one class or up to five days, respectively.*
9. *A suspension may not exceed five days, unless the principal has made a recommendation to the Board of Trustees that the student be expelled. The Board of Trustees must make a decision as to whether or not to expel the student within ten school days after the date of the suspension.*
10. *The Board of Trustees may impose conditions respecting an expulsion at its discretion, and may direct or redirect a student to an education program at a location of the board's choice on a continuing basis beyond the current school year.*

With respect to proposed provisions #8, #9, and #10, the ASBA is pleased that clarification will be provided regarding a school board's authority to suspend and expel students with respect to timing and the ability to set conditions regarding expulsions. However, the ASBA is of the view that further direction must be provided in the *Education Act* that would address the authority of a school board to act swiftly and competently in assessing student safety risks. As previously submitted, new legislation "should enable administrators to require students, who are deemed to be a threat to the health, welfare or safety of other students or individuals in the schools to undertake appropriate assessments and/or appropriate professional treatments."<sup>8</sup> Furthermore, the ASBA submits that the *Education Act* should clarify as to how long a board may expel a student for. While item #10 states that the board may direct or redirect a student to an education program at a location of the board's choice on a continuing basis beyond the current school year, clarity should be provided on the authority the board has with respect to the length of an expulsion.

#### **Part 4 – Governance and Roles**

The Framework states that "[t]his Part is intended to set out the roles and responsibilities of the different types of school authorities. It should reflect the foundational theme that government has the responsibility and authority to determine the structure of school authorities, to set provincial standards for the roles and responsibilities of boards, and to support developing trustee and board competence. In addition, the importance of the connection of local communities with their schools and students as well as with the elected school authorities has been identified. Expectations concerning collaboration will be codified in this Part."

#### **Proposed Provisions in the Framework that Require Further Comment from ASBA:**

- 1. Students – the rights and responsibilities of students for their learning will be clearly defined, and will include the expectation that each student will be an active participant in their learning.***

The ASBA is pleased that the *Education Act* will clearly define the rights and responsibilities of students for their learning. As previously submitted, such "amendments would assist school boards in sharing an understanding with their students on expectations, roles and responsibilities."<sup>9</sup> The ASBA would be pleased to provide any assistance the government may require in crafting these student rights and responsibilities.

- 2. Parents – the rights and responsibilities of parents for their children's learning will be clearly defined, and will include the expectation that parents are active partners with the teachers, principals and instructional team in their children's learning.***

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<sup>8</sup> Page 9, ASBA School Act Submission 2009

<sup>9</sup> Page 12, ASBA School Act Submission 2009

Similarly, the ASBA is supportive of education legislation that honours and addresses the important role that parents play in the education of their children.<sup>10</sup> The ASBA looks forward to providing additional input as to the specific parental rights and responsibilities that are to be included in the *Education Act*. Furthermore, the ASBA believes that the new legislation may also want to clarify the definition of a “parent” and how it relates to the role of “guardian” in section 84 of the *Freedom of Information and Protection of Privacy Act* (FOIP). Specifically, the exercise of a “guardian’s” right to the personal information of their child under FOIP, may be adverse in interest to the privacy rights of the child in question – for example, such a dilemma may occur with respect to a request to review counselling records.

*3. Board – the role and responsibilities of board will include:*

- a) to deliver appropriate education programming to meet the needs of all students and to enable their success*
- b) to be accountable for student achievement of learning outcomes*
- c) to provide for the engagement of parents students, staff, and the various communities of the board on board matters, where appropriate, and specifically on the board’s multi-year plans and the achievement of goals and targets within those plans*
- d) to provide a safe and caring environment*
- e) to provide continuum of supports and services with diverse needs consistent with the philosophy of inclusive education<sup>11</sup>*
- f) to increase collaboration between the board and community-based service agencies in order to more effectively address the needs of all students*
- g) to develop and maintain policies and organizational structures that promote student well-being and success, including initiatives to address bullying, and to monitor and evaluate their effectiveness*
- h) to ensure effective stewardship of the board’s resources*
- i) to recruit the superintendent, and to entrust the day-to-day management of the school authority to the staff through the superintendent<sup>12</sup>*

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<sup>10</sup> Page 11, ASBA School Act Submission 2009

<sup>11</sup> See our related comments in Part 2 #6 above.

