



**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
HELD VIRTUALLY

**SEPTEMBER 9, 2021**  
*10:00 a.m. Regular Board Meeting*

**AGENDA**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
  - a) Regular Board Meeting – June 17, 2021
  - b) Special Board Meeting – August 26, 2021
4. Superintendent's Report
5. Chair's Report/Correspondence
6. Committee Reports
  - a) Audit (w/motion)
  - b) Planning (w/motion)
  - c) Other
7. Trustee Reports
8. New Business
9. In Camera Meeting
10. Motions Arising from In Camera
11. Adjournment

This unofficial agenda is subject to change and is not *official* until approved at the Board meeting.



**SUPERINTENDENT'S REPORT**  
REGULAR MEETING OF THE BOARD OF TRUSTEES

**SEPTEMBER 9, 2021**

**AGENDA**

1. School Start-up Update (verbal)
2. Alteration to the 2021/22 School Calendar

**ACTION**

Information

Directive

A handwritten signature in black ink, appearing to read "Greg Luterbach", with a small star-like mark above the letter 'i' in "Luterbach".

Greg Luterbach  
Superintendent of Schools

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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**Item:** Alteration to 2021/22 School Calendar

**Date of Meeting:** September 9, 2021

**Background:**

The calendar for the 2021/22 school year was approved by the Board of Trustees at a regularly scheduled meeting on Thursday, January 9, 2020. Minor calendar exceptions were approved by the Board on June 3, 2021.

The Government of Canada recently passed Bill C-5 An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation) and created a new federal holiday for federally regulated employees. This legislation, establishing a “National Day for Truth and Reconciliation”, took effect August 3<sup>rd</sup> and is to be observed on September 30, beginning in 2021.

This action fulfills the Truth and Reconciliation Commission of Canada’s Call to Action #80: “to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors [of Residential Schools], their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.”

**Current Status:**

Administration believes it is important to recognize and support this day and recognize the history and legacy of residential schools in Canada as part of our commitment to truth and reconciliation.

At the time that administration was made aware of the new federal statutory holiday in June, we reached out to Alberta Education for guidance. It is complicated by the fact that it is a federal statutory holiday and therefore does not automatically apply to provincially regulated employees (like school divisions in Alberta). At the time of writing, there has been no direction provided specifically to RVS but on August 25, 2021, a CBC article quoted Alberta’s Indigenous Relations Minister saying the province will not be considering legislation to formally enshrine the recently created federal National Day for Truth and Reconciliation as a provincial statutory holiday.

Our Terms of Employment with the support staff states, “All employees shall be eligible for the following listed general holidays, provided the employee works their last scheduled shift prior to and after the general holiday, unless otherwise agreed with the supervisor:

- New Year’s Day
- Family Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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Civic Holiday (is not applicable to ten (10) month employees)  
Labour Day  
Thanksgiving Day  
Remembrance Day  
Christmas Day  
Boxing Day

and any other general holidays proclaimed by the Government of Alberta or the Government of Canada, that are generally observed within the Province of Alberta.”

*Education Act* states that “A board shall determine and make publicly available for each school year the days, dates and number of days of school operation” and teachers are not required to instruct students for more than 200 teaching days in a school year. Recent provincial collective bargaining agreements have implemented a maximum of 1,200 hours of assignable time and maximum of 907 hours of instructional time for an individual teacher in a school year. Funding Manual for School Authorities requires that students in kindergarten are provided the opportunity for 475 hours of instruction, students in grades 1 through 9 are provided the opportunity for 950 hours and grade 10-12 students are provided the opportunity for 1,000 hours of instruction per school year.

If September 30, 2021, was changed to be a non-instructional day (holiday), then given our current calendar and school schedules, we can still meet the hours of instruction requirements.

A number of Boards have adjusted their calendars to recognize this new federal statutory holiday by making September 30<sup>th</sup> a non-instructional day with students and staff not attending on that day. Specifically, all four metro boards, in addition to other boards around the province, have adjusted their calendars. A number of other boards in Zone 5 are discussing this topic at the same time as RVS.

