

UNFINISHED BUSINESS
Reporting to Public Session, Tuesday, November 26, 2024

1. Policy Updates

The Board of Education, through its Policy Committee, has been working to review and update its current policies leading to a complete restructuring of the Policy Manual. In alignment with this process, the Superintendent will be reviewing and updating existing administrative procedures. The policies attached have been sent out for circulation as Notice of Motion, and no comments were received in the timeline allotted.

Recommendation:

THAT the Board of Education receive this information, and that Policies #1.10, #1.15 and #1.20 be approved for insertion into the Policy Manual, and that Policy #7.35 be permanently removed from the Policy Manual.

Board Report

Date: November 26, 2024
To: Board of Education – Public Meeting
From: Karim Hachlaf, Superintendent
Subject: Policy Updates

Background:

The Policy Committee presented the following draft policies to the Board at the November 12th, 2024 Committee of the Whole Meeting:

1. Updated Policy #1.10 – District Policy and Policy Development
2. Updated Policy #1.15 – Supporting Trustee Learning and Professional Development Opportunities
3. Updated Policy #1.20 – Appeal of Decisions Bylaw
4. Deletion of Policy #7.35 - Bylaw No.3

The Board approved the circulation of the draft policies through a Notice of Motion, which was released on November 14, 2024. Feedback or comments were to be received by November 21, 2024. No feedback was received for Board consideration.

Recommendation:

THAT the Board of Education receive this information, and that updated Policies #1.10, #1.15 and #1.20 be approved for insertion into the Policy Manual, and that Policy #7.35 be permanently removed from the Policy Manual.

DISTRICT POLICY AND POLICY DEVELOPMENT

PREAMBLE

The primary responsibility of the Board of Education in its provision of education for students is the determination of policies which direct the operations of the Burnaby School District's human and physical resources. The elected Trustees are responsible for the formulation of policies and are aided in this task by the Superintendent and administrative staff. The role of the Superintendent and administrative staff is to assist in the development of policy and then oversee the implementation and monitoring of Board policies.

POLICY

THE BOARD DEVELOPS AND MAINTAINS ITS POLICIES TO PROVIDE A PUBLIC STATEMENT OF THE BOARD'S INTENT. POLICIES ARE GENERALLY BROAD ENOUGH TO ALLOW FOR DISCRETIONARY ACTION, YET SPECIFIC ENOUGH TO PROVIDE CLEAR DIRECTION TO THOSE RESPONSIBLE FOR IMPLEMENTING POLICY DECISIONS OF THE BOARD. GENERALLY SPEAKING, GOOD POLICIES:

- 1. PROVIDE A CLEAR STATEMENT OF INTENT;**
- 2. ARE BASED ON BELIEFS, PRINCIPLES AND VALUES;**
- 3. PROVIDE GUIDELINES FOR ACTION;**
- 4. ALLOW FOR DISCRETION;**
- 5. ARE CONCERNED WITH THE FUTURE;**
- 6. ALIGN WITH THE RIGHTS OF STUDENTS, STAFF AND COMMUNITY AS PER HUMAN RIGHTS LEGISLATION, AS WELL AS OTHER APPLICABLE LAWS AND INTERNATIONAL CONVENTIONS, INCLUDING THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD.**
- 7. ARE DYNAMIC AND EVOLVING.**

THE BOARD MAY INCLUDE A POLICY PREAMBLE AS AN INTRODUCTORY STATEMENT THAT EXPLAINS THE POLICY PURPOSE AND UNDERLYING PHILOSOPHY. THE PREAMBLE STATEMENT HELPS TO EXPLAIN THE REASONS FOR AND INTENT OF THE POLICY, WHICH READ WITH THE REGULATIONS CLARIFIES THE APPLICATION OF THE POLICY STATEMENT.

ADMINISTRATIVE PROCEDURES

Administrative Procedures are developed by the Superintendent and arise from Policy and/or Regulations. Administrative Procedures are more specific than Regulations and indicate who does what, how, when, and in what order. Administrative Procedures are issued by the Superintendent. Administrative Procedures clarify specific action(s) required to achieve the Board's policy/regulation. As new or amended Administrative Procedures are finalized for adoption, the Superintendent will share them with the Board at a public Board meeting.

