



# **2017 ANNUAL GENERAL MEETING**

## **PROPOSED BYLAW AMENDMENTS AND RESOLUTIONS**

**NOVEMBER 12-14, 2017**

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## BYLAW AMENDMENTS

**Bylaw**

**17-01 BE IT RESOLVED THAT Bylaw No. 3 Section A 5 be amended by deleting the bylaw and replacing it as follows:**

**5. If the budget resolution as presented or amended does not pass, the Executive shall bring another budget resolution with a revised amount to the assembly to be voted on prior to the conclusion of the annual general meeting.**

Association Executive

*(Note: This requires a 2/3 majority of votes cast to pass)*

**Sponsor's Rationale:**

The intent of Bylaw 3 A 5 is to outline a process for a revised or amended budget to be brought back to the membership for voting prior to the conclusion of the AGM. The specific language, of “the next day”, however, is constraining as it doesn’t contemplate that a revised budget resolution could be presented to the membership on the same day as the original resolution that was defeated.

The current bylaw language limits the flexibility of the SSBA to plan the AGM business, and requires any revised budget to be presented “the next day”. The proposed bylaw amendment allows the flexibility for a revised budget to be presented to the membership, perhaps on the same day. Such flexibility also allows for agenda items to be covered over a two-day AGM, if deemed appropriate. The proposed bylaw amendment still retains the requirement to present a revised budget prior to the conclusion of the annual general meeting.

The last sentence in the existing bylaw is not required, as the annual general meeting isn’t deemed concluded until the Chair presiding over the annual general meeting closes the meeting.

<b>BYLAW AMENDMENT Bylaw 17-01</b>	<b>For:</b>	<b>Spoil:</b>	<b>CD DEF</b>	<b>%</b>
	<b>Against:</b>	<b>Blank:</b>		

**Bylaw**

**17-02 BE IT RESOLVED THAT Bylaw No. 4.1 (2) Election of Executive be amended by deleting “, Northern” from the list so that it will read as follows:**

- 2. Advance nomination of a member of a school board for election to the Executive, except for representatives from the Catholic and Conseil scolaire fransaskois constituencies, shall:**

**AND BE IT FURTHER RESOLVED THAT that Bylaw No. 4.1 (7) Election of Executive be amended by deleting “and Northern” from the list in (a) and (d) so it reads as follows:**

- (a) Members of the Executive from constituencies, and an alternate from each constituency, except the 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.**
- (d) The representative and alternate from each of the Catholic and Conseil scolaire fransaskois constituencies shall be elected or selected at a meeting of the constituency held no earlier than six weeks prior to the day of the annual general meeting.**

**Northern Constituency**

*(Note: This requires a 2/3 majority of votes cast to pass)*

**Sponsor’s Rationale:**

The Northern constituency advises that due to the distance of geography, the cost to hold a meeting for an election prior to the AGM is prohibitive and is likely to result in low voter turnout. The Northern constituency wishes to be included in the Advance Nomination process, and hold its election at the AGM. This is consistent with the practice that has occurred over the past few years for the Northern constituency election.

<b>BYLAW AMENDMENT Bylaw 17-02</b>	<b>For: Against:</b>	<b>Spoil: Blank:</b>	<b>CD DEF</b>	<b>%</b>
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## BUDGET RESOLUTION

**Budget 2018**     **BE IT RESOLVED that the Association’s 2018 annual operating expense budget of \$2,276,638, funded by membership fees, be approved.**

**Association Executive**

*(Note: This requires a 2/3 majority of votes cast to pass)*

**Sponsor’s Rationale:**

Significant pressures have been placed on the governance funding for school divisions for the 2017-18 year. The Association has responded with a decrease of \$326,260 (10.1%) from the 2017 total operating budget, as well as drawing on \$625,531 of reserves from unappropriated investment pools to subsidize the 2018 cost of Human Resources and Legal Services. There has also been a reduction of 2FTEs, two Executive face-to-face meetings to conference calls, reduction of management compensation and various other cost efficiencies found in all departments to help minimize the overall impact to school division budgets.

