



BYLAW AMENDMENTS ADOPTED AT THE 2007 CONVENTION

- (91.7% Support) 1. **BE IT RESOLVED that Bylaw No. 3, clause (a) be amended by deleting “\$1,544,982.00”, the total provincial annual core fee requirement, and substituting “\$1,571,981.00”.**

Association Executive

Sponsor’s Rationale

The Association’s fee structure has evolved over many years and has three components,

- 1) the Core Services Fee, determined by the annual meeting;
- 2) the Member Services Fee determined by the Executive; and
- 3) the Research and Development Fee determined by a bylaw provision.

This approach has proven unwieldy, as bylaw amendments have been required to increase the Core Services Fee even though the overall revenue has been sufficient to operate the Association.

The Executive is recommending a budget based upon combined 2008 membership fee revenue of \$2,307,110.00 that is the same as the combined membership fee revenue in 2006 and 2007.

The Executive has established a Member Services fee of \$22,606.00.

The Research and Development Fee is 6.5% of the Core Services Fee.

The Association has provided an unprecedented level of programs and services to boards of education and their senior management during the past three years of the restructuring of public education in Saskatchewan. It is anticipated that

this level of program and services will continue for the foreseeable future.

At the same time the Association has identified areas within the expectations of boards of education and their senior management that are different than historical patterns and has begun to adjust the workload of staff to respond to these emergent demands.

Specifically the overall Association budget will:

- 1) increase advocacy and communications efforts on behalf of boards of education and support the increasing number of communications staff of boards of education;
- 2) broaden human resource supports to boards of education in response to board requests and support the increasing number of human resource staff of boards of education;
- 3) maintain an effective legal services capacity to respond to the increasing legal challenges to board of education decisions and authority;
- 4) broaden the board development opportunities for board of education members in response to requests from board members;
- 5) strengthen relationships with the aboriginal community at the provincial level and provide boards of education with services and support around the increased employment of aboriginal teachers and support staff;
- 6) develop the staff capacity to deliver policy governance and operational policies and practices inservices as well as governance audits within Association fees;
- 7) continue to reflect the transition to a policy governance model of decision-making and management adopted by the Executive;
- 8) support boards of education and their designated senior staff in the successful introduction of the School Community Council legislative initiative;

- 9) develop a web based software to report student achievement that will be available to all boards of education;
- 10) reflect the approximately \$1,000,000.00 in savings to boards from the insurance program in 2007;
- 11) continue to provide a cost effective insurance program designed specifically for boards and supported above and beyond the general marketplace;
- 12) continue to reflect the approximately \$1,000,000.00 in savings to boards and their employees from the employee benefits plan in 2006;
- 13) continue to provide a cost effective employee benefits plan designed specifically for boards and supported above and beyond the general marketplace;
- 14) incorporate two of the four outstanding boards within the employee benefits plan without increasing the administrative costs;
- 15) ensure that Association staff continue to engage in professional development that will strengthen their capacity to support boards of education;
- 16) provides an economic adjustment to the Executive and staff equivalent to the economic increases negotiated for teachers and other board of education employees in the year following the provincial teacher agreement adjustments;
- 17) host the 2008 Canadian School Boards Association Congress in Regina in July; and
- 18) host the 2008 Canadian Education Negotiators meetings in Regina in July.

BYLAW AMENDMENTS DEFEATED AT THE 2007 CONVENTION

PROPOSED BYLAW REVISION

(Entire Bylaw
Revision Package

47.7% support) 1.

BE IT RESOLVED THAT the Bylaw Revision set out below be adopted as the Bylaws of the Saskatchewan School Boards Association to come into effect on the day immediately following the conclusion of the annual general meeting of the Association in November, 2007, except for the following parts of the Bylaws which come into effect immediately on adoption of the Bylaws:

- (a) Bylaw No. 1: Interpretation;**
- (b) Bylaw No. 4: Election of Executive – provisions relating to election of President and Vice-President and to length and staggering of terms of Executive members;**
- (c) Bylaw No. 9: Representation and Voting;**
- (d) Bylaw No. 11: Finance**

Association Executive

Sponsor's Rationale:

The Association was established as a corporate entity by a private Act of the Legislature in 1952. It is a membership organization. The Act prescribes the purposes for which the Association exists; it defines the Association's jurisdiction and broad powers, and empowers the Association to make Bylaws.

The Bylaws provide the next most important aspects of the framework of our Association. Bylaws provide the foundational rules for the Association such as, how it is organized and the rights of members. It is the membership that adopts the Bylaws. Bylaws specify the broad rules and parameters on various matters. The Executive, through adoption of policies and approval of procedures that must be consistent with the Act and the Bylaws, provides additional rules.

Various provisions of the Association Bylaws, either singly or groups of provisions have been amended many times over the years since the Association Bylaws were adopted. In recent years, major amendments to the Bylaws have been made, including:

- June 2003, Provincial Assembly: created a new fee structure for funding the Association.

- At the 2004 AGM, the members passed a resolution directing the Executive to review the governance and fee structure in light of amalgamation of school divisions and prepare bylaw amendments. The Executive prepared the “Association Governance Changes Report” in 2005.
- 2005 AGM: amendments sponsored by the South Central Branch, as it was then, created a new Executive structure, eliminated the Branch structure and provided a method for allocating votes when a weighted ballot is used as an interim method until a new method is adopted by members.
- 2006 AGM: amendments to address membership linkage provided for General Assemblies and Members’ Council, and made some housekeeping amendments.

As the Executive continued with its initiative on Association Renewal in 2007, it presented proposals on votes and fees to the membership and sought feedback. Implementation of Executive’s proposal on votes and fees occurs by adoption of Bylaws.

As bits and pieces of Bylaws are amended over time, and new concepts or structures adopted, it becomes increasingly difficult to draft amendments incorporating those new concepts into the old structure and old language of the Bylaws.

The Executive determined that this year is an opportune time to prepare a complete revision of the Association Bylaws that would: incorporate the amendments of recent years and the Executive’s proposals presented in 2007; update language; provide coherence and clarity; consider changes for efficiency; eliminate provisions that are no longer relevant; and fill gaps in the existing Bylaws.

The proposed Bylaw Revision is presented for adoption as a new set of Bylaws for the Association.

The Bylaw Revision sponsored by the Executive is broadly organized as follows:

- bylaws about membership
- bylaws about governance
- membership linkage, membership voice, votes
- finance – budget and fees
- resolutions and bylaw amendments

BYLAWS OF THE SASKATCHEWAN SCHOOL BOARDS ASSOCIATION

BYLAW No. 1: Interpretation

In these bylaws, unless the context otherwise requires:

- (a) **“accredited delegate” means a delegate referred to in Bylaw No. 11 who has been authorized by the member it represents to cast any of the member’s votes when a weighted ballot is used;**
- (b) **“annual general meeting” means the annual general meeting of the Association held during the fall General Assembly;**
- (c) **“Association” means the Saskatchewan School Boards Association incorporated by a private Act of the Saskatchewan Legislative Assembly, S.S. 1952, c. 112;**
- (d) **“board of education” means a board of education or the Conseil scolaire fransaskois established pursuant to *The Education Act, 1995*;**
- (e) **“Executive” means the Executive of the Association elected pursuant to Bylaw No. 4;**
- (f) **“First Nations education authority” means the board or committee which has responsibilities that are exclusively educational and oversees the provision of educational services in a school operated by an Indian band in Saskatchewan;**
- (g) **“General Assembly” a General Assembly provided for in Bylaw No. 7;**
- (h) **“member” means a board of education, the Conseil scolaire fransaskois or First Nations education authority that is a member of the Association;**
- (i) **“school board member” means a member of a board of education, the Conseil scolaire fransaskois or a First Nations education authority.**

NOTES:

Definitions of words or phrases used in several places in the Bylaws are defined at the beginning of the Bylaws so that readers understand the meaning of the words when they are reading the bylaws. There is then no need to define or explain the words each time they are used. If a defined word has a restricted or slightly different meaning in a provision, the word will be read to fit the context as provided for above, ie., “unless the context otherwise requires”, or qualified in the provision.

Bylaw No. 2: Membership

1. Members:

- (1) All boards of education, the Conseil scolaire fransaskois and First Nations education authorities are eligible to become members of the Association.**
- (2) Payment of the annual membership fee is required to become and remain a member.**
- (3) A member who wishes to withdraw from membership in the Association shall provide at least 12 months’ written notice to the Executive, and the effective date of the withdrawal from membership shall be December 31 of a year.**

2. Associate Members:

- (1) The following are eligible to become associate members of the Association:**
 - (a) the board of an historical high school as defined in *The Independent Schools Regulations*;**
 - (b) the board of an associate school within the meaning of section 6 of *The Independent Schools Regulations*;**
 - (c) subject to approval of the Executive, the board of an educational institution located in Saskatchewan that offers elementary or high school programs outside the public education system and meets the following criteria:**
 - (i) has been in operation for at least five consecutive years; and**

(ii) complies with the requirements of the Minister of Learning and applicable regulations with respect to courses of study, qualifications of teachers, operating schedules and supervision by the Department of Learning.