<sup>12</sup> See our previous comments regarding the removal of the requirement to obtain Ministerial approval for the appointment of the superintendent on page 16, ASBA School Act Submission 2009

- j) to develop and implement a code of conduct that applies to a member of the board, which includes definitions of breaches and sanctions, in accordance with principles set out by the Minister*
- k) to establish appropriate dispute resolution processes*
- l) such other items as the Minister may consider.*

*4. Powers of boards will include the authority to*

- a) determine ward and electoral subdivisions with the approval of the Minister*
- b) open and close schools or school programs as necessary*
- c) enter into education service agreements for the education of First Nation students which must meet minimum requirements set by Ministerial Order to reflect the goal to provide for the best educational interests of the students*
- d) enter into agreement with other boards to provide for regional governance on all matters or any single matter that is a common interest among boards.*

*5. The Minister will have the authority to make regulations relating to the procedural and administrative requirements of boards.*

The ASBA is supportive of the above concepts regarding the roles, responsibilities and powers of boards, but is of the view that the *Education Act* must balance a provincially established regulatory framework with the need for school boards to have sufficient autonomy, flexibility and funding to ensure that school boards can address the particular character and needs of their jurisdictions.<sup>13</sup>

With respect to the oft-cited term of “shared governance”, the ASBA seeks clarity as to if and how this concept is to be legislated. One question that arises is whether “shared governance” includes not only shared responsibilities, but shared liabilities and accountabilities.

*6. Trustees*

- a) The duties of trustees will include complying with the board’s code of conduct, and providing for the engagement of parents, students, staff, and various communities on board matters.*
- b) Elections – Qualifications will continue to be determined by the Local Authorities Election Act, with the addition that where a separate school*

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<sup>13</sup> Page 12, ASBA School Act Submission 2009

*district has been established a member of the minority faith may choose to run for election as a public school trustee and to vote in the election of public school trustees.*

- c) *Disqualification – the reasons for which a trustee may be disqualified will include, in addition to the existing reasons for disqualification, a breach of the board’s code of conduct.*

The ASBA is pleased to see that the *Education Act* will strengthen individual trustee accountability by enabling steps for removal of a trustee from office, where the actions of the trustee are no longer consistent with the fulfillment of their statutory roles and responsibilities.<sup>14</sup> The ASBA would also strongly support the encouragement of trustees to participate in professional development opportunities, but not to legislatively require such participation.

The ASBA will be submitting its comments regarding trustee appointments shortly.

13. *Charter Schools – application of the act*

14. *Establishment of charter schools*

- a) *Charter schools will continue to be a part of the educational choices for parents in Alberta.*
- b) *The focus of charter schools will be on innovation and research.*
- c) *A school authority may apply to operate a charter school.*
15. *The Minister will have the authority to make regulations relating to the procedural and administrative requirements of charter schools.*

16. *Private Schools – application of the act*

17. *The Minister will have the authority to make regulations relating to the procedural and administrative requirements of private schools, including the authority to suspend or cancel the registration or accreditation of a private school if the evaluation, monitoring or inquiry of the private school discloses financial mismanagement or a failure to follow provincial regulations or policies.*

The ASBA reiterates its concern of utilizing public funds beyond the public education system.<sup>15</sup>

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<sup>14</sup> Page 13, ASBA School Act Submission 2009

<sup>15</sup> Page 5, ASBA School Act Submission 2009

- 18. Inquiries and investigations – the conditions under which an inquiry into the operation and administration of the board will be clarified to allow for a broad range of reasons for inquiry, including the failure to meet specified achievement outcomes. The Minister will have flexibility in instances where a less intrusive approach is preferred. The Minister will continue to have the authority to appoint an official trustee, where necessary.*

While the ASBA acknowledges and supports the principle that increased authority needs to be supported by increased accountability, the ASBA seeks the opportunity to review the specific conditions in which the Minister may launch inquiries and investigations in order for the ASBA to provide relevant commentary on such processes. The ASBA would wish to confirm that such investigations and inquiries would be launched on very specific and rare circumstances and to emphasize that the board will ultimately have direct accountability to their electorate through the electoral process.

#### **Part 5 – Financial Responsibility**

The Framework states that “[t]his Part of the act will deal with the roles and obligations of the boards and the Government of Alberta with respect to finance, financial and capital planning, spending, and financial accountability. Roles and responsibilities concerning the management of capital will be clarified and defined to allow better understanding of the authorities that each party holds.”

#### **Proposed Provisions in the Framework that Require Further Comment from ASBA:**

- 1. Boards will continue to be accountable for the expenditure of funds and to provide accurate financial statements to the Minister as required.*
- 2. Provisions relating to property assessment, requisitions, and the Alberta School Foundation Fund will remain in effect.*
- 3. Boards will continue to be able to access the Special School Tax Levy Plebiscite provisions.*
- 4. Restrictions around borrowing by a school board for operational expenses will be removed. The Minister may, by order, set a threshold over which Ministerial approval for borrowing must be obtained.*
- 5. A school board will be required to provide notification in advance to the Minister if it plans to purchase or lease land for a school building.*
- 6. A school board will have the authority to determine whether it no longer has use for a school building, and will be required to notify the Minister when this determination has been made.*

7. *Ministerial approval will be required for school building projects but will not be required for non-school building projects.*
8. *Clarification of the definitions, responsibilities and procedures for school closure will provide greater flexibility and autonomy for school boards. School boards will be required to implement and make available to the public policies respecting closure of a school and the transfer of students from one school building to another school building.*
9. *Transportation funding and regulations will be simplified.*

While the ASBA acknowledges the apparent increased autonomy and flexibility of its member school boards that should result from the inclusion of the above provisions regarding borrowing, surplus school buildings, non-school building projects and school closures, the ASBA seeks confirmation of the government's commitment to assist and support school boards in their efforts to provide "real and personal property for its administrative and educational purposes"<sup>16</sup> as previously submitted.

