

Public Schools Branch

BOARD GOVERNANCE POLICY

| SCHOOL REVIEW | |
|--|---|
| <i>Policy Section</i> Governance Process | <i>Policy Number</i> GP 14 |
| <i>Pages</i> 6 | <i>Approved Date</i> June 26, 2019 |
| <i>Reviewed Date</i> | <i>Effective Date</i> June 26, 2019 |
| <i>Replaces: ELSB GP 14 School Change - September 19, 2016</i> | |

1. POLICY STATEMENT

- 1.1 The Public Schools Branch is committed to
- (a) Ensuring that its students have access to quality educational programs and services
 - (b) Maintaining healthy, safe and effective learning environments
 - (c) Maximizing the use of available resources
- 1.2 The Public Schools Branch recognizes that schools are interconnected with the communities that surround them and close relationships between home, school and community positively affect public education.
- 1.3 The Board of Directors (Board) recognizes that the achievement of the objectives in section 1.1 may, from time to time, require changes that will affect the interests of students, parents, and other stakeholders as may be identified by the Public Schools Branch. Consequently, where the Board is considering making a school change, the Board will ensure that these groups:
- (a) Are given fair notice of any such proposed change;
 - (b) Are advised of the decision-making process that will be followed before the proposed change is made;
 - (c) Receive information to provide meaningful input to the decision-making process; and
 - (d) Are given a reasonable opportunity to make submissions before the Board makes a decision on any such proposed change, and to have those submissions fairly considered by the board.
- 1.4 This policy may be initiated due to factors including but not limited to:
- (a) Branch-wide efforts to support student achievement;
 - (b) Declining student enrollment;
 - (c) Increasing student enrollment;
 - (d) Maximizing resources; and/or
 - (e) Opening of a new school.

2. DEFINITIONS

- 2.1 In this policy and section:
- (a) **“Municipal Authority”** means a municipality under the *Municipal Government Act*, RSPEI 1988, c. M-12.1 that has jurisdiction in an area of the Province which will likely be affected by a school change.

- (b) “Parent” means a “parent” as defined in section 1(1)(v) of the *Education Act*;
 - (c) “Review of Schools” means a written document prepared by the Director pursuant to section 4.1.
 - (d) “Publicly Available” means available to the public by:
 - (i) Making copies available for review at Public Schools Branch offices or other locations convenient for the public without charge;
 - (ii) Providing a reasonable number of copies to interested persons either without charge or at a price not greater than the cost of printing the report; or
 - (ii) Making a copy available on the Public Schools Branch website.
 - (e) “Public Notice” means a notice that is:
 - (i) Posted on the Public Schools Branch website; or
 - (ii) Published in a newspaper with general circulation within the area of the province that will likely be affected by a school change;
 - (f) “Resolution” means a resolution passed by a quorum of the Board (the Board) at a regular public or special meeting;
 - (g) “Study Report” means a written report prepared for the Board;
- 2.2 In this policy “Director” includes the Director of the Public Schools Branch or a person designated by the Director to fulfill the Director’s role and duties as specified in this policy.

3. APPLICATION

- 3.1 This policy establishes a framework for addressing changes to school attendance zones, grade configurations in schools or permanent school closures.
- 3.2 Notwithstanding section 3.1, this policy does not apply to the following school changes:
- (a) The Board is building a replacement school on the existing school’s site, or one that is located within the existing school’s attendance zone;
 - (b) The Board is remediating, repairing, rebuilding or renovating a school, and the students must be temporarily relocated to ensure their health or safety during the renovations;
 - (c) The Board is reducing the size of a school building;
 - (d) A facility has been serving as a temporary school for students whose permanent school is under construction or repair;
 - (e) Any discontinuance of a regular, alternative, or special needs program at a particular school or relocation to another school;
 - (f) A school closure that is authorized by section 16 or 21 the *Education Act*, R.S.P.E.I. 1988 Cap. E-2.1, *Education Authority Regulations* or by any other enactment;
 - (g) A change to a school attendance zone that is made for a specific area of the school attendance zone which, the Board determines not to have any substantial impact on the larger population of the school attendance zone outside of that specific area. These changes will be made by the decision of the Board, with input from the Director and such stakeholders as identified by the Director in a consultation plan in the form set out in Appendix “A”; or
 - (h) Any other change not identified in section 3.1.

PART I – CONDUCTING REVIEW OF SCHOOLS AND PREPARING A REPORT

- 4.1 The Director shall conduct a Review of Schools on his/her own initiative on a regular basis, or on direction from the Board and prepare a Review of Schools Report.
- 4.2 A Review of Schools Report should include an overview of the nature of the challenges faced by the school(s) being reviewed. They may, for example, arise from:
- (a) Physical Issues – e.g. health, safety, environmental issues, or other deficiencies relating to the physical condition of a school building, site, or location;

- (b) Program issues – e.g. a school has difficulty providing students with equitable access to appropriate educational programs or services;
 - (c) Capacity issues – e.g. underutilization of, or overcrowding in, a school;
 - (d) Financial issues – e.g. a school’s operating or maintenance costs are substantially higher than the average per student cost in other schools;
 - (e) Demographic issues – e.g. projected increase or decrease in the population or student population in an area; and
 - (f) Such other issues as the Director deems relevant.
- 4.3 In a Review of Schools Report, the Director may recommend to the Board that:
- (a) The status quo at the school(s) be maintained;
 - (b) The status quo be maintained, but that the situation at the school(s) be monitored; or
 - (c) A more in-depth study of the school(s) be done, and that options for change be explored.
- 4.4 The Board may, by resolution, accept or reject a recommendation made by the Director under section 4.3, or may make such other decision as it deems appropriate.
- 4.5 If, by a resolution made under section 4.4, the Board decides that a change to a school(s) should be considered, the Board will follow the process as outlined in this policy.