(2) Payment of the membership fee prescribed for associate members is required to become and remain an associate member of the Association.

(3) The membership of an associate member that is an associate school which ceases to have a subsisting agreement with a board of education terminates at the end of the year in which the agreement is terminated.

(4) Associate members have all privileges of membership except the right to vote and hold office on the Executive.

3. Honourary Members:

(1) The Minister of Learning and Deputy Minister of Learning are honourary members of the Association.

(2) Honourary members have all privileges of attending General Assemblies of the Association, but have no right to vote at general meetings or to be present during closed portions of Association meetings.

4. Honourary Life Member

(1) The Executive may confer honourary life membership on any person, who meets the criteria established by the Executive, in recognition of the person's contribution to public education.

(2) Honourary life members have all privileges of attending General Assemblies of the Association, but have no right to vote at general meetings or to be present during closed portions of Association meetings.

5. The membership year is the fiscal year of the Association.

Notes: This Bylaw contains the following changes:

- A provision is added to require members to provide notice of withdrawal from membership. The one-year notice requirement corresponds to the one-year notice required to withdraw from the Association Insurance Plan. This is a gap in the current bylaws, and provides the Association with some reasonable timeframe within which to deal with any implications of the withdrawal from membership.

- Associate membership is clarified. Associate schools and historical high schools are eligible for associate membership. Admission of other private schools as associate members will be at the discretion of the Executive.

For information: The Act pursuant to which Alberta School Boards Association is established requires a board to give notice of not less than seven months prior to the beginning of the next fiscal year to be excluded from membership; the bylaws of the British Columbia School Trustees Association require notice of three months prior to end of membership year.

PROPOSED AMENDMENT TO BYLAW NO. 2 OF THE BYLAW REVISION

Note: The following proposed amendment to Bylaw No. 2 of the Bylaw Revision was submitted to the Resolutions and Policy Development Committee:

(Amendment
51.3% support)

1. **BE IT RESOLVED THAT section 2 of Bylaw No. 2 be amended by adding the following clause after clause (1)(c):**

“(d) a board of education”.

South East Cornerstone School Division No. 209

Sponsor’s Rationale:

A board of education that cannot afford the membership fee for full membership in the Association or wishes to have only the privileges of membership to which Associate members are entitled, and, is willing to relinquish the right to vote and to be a candidate for the Executive, should be eligible to be an Associate member.

Committee’s notes:

If this proposed amendment to subsection 2(1) of Bylaw No. 2 of the proposed Bylaw Revision passes, subsection 2(1) would read as follows:

“2. Associate Members:

(1) The following are eligible to become associate members of the Association:

- (a) the board of an historical high school as defined in *The Independent School Regulations*;
- (b) the board of an associate school within the meaning of section 6 of *The Independent Schools Regulations*;
- (c) subject to approval of the Executive, the board of an educational institution located in Saskatchewan that offers elementary or high school programs outside the public education system and meets the following criteria:
 - (i) has been in operation for at least five consecutive years; and
 - (ii) complies with the requirements of the Minister of Learning and applicable regulations with respect to courses of study, qualifications of teachers, operating schedules and supervision by the Department of Learning;

(d) a board of education.”

Bylaw No. 3: Executive

- 1. The Executive of the Association is comprised of:**
 - (a) a President;**
 - (b) a Vice-president;**
 - (c) one representative from each of the following constituencies:**
 - (i) Northern;**
 - (ii) Central;**
 - (iii) Southern;**
 - (iv) Catholic;**
 - (v) Conseil scolaire fransaskois;**
 - (vi) Urban Public;**
 - (vii) Aboriginal.**
- 2. Composition of each constituency is set out in Appendix “A” attached to and forming part of these Bylaws.**
- 3. If a new member joins the Association, the Executive shall assign the member to a constituency.**
- 4. A member that wishes to be part of another constituency may apply to the Executive in writing stating the reasons for the request and the constituency that it wishes to be part of. If the Executive approves the request, Appendix “A” is deemed to be amended accordingly.**

Notes: There are minor changes only contained in this Bylaw:

- The provision regarding “officers” in current Bylaw No. 4 (honourary president, and Minister of Learning as honorary vice-president, etc.) is deleted.
- Authority of Executive to assign a new member to a constituency, without the need for a bylaw amendment, is added.
- Adds a provision authorizing the Executive to consider the request of a member to be part of a different constituency.

Bylaw No. 4: Election of Executive

- 1. A school board member may stand for nomination for two Executive positions at the same time, but, if elected to one of the positions, is deemed to have withdrawn from nomination for election to the other position.**
- 2. Nomination of a school board member for election to the Executive, except for representatives for the Catholic and Conseil scolaire Fransaskois constituencies, shall:**
 - (a) be received at the Association office no later than 4:30 p.m. on the first business day in November;**
 - (b) be in writing, signed by the school board member who is making the nomination, and signed by the school board member who is nominated;**
 - (c) include information and comply with the nomination procedures approved by the Executive.**
- 3. A list of candidates for election received pursuant to section 2 and other information required by the nomination procedures shall be posted on the Association's website no later than one week following the date for close of nominations, and be included in the materials provided to members for the annual general meeting.**
- 4. Voting in elections of the Executive is by secret ballot using the weighted ballot.**
- 5. Election of the President and Vice-president:**
 - (1) All school board members are eligible for election for President and Vice-president, and are eligible for re-election provided that no school board member may serve for more than four terms consecutively in each of those positions.**
 - (2) The President and Vice-president shall be elected by a majority of votes cast at an election for each of the positions during the annual general meeting.**
 - (3) The President and Vice-President serve for a term of one year and until their successors are elected.**
 - (4) The President and Vice-president shall take office at the conclusion of the annual general meeting.**

- (5) A candidate for election for President who is unsuccessful in that election is automatically a candidate for the position of Vice-president without having to comply with the nomination requirements, unless the candidate, prior to the commencement of the speeches by candidates for Vice-President, notifies the Executive Director that he or she does not wish to be a candidate for Vice-president.
- (6) If an Executive member fills a vacancy in the position of President or Vice-president for the remainder of a term of more than six months, that period served is deemed to be a term for the purposes of subsection 5(1).

6. Election of members of the Executive in constituencies:

- (1) Members of the Executive in constituencies, and an alternate from each constituency, other than the Aboriginal, Catholic and Conseil scolaire fransaskois constituencies, shall be elected by a majority of votes cast at an election in the constituency to be held during the annual general meeting.
- (2) School board members of members in a constituency are eligible for election to the Executive from the constituency, and are eligible for re-election, provided that no school board member may serve as a representative from a constituency for more than two terms consecutively.
- (3) The representative and alternate from each of the Catholic and Conseil scolaire fransaskois constituencies shall be elected or selected at a meeting held no earlier than six weeks prior to the day of the annual general meeting.
- (4) School board members who are of aboriginal descent are eligible for election and to vote in the election of the representative and alternate from the Aboriginal constituency, and the representative from the Aboriginal constituency shall be elected by a majority of votes cast in an election in the constituency to be held during the annual general meeting.
- (5) If an alternate fills a vacancy on the Executive for a remainder of a term of one year or more, that period served on the Executive is deemed to be a term served for the purposes of subsection 6(2).
- (6) Members of the Executive elected or selected in constituencies take office at the conclusion of the annual general meeting.
- (7) Members of the Executive elected or selected from constituencies hold office as follows and until their successors take office:

- (a) representatives from the Northern, Southern and Conseil scolaire fransaskois constituencies elected or selected in 2007 hold office for a term of one year, and in elections thereafter, for a term of two years; and
 - (b) representatives from the Catholic, Central, Urban Public and Aboriginal constituencies elected in 2007 hold office for a term of two years, and in elections thereafter, for a term of two years.
- 7. For the purposes of calculating consecutive terms pursuant to subsections 5(1) and 6(2), only terms served on the Executive beginning in November, 2007 and thereafter shall be counted.
- 8. In any election to the Executive when there are more than two candidates for the election, if no candidate receives a majority of votes cast on the first ballot, the candidate receiving the lowest number of votes on the first ballot shall be dropped from the list of candidates for the second ballot, and this provision applies for any subsequent ballots that may be necessary.
- 9. A member of the Executive from a constituency who wishes to be a candidate in an election for President or Vice-President but has one year remaining in his or her term is eligible for election as follows:
 - (a) if the member is successful in the election, the member is deemed to have vacated the position as constituency representative, and the alternate for the constituency shall take office and serve for the remainder of the term;
 - (b) if the member is not successful in the election, the member continues to serve on the Executive for the remainder of the term.
- 10. If a member of the Executive loses re-election or does not seek re-election as a school board member:
 - (a) that member of the Executive shall continue in office on the Executive until the conclusion of the annual general meeting in the year in which the school board election was held; and
 - (b) if the member of the Executive is in the first year of the term office, that member shall continue in office on the Executive in accordance with clause (a), and the alternate for the constituency shall take office and serve for the remainder of the term, and, if the alternate loses re-election or does not seek re-election as a school board member, an election for the

constituency representative shall be held at the annual general meeting in that year to serve for the remainder of the term of the vacant office.