Given the importance of policy development, the Board maintains a process which provides for:

1. A clear series of steps which constitute the process of policy development;
2. A standard format for policy statements;
3. Clear distinction between Policy, Regulations, and Administrative Procedures, by delineating responsibility and providing clear separation of these three levels in the policy manual.

STEPS IN POLICY DEVELOPMENT PROCESS

This following constitutes the sequence for developing Board policies and administrative procedures:

| STEP | RESPONSIBILITY |
|--|---|
| 1. Initial decision to recommend or formulate a or a policy change or to review an existing policy | Board, Board Policy Committee, or staff |
| 2. Study of background information; consultation with involved personnel where appropriate | Appropriate Board Committee; staff as requested by Committee |
| 3. Preparation of initial draft | Senior administrators in consultation with staff as appropriate |
| 4. Finalization of draft; approval for presentation to the Board as a <i>Notice of Motion</i> | Board Committee, as appropriate |
| 5. Receipt of <i>Notice of Motion</i> | Board |
| 6. Distribution of <i>Notice of Motion</i> | Superintendent. or designate |
| 7. Review; modifications as necessary | Board Committee; senior staff |

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| 8. | Preparation of Regulations and Administrative Procedures | Senior administrators in consultation with staff as appropriate |
| 9. | Adoption of policy; | Board |
| 10. | Approval of Administrative Procedures; New or amended Administrative Procedures will be shared with the Board at a public Board meeting for information prior to implementation. | Superintendent |
| 11. | Distribution of Policy Statements, Regulations and Administrative Procedures | Superintendent |

Date Adopted: 1980-06
Date(s) Revised: 2007-09-25
2024-xx-xx

DRAFT

SUPPORTING TRUSTEE LEARNING AND PROFESSIONAL DEVELOPMENT OPPORTUNITIES

PREAMBLE

The Board of Education recognizes the value of Trustees being well informed on education and governance matters. It is in the Board's interest to have Trustee participation – either individually, or as a group of Trustees, or collectively as the Board – at external educational or governance events when such involvement enhances individual Trustee effectiveness, obtains information for the Board, or provides important representation from the Board.

POLICY

THE BOARD ENCOURAGES AND MAY APPROVE TRUSTEE DEVELOPMENT AT THE INDIVIDUAL AND FULL BOARD LEVEL WITH THE PURPOSE OF ENHANCING EFFECTIVENESS OF AN INDIVIDUAL TRUSTEE AND/OR THE BOARD. TRUSTEE PARTICIPATION AT EXTERNAL EDUCATIONAL CONFERENCES AND EVENTS MAY BE SUPPORTED BY BOARD RESOURCES. TRUSTEES MUST MAKE AVAILABLE THEIR FINDINGS AND RELEVANT RECOMMENDATIONS FOLLOWING ATTENDANCE AT SUCH EDUCATIONAL AND/OR GOVERNANCE EVENTS.

ADMINISTRATIVE PROCEDURES

1. Notices of opportunities for involvement in Trustee- effectiveness activities are to be circulated to all Trustees in advance of the meeting where such involvement is to be determined.
2. Board sponsorship shall be determined before a Trustee becomes involved in any activity or function on behalf of the Board.
3. Efforts will be made to support Trustee attendance at educational events by mitigating or removing barriers to full participation.
4. An account of expenses incurred in attending Board-approved activities or functions is to be presented promptly to the Secretary-Treasurer, or designate, for payment.
5. Trustees shall report their findings and make appropriate recommendations to the Board through:
 - a. an oral report at a meeting, such as a Board meeting, or;

- b. a written summary report distributed to all Trustees, or;
- c. participation in a Board function which deals with the issue or topic of the particular activity or function attended.