With respect to the issue of transportation, the ASBA seeks clarity and further details regarding the government's proposal to simplify transportation funding and regulations. Does the government intend to make any changes from the current language in section 51 of the *School Act*? If no changes are contemplated, the ASBA would seek to provide further commentary on the issue of transportation.

The ASBA urges the government to eliminate the Special School Tax Levy Plebiscite provisions in favour of an enabling provision that authorizes school boards to raise additional funds subject to a legislated cap that would be equal to a percentage of a board's total budget. Such a provision would be consistent with the government's goal of confirming the local autonomy of school boards to make the best decisions for their own jurisdiction.

## **Part 6 – Educational Professions and Occupations**

The Framework states that "[p]rovisions related to educational professions and occupations will be assembled in Part 6. The provisions that relate to professionals and paraprofessionals in the education sector will be moved into a separate act, the *Education Professions and Occupations Act* (working title) for introduction in 2012 or 2013."

### **Proposed Provisions in the Framework that Require Further Comment from ASBA:**

1. *Duties of teachers, principals and superintendents, as well as non-teaching employees, will be described.*

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<sup>16</sup> Pages 21-22, ASBA School Act Submission 2009

***2. The act will include existing provisions concerning teacher employment, contracts of employment, terminations, and the Board of Reference.***

The ASBA reiterates its submissions regarding provisions relating to school board employees and looks forward to future consultations respecting the *Education Professions and Occupations Act*.<sup>17</sup>

**Concluding Comments**

The ASBA is pleased to see that a number of the issues that it had raised in its prior submissions have been considered and will be addressed in the new *Education Act* - particularly, the provisions that address universal access, early intervention, the role of the parent and the student, increased autonomy of locally elected school boards to respond to local needs, increased accountability of trustees, and the apparent simplification of the school closure process.

However, the ASBA believes there is still room to improve education legislation that will take the education system through to at least the next twenty years. As discussed above, the ASBA is of the view that the new *Education Act* must:

- require and fund a universal developmental needs assessment before age 30 months;
- clarify the rules to interpret student residency;
- support a principle in which every child resident in Alberta should have access to education regardless of the immigration status of the child's parents;
- clarify the educational funding of First Nations students living "on reserve" who access provincial public education services;
- identify any changes to the funding structure regarding the operation of early childhood services programs;
- provide clear lines of authority, accountability and funding with respect to any collaborative or shared governance model regarding public education;
- clarify the legislature's intention regarding the operation of schools outside a school jurisdiction's electoral boundaries;
- identify if, and if so, how, the dispute resolution process described in the *Guide to Education* regarding section 11.1 disputes under the *Alberta Human Rights Act* impacts a board dispute resolution process that is to be established in accordance with Ministerial requirements;

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<sup>17</sup> Pages 9-11 and 16-18, *ASBA School Act Submission 2009*

- specify those matters that are subject to ministerial review rather than provide a general test of whether a matter relates to a student's right of access in which virtually any set of facts can be framed to fit within such a test (ideally, only those matters that are identified by school boards will be subject to ministerial review);
- clarify whether, and if so, how special needs tribunals are being replaced;
- include the authority for school boards to require students who are deemed a threat to undertake appropriate assessments and/or professional treatments;
- clarify the maximum length of time, if any, that a board may expel a student for;
- clarify any differences between the role of a "parent" in the *Education Act* versus the role of the "guardian" in the *Freedom of Information and Protection of Privacy Act*;
- eliminate the special school tax levy plebiscite process and replace it with an enabling provision that authorizes school boards to raise additional funds subject to a legislated cap that would be equal to a percentage of a board's total budget;
- clarify what changes, if any, will be made to the provisions regarding transportation of students;
- confirm the government's commitment to support school board requirements to obtain and maintain real and personal property for educational and administrative purposes.

Finally, given the significant impact that the regulations supporting the new *Education Act* will have on school boards, the ASBA submits that the new Act should include a provision that requires the government to consult with the ASBA during the development of these new regulations.

The ASBA looks forward to be able to assist the Minister with refinement of the proposed provisions and is ready and able to provide further comment and discussion on any matters discussed in this proposal or any matters that may arise regarding the new *Education Act*.

Yours truly,



David Anderson  
Executive Director

DA:mj

Enclosure

c.c.: Ms. Maureen Towns, Director, School Act Review  
Legislation Services Branch, Alberta Education

Mr. Michael Walter, Assistant Deputy Minister  
Strategic Services, Alberta Education

ED/B/J/W