11. If the President ceases to be a school board member or vacates office during a term:

- (a) the Vice-President immediately assumes the office of President for the remainder of the term;**
- (b) the members of the Executive shall elect from amongst themselves, an Executive member to serve as Vice-President for the remainder of the term; and**
- (c) the alternate for the constituency for which the Executive member elected as Vice-President is a representative shall take office and serve for the remainder of the term.**

12. If the Vice-President ceases to be a school board member or vacates office during a term, clauses 11(b) and (c) apply with necessary changes.

13. If a member of the Executive, who represents one of the constituencies, ceases to be a school board member or vacates office during a term, the Executive shall immediately declare that position to be vacant, and the alternate for that constituency shall fill that position for the remainder of the term, and, if there is no alternate, the Executive shall provide for the election or selection, as the case may be, of a representative to fill the position for the remainder of the term.

Notes: This Bylaw contains the following changes:

- Provides for a new nomination procedure in advance of the General Assembly, except for the Catholic and Conseil scolaire fransaskois constituencies which select their representatives in advance of the annual general meeting. Nominations in advance of the AGM provide members with more notice of candidates for Executive positions and time to consider whom they might vote for, and results in efficiencies during the AGM. Speeches by candidates and elections will still occur during the AGM. (BCTSTA and OPSA have a similar advance nomination process)
- The term of constituency representatives on the Executive is increased to two years (subject to the implementation of staggered terms described below); the term of President and Vice-president remain one year.
- Provides for staggered terms of constituency representatives, so approximately half of the constituency representatives elected or selected in 2007 will serve for only one year in order to implement staggered terms. The reason for staggered terms of constituency representatives is to provide for some continuity of knowledge and experience on the Executive.

- Changes the limits on terms that may be served consecutively to four terms consecutively for the President and Vice-president, and two terms consecutively for other Executive members. There is no limit, however, on the total number of terms that a person may serve on the Executive during the person's career as a school board member. Prior to the adoption of the 2005 Bylaw amendments sponsored by the South Central Branch, as it was then, the Bylaws limited the number of terms (one year) that any member of the Executive could serve consecutively to five terms. The current Bylaws, as amended in 2005, limit the President and Vice-president to serving five terms consecutively, but do not contain any limit for other Executive members.
- Allows for a person to be nominated for two Executive positions at the same time. For example, a person may seek nomination for President and in a constituency at the same time, and if elected as President, is withdrawn as a candidate in the constituency election.
- Provides that candidates for President who are not successful in that election are automatically candidates for Vice-president unless the candidate notifies the Executive Director that he or she does not wish to be a candidate for Vice-president.

For information: There are a variety of approaches to these issues in other school boards associations and comparable associations in Saskatchewan. ASBA has 18-month terms for all members of its Board of Directors, and staggered terms for Directors other than the President and Vice-president; BCSTA has one-year terms for all.

PROPOSED AMENDMENTS TO BYLAW NO. 4 OF THE BYLAW REVISION

Note: The following proposed amendment to Bylaw No. 4 of the Bylaw Revision were submitted to the Resolutions and Policy Development Committee:

- (Amendment 56.2% support)
1. **BE IT RESOLVED THAT Bylaw No. 4 of the Bylaw Revision be amended as follows:**
 - (a) **by striking out “provided that no school board member may serve for more than four terms consecutively in each of those positions” in subsection 5(1);**
 - (b) **by striking out subsection 5(6);**
 - (c) **by striking out “, provided that no school boards member may serve as a representative from a constituency form more than two terms consecutively” in subsection 6(2);**
 - (d) **by striking out subsection 6(5), and renumbering the subsections thereafter; and**
 - (e) **by striking out section 7, and renumbering the sections thereafter.**

South East Cornerstone School Division No. 209

Sponsor’s Rationale:

This amendment removes limitations on the number of terms that a member of the Executive may serve consecutively. Restrictions on terms takes away the members’ choice as to whom the membership wishes to elect to serve on the Executive. The Association is a membership organization and any school board member who wishes to serve on the Executive should be eligible to be a candidate for the Executive.

Committee's Notes:

If this proposed amendment to Bylaw No. 4 of the proposed Bylaw Revision passes:

Subsection 5(1) of Bylaw No. 4 would read as follows:

“5. Election of the President and Vice-president:

- (1) All school board members are eligible for election for President and Vice-president, and are eligible for re-election.”

Subsection 6(2) of Bylaw No. 4 would read as follows:

“6. Election of members of the Executive in constituencies:

- (1) School board members of members in a constituency are eligible for election to the Executive from the constituency, and are eligible for re-election.”

Bylaw No. 5: Executive – Powers and Duties

- 1. The Executive shall govern the Association and provide oversight of the business and affairs of the Association, and, subject to any special directions from members expressed in general meeting, may exercise all of the powers of the Association.**
- 2. Without limiting the generality of the foregoing and, subject to any special directions from the membership by resolution passed at a General Assembly, the Executive:**
 - (a) shall do anything that it considers necessary for the promotion and attainment of the purposes and objectives of the Association;**
 - (b) has the power to pay a reasonable per diem and travel and other expenses to members of the Executive and individuals that it may appoint for carrying out Association activities;**
 - (c) may delegate any of its powers to the Executive Director or to any committee that the Executive may establish;**
 - (d) may establish committees and appoint its own members or others to those committees, as it considers advisable;**
 - (e) shall, by policy, specify who is authorized to bind the Association contractually; and**
 - (f) shall adopt policies and approve procedures considered advisable and appropriate to its role in governing the Association and to give effect to these Bylaws.**
- 3. The Executive shall employ an Executive Director as chief executive officer of the Association to manage the business and affairs of the Association, and shall set the salary, prescribe the duties, and monitor and evaluate the performance of the Executive Director.**
- 4. A majority of the members of the Executive constitute a quorum for the purposes of a meeting of the Executive.**
- 5. Questions arising at a meeting of the Executive shall be decided by a majority of votes cast, but in the case of a tie vote, the question shall be decided in the negative.**
- 6. Executive meetings shall be called by the President or Executive Director on seven days' written notice to all members of the Executive stating the date, time and place of the meeting.**

- 7. Notwithstanding section 6, if a matter of such significance arises that warrants a special Executive meeting, the Executive may waive notice required by section 6, by unanimous consent subscribed to in writing by each member of the Executive prior to the commencement of the meeting, and the consent shall be recorded in the minutes of the special meeting.**

- 8. A Special meeting of the Executive shall be called at the written request of any two members of the Executive directed to the President or Executive Director, and stating the business to be dealt with at the special meeting.**

Notes: There are some changes of a housekeeping nature to this Bylaw:

- Provides generally for the role of the Executive. Includes provisions about the role of the Executive provided for in the current bylaws.
- Fills a gap in current Bylaws to address who can bind the Association.
- The Executive's role is more specifically provided for in Executive's governance policies within the parameters of the Bylaws.

Bylaw No. 6: Duties of President

- 1. The President shall provide leadership to the Association and the Executive, and is accountable to the Executive and Association members.**
- 2. The President shall:**
 - (a) preside at all Executive meetings;**
 - (b) open General Assemblies, general meetings of the Association, and Members' Councils; and**
 - (c) appoint individuals to serve on committees of the Executive.**
- 3. The President is *ex officio* a member of all committees of the Executive.**

Notes: There are no substantive changes to the existing Bylaw relating to the duties of president. A general statement is added to specify that the President provides leadership to and is accountable to the Executive and members. The role of the President is more particularly provided for in the Executive's policies; the role of the Vice-president is also provided for in the Executive's policies.