Date Adopted: 1982-01
Date(s) Revised: 2021-04-27
2024-xx-xx

DRAFT

APPEAL OF DECISIONS BYLAW

PREAMBLE

Burnaby School District staff make many decisions in the course of their duties. These decisions, which are expected to be made in alignment with the principles of fairness, can affect the education, health, or safety of a student. Either making a decision or failing to make a decision may affect a student.

The *School Act* requires that the Board of Education establish a procedure whereby a student or their parent(s)/guardian(s) may appeal decisions which significantly affect the education, health or safety of the student.

The Board expects that an appeal should be preceded by problem-solving processes which support all parties involved in a dispute so there is a shared awareness of the concerns of others, allowing for a good faith attempt to resolve disputes to mutual satisfaction. Those steps should not be a barrier to an appeal to the Board when a resolution has not been achieved.

BYLAW

THE BOARD REQUIRES THAT AN APPEAL OF ANY DECISION MADE BY DISTRICT STAFF WHICH SIGNIFICANTLY AFFECTS THE EDUCATION, HEALTH OR SAFETY OF A STUDENT BE HEARD FIRST AT THE SCHOOL LEVEL AND THEN, IF NECESSARY, AT THE DISTRICT ADMINISTRATIVE LEVEL TO ATTEMPT TO ACHIEVE A MUTUAL UNDERSTANDING AND RESOLVE THE MATTER. IF THE MATTER CANNOT BE SUCCESSFULLY RESOLVED, THE BOARD WILL THEN HEAR THE APPEAL.

1. Decisions that significantly affect the education, health or safety of a student include but are not limited to:
 - a. Suspension or exclusion from school or from a component of a school program for more than 5 days;
 - b. Denial of access to a school or District program or service other than access to a specific course, class or school placement request.
2. When a student and/or parent(s)/guardian(s) of a student wishes to question a decision made by a District employee on the grounds that it significantly affects the education, health, or safety of the student, they will consult with the District employee who made the decision.

3. When a Trustee is alerting a concerned parent or guardian, who has written to an individual Trustee or the Board, that their message has been forwarded to the Superintendent, the Trustee will refrain from responding to the parent or guardian about the substance of the concern in order to protect the process and ensure that if there is an appeal to the Board, it can be heard without prejudice.
4. If the matter is not resolved directly with the District employee, the matter may then be discussed with the school principal.
5. If the matter has not been resolved at the school level, the process will continue with a member of the District administrative staff.
6. If school and District staff processes fail to resolve the complaint, the complainant must request in writing to the Superintendent that the Board hear an appeal. The details pertinent to the appeal must accompany the request. An appeal request should be made as soon as practicable, following the outcome of the process described in Step 5.
7. Unless there are extraordinary circumstances that require a significant delay in filing an appeal, the appeal should be received within 30 calendar days of the conclusion of resolution attempt(s) described in Step 5.
8. Once a request to appeal has been received, the Board may convene to hear the appeal within 30 calendar days or soon thereafter. If the appeal has been filed when school is not in session – during Summer Break, Winter Break or Spring Break – then the appeal may be heard within 30 calendar days following the break, or soon thereafter.
9. Appeal hearings are held in camera by the Board. The Board may request the presence of the complainant and/or any person(s) involved in the processes that occurred prior to the appeal.
10. The Board shall make a decision on the matter in question as soon as practicable after hearing the appeal and shall report that decision to the complainant.
11. The Board shall make any decision that it considers appropriate and such decision shall be final.
12. If the appellant wishes to appeal the Board's decision, the appellant may contact the Ministry of Education and Child Care's Superintendent of Appeals, as per the *School Act*.