While it is unfortunate that this calendar alteration would be made with little notice to families, administration believes it is important to support the intent of the federal holiday. By adjusting the calendar, RVS can provide an opportunity for families and staff to recognize and commemorate the tragic history and ongoing legacy of residential schools, and to honour their survivors, their families and communities.

## **Alternatives:**

### **Alternative I**

The Board of Trustees amends the 2021/22 School Calendar by making September 30, 2021, a non-instructional day (holiday) and that the day be treated like other statutory holidays for all staff this school year.

### **Alternative II**

The Board of Trustees amends the 2021/22 School Calendar by making September 30, 2021, a non-instructional day (holiday), change <date> from a professional learning day to be a regular school day, and that September 30<sup>th</sup> be treated like other statutory holidays for all staff this school year.

# DIRECTIVE FOR ACTION



TO: THE BOARD OF TRUSTEES

FROM: THE SUPERINTENDENT OF SCHOOLS

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## **Alternative III**

The Board of Trustees hold a special Board meeting as soon as practical to continue consideration.

## **Recommendation:**

The Board of Trustees amends the 2021/22 School Calendar by making September 30, 2021, a non-instructional day (holiday) and that the day be treated like other statutory holidays for all staff this school year.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE AUDIT COMMITTEE

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**Item:**                      **Audit Committee Terms of Reference**

**Date of Meeting:**      **September 9, 2021**

**Background:**

The current Audit Committee Terms of Reference (TOR) were approved by the Board in November of 2017. Since that time, there have been changes in legislation and it is now a requirement for all Boards to have an Audit Committee. Section 142 of the Education Act reads:

- (1) Each board shall establish an audit committee to
  - (a) recommend external auditors to the board,
  - (b) review the annual financial statements and report to the board, and
  - (c) attend to other matters as the board may determine in the establishment of the audit committee.*
- (2) The audit committee shall comprise at least 5 individuals and shall include 2 members who are not trustees.*

The current TOR includes all items as listed in part (1) above but does not meet the minimum of 5 committee members as required in part (2).

Additionally, the current TOR do not reflect the recently revised layout and template for other Board committees.

**Current Status:**

The Audit Committee reviewed a new draft Terms of Reference at their June 9 meeting and is bringing it forward for consideration. The draft is included below, as well as a copy of the current TOR.

The revised TOR do not grant any additional responsibilities or authorities to the committee and highlights include:

- Revised structure to include standard template headings and sections.
- Tightened up some of the language throughout.
- Increased number of public committee members to 3.
- Added Administration positions under membership (non-voting)

**Alternatives:**

**Alternative I**

The Board of Trustees approves the attached Audit Committee Terms of Reference.

**Alternative II**

The Board of Trustees approves an amended Audit Committee Terms of Reference.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE AUDIT COMMITTEE

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## **Alternative III**

The Board of Trustees refers the draft Audit Committee Terms of Reference back to the Audit Committee for further review.

## **Recommendation:**

The Board of Trustees approves the attached Audit Committee Terms of Reference.

### **Purpose**

To assist the Board of Trustees in fulfilling their oversight role and fiduciary responsibility for the fiscal management of the Division and the monitoring of financial reporting, internal controls, and compliance with the laws and regulations pertaining to financial operations of the division.

### **Membership**

The Audit Committee will consist of the following members:

- a) two Trustees, one of who will serve as chair of the committee,
- b) three members of the general public, who:
  - live in the Division;
  - are independent of the Division (member or spouse cannot be Division employees);
  - have no relationship to the Board Appointed External Auditors or potential audit firms;
  - are financially literate.
- c) Superintendent of Schools
- d) Associate Superintendent of Business and Operations
- e) Director of Finance
- f) Manager of Accounting
- g) Other Education Centre staff as required and determined by the Superintendent.

Preference is for committee continuity by having trustees appointed for the full length of their term and public members appointed for one year longer than the term of trustees. However, at the very least, one of the trustee committee members and one of the general public members should continue to serve on the Audit Committee each year (exception might be the year after an election).

Trustees appointed to the committee and public members are the voting members of the Audit Committee.

All trustees can attend Audit Committee meetings as ex-officio members with observer status.