Bylaw No. 7: General Assemblies

- 1. Two General Assemblies of the Association shall be held annually on dates determined by the Executive.**
- 2. One of the General Assemblies shall include the annual general meeting of the Association.**
- 3. The purposes of the other General Assembly are primarily to provide professional development to members and discuss policy issues and, if determined by the Executive to be necessary, may include a business component.**
- 4. The rules contained in the current edition of Robert's Rules of Order Revised shall govern all meetings of the Association in all cases to which they are applicable provided that they are not inconsistent with these bylaws or any special rules of order that the Association may adopt.**
- 5. The Executive may call a special General Assembly as it considers necessary on 20 days' notice to members specifying the reason for the general assembly and whether a business component will be included.**

Notes: There are no significant changes from the Bylaw adopted for General Assemblies in 2006:

- Adds a provision authorizing the Executive to call a special General Assembly on 20 days' notice to members.
- Provisions related to voting are moved to Bylaw No. 9, Representation and Voting.

Bylaw No. 8: Members' Council

- 1. A Members' Council is established which is comprised of:**
 - (a) not more than two school board members of each member of the Association, at least one of whom shall be the Chair of the board or a designate; and**
 - (b) the Director of Education for each of those members or a designate.**
- 2. The purposes of the Members' Council are:**
 - (a) a forum for two-way communication between members and the Executive;**
 - (b) a forum for advocacy with MLAs and others;**
 - (c) an advisory group to help direct the work of the Association; and**
 - (d) a forum for discussion and development of Association policy positions.**
- 3. The Members' Council has no authority to make decisions that bind any member.**
- 4. The Members' Council shall meet at least two times per year as scheduled by the Executive.**
- 5. The Executive may call additional meetings of the Members' Council on written notice to member boards of education setting out the reasons for the meeting.**
- 6. The Executive may cancel any regularly scheduled meeting of the Members' Council if it determines that there are not sufficient issues of substance to warrant the holding of the meeting.**

Notes: There are minor changes in language only to the Bylaw providing for a Members' Council adopted by members in 2006.

Bylaw No. 9: Representation and Voting

- 1. School board members who register and pay the registration fee for are delegates at the General Assemblies of the Association.**
- 2. Every member shall inform the Association as to which of its delegates it has authorized to be accredited delegates to cast the votes of the member on questions for which a weighted ballot is used, and the number of votes each accredited delegate is authorized to cast.**
- 3. The Executive shall specify the total number of votes to be cast for the purposes of section 5.**
- 4. Weighted ballots shall be used for:**
 - (a) election of members to the Executive;**
 - (b) adoption of the Association budget;**
 - (c) votes on bylaw amendments and resolutions;**
 - (d) approval to the Executive to petition the Legislative Assembly for changes to the Act incorporating the Association; and**
 - (e) any other question put to a vote of members that the Executive considers advisable.**
- 5. The number of votes to which a member is entitled when a weighted ballot is used is calculated as follows:**

$$\frac{\text{membership fee of the member pursuant to Bylaw No. 12}}{\text{total membership fees paid by members}} \times \text{total number of votes}$$
- 6. Only accredited delegates in attendance at the time a vote is taken shall be entitled to vote. Absentee voting shall not be allowed.**
- 7. On matters where voting is by show of hands, such as motions on procedural matters, each delegate in attendance at the time the vote is taken shall be entitled to vote, and shall have one vote.**
- 8. Delegates who are not accredited delegates may participate in General Assembly and general meeting discussions and debate.**
- 9. Participation of visitors and others who are registered for a General Assembly shall be at the discretion of the chair.**

Notes: This Bylaw reflects the Executive's proposal on voting which has been presented to members during 2007. The Executive must specify the total number of votes, and the allocation of those votes will be according to the formula set out in

section 5 of this Bylaw. Specifies, for clarity, when the weighted ballot is to be used. Contains some minor changes in wording for clarity.

Bylaw No. 10: Organization of Groups within the Framework of the Association

A. Section:

- 1. A group of members that share a unique legal status in the legal framework for education or that share an identifiable education issue unique to the group of members may apply to the Executive for approval as a Section of the Association.**
- 2. The purpose of a Section is to:**
 - (a) provide a forum for members of the Section to network and discuss issues unique to the Section;**
 - (b) liaise with the Executive on those issues; and**
 - (c) advocate on those issues to government in a manner that is not inconsistent with these Bylaws and the approved terms of reference of the Section.**
- 3. The application of a group of members pursuant to this section shall:**
 - (a) clearly identify the unique legal status of or educational issue unique to the group of members;**
 - (b) list the members that support the application for establishment of the Section;**
 - (c) specify the name proposed for the Section;**
 - (d) specify the proposed terms of reference of the Section, and a proposed strategic plan for the first year; and**
 - (e) include any other information that the Executive considers necessary to properly consider the application.**
- 4. The terms of reference for a Section must relate directly to the unique characteristic of the Section.**
- 5. The terms of reference of and positions adopted by a Section shall not conflict with the terms of reference of or positions adopted by another Section.**
- 6. Upon receipt of an application containing all of the required information, the Executive shall consider the application for approval as a Section, and**

may require the applicant members to provide additional information that the Executive considers necessary for consideration of the application.

- 7. The Executive may approve the establishment of a Section on any terms and conditions that it considers advisable, and the Section shall conduct itself in accordance with the approved terms of reference.**
- 8. A Section may adopt a constitution not inconsistent with the Bylaws of the Association and the Act incorporating the Association, and provide for any officers of the Section that it considers advisable.**
- 9. The Association shall make provision for an annual meeting of a Section, and, may provide a Section with funds annually, as the Executive considers advisable, to assist the Section with its activities.**
- 10. The Executive may disestablish a Section:**
 - (a) if the Section fails to provide information that the Executive requests;**
 - or**
 - (b) if the Section engages in activities or adopts positions beyond its approved terms of reference.**
- 11. A Section may make submissions to government on matters of exclusive concern to the Section, provided that, whenever practicable, the development of joint submissions by the Section and the Association and co-ordinated advocacy shall occur.**
- 12. A Section shall:**
 - (a) promptly provide the Executive with copies of correspondence to and from government departments or others outside the Association;**
 - (b) provide copies of minutes of Section meetings to the Executive;**
 - (c) promptly provide the Executive with copies of briefs or submissions made to government, and, whenever possible, in advance; and**
 - (d) report to the Executive as the Executive may require.**
- 13. The activities of a Section shall not be inconsistent with or duplicate the activities of the Association, and the positions adopted by the Section shall not be inconsistent with positions adopted by the Association.**

14. **The Catholic Section established in the former Bylaws of the Association is continued.**
15. **If the terms of reference, activities or positions adopted by a Section conflict with those of another Section, or, if any other dispute arises between Sections, the matter shall be referred to the Executive for mediation.**
16. **The Executive shall adopt procedures for mediation of matters pursuant to this Bylaw.**

B. Caucus:

1. **A group of members, who share a special interest and serve an identifiable need appropriately and directly connected to the aims and objectives of the Association, may apply to the Executive for approval as a Caucus of the Association.**
2. **The purpose of a Caucus is to:**
 - (a) **provide a forum for members of the Caucus to network and discuss issues related to the special interest and identifiable need that they share; and**
 - (b) **identify issues and provide information and advice on those issues to the Executive to support the Association's advocacy initiatives.**
3. **The application of members pursuant to this section shall:**
 - (a) **clearly identify the special interest and identifiable need of the members;**
 - (b) **identify eligibility of members who could be members of the Caucus;**
 - (c) **specify the name proposed for the Caucus;**
 - (d) **specify the proposed terms of reference of the Caucus, and include a calendar of proposed activities for the first year; and**
 - (e) **include any other information that the Executive considers necessary to properly consider the application.**
4. **Upon receipt of an application containing all of the required information, the Executive shall consider the application for approval as a Caucus, and**

may require the applicants to provide additional information that the Executive considers necessary for consideration of the application.

- 5. The Executive may approve the establishment of a Caucus on any terms and conditions that it considers advisable, and the Caucus shall conduct itself in accordance with the approved terms of reference.**
- 6. The Executive shall, in approval of an application to establish a Caucus, specify the term of the Caucus.**
- 7. The Association shall make provision for a meeting of a Caucus at the Fall General Assembly, and, provide a Caucus with funds annually, as the Executive considers advisable, to assist the Caucus with its activities.**

C. Council:

- 1. A group of school board members, who share a special interest and serve an identifiable need appropriately and directly connected to the aims and objectives of the Association, may apply to the Executive for approval as a Council of the Association.**
- 2. The purpose of a Council is to:**
 - (a) provide a forum for members of the Council to network and discuss issues related to the special interest or identifiable need that they share; and**
 - (b) identify issues and provide information and advice on those issues to the Executive to support the Association's advocacy initiatives.**
- 3. The application of school board members pursuant to this section shall:**
 - (a) clearly identify the special interest and identifiable need of the school board members;**
 - (b) identify eligibility of school board members who could be members of the Council;**
 - (c) specify the name proposed for the Council;**
 - (d) specify the proposed terms of reference of the Council, and include a calendar of proposed activities for the first year; and**
 - (e) include any other information that the Executive considers necessary to properly consider the application.**

- 4. Upon receipt of an application containing all of the required information, the Executive shall consider the application for approval as a Council, and may require the applicants to provide additional information that the Executive considers necessary for consideration of the application.**
- 5. The Executive may approve the establishment of a Council on any terms and conditions that it considers advisable, and the Council shall conduct itself in accordance with the approved terms of reference.**
- 6. The Executive shall, in its approval of establishment of a Council, specify the term of the Council.**
- 7. The Association shall make provision for a meeting of a Council at the Fall General Assembly, and, provide a Council with funds annually, as the Executive considers advisable, to assist the Council with its activities.**

Notes:

Section:

The proposed bylaw would allow a group of boards or other members to apply to the Executive to be a Section. Currently there is no provision for establishment of a Section, only provision specifically providing for a Catholic Section which reflects the historical agreement when the Catholic Boards, which were a separate entity, joined the Association in the early 1950s. The key criterion for establishment of a section is that the group of members must share a unique legal status or identifiable educational issue that is unique to the group of boards.