Revenue continues to be funded by membership fees at \$1,474,200 (a reduction of \$1,052,040), tenant and services rental income, and the sponsorship of events by the Insurance and Employee Benefits Plans. In the Insurance, Employee Benefits, Human Resources and Legal Services budget, administration costs continue to remain low.

This budget continues to support the *SSBA Strategic Plan 2013-2025* and appropriate resources to leading Saskatchewan education and continuing to provide high quality and valued services in the area of board development, legal, strategic human resources, communications, and First Nation and Metis Education through the operating budget and to sponsor events and activities that allow for meaningful interaction among and between member boards and the Association.

<b>BUDGET RESOLUTION Budget 2018</b>	<b>For:</b>	<b>Spoil:</b>	<b>CD</b>	<b>DEF</b>	%
	<b>Against:</b>	<b>Blank:</b>			

## RESOLUTIONS

**AGM 17-01 BE IT RESOLVED that the proposed Position Statement on “Education Equity” be adopted to replace the current “Position Statement 3.3 Education Equity”;**

### **PROPOSED “Position Statement 3.3 EDUCATION EQUITY”**

Education equity for students is a fundamental principle of public education. Equity is about outcomes, results, and opportunities.

1. Boards of education are proactive in defining, assessing and taking steps to achieve equity of opportunity and of outcomes for their students regardless of students’ individual or family circumstances.
2. Education Equity for Saskatchewan boards of education requires the fair distribution of necessary resources to ensure all students have access to school programs, facilities and services for students to achieve to their full potential regardless of where they live in the province and their personal circumstances.
3. Education equity recognizes that some students need additional or specialized programming to achieve to their full potential.
4. Education equity recognizes that boards of education operate with very different circumstances and situations.

Boards of education are responsible to their constituents for transparency of education in Saskatchewan. Funding should be monitored for adequacy and equity and should be publicly reported on a regular basis by the Province and by boards of education.”

**Association Executive**

*(Note: If passed by the membership this proposed Position Statement will replace Position Statement 3.3 Education Equity)*

*(Note: This requires a 2/3 majority of votes cast to pass)*

### **Sponsor’s Rationale:**

Pursuant to the requirement to review Position Statements every five years, this Position Statement was last reviewed and approved in November 2012.

Cost of this resolution:

Minimal Cost to the Saskatchewan School Boards Association

<b>Resolution AGM 17-01</b> Re: Education Equity Position Statement	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	<b>%</b>
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**AGM 17-02 BE IT RESOLVED that the proposed Position Statement on “Collective Bargaining” be adopted to replace the current “Position Statement 4.1 Collective Bargaining”;**

**PROPOSED “Position Statement 4.1  
Collective Bargaining”**

- A. Elected boards of education are responsible and accountable for the delivery of educational services. Boards as employers hire professional and support staff to carry out this responsibility and ensure that education is provided for all their students. As part of their governance responsibilities, boards enter into collective bargaining agreements with their employees.

As well, representing boards of education, the Saskatchewan School Boards Association has a statutory role in collective bargaining with respect to the Provincial Collective Bargaining Agreement for teachers.

- B. Principles according to which collective bargaining by the Association should be undertaken, and that are also recommended to boards as they approach their collective bargaining:
1. The education interests and welfare of students must guide the collective bargaining process.
  2. The collective bargaining process must respect the integrity of the board of education in its role as employer.
  3. The local and provincial collective bargaining processes must provide for adequate representation of the interests of the board(s) of education.
  4. There should be an effective and efficient bargaining process, characterized by the highest standard of labour relations professional practice.
  5. Productive and harmonious working relationships between board of education and their employees are critical to the success of the educational endeavour, and the collective bargaining process should reflect the importance of those relationships and be directed to support and sustain them.
  6. Collective bargaining must be conducted with a clear understanding of the impacts of finances on boards of education. Collective bargaining agreements must be sustainable in relation to education funding and consistent with the fundamental principles described in the Adopted Position Statement 3.1: Education Finance.
  7. Collective bargaining must be done prudently, in compliance with legislated requirements, and in conformity to currently accepted labour relations practices, and professional and ethical standards.