### **Authority**

The Audit Committee is delegated the authority to:

- a) Recommend to the Board the appointment of the external auditor.
- b) Approve the auditor terms of engagement.
- c) Report audit findings and related information to the Board.
- d) Review the performance and independence of the auditors and provide a recommendation to the Board regarding the appointment or discharge of the auditors.
- e) Conduct or authorize an investigation into any matters within the committees' areas of focus and report to the Board the outcomes of any investigation.

### **Areas of Focus**

- a) Review the auditor's proposed audit scope and approach.
- b) Review the annual financial statements and audit findings.
- c) Review with management and the auditors the results of the audit, including any difficulties encountered.



- d) Review the external auditor's assessment of the effectiveness of internal controls and obtain reports on significant findings and recommendations, together with managements responses.
- e) Review risks to financial health of Rocky View Schools.
- f) Review compliance with applicable legislation, regulations, policies, and procedures and receive regular updates from management and auditors regarding compliance matters.
- g) Review the findings of any examinations by regulatory agencies, and any audit observations.

### **Meetings**

The Audit Committee will typically meet twice a year. Additional meetings can be called by the Committee Chair, or the Associate Superintendent of Business and Operations as required.

### **Minutes**

A member of the committee will act as the recording secretary for the committee.

### **Remuneration**

Trustees will be remunerated as per BP27 – Trustee Compensation and Development.

Public members will be reimbursed applicable expenses as per AP5110 Claims For Payment of Travel and Out of Pocket Expenses.

### **Budget**

To be established during the Board's annual budget process.

### 1. Purpose

To assist the Board of Trustees and the Superintendent of Schools in fulfilling its oversight responsibilities for the financial reporting process, the system of internal financial controls, the audit process (including Public Sector Accounting Standards (PSAS) compliance) and monitoring the Division's compliance with laws and regulations pertaining to the financial operations.

### 2. Authority

The Audit Committee has authority to conduct or authorize an investigation into any matters within its scope of responsibility. It is empowered to:

- a) retain outside counsel, accountants or others to advise the committee or assist in the conduct of an investigation; with the consent of the Board of Trustees;
- b) seek any information it requires from employees – all of whom are directed to cooperate with the Committee's requests – or external parties; and
- c) meet with Division officers, external auditors or outside counsel, as necessary.

### 3. Composition

The Audit Committee will consist of the following members:

- a) two Trustees, one of whom shall act as chair of the Audit Committee,
- b) other Trustees as ex-officio members with observer status, and
- c) two members of the general public, who:
  - live in the Division;
  - are independent of the Division, member and spouse cannot be Division employees;
  - have no relationship to the Board Appointed External Auditors or potential audit firms; and,
  - are financially literate.

Preference is for committee continuity by having trustees appointed for the full length of their term and public members appointed for one year longer than the term of Trustees. However, at the very least one of the Trustee committee members (exception might be the year after an election) and one of the general public members continuing to serve on the Audit Committee each year.

### 4. Meetings

The Audit Committee will meet at least twice per year, with authority to convene additional meetings, as circumstances require. All Audit Committee members are expected to attend each meeting in person. The Audit Committee will invite members of management, auditors or others to attend meetings and provide pertinent information, as necessary.

Minutes of meetings will be prepared and provided to the Board of Trustees.

## 5. Compensation

The Audit Committee members shall be compensated as follows:

- a) Trustees: appointed to Audit Committee as per Board Policy,
- b) Trustees attending as ex-officio members – no compensation for mileage or time,
- c) Public members: as per Administrative Procedure AP5110 Claims For Payment of Travel and Out of Pocket Expenses

## 6. Responsibility

The Audit Committee will carry out the following responsibilities:

### a) Financial Statements:

- i. Review significant accounting and reporting issues, including complex or unusual transactions;
- ii. Review with management and the auditors the results of the audit, including any difficulties encountered;
- iii. Review the annual financial statement and indicators of financial health considering whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles;
- iv. Review with management and the auditors, matters required to be communicated to the Board of Trustees.

### b) Risk Assessment

- i. Review risks to financial health of Rocky View Schools; and
- ii. Review Fiscal Accountability check list (to be developed).