The criteria for a Section in this Bylaw reflects the requirements that the Executive has expected the Catholic Section to meet. The key difference between a Section and the other two kinds of groups provided for in this Bylaw is that a Section can advocate externally, ie., can engage in advocacy directly with government, in addition to liaising with and providing information to the Executive to support the Association's advocacy initiatives.

Section 3 specifies the information that the applicants must include in an application, so that the Executive can properly consider the application. The terms of reference of a Section must be approved by the Executive and relate directly to the unique characteristic of the group of boards.

The Association will provide for an annual meeting of a Section, and, can provide funding at the Executive's discretion, to assist a Section in its activities.

The Executive can disestablish a Section if the Section fails to report to the Executive as required or engages in activities beyond its approved terms of reference. As a group organized within the framework of the Association, it is important that the activities of a Section are consistent with and supplement the activities of the Association which speaks on behalf of all boards of education.

The Executive will have a mediation role in disputes between Sections.

The Catholic Section is continued. The Catholic Section is specifically provided for in the current Bylaws.

The Executive will adopt policy/procedures to address other details regarding groups within the parameters of this Bylaw, such as criteria for determining funding.

Caucus and Council:

The purpose of a caucus and a council are the same. The difference is that a group of members comprise a caucus and a group of individual school board members comprise a council. For example, a group of boards that does not meet the criteria to establish a Section might, however, meet the criteria to establish a caucus.

The purpose of these two groups is defined to clarify that they serve an advisory role to the Executive to identify issues or needs specific to the caucus or council, and provide information to the Executive in that regard. Their activities are “internal” as contrasted to the activities of a Section.

In most cases, because the reason for establishment of the caucus or council is issue-specific, the term of a caucus or council will often be of a shorter duration than that of a Section, for example, could be two or three years. The reason for which a Section is created results in a group within the Association of more permanence than a caucus or council because of the unique characteristic shared by the members of a Section.

PROPOSED AMENDMENTS TO BYLAW NO. 10 OF THE BYLAW REVISION:

Note: The following proposed amendments to Bylaw No. 10 were submitted to the Resolutions and Policy Development Committee. The proposed amendments will be moved by the Committee in the following order:

(Amendment
67.3% support)

- 1. BE IT RESOLVED THAT Part A. Section of Bylaw No. 10 be amended as follows:**

- (1) **by striking out “share a unique legal status in the legal framework for education or that share an identifiable educational issue unique to the group of members” in section 1 and substituting the following:**

“shares a unique legal status or possesses a distinctive position within the legal framework for education in Saskatchewan”;

- (2) **by striking out “of or educational issue unique to” in clause 3(a) and substituting “or distinctive position of”;** and

- (3) **by striking out “characteristic” in section 4 and substituting “legal status or distinctive position.”**

Public Boards Caucus

Sponsor’s Rationale:

The explanatory notes to Bylaw No. 10 clearly distinguish between the purposes of a Caucus and the purposes of a Section. The current wording of proposed section 1 of Part A of Bylaw No. 10 appears to limit the purpose of a Section, comprised of members on a basis other than unique legal status, to one “identifiable issue” or issues existing at the time of application to become a Section. Our amendment focuses the criteria that may bring a group of members together for the purposes of a Section on a unique legal status or “distinctive position” in education of those members. A number of issues will arise from time to time that will have a particular impact on that group of members in a Section which is different from the impact on other Association members that do not share that unique legal or distinctive position. This amendment provides clarity to the criteria that a group of members must meet for the purposes of being established as a Section.

The amendments to sections 3 and 4 of Part A are consequential to the amendment to section 1.

Committee's Note:

If this proposed amendment to Part A of Bylaw No. 10 of the proposed Bylaw Revision passes:

Section 1 of Part A would read:

“1. A group of members that shares a unique legal status or possesses a distinctive position within the legal framework for education in Saskatchewan may apply to the Executive for approval as a Section of the Association.”

Clause 3(a) of Part A would read:

“3. The application of a group of members pursuant to this section shall:
(a) clearly identify the unique legal status or distinctive position of the group of members;”

Section 4 of Part A would read:

“4. The terms of reference for a Section must relate directly to the unique legal status or distinctive position of the Section.”

(Amendment
43.8% support)

1. **BE IT RESOLVED THAT Part A. Section of Bylaw No. 10 be amended as follows:**

(1) By striking out section 7 and substituting the following:

“7. The Executive may recommend the establishment of a Section on any terms and conditions that it considers advisable, and that recommendation shall be presented as a bylaw amendment, sponsored by the Executive, at the annual general meeting”;

(2) By striking out “disestablish” in the first line of section 10 and inserting “recommend the disestablishment of”; and

(3) By adding the following after clause 10(b):

“and that recommendation shall be presented as a bylaw amendment, sponsored by the Executive, at the annual general meeting”.

Catholic Section

Sponsor’s Rationale:

In the past, Section status in the Association has been recognized by means of a bylaw. It is the view of the Catholic Section that the establishment or disestablishment of a Section is a fundamental change to the ongoing operations of the Saskatchewan School Boards Association. A change of this magnitude should be fully discussed and a decision made by the entire membership by means of a bylaw amendment at the Association’s annual general meeting.

Such a decision should not be delegated to the Executive of the Association for a majority vote of the Executive.

Committee’s Note:

If this proposed amendment to Part A of Bylaw No. 10 passes:

Section 7 would read:

“7. The Executive may recommend the establishment of a Section on any terms and conditions that is considers advisable, and that recommendation shall be presented as a bylaw amendment, sponsored by the Executive, at the annual general meeting.”

Section 10 would read:

“10. The Executive may recommend the disestablishment of a Section:

(a) . . .

(b) . . .

and that recommendation shall be presented as a bylaw amendment, sponsored by the Executive, at the annual general meeting.”

(Amendment
69.5% support)

1. **BE IT RESOLVED THAT Part A. Section of Bylaw No. 10 be amended as follows:**

(1) by striking out section 5 and renumbering the subsequent sections of Part A; and

(2) by striking out section 13 and substituting the following:

“The activities of a Section shall not be inconsistent with and may supplement the activities of the Association, and a Section may adopt a position that expands on the position of the Association on the same or a similar issue to reflect the impact on and needs or interests distinctive to the Section”.

Public Boards Caucus

Sponsor’s Rationale:

With respect to the deletion of section 5: Section 15 of the Part A establishes a mediation role for the Executive when there is a conflict between Sections in the terms of reference, activities or positions of a Section. As part of the application requirements to be established as a Section, the group of members must provide proposed terms of reference and a proposed strategic plan for the first year to the Executive for its approval. Consequently, section 5 is not necessary.

With respect to section 13: The wording of the proposed amendment allows for some duplication by a Section of activities of the Association to the extent that the duplication supplements the activities of the Association. For example, the Association engages in professional development for boards of education. With the current wording of proposed Bylaw No. 10, a Section would not be able to engage in professional development for members of the Section because that would duplicate an activity of the Association. It is likely that a Section will want to provide professional development to its members on matters that relate to the unique legal status or distinctive position of the Section, and that would not necessarily be of interest or value to all Association members. Similarly, a Section might wish to adopt a position on an issue in respect of which the Association has adopted a position, but in a way which expands upon or focuses, for clarity, on the impact of an issue on the unique legal status or distinctive position of members of a Section.