Date Adopted: 1990-06
Date(s) Revised: 2021-04-27
2024-xx-xx

Appeals Form will be available on the district website and at each school and include:

1. The Notice of Appeal must include:

The date the appeal is being submitted

The student's name, address, grade and school

The name and address of the person(s) making the appeal

The decision that is being appealed

The date on which the original decision was shared with student and/or parent/guardian

The name of the district employee(s) who made the decision being appealed

Particulars of the effect on the student's education, health or safety

The grounds for the appeal and the action requested or relief sought

A summary of the steps taken by the student and/or parent/guardian to resolve the matter

Whether the person making an appeal is requesting an in-person hearing

Whether the person making an appeal requires any special accommodation in order to proceed with the appeal (such as interpretation services at the hearing of the appeal)

PERMANENT DELETION OF POLICY ~~POLICY #7.35~~

~~BYLAW NO. 3~~

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1. ~~No person shall drive any motor vehicle or ride any bicycle on or over any land owned or administered by the Board of School Trustees, School District No. 41 (Burnaby), (herein after called "the Board") except:~~
- a. ~~Deliveries:~~
~~Persons proceeding to or from a public school on roadways provided for that purpose in the course of delivering or receiving chattels in connection with the operating of the said school.~~
 - b. ~~Board Employees:~~
~~Persons proceeding to or from a public school on roadways provided for that purpose in connection with their duties therein, or on other bona fide business pertaining to the operations of the said school.~~
 - c. ~~Students:~~
~~Persons proceeding to or from a public school on roadways provided for that purpose who are students registered at that school and who have first received permission in writing from the principal to so proceed.~~
 - d. ~~Board Consent:~~
~~Parents, guardians or such other persons proceeding to or from a public school on roadways provided for that purpose who have first received permission from the Board in writing.~~
2. ~~No person shall:~~
- a. ~~Speed Limit:~~
~~Operate any motor vehicle or ride any bicycle on or over any land owned or administered by the Board at a greater rate of speed than five (5) miles per hour.~~
 - b. ~~Parking:~~
~~Park or otherwise leave unattended a motor vehicle upon land owned or administered by the Board except in an area set aside for parking by the Board unless permission in writing so to do has been given by the Board.~~
 - c. ~~Trespassing:~~
 - i. ~~Enter upon any properties owned or administered by the Board other than bona fide students of that school or place, employees of the Board, parents or guardians of students registered at that school, or such other persons whom the Board has given prior permission to be on that property at that time.~~
 - ii. ~~No person shall, upon the request of the Principal or any other person in authority, refuse to leave any property owned or administered by the Board. Any person so requested shall do so immediately and any disobedience of such a request shall be considered a breach of this Bylaw.~~

d. Night Trespassing:

~~Trespass, cross over or loiter upon any land owned or administered by the Board between the hours of 1/2 hour after sunset and 1/2 hour before sunrise without the written permission of the Board.~~

e. Animals:

~~Take or allow any domestic or range animal upon land owned or administered by the Board without the written permission of the Board.~~

3. Responsibility of Registered Owner

~~The owner of a motor vehicle shall be held responsible for any violation of this Bylaw by a person entrusted by the owner with the possession of the said motor vehicle. The burden of proving that the person so in possession of the motor vehicle was not a person entrusted by the owner with the possession of the said motor vehicle, shall be on the accused.~~

4. Complement to other Statute or Bylaw

~~The provisions of this Bylaw shall not restrict the enforcement of the School Act, the Motor Vehicle Act or regulations pursuant thereto, or such other Bylaws made by the Corporation of the District of Burnaby.~~

5. Penalty

~~Except as is otherwise provided in this Bylaw, any person contravening or committing any break of, or committing any offence against any of the provisions of this Bylaw, or who refuses, omits or neglects to fulfil, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this By Law prescribed or imposed or required to be done, is liable, on summary conviction, to a fine not exceeding two hundred and fifty dollars (\$250.00) or to a term of imprisonment not exceeding thirty (30) days or both.~~

6. Authority to Make Regulations

~~The Board may by regulation:~~

- a. ~~Erect traffic control devices to regulate, prohibit, control and direct vehicular and pedestrian traffic, on land owned or administered by the Board. The erection of such traffic control device shall be deemed as prima facie evidence that such device was erected at the direction of the Board.~~

7. Date of Proclamation

~~This Bylaw shall come into force and take effect on and after the date of approval by the Lieutenant Governor in Council.~~

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Date Adopted: 1972-02-08

Date(s) Revised:

Cross References:

Statutory: School Act 74 - Management of
Schools and Property

Other: Policy 7.30