5. Part II – CONDUCTING STUDY AND PREPARING STUDY REPORT

5.1 Resolution Directing Study

- 5.1.1 Where a resolution to consider a change to a school(s) is passed under section 4.5, the Director will conduct a study, and will prepare a Study Report.
- 5.1.2 Upon commencement of the study, the Director will prepare a consultation plan in the form set out in Appendix “A”, and will communicate the resolution and that plan to the stakeholders identified in that plan in the manner specified in that plan.
- 5.1.3 In conducting the study and preparing the Study Report, the Director will consider the following factors as identified in the *Education Authority Regulations*, if and to the extent they are relevant in the particular circumstances:
- (a) The possible effects on educational opportunities available to students as a result of the change;
 - (b) The possible effects on cost of providing educational services to the students affected;
 - (c) The possible effects on the affected community;
 - (d) Enrolment and population patterns and projections; and
 - (e) Information available to the Public Schools Branch regarding future development(s) in the community.
- 5.1.4 The Director may:
- (a) With the approval of the Board, hire an outside consultant to assist in gathering of data and information, analyzing and developing options for change for consideration by the Director, and in conducting the study consultation process; or
 - (b) Delegate some or all those duties to staff.

5.2 Study Report Consultation

- 5.2.1 During the study process, the Director will give interested persons and affected parties a reasonable opportunity to discuss factors to be considered, the factors’ application in the particular circumstances and to exchange data and information, including available options for change.
- 5.2.2 Consultations under this section may be conducted orally or in writing. The Director will determine the form, process, place, time and length of such consultations.
- 5.2.3 The Director may consult with such other persons and groups in the manner as the Director considers appropriate.

- 5.2.4 The Director will ensure that a summary of the consultations held under this section is prepared and retained.

5.3 Content of the Study Report

Following the completion of the study, the Director will prepare a Study Report.

5.3.1 The Study Report should include:

- (a) A copy of the summaries identified in section 5.2.4 (except those pertaining to discussions held with or about staff;
- (b) Relevant factual and other information collected during the study as it relates to 5.1.3;
- (c) An analysis of reasonably viable options for change; and
- (d) Options and/or recommendations for change.

5.4 Study Report Options/Recommendations

5.4.1 In the Study Report, the Director may provide options or recommend that:

- (a) The status quo at a school(s) be maintained;
- (b) The status quo be maintained, but that the situation at a school(s) be monitored; or
- (c) That a change be made to a school(s).

5.4.2 Upon completion of the Study Report, the Director will present it to the Board at an in camera Committee of the Whole meeting.

5.4.3 The Study Report shall be tabled at a public Board meeting and released for public input in accordance with this policy and the *Education Authority Regulations*.

6. PART III – PUBLIC RELEASE OF STUDY REPORT

6.1 Following the tabling of the Study Report, the Board shall provide Public Notice of the Study Report which will include:

- (a) The nature of the change(s) being considered;
- (b) That a public consultation process on the change(s) will be taking place and how and in what form input will be received;
- (c) That public input will be received for a period of at least 30 calendar days;
- (d) How further information about the proposed change and process can be obtained; and
- (e) Where to view or obtain a copy of the Study Report.

6.2 The Board will also hold at least one public meeting, in a forum decided by the Board, to consider the Study Report prior to making any decisions.

7. PART IV – BOARD'S FINAL DECISION ON STUDY REPORT

7.1 The Board may, by resolution, accept or reject the options and/or recommendations made by the Director under section 5.4.1, or may make such other decisions as it deems appropriate. A resolution shall specify the effective date of any change to be made.

7.2 If, under a resolution made pursuant to section 7.1, the Board decides to proceed with a school closure, it:

- (a) Will request the approval of the Lieutenant Governor in Council to permanently close a school no later than June 30 of the school year immediately preceding the school year in which the school change will take place; and
- (b) Will determine a reasonable effective date of the change

7.3 If the Board decides to request approval from Lieutenant Governor in Council to permanently close a school, the Board shall send a certified copy of the resolution to the Lieutenant Governor in Council for approval, as required by the *Education Authority Regulations*.

7.4 Upon receipt of approval from Lieutenant Governor in Council to permanently close a school, the Board will proceed to implement the permanent school closure.