Bylaw No. 11: Finance

- 1. The fiscal year of the Association is January 1 to December 31.**
- 2. The annual operating budget of the Association for the next fiscal year, recommended by the Executive, with explanatory notes, shall be provided to boards of education at least 30 days prior to the annual general meeting.**
- 3. The portion of the annual operating budget of the Association that is funded directly by fees of members shall be voted on for adoption by members at the annual general meeting in the year prior to the fiscal year to which the budget applies.**
- 4. Voting on the motion pursuant to section 3 shall be by weighted ballot, and two-thirds of the votes cast shall be required to carry the motion.**
- 5. If a motion pursuant to section 3, is not carried, with or without amendment, the amount that was adopted for the current fiscal year shall be the amount for the next fiscal year.**

Notes: This Bylaw contains provisions relating to the financial matters of the Association:

- Adoption of the budget (the portion which is directly funded by fees of members) will be an item on the agenda for the AGM. Voting to approve the budget would occur after presentation of the budget.
- Adoption of the motion to approve the budget will still require a two-thirds vote.
- Fills a gap in the current bylaws to provide a default if the vote on the budget, as presented or amended, does not carry.

Bylaw No. 12: Membership Fees

1. Annual Fee for Members:

(1) The annual membership fee for members shall be calculated as follows:

$$\text{Membership Fee} = A \times \frac{B}{C}$$

A = the portion of the annual operating budget described in Bylaw No. 11 that is funded directly by fees of members.

B = the weighted student enrolment of the member calculated using the following table on the count of students as of September 30 for the most recent year provided by the Department of Learning:

<u>Enrolment</u>	<u>Weight</u>
1 st to 2000 th student	1.0 per student
2001 st to 3000 th student	0.9 per student
3001 st to 4000 th student	0.8
4001 st to 5000 th student	0.7
5001 st to 6000 th student	0.6
6001 st to 7000 th student	0.5
7001 st to 8000 th student	0.4
8001 st to 10,000 th student	0.3
10,001 st to 15,000 th student	0.2
15,001 st student and over	0.1

C = the sum of the weighted student enrolments calculated pursuant to B for all members

(2) Notwithstanding subsection (1), the membership fee payable by a member shall be:

(a) not less than \$12,000;

- (b) not more than 6% of the portion of the annual operating budget described in Bylaw No. 11; and
- (c) for a board of education that has the City of Lloydminster within the boundaries of its school division and that maintains membership in the Alberta School Boards Association, calculated by reducing the student count by one half.

2. Annual Fee for Associate Members

(1) The annual membership fee for associate members is the minimum fee payable by a member prescribed in subsection 1(2) of this bylaw.

3. The total membership fees payable by boards of education shall be collected from the Department of Learning paid out of the appropriation to the Department for K-12 education.

4. Membership fees payable by First Nations education authorities and associate members are due by December 31 in the year prior to the membership year for which the fees are payable.

5. Notwithstanding section 3, in the interim until subsection 310(6) of *The Education Act, 1995* is repealed, membership fees payable by boards of education will continue to be collected in accordance with that subsection.

Note: This Bylaw reflects the Executive's proposal on fees which has been presented to members during 2007.

With respect to section 5 of this Bylaw, payment of the membership fees for boards of education by the Department of Learning from the appropriation for K-12 education before calculation of operating grants requires legislative amendment. Until this method for collecting fees is implemented, payment of fees by boards of education will continue in the same manner as they are now pursuant to subsection 310(6) of *The Education Act, 1995*.

Bylaw No. 13: General Meeting Resolutions

- 1. The President shall appoint a Resolutions and Policy Development Committee, comprised of at least three Executive members, to deal with matters relating to resolutions and bylaw amendments presented to the membership and Association policy positions.**
- 2. The Executive, a member or a group established pursuant to Bylaw No. 10 may submit a resolution to the Resolutions and Policy Development Committee for presentation to a general meeting of the Association.**
- 3. Every resolution shall be:**
 - (a) in writing; and**
 - (b) accompanied by a rationale explaining the background and reasons for the resolution.**
- 4. All resolutions shall be referred to the Resolutions and Policy Development Committee at least 30 days prior to the day the general meeting at which it will be considered commences, in accordance with the procedures established by the Committee and approved by the Executive, and the Committee will present those resolutions to the general meeting of the Association.**
- 5. Where the Executive, a member, or a group established pursuant to Bylaw No. 10 wishes to sponsor a resolution that directly relates to a matter that has arisen after the deadline for submission of resolutions pursuant to section 4, the resolution shall be submitted as an emergent resolution to the Resolutions and Policy Development Committee, in accordance with the procedures specified above, at least five days prior to the day the general meeting at which it is will be considered commences, and the Committee will present the resolution to the general meeting of the Association.**
- 6. If a resolution has not been presented by the Committee, a delegate representing the sponsor may, after all reported resolutions have been disposed of, and with the consent of the majority of the delegates present at the time, present the resolution to the general meeting.**

Notes: This Bylaw contains provisions to provide for an efficient method for handling resolutions to be considered at general meetings of the Association:

- Adds a deadline for submission of resolutions of at least 30 days prior to date of the general meeting, and, of at least 5 days prior to the

general meeting for resolutions on matters that directly relate to a matter that has arisen since the 30-day deadline.

- Procedures for handling resolutions, beyond those specified in the Bylaws, would be developed by the Resolutions and Policy Development Committee and approved by the Executive.

Bylaw No. 14: Amendments to Bylaws

- 1. The Bylaws of the Association may be amended only at the annual general meeting.**
- 2. The Executive, a member or a group established pursuant to Bylaw No. 10 may submit a Bylaw amendment to the Resolutions and Policy Development Committee for presentation to the annual general meeting of the Association.**
- 3. Every Bylaw amendment shall:**
 - (a) be in writing; and**
 - (b) accompanied by a rationale explaining the background and reasons for the Bylaw amendment.**
- 4. All Bylaw amendments shall be submitted to the Resolutions and Policy Development Committee at least 60 days prior to the day on which the annual general meeting commences in accordance with the procedures established by the Committee and approved by the Executive, and the Committee shall present those resolutions to the annual General Meeting.**
- 5. Notwithstanding the other provisions of this Bylaw, if events should occur which the Executive considers to be so significant that the Executive determines that Bylaw amendments are required quickly, the Executive may sponsor Bylaw amendments to be considered at any other general meeting of the Association by giving notice of the proposed Bylaw amendments at least 20 days prior to the day on which the general meeting is to commence.**
- 6. A vote, by weighted ballot, of not less than two-thirds of the votes cast shall be required to adopt any amendment of the Bylaws of the Association.**
- 7. Bylaw amendments take effect on the day following the conclusion of the General Assembly during which the general meeting at which the Bylaw amendments were passed was held, unless the motion to adopt the Bylaw amendment specifies another time on which the Bylaw amendment is to come into effect.**
- 8. The Executive shall periodically, at such times as it considers advisable, establish a committee to examine the mission, mandate and Bylaws of the Association.**

Notes: This Bylaw contains some new provisions to provide for an efficient method for amending Association Bylaws:

- Requires Bylaw amendments to be submitted to the Resolutions and Policy Development Committee at least 60 days before the AGM. The current Bylaws require only 24 hours notice. The reason for the change is that, next to the Act of the Legislature which created the Association, bylaws provide the most important framework within which the Association operates. The foundational rules relating to the Association such as, how it is organized and governed and the rights of members, are provided for by Bylaw. A change to one provision of a Bylaw often has implications for other provisions of the Bylaws, consequently bylaw changes should be fully considered and carefully crafted. The requirement for submission at least 60 days prior to the AGM provides reasonable time for the consideration and assistance in drafting of the bylaw amendments for presentation to the membership. This also allows for more notice of proposed bylaw amendments to the membership.
(For information: ASBA requires notice of at least 60 days for Bylaw amendments, and provides for housekeeping changes by mail-in ballot. BCSTA requires notice of at least 60 days for all substantive motions, with a reduced period of notice for motions on matters that arise after the 60-day deadline. SAHO requires notice to the membership of at least 30 days for amendments to its bylaws.)
- Bylaw amendments will only be considered at the AGM. However, provision is included to address events of significance that may result in the Executive's deciding that a Bylaw amendment should be presented to the membership at another time. The notice of a Bylaw amendment in those circumstances would be at least 20 days. It would take at least that amount of time to be able to arrange for a general meeting of the Association to consider the Bylaw amendments.