- C. In working according to these principles, the Association undertakes in particular that:
1. The Association will endeavour to have representatives on the provincial bargaining team who have experience in labour relations negotiations.
  2. Representatives of boards of education on the provincial bargaining committee will utilize an effective strategy for encouraging and gathering input from boards of education in approaching the collective bargaining process, and communication with boards of education during collective bargaining, in order to provide adequate representation of board interests.
  3. The Association's staff is available to support boards of education in their collective bargaining processes.
  4. The Association will advocate for boards of education to be fully consulted by the Province and that the Province be transparent regarding local agreements.
  5. The Association will advocate to ensure that the boards of education's representatives on the provincial bargaining committee are an effective voice on that committee.

**Association Executive**

*(Note: If passed by the membership this proposed Position Statement will replace Position Statement 4.1 Collective Bargaining)*

*(Note: This requires a 2/3 majority of votes cast to pass)*

**Sponsor's Rationale:**

Pursuant to the requirement to review Position Statements every five years, this Position Statement was last reviewed and approved in November 2012.

Cost of this resolution:

Minimal Cost to the Saskatchewan School Boards Association

<b>Resolution AGM-17-02</b> Re: Collective Bargaining Position Statement	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-03 BE IT RESOLVED that the proposed Position Statement on “Partnership Agreements” be adopted to replace the current “Position Statement 5.2 Partnership Agreements;**

**PROPOSED “Position Statement 5.2 PARTNERSHIP AGREEMENTS”**

Individual Boards of Education and the Association can work effectively with partners from the education sector and from the community to create opportunities for furthering board of education capacity to enhance student achievement.

1. Partners will include those agencies and organizations whose goals and objectives are compatible with the goals of the boards of education or the Association.
2. Partnership agreements will be consistent with the strategic plans of the board of education or the Association.
3. Allocation of resources to partnerships will not compromise the standards of services and administration of the boards of education or the Association.
4. Partnership agreements will be transparent and clearly defined and committed to writing.

**Association Executive**

*(Note: If passed by the membership this proposed Position Statement will replace Position Statement 5.2 Partnership Agreements)*

*(Note: This requires a 2/3 majority of votes cast to pass)*

**Sponsor’s Rationale:**

Pursuant to the requirement to review Position Statements every five years, this Position Statement was last reviewed and approved in November 2012.

**Cost of this resolution:**

Minimal Cost to the Saskatchewan School Boards Association

<b>Resolution AGM-17-03</b> Re: Partnership Agreements Position Statement	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-04 BE IT RESOLVED that the Saskatchewan School Boards Association Executive consult with the Government of Saskatchewan, Elections Saskatchewan and SSBA Chairs' Council to consider additional qualifications for eligibility to be nominated as a candidate for and hold office as a board member for a school division under section 45 of The Local Government Election Act, 2015.**

**Regina School Division No. 4**

*(Note: This Resolution relates to Position Statement 1.2)*

**Sponsor's Rationale:**

The Local Government Election Act, 2015 currently lists the following qualifications for a person to be eligible to be nominated as a candidate for and hold office as a board member for a school division:

- Canadian citizen;
- 18 years old;
- Lived in the school division for at least three consecutive months; and
- Lived in Saskatchewan for at least six consecutive months.

A requested addition to the required qualifications, before the 2020 elections, would be a satisfactory Vulnerable Sector Check. During the 2016 election, it was publicized that a candidate running for trustee of a board of education in Saskatoon had a criminal record involving underage individuals. As it currently stands, there are no regulations against someone running for a board of education with offences such as these.