### c) Internal Control

- i. Consider the effectiveness of the Division's internal financial controls, including information technology security and control, and
- ii. Understand the scope of auditor's review of internal financial controls, and obtain reports on significant findings and recommendations, together with management's responses.

### d) Audit

- i. Approve auditor terms of engagement
- ii. Review the auditor's proposed audit scope and approach;
- iii. Review the performance of the auditors and provide a recommendation to the Board of Trustees regarding the appointment or discharge of the auditors;

- iv. Review and confirm the independence of the auditors by obtaining statements from the auditors on relationships between the auditors and Rocky View Schools, including non-audit services, and discussing the relationship with the auditors; and
- v. Meet both prior to commencement of the audit and post audit separately with the auditors to discuss any matters that the Audit Committee or auditors believe should be discussed privately.

**e) Compliance**

- i. Review the findings of any examinations by regulatory agencies, and any audit observations;
- ii. Review financial procedures and review compliance; and
- iii. Obtain regular updates from management and auditors regarding compliance matters.

**f) Other**

- i. Such other assignments as determined from time to time by the Board.



# DIRECTIVE FOR ACTION

TO: THE BOARD OF TRUSTEES

FROM: THE AGENDA PLANNING COMMITTEE

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**Item:** Planning Committee Terms of Reference

**Date of Meeting:** September 9, 2021

**Background:**

On June 3, the Board approved a new policy, Policy 9 – Strategic Plan, that provides the framework for the creation of a divisional strategic plan. The policy delegates to the Board Planning Committee the authority to determine the process for developing the strategic plan including the review of the Foundation Statements.

The work and authority of each Board committee is captured within the Board approved Terms of Reference (TOR) for each committee.

**Current Status:**

The current TOR for the Planning Committee refers to strategic planning within the areas of focus but does not grant any authority to the committee for determining the process for the development of the strategic plan. To align the work of the Planning Committee with the new Strategic Plan policy, the TOR for the committee should be modified to reflect the additional authority.

A revised Planning Committee TOR is included at the end of the document, and includes the addition of one line in the Authority section:

- Determine the process and timeline for developing the Strategic Plan and reviewing the Foundation Statements.

**Alternatives:**

**Alternative I**

The Board of Trustees approves the attached Planning Committee Terms of Reference.

**Alternative II**

The Board of Trustees approves an amended Planning Committee Terms of Reference.

**Alternative III**

The Board of Trustees refers the draft Planning Committee Terms of Reference back to the Planning Committee for further review.

**Recommendation:**

The Board of Trustees approves the attached Planning Committee Terms of Reference.

**Purpose:**

To solicit and receive information from the Superintendent relevant to strategic priorities and Board operations and to provide a forum for generative and strategic discussion.

**Membership:**

- a) All Trustees, with Board Chair to serve as committee Chair
- b) Superintendent of Schools
- c) Associate Superintendent of Business and Operations
- d) Other staff as appointed by Superintendent

**Authority:**

The Board Planning Committee is delegated authority to:

- a) Make recommendations for future discussion and agenda items
- b) Request information and assign work to the Superintendent
- c) Accept reports from and refer matters to Board Committees
- d) Receive updates on operational matters and provide feedback as requested
- e) Determine the process and timeline for developing and reviewing the Strategic Plan and confirm the stakeholders to be consulted in the strategic planning process.

Committee Chair will report non-confidential items at a public Board meeting for information or Board approval if required.

**Areas of Focus:**

Areas of focus include:

- a) Prepare trustees for items requiring Board consideration at a later date
- b) Administrative items related to Board operations and functioning
- c) Strategic conversation and planning
- d) Generative discussion allowing for the early exploration of new ideas
- e) Board professional learning/development and evaluation

**Meetings:**

Meeting dates will be approved annually as part of the Board Work Plan and will be typically held after regular public Board meetings. Additional Planning Committee meetings can be called by the Chair or the Superintendent and require a minimum of one week's notice unless all trustees agree to waive the notice requirement.

**Minutes:**

A meeting summary will be drafted by recording secretary and approved by committee at next meeting.

**Remuneration of Trustees:**

As per Board Policy 27 – Trustee Compensation and Development

**Budget:**

To be established during the Board's annual budget process.