APPENDIX “A”

- (1) **Northern constituency:**
 - Northern Lights School Division No. 113
 - Ile-a-la Crosse School Division No. 112
 - Creighton School Division No. 111

- (2) **Central constituency:**
 - Engelfeld Protestant Separate School Division No. 132
 - Saskatchewan Rivers School Division No. 201
 - Prairie Spirit School Division No. 206
 - Horizon School Division No. 205
 - North East School Division No. 200
 - Living Sky School Division No. 202
 - Northwest School Division No. 203

- (3) **Southern constituency:**
 - Prairie Valley School Division No. 208
 - South East Cornerstone School Division No. 209
 - Prairie South School Division No. 210
 - Chinook School Division No. 211
 - Good Spirit School Division No. 204
 - Sun West School Division No. 207

- (4) **Catholic constituency:**
 - St. Paul’s Roman Catholic Separate School Division No. 20
 - Regina Roman Catholic Separate School Division No. 81
 - Prince Albert Roman Catholic Separate School Division No. 6
 - Light of Christ Roman Catholic Separate School Division No. 16
 - Holy Trinity Roman Catholic Separate School Division No. 22
 - Christ the Teacher Roman Catholic Separate School Division No. 212
 - Holy Family Roman Catholic Separate School Division No. 140
 - Lloydminster Roman Catholic Separate School Division No. 89

- (5) **Urban Public constituency:**
 - Regina School Division No. 4
 - Saskatoon School Division No. 13
 - Lloydminster School Division No. 99

- (6) **Conseil scolaire fransaskois constituency:**
 - Conseil des écoles fransaskoises

- (7) **Aboriginal constituency:**
 - School board members of Aboriginal descent

RESOLUTIONS ADOPTED BY THE 2007 CONVENTION

2/3 or Greater Support

- (100% Support) **D-6 BE IT RESOLVED that the Association urge the Provincial Government to amend legislation to have permanent residents, who reside within provincial park boundaries, pay education property tax.**

North East School Division No. 200

Sponsor's Rationale:

Presently, individuals who have permanent residence within the boundaries of the provincial park do not pay any education property taxes. Their children access educational services provided by Boards of Education. Because property taxes contribute a significant portion toward the provision of education services, it is fair that these property owners contribute.

Most Recent Association Position

- Consistent with previous position
Inconsistent with previous position
No previous position

- (98.7% Support) **D-8 BE IT RESOLVED that the Saskatchewan School Boards Association urge Saskatchewan Learning and Saskatchewan Government Relations to develop appropriate measures and consequences to ensure municipalities submit the School Liability Statements in a timely fashion.**

Horizon School Division No. 205

Sponsor's Rationale:

Present legislation requires municipal governments to submit School Liability Statements by a specific period in time and most municipal governments do submit their statements in a timely fashion. However, with 124 municipal governments within its boundaries, Horizon School Division finds that even after continual requests approximately 9% of the statements are not received. This is a substantial impediment for any board of education attempting

to complete its annual financial statements or the reimbursement claim for the Educational Property Tax Rebate.

Legislation does not impose significant penalties on the noncomplying municipalities, yet the information provided in School Liability Statements is extremely important to establishing an accurate financial picture for any school division. Therefore we believe greater consequences need to be imposed to ensure compliance.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(97% Support) D-1 BE IT RESOLVED that the Saskatchewan School Boards Association designate adequate capital facilities funding to a level that would significantly address the needs of schools across Saskatchewan as one of its top advocacy priorities with government and the public; and as part of the advocacy initiative, prepare a business case for significantly increased capital facility funding, using available data and comparisons from other jurisdictions, and present the business case to government and officials in Saskatchewan Learning.

- Prairie Spirit School Division No. 206**
- Prairie Valley School Division No. 208**
- Creighton School Division No. 111**
- Ile-a-la Crosse School Division No. 112**
- Northern Lights School Division No. 113**

Sponsors' Rationale:

The planning and funding of school facilities is a shared responsibility between the government of Saskatchewan and boards of education. The list of critical and necessary repairs, renovations and expansions continues to grow as school facilities across the province age and student populations shift. The infrastructure in the province is aging with schools averaging over 30 years. There is a need as well for increased capacity in growing communities to avoid and alleviate overcrowding.

School facilities in Saskatchewan are aging and the Province is failing to provide the capital funding required to maintain safe, high-quality learning environments.

- Currently, the established backlog of deferred capital requirements in educational facilities in Saskatchewan is \$1.1 billion.
- Of this, 56 per cent is estimated to be pressing or urgent and will need attention within the next five to eight years. This equates to \$75.6 million per year over the next eight years, nearly double the current allotment from the Province.

Boards of education are being forced to fund the Province's share of urgent capital projects. This is a significant pressure point for many school divisions.

- For example, the board of education of the Prairie Valley School Division increased its mill rate by 2 mills this year, in part to fund necessary capital projects that cannot wait, totalling almost \$1 million in school division funding. When a board of education proceeds on its own, it pays for the entire project, and the Province avoids responsibility for its share.

The model used to prioritize and award capital projects is flawed.

- The ranking process fails to recognize efforts by boards of education to consolidate and rationalize resources. It also does not acknowledge that rural school divisions have limited flexibility to address shifting student populations. While the capital funding formula needs to be revised to be more responsive to student needs and create positive management incentives for boards of education, the key issue is the urgent need for the Province to put more money into capital projects – now.

Urgent school division needs remain unmet while project requests languish indefinitely on the funding list.

- Boards of education have a significant backlog of projects. Some of the projects are to deal with critical space shortages in areas with increasing enrolments, some address potential health risks and many involve structural work such as roof replacements that cannot wait indefinitely. Other projects will ensure compliance with current standards and codes. Again, these are not projects that should be put on hold.

Safe, modern and high-quality learning environments, including adequate and up-to-date facilities, are not a luxury or option for the future – they are a necessity now.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(94.9% support) B-1 BE IT RESOLVED that the Association petition the Government of Saskatchewan to amend section 164 (school hours) of *The Education Act, 1995* to allow for greater flexibility in planning school hours to best meet the needs of our students.

Saskatoon School Division No. 13

Sponsor's Rationale

After consulting with our students and the research on the nature of adolescence, we know that much more flexibility in the hours of the school day is required for boards of education to optimize our students' learning. Many of our older students have significant demands on their time in addition to their studies. The modern learning environment includes on-line learning, mentorships in the community and workplace, out-of-school learning opportunities, and more opportunities for students to direct their own learning. We believe that learning must be the constant and that how we structure time is one variable that we must manipulate to ensure the highest possible student achievement. We see the current provisions in the Act as overly restrictive and believe that the process for authorizing change should lie within the authority of boards of education

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(94.6% Support) N-3 BE IT RESOLVED that the Saskatchewan School Boards Association urge the provincial government to take any steps necessary to ensure that Saskatchewan Government Insurance provides financial support

for the Driver Education Program that Sask Learning requires boards of education to provide.

Creighton School Division No. 111
Ile-a-la-Crosse School Division No. 112
Northern Lights School Division No. 113

Sponsors' Rationale:

Driver Education is a non-credit course that boards of education are required to provide. Boards of education have little control over the costs of the driver education program. Lower accident, insurance and health costs will benefit the entire province. SGI specifically benefits from preventive measures and road safety to help lower accident insurance rates that the driver education program promotes. Manitoba Public Insurance sponsors the program in Manitoba; the cost to School Divisions is \$50.00 per student plus classroom space for the instructional portion of the program.

Most Recent Association Position

Consistent with previous position
Inconsistent with previous position
No previous position

(94% Support) D-4

BE IT RESOLVED that, until unconditional funding of K-12 education is achieved, the Saskatchewan School Boards Association request Saskatchewan Learning to develop provisions under “Intensive Supports” that allow for full and complete funding for all technical aides that boards of education consider necessary to the specific educational needs of students who require them; and that funding for “Intensive Supports” be achieved in a manner that is transparent by providing calculation for technical aides as an “additional” factor based on the actual needs of students within the school division, and not the result of simply reallocating the current monies contained within the diversity factor.

Holy Trinity Roman Catholic Separate School Division No. 22
Prince Albert Roman Catholic Separate School Division No. 6
Horizon School Division No. 205

Sponsors' Rationale:

Our board supports the Association's position on unconditional funding for education. However, until unconditional funding is achieved, as long as the current FOG formula or similar formula which calculates recognized expenditures through a series of expenditure factors is used, the actual costs must be recognized.

Under the current formula, the lines on the FOG that boards of education must access to provide for children with special needs is called "Intensive Supports" (Levels 1 and 2), previously called "High Cost 1 and 2". In former funding structures, there was an additional line to fund "Technical Aides" which is specialized equipment that is required for certain students with various types of physical and intellectual disabilities. As boards of education continue to address the needs of students who require technical aides, the current funding structure falls short. Previously, boards could access funds from the Department for specialized technical equipment at its actual cost. Currently, only purchases equal to or in excess of \$10,000 are eligible for reimbursement. Anything that falls short of the cost, which is the majority of "technical aides", does not qualify for funding under the current structure. This puts significant financial strain on boards of education as they cope with what is already limited funding in special education.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(93.7%)Support) **D-2 BE IT RESOLVED that the Saskatchewan School Boards Association actively pursue working with Saskatchewan Learning to review the goals, principles and underlying assumptions of the Foundation Operating Grant, together with school division-level financial indicators, including mill rates and operating expenses, to evaluate the effectiveness of FOG in providing funding that meets the needs of all students and treats property taxpayers across Saskatchewan equitably.**

Prairie South School Division No. 210
Horizon School Division No. 205

Sponsor's Rationale:

Saskatchewan Learning is responsible for distributing provincial education funding in a manner that takes into account local need and local fiscal capacity, and the department has redeveloped the Foundational Operating Grant based on principles that include equity and accountability. The Saskatchewan School Boards Association believes in and supports equality of education opportunity, an equalized tax burden across the province and a fair allocation of financial resources among school divisions, and has a mandate to advocate on behalf of its member school boards, including working with the provincial government.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(93.1% Support) D-7 BE IT RESOLVED that the Saskatchewan School Boards Association urge Saskatchewan Learning to create new funding supports for the delivery of English as a Second Language (ESL) programs.