**Cost of this resolution:**

Costs, in addition to advocacy, include attendance of meetings, consultations with member boards, and potential engagement costs such as surveys.

<b>Resolution AGM-17-04</b> Re: Board member qualifications	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-05 BE IT RESOLVED that the SSBA advocate to the Ministry of Education to repeal the amendments pertaining to the disqualification of member clause in s. 10(1)(e) of *The School Division Administration Regulations*.**

**Horizon School Division No. 205**

*(Note: This Resolution relates to Position Statement 1.2)*

**Sponsor's Rationale:**

There appears to be a legislative conflict with *The Local Government Elections Act* and s. 10(1)(e) of *The School Division Election Regulations*.

In creating *The School Division Administration Regulations*, Saskatchewan's Ministry of Education has inserted s. 10(1)(e) which reads:

Disqualification of member

10(1) A member of a board of education or the conseil scolaire must vacate his or her office if any one of the following applies to him or her:

- (e) the member was employed by the board of education or the conseil scolaire within the 2 years preceding the member's nomination for election to the board of education or the conseil scolaire.

Board members are elected officials and as such, have a statutory right to be nominated and hold office as provided in Section 45 of *The Local Government Election Act, 2015* which states:

A person is eligible to be nominated as a candidate for and hold office as a board member for a school division if the person:

- (a) is a voter of the school division on the day of the election;
- (b) is a Canadian citizen at the time that he or she submits his or her nomination paper; and
- (c) has resided:
  - (i) in the school division for at least three consecutive months immediately preceding the date on which he or she submitted the nomination paper; and
  - (ii) in Saskatchewan for at least six consecutive months immediately preceding the date on which he or she submitted the nomination paper.

The only restrictions that exist for potential board member candidates are found within Sub-sections 43(3) and (4) of *The Local Government Election Act, 2015* which states,

(3) The following persons may seek nomination to the council, the board or a joint board, as defined in *The Education Act, 1995*, with which the person is employed if the person has first obtained a leave of absence in accordance with clause 2-54(1)(a) of *The Saskatchewan Employment Act*:

- (a) an employee of the municipality;
- (b) an employee of a board or commission appointed by a council;
- (c) an employee of the board of education;
- (d) an employee of the joint board.

(4) Notwithstanding clause 2-54(1)(c) of *The Saskatchewan Employment Act*, an employee described in subsection (4) who is elected is deemed to have resigned from his or her position of employment on the day before the day on which he or she is declared elected unless for any reason the results of the election are overturned.

The effect of Section 10(1)(e) of *The School Division Election Regulations* is that it

- restricts current and former staff from running for a Board for two years.
- limits diversity that is necessary for school boards to operate effectively.
- interferes with fundamental democratic principles of voters having the right to elect the candidate whom he or she deems best reflects the voice of the constituency.

The Government of Saskatchewan has not provided sufficient rationale as to the benefit or need of the s. 10(1)(e) disqualification clause as it pertains to School Board candidates or for the Board’s constituents. It appears that no other province currently has legislation that restricts school board trustees for election based on their past or current employment.

Cost of this resolution:

Costs include attendance of meetings, and internal resources of member boards and the SSBA staff. Minimal (Under \$1000)

<b>Resolution AGM-17-05</b> Re: Disqualification of member clause	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-06 BE IT RESOLVED that the Saskatchewan School Boards Association advocate to the Ministry of Education for the return of mandatory Annual General Meetings of Electors provisions in The School Division Administration Regulations.**

**Horizon School Division No. 205**

*(Note: This Resolution relates to Position Statement 1.2)*

**Sponsor’s Rationale:**

*The Education Act, 1995* was amended in 2017 and mandatory provisions in the Act relating to Boards’ Annual General Meetings of Electors were repealed. School divisions may continue the practice but there is no longer a legislated requirement to hold Annual General Meetings of Electors.

Boards of Education would be doing a disservice to their constituents by abdicating their responsibility to be transparent and accountable in relation to their annual reporting processes. By not requiring boards to hold Annual General Meetings of Electors, there is an inference there is no need for Boards to be publicly transparent and accountable to their constituents and the Saskatchewan public generally.

School divisions have a great deal of highly effective student learning opportunities that need to be celebrated. A mandatory Annual General Meeting of Electors provision in the Regulations would encourage boards to share their successes with their constituents which may otherwise be neglected if the Annual General Meeting of Electors is optional instead of mandatory.

Cost of this resolution:

Minimal (Under \$1000)

<b>Resolution AGM-17-06</b> Re: Annual General Meetings of Electors	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-07 BE IT RESOLVED that the SSBA advocate to the Ministry of Education to restore funding levels for education sector Governance to a reasonable level that is more reflective of the financial restraint applied to the overall education sector and governance restraint measures at the provincial level.**

**Prairie Valley School Division No. 208**

*(Note: This Resolution relates to Position Statement 1.2 & 3.1)*

**Sponsor's Rationale:**

Within a challenging provincial financial context, 2017-2018 provincial operating funding for school divisions was reduced by 2.8 percent. In addition, the budget included a 0 percent compensation restraint target and provided notice of Government's overall human resources compensation savings target of 3.5% across the public sector, including school divisions.

While overall Pre-K to 12 funding was reduced by 2.8 percent and compensation costs may be reduced by up to 3.5 percent, funding for governance related expenses was reduced by 35 percent.

Boards of education understand the provincial economic and financial context, however, a 35 percent funding reduction vastly exceeds other reductions in the education sector and in other parts of the public sector. Reductions of this magnitude will constraint the ability of boards to do the work we are elected to do:

- Representing the public, listening to and representing parent and school community council views about the education system
- Connecting with First Nations and other governments and the broader community to bring a variety of perspectives and views to the board table
- Providing system oversight through planning, monitoring and accountability processes
- Working together in support of the education sector strategic plan and other sector initiatives

Mitigating the 35 percent funding reduction would signal positive, trusting working relationships within the sector and ensure that boards of education are able to fulfill their role as elected representatives, while still doing our part to contribute to the provincial challenge of controlling spending and putting Saskatchewan on track to balance the budget.

Therefore, it is recommended that the SSBA work with the Ministry of Education to advocate for reasonable Governance funding levels that allow boards of education to effectively fulfill their responsibilities.

Cost of this resolution:

We don't anticipate that implementing actions with respect to these resolutions would require any additional outside resources. The message in these resolutions would become ingrained as part of the advocacy statements that the President, Executive and Executive Director would use in their meetings with the Ministry and Minister as we move forward in rebuilding trust in Boards and in understanding the value that Boards bring to the sector.

<b>Resolution AGM-17-07</b> Re: Funding levels for education sector Governance	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	<b>%</b>
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**AGM-17-08 BE IT RESOLVED that the Saskatchewan School Boards Association Executive request that the Government of Saskatchewan create a working committee to develop standards, curriculum and implementation of a course credited personal finance class for high school students.**

**Regina School Division No. 4**

*(Note: This Resolution relates to Position Statement 2.1)*

**Sponsor’s Rationale:**

Personal finance classes exist throughout a few school divisions in Saskatchewan. These courses are 'locally developed courses' were a school division can develop a course and have it approved locally by the Ministry of Education.

Within Saskatchewan, the Saskatchewan Business Teachers' Association (SBTA) have set and share best practices across a number of school divisions to help build programming consistency. These teachers share ideas and work on teaching similar programs through their locally developed courses.

Some current examples of what current locally developed personal finance courses incorporate are:

- a) Housing, including rent and mortgages;
- b) Buy vs. lease a vehicle and general costs of vehicles;
- c) Credit cards;
- d) Investments, such as mutual funds, RESP, RRSP, pensions, etc.;
- e) Taxes;
- f) Life or health insurance; and
- g) Wills.

Potential working committee partners could include SBTA, STF and LEADS. It could also be beneficial to include external experts such as bankers, mortgage brokers, insurance brokers, and bankruptcy trustees.

This resolution has the potential to ensure all high school students have a heightened knowledge of financial literacy, helping them ease their transition to life after high school.

**Cost of this resolution:**

Advocacy efforts, in addition to partnering as a potential committee member for provincial feedback into the design/implementation of the course. If establishment of a Working Advisory Group (WAG) is deemed appropriate, the average cost of a WAG is approximately \$10,000.

<b>Resolution AGM-17-08</b> Re: Personal finance class for high school students	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-09 BE IT RESOLVED that the Saskatchewan School Boards Association lobby the Government of Saskatchewan to ensure that student safety and wellness is a priority when developing new provincial legislation regarding marijuana possession by students and youth. In addition, the added responsibilities for both teachers and administrators must be considered when developing provincial legislation.**

**Prairie Spirit School Division No. 206**

*(Note: This Resolution relates to Position Statement 2.1)*

**Sponsor’s Rationale:**

Upcoming changes to federal marijuana legislation will impact student safety and wellness. Students under the age of 21 should not be allowed to possess marijuana or use marijuana while on school grounds. If youth are allowed to possess up to 5 grams of marijuana without criminal consequences, there will be added responsibilities and incidents for school staff to manage.

**Cost of this resolution:**

No cost outside of attendance of regular meetings, consultations at existing opportunities.

<b>Resolution AGM-17-09</b> Re: Provincial legislation re: marijuana possession	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-10 BE IT RESOLVED that all publicly funded schools in Saskatchewan be encouraged to display the Treaty symbol within their schools and board offices.**

**Aboriginal Constituency**

*(Note: this Resolution relates to Position Statement 2.1 and to the Vision 2025 Strategic Themes “Engagement at all Levels”, “Courageous Leadership” and “Alignment at all Levels”).*

**Sponsor’s Rationale:**

In 2008, the Saskatchewan government declared treaty education mandatory for grades K-12 in both First Nations and provincial schools. To support this mandate, the displaying of the Treaty symbol in all Saskatchewan schools aligns with the sector’s commitment to treaty education.

In 2013, Board membership committed to hanging within their board office and schools, the Federal Government’s 2008 Statement of Apology to former students of Indian Residential Schools. All Saskatchewan school board offices and 94% of all Saskatchewan schools have the apology displayed. This commitment clearly supports weaving Canada’s First Peoples rich and diverse history into our classrooms.

The Truth and Reconciliation Commission (TRC) of Canada was a component of the Indian Residential Schools Settlement Agreement. Its mandate was to inform all Canadians about what happened in Indian Residential Schools (IRS). The TRC was established in June 2008, with a five year mandate. During that time, they hosted seven national events throughout Canada to collect and document the truth of survivors, families, communities and anyone personally affected by the IRS experience. Their mandate was also to promote awareness and public education about the IRS system and its impacts.

In December 2015, the TRC released their final report. This report is a detailed account of what happened to Indigenous children while attending those institutions, and indicated that an estimated 3,200 children died within those institutions.

A summary report was released before the final report and contained 94 “Calls to Action”. These “calls” urge all levels of government – federal, provincial, territorial and indigenous, to work together to achieve policy and program changes in a collaborative effort to repair the harm done by the residential school system and to move forward with reconciliation.

The Calls to Action are an appeal to mobilize not only all levels of government but individual Canadians to make concrete changes in society. These “calls” list specific actions for all Canadians to move forward together by understanding the legacy of residential schools, and advancing the process of reconciliation.

The “Calls to Action” are divided into two parts; Legacy and Reconciliation. This resolution of the displaying of the Treaty symbol at all Saskatchewan schools supports the following “call to action”:

- Improve education attainment levels and success rates
- Develop culturally appropriate curricula
- Enable parents to fully participate in the education of their children
- Respect and honour Treaty relationships

Cost of this resolution:

Minimal costs for a senior SSBA management and Aboriginal Constituency representative for the coordination of project.

Solicitation of external funding from three levels of government – Federal, Provincial and Indigenous.

Cost per school is approx. \$45, should external funding be unsuccessful.

<b>Resolution AGM-17-10</b> Re: Treaty symbol	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-11 BE IT RESOLVED that that the Saskatchewan School Boards Association (SSBA) advocate for a mandatory Indigenous Studies course in Saskatchewan high schools as part of the required curriculum for students graduating from grade twelve.**

**Regina Roman Catholic Separate School Division No. 81**

*(Note: This Resolution relates to Position Statement 2.1 & 3.3)*

**Sponsor's Rationale:**

- The Truth and Reconciliation Commission has put forth 94 calls to action that support building relationships with our Indigenous peoples, specifically **Call #62**, that; “calls upon the federal, provincial and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples and educators to: Make age-appropriate curriculum on residential schools, Treaties and Aboriginal peoples’ **historical and contemporary contributions** to Canada, a **mandatory education requirement** for Kindergarten to grade twelve students.
- The Ministry has made Treaty education mandatory for K-12. Treaty education is a start in awareness and understanding but does not provide students with a comprehensive knowledge of the **history and contributions** of First nations, Métis and Inuit peoples.
- The Regina Catholic School Division has engaged in a conversation with the Ministry of Education around a proposal for a mandatory Indigenous credit course for high school students in Saskatchewan, which was favorably received.
- A required Indigenous Studies course in high school would be:
  - a provincial response to the Truth and Reconciliation Commission’s Call to Action (Call #62)
  - In addition to Treaty education, in elementary schools, our high schools would continue to raise awareness by teaching our students the history of the Indigenous peoples of our province
  - An Indigenous Studies course would provide the students with a more in-depth understanding of Saskatchewan First nations, Métis and Inuit peoples and help them to gain knowledge about the many accomplishments and successes of Indigenous peoples

- *“What is best for non-Indigenous students isn’t always best for Indigenous students, but what is best for Indigenous students is often best for everyone.”* (Quote from one of our teachers, Robbie Desjarlais)

Cost of this resolution:

Estimated cost to SSBA- Commitment of time to Advocate

<b>Resolution AGM-17-11</b> Re: Indigenous Studies course	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-12 BE IT RESOLVED that the SSBA advocate to the Ministry of Education to immediately remove the conditionality parameters from Governance funding.**

**Prairie Valley School Division No. 208**

*(Note: This Resolution relates to Position Statement 3.1)*

**Sponsor’s Rationale:**

The March 22, 2017 Provincial Budget reduced operating funding to school divisions by 2.8 percent for the 2017-2018 school year. Governance funding, however, was reduced by 35 percent and Governance spending was capped so that actual spending may not exceed the funded amount. Following discussions with the sector last spring, in June 2017, the Ministry of Education made some minor adjustments to the conditionality parameters.

One of the sustaining principles of the funding system for more than ten years has been unconditionality. The funding formulas are intended to allocate funds equitably among school divisions, not to prescribe how boards of education should spend the money. Each board of education makes expenditure decisions based on budget priorities that meet local needs and boards are accountable for those decisions.

Removing the conditionality requirements would signal positive, trusting working relationships within the sector and ensure that boards of education are able to fulfill their role as elected representatives, while still respecting the need for financial restraint.

Therefore, it is recommended that the SSBA work with the Ministry of Education to advocate for immediate removal of the conditionality parameters from Governance funding.

**Cost of this resolution:**

We don't anticipate that implementing actions with respect to these resolutions would require any additional outside resources. The message in these resolutions would become ingrained as part of the advocacy statements that the President, Executive and Executive Director would use in their meetings with the Ministry and Minister as we move forward in rebuilding trust in Boards and in understanding the value that Boards bring to the sector.

<b>Resolution AGM-17-12</b> Re: Governance funding	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	<b>%</b>
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**AGM-17-13 BE IT RESOLVED** that the Saskatchewan School Boards Association request the Government of Saskatchewan amend the *Provincial Sales Tax Act* to exempt school boards from paying PST on insurance premiums and construction services.

**Prairie Spirit School Division No. 206**

*(Note: This Resolution relates to Position Statement 3.1 & 3.2)*

**Sponsor’s Rationale:**

As part of the provincial budget in March, the Provincial Sales Tax (PST) increased from 5 to 6 per cent. In addition, the PST was expanded to include insurance payments (both general and employee benefits) and construction services.

The increase in PST, along with the expansion of the tax, will add significant costs to school divisions. It is estimated that the additional costs relating to the expanded and increased PST will be \$300,000 annually for Prairie Spirit School Division alone. In total, the increased and expanded PST represents a cost of approximately \$8 million for Saskatchewan’s 28 school divisions.

The purpose of this resolution is to ask the Government of Saskatchewan to reverse the recent expansion of the PST, removing insurance premiums and construction services from this taxation.

School boards in Saskatchewan are funded entirely by the provincial government, from provincial taxes and local property taxes. In reality, charging the PST on school board construction projects and insurance payments is a tax on taxed monies.

*Cost of this resolution:*

No cost outside of attendance of regular meetings, consultations at existing opportunities.

<b>Resolution AGM-17-13</b> Re: PST exemption	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	%
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**AGM-17-14 BE IT RESOLVED that the Executive of the Saskatchewan School Boards Association be restricted from making decisions to utilize employee benefit and/or insurance reserve funds (and the interest thereon) to fund Saskatchewan School Boards Association operational costs.**

**Regina Roman Catholic Separate School Division No. 81**  
**Regina School Division No. 4**

*(Note: This Resolution relates to Position Statement 3.3)*

**Sponsors' Rationale:**

School boards pay premiums into the employee benefit and insurance plans in order to secure the specified coverages and contribute to the costs directly associated with administration of those plans. These premiums are coded by boards to the appropriate expense accounts when said premiums are tendered.

The 2018 Saskatchewan School Boards Association budget proposal contemplates the transfer of employee benefits and insurance reserve funds and interest in order to balance the organization's budget. In particular, the 2018 budget overview, as circulated, reports that "the reserves for EBP and Insurance Plans are fully funded as determined by an actuarial valuation" and that "investment income from the reserve funds will be used to support operations;" further, the proposed budget contemplates that "the member registration costs for the 2018 Spring and Fall Assemblies will be fully sponsored by the EBP and Insurance Plan."

These contemplated allocations are not consistent with the purposes for which the premiums were paid by school boards and, additionally, confer benefits that are not directly proportional to the relative contributions made by boards to the respective programs. Executive direction to use Plan reserves/interest for such purposes should not be authorized.

It is recommended that the EBP and Insurance Plan reserves (and interest thereon) are more appropriately allocated to boards in the form of premium reductions or credits.

**Cost of this resolution:**

In response to inquiries, Board CFOs have been advised by SSBA staff that:

“The proposed amount of EBP and Insurance plan funds used to support operations is the following:

Membership subsidy	\$ 73,930 (not from reserves, from 2018 operations)
Spring and Fall Assembly sponsorship	\$134,240 (not from reserves, from 2018 operations)
Reserves from unappropriated Insurance pools used to cover HR and Legal fees for 2018	<u>\$625,531</u>
Total	\$833,701”

Adoption of the resolution would dictate a review of revenue sources and/or expense levels in the proposed 2018 SSBA budget; an exercise similar to that undertaken by boards of education in response to a reduction in Ministry funding levels.

<b>Resolution AGM