- 7.5 After the Board permanently closes a school, the Director shall prepare a report respecting the effects of the permanent closure of the school. The Director shall submit the report to the Board not later than December 31 following the permanent closure of the school.
- 7.6 If, under a resolution passed pursuant to section 7.1, the Board decides not to proceed with a particular change to a school, it may make such other decisions respecting the school as it considers appropriate. It may, for example, defer its decision on that change for a reasonable time.
- 7.7 Notice of the Board's decision under section 7.1 shall be given to all stakeholders identified in the consultation plan in accordance with that plan. The Board will also give Public Notice of the decision under section 7.1.

8. TRANSITION

- 8.1 If any resolution made by the Board under this policy requires the relocation of students and staff to another school, the Director will immediately establish a committee which will be responsible for planning and implementing the positive transition of affected students and staff.
- 8.2 The Transition Committee will consist of the following persons:
 - (a) The Director
 - (b) Two Public Schools Branch staff representatives designated by the Director
 - (c) The school principal from each affected school
 - (d) Such other personnel as the Director may require
- 8.3 A parent representative(s) will be invited to work with the Transition Committee where appropriate.
- 8.4 The Transition Committee will operate within any timelines set out in the Board's decision and will meet as often as required.
- 8.5 The Transition Committee will report to the Director, and through the Director, to the Board.

9. GENERAL

- 9.1 If any procedural matter arises which is not dealt with in this policy, the Board may, by resolution, determine the procedure to be followed.
- 9.2 Any notice to an individual or organization required by this policy or a consultation plan and timeline may be given by mail or email to the last known address that the Board has for the recipient and, if mailed, shall be deemed to be received 5 days after it is posted.
- 9.3 The Board, by resolution, may decide to extend or abridge any time period prescribed by this policy (with the exception of section 9.2) on such terms as it deems appropriate.
- 9.4 If the procedure provided for in this policy cannot proceed on schedule at any point in time for any reason, the Board may decide to continue the process within a reasonable time, and it will not be necessary for the board to repeat any step already taken.
- 9.5 No proceeding under this policy will be rendered invalid by any defect in form or technical irregularity.
- 9.6 The Director may delegate his/her role and duties as specified in this policy to an employee of the Public Schools Branch or to another person.

~ ~ ~

Monitoring Method: Board Inspection
Monitoring Frequency: Annually

APPENDIX A

CONSULTATION PLAN

Matter: _____ **Date:** _____

WHO WILL BE CONSULTED? *(Key stakeholders, check all that apply)*

- | PSB Educational Community | Internal to PSB | External/Other |
|--|--|---|
| <input type="checkbox"/> Students | <input type="checkbox"/> Directors | <input type="checkbox"/> Agencies/Associations |
| <input type="checkbox"/> Parents/Guardians | <input type="checkbox"/> Principals or Vice Principals | <input type="checkbox"/> Community Groups |
| <input type="checkbox"/> Home and School/School Council(s) | <input type="checkbox"/> PSB Staff | <input type="checkbox"/> Municipal Authorities |
| <input type="checkbox"/> District Advisory Council(s) | <input type="checkbox"/> Other | <input type="checkbox"/> French Language School Board |
| <input type="checkbox"/> Union(s) | | <input type="checkbox"/> Other |
| <input type="checkbox"/> First Nation Band(s) | | |
| <input type="checkbox"/> Public | | |
| <input type="checkbox"/> Other | | |

Additional Notes: _____

HOW WILL STAKEHOLDERS BE MADE AWARE OF THIS CONSULTATION PROCESS? *(Check all that apply)*

- | | |
|---|--|
| <input type="checkbox"/> Media advertisement (print and/or radio) | <input type="checkbox"/> Home and School/School council(s) |
| <input type="checkbox"/> Email distribution | <input type="checkbox"/> School newsletter |
| <input type="checkbox"/> Letter distribution | <input type="checkbox"/> PSB website |
| <input type="checkbox"/> School Posting | <input type="checkbox"/> Other |

Additional Notes: _____

HOW WILL THE CONSULTATION BE CARRIED OUT? *(Check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Focus groups | <input type="checkbox"/> Home and School/School council(s) |
| <input type="checkbox"/> Interviews | <input type="checkbox"/> Public meetings |
| <input type="checkbox"/> Mail-out email | <input type="checkbox"/> Survey/questionnaire |
| <input type="checkbox"/> Circulation | <input type="checkbox"/> Web-based notice/Web-based comments |
| <input type="checkbox"/> Open houses/workshops | <input type="checkbox"/> Other |

Additional Notes: _____

CONSULTATION TIMELINE - TARGETED DATE FOR RECOMMENDATION/FINAL DECISION:

| Projected Date(s) | Activity/Milestone | Notes |
|--------------------------|---------------------------|--------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

HOW WILL THE RESULTS OF THE CONSULTATION AND THE FINAL DECISION BE COMMUNICATED TO CONTRIBUTORS TO THE PROCESS? *(Check all that apply)*

- | | |
|---|--|
| <input type="checkbox"/> Media advertisement (print and/or radio) | <input type="checkbox"/> School newsletter |
| <input type="checkbox"/> Email distribution | <input type="checkbox"/> PSB website |
| <input type="checkbox"/> Letter distribution | <input type="checkbox"/> Other |
| <input type="checkbox"/> School Posting | |