Horizon School Division No. 205

Sponsor's Rationale:

The ongoing shortage of skilled labour, particularly in areas of Saskatchewan where industry and agribusiness are thriving, can seemingly only be met by bringing foreign labour into the province. As a direct consequence, we continue to enjoy record numbers of immigrants from countries where English is not the first language. Boards of Education across the province are subsequently challenged financially to provide the additional supports required to ensure the success of students who have little or no English language skills when they arrive in Canada. These English as a Second Language (ESL) programs are often needed in schools where there is a lack of the critical mass of students that would allow for the hiring of any more than a part-time teaching position devoted to ESL. Elected boards of education are responsible and accountable for the delivery of educational services, but boards require the financial wherewithal to meet the needs of the students they serve. It is imperative that in order for boards of education to meet the educational needs of all students

from all cultural backgrounds that Saskatchewan Learning commit to funding English as a Second Language programs in Saskatchewan schools.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(88.7% Support) C-1 BE IT RESOLVED that the Saskatchewan School Boards Association lobby the Government of Saskatchewan to amend *The Education Act, 1995*, to empower duly elected school boards to designate out-of-scope personnel as determined by local student needs.

Creighton School Division No. 111
Ile-a-la Crosse School Division No. 112
Northern Lights School Division No. 113

Sponsors' Rational

The Educational Relations Board designates persons as “not being a teacher”, ie. out of scope, subject to restrictions set out in Article Nine of the Provincial Collective Bargaining Agreement for Saskatchewan teachers negotiated pursuant to the provisions of *The Education Act, 1995*.

The Educational Relations Board is an outside entity that is not privy to or understanding of the local educational needs of the 28 school divisions throughout the province. As an example, the Northern Lights School Division No. 113 is one of the largest school divisions in Canada geographically. Currently three Superintendents of Education drive an average of 100,000 kilometres per year over mostly poorly gravelled roads to reach its 19 schools. This doesn't include airtime to their fly-in schools. To allow all boards of education to provide the necessary supports to successfully implement the Provincial Pre-K to Grade 12 Continuous Improvement Framework requires latitude for the boards to assign their out-of-scope personnel as they deem necessary.

Most Recent Association Position

- Consistent with previous position
Inconsistent with previous position
No previous position

(88% Support) D-9 BE IT RESOLVED that the Saskatchewan School Boards Association urge the Department of Learning to reinstate the recognition for monies expended for payment of an allowance in lieu of conveyance.

Creighton School Division No. 111
Ile-a-la Crosse School Division No. 112
Northern Lights School Division No. 113

Sponsors' Rationale:

Due to necessary distances to be travelled and the cost of providing busses to pick up small numbers of students; it makes more sense in these cases and when possible to provide payment to parents in lieu of transportation. Grant recognition was received for this up until last year.

Most Recent Association Position

- Consistent with previous position
Inconsistent with previous position
No previous position

(84.2% Support) N-1 BE IT RESOLVED that the Saskatchewan School Boards Association meet with the provincial government and business leaders in Saskatchewan to obtain relevant data and information about future plans and projected population patterns to share with its member boards; and, that the Association research initiatives and responses from other jurisdictions reacting to similar circumstances, and prepare a report on the findings, to include results and outcomes.

Prairie South School Division No. 210

Sponsor's Rationale:

With the economic development already taking place across the province and economic forecasts that suggest increasing activity, it is imperative that school boards have access to all relevant information that may affect community and/or school populations,

as well as information on other jurisdiction's responses to similar issues.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(82.7% Support) N-2 BE IT RESOLVED that the Saskatchewan School Boards Association urge Saskatchewan Learning to review the process by which school division boundaries may be altered.

Horizon School Division No. 205

Sponsor's Rationale:

During the restructuring process there were many unilateral changes made to current school division boundaries. Boards of Education understand, but may not agree with, the rationale for Saskatchewan Learning having to make those changes to establish the new school division boundaries.

Recently, our board of education was informed by department correspondence and Minister Order that our boundaries had once again been changed without any input from the two affected school divisions. In fairness, discussions on these issues may in fact have been ongoing in the legacy divisions. However, we believe the newly restructured divisions should have had an opportunity to resolve the issue themselves rather than be told what was to happen.

Our board of education believes that it is vitally important that school division boundary issues be dealt with at the board of education level. It is, after all, board members who know what is best for their constituents. Board members are much better equipped to arrive at sensible, collaborative solutions beneficial to all affected by the decision.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

(82.3% Support) D-5 BE IT RESOLVED that the Saskatchewan School Boards Association urge Saskatchewan Learning to create new funding supports for delivery of the pure Practical and Applied Arts Programs.

Lloydminster School Division No. 99
Horizon School Division No. 205

Sponsor's Rationale:

Saskatchewan continues to experience skilled labour shortages and the demand for students to enter into apprenticeship and trades programs continues to rise to address this need. High schools are challenged financially to support “pure” Practical and Applied Arts programs and quite often are limited to providing survey courses as the only viable alternative. Survey courses allow for exploration of several areas within a credit course whereas a pure stream approach allows for students to gain three or more credits in one specific area such as Machining, Welding, Construction, Electricity and Electronics or Cabinet Making among others. Students are better prepared in environments where they have the opportunity to gain three or more credits in a specific area, and after completing these credits make better decisions in regard to pursuing postsecondary training.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position

RESOLUTIONS DEFEATED BY THE 2007 CONVENTION

(38.2% Support) **K-1 BE IT RESOLVED that the Saskatchewan School Boards Association eliminate or remove itself from any contract with Saskatchewan Learning that may influence its ability to advocate for public education when dealing with Saskatchewan Learning**

Lloydminster School Division No. 99

Sponsors' Rationale:

The Saskatchewan School Boards Association is the primary advocate for public education in Saskatchewan. Part of this role involves challenging the government of the day to address the needs identified by parents, students and members of the Association. The Association has identified its values as fairness, adequacy, autonomy, partnerships, accountability and clarity as foundational to how it presents itself and manages its business. By engaging in contract work such as the Technology Initiative to develop web-100based software regarding student achievement with Saskatchewan Learning, the ability of the Association to fulfil its mandate is compromised.

Most Recent Association Position

Consistent with previous position	<input type="checkbox"/>
Inconsistent with previous position	<input type="checkbox"/>
No previous position	<input checked="" type="checkbox"/>

(27.6% Support) **D-3 BE IT RESOLVED that the Saskatchewan School Boards Association actively engage in pursuing funding options, other than access to the property tax base, that will result in adequate funding for K-12 education and ensure autonomy of boards of education.**

Living Sky School Division No. 202

Sponsor's Rationale:

The present funding of education by the provincial government has been off-loaded on the backs of property owners for almost 2 decades and resulted in the FOG becoming an unworkable archaic funding mechanism despite numerous attempts to tinker with it.

School board members, who have been around for a decade, have heard the repeated government promises to move to a 60/40 funding level and to reduce the dependency of boards of education on the property tax. School board members, who have been around for 2 decades, have heard the rhetoric twice as long. The fact is provincial governments have off loaded the responsibility for K-12 education on the backs of property owners to the point Saskatchewan now has the highest level of property and business tax in Canada. While this is stifling economic development and growth in the province it is the mandate of school boards to deliver educational services, not create economic development, but school boards are being blamed for the lack of growth provincially. In spite of some economic and population increases in the past year the student population in Saskatchewan continues to decrease. It is to be hoped that the collective wisdom of Association members and government could come up with a better plan than the one that suited an agrarian resource based economy in the first half of the 20th century, and would reflect more accurately the realities in a technological, informational, service based economy that is today's reality.

It is time to actively pursue funding sources beyond the two current sources of funding. The result could be that education is funded by additional sources thereby reducing reliance on the property tax base, or that education would no longer be funded by property taxes.

Most Recent Association Position

- Consistent with previous position
- Inconsistent with previous position
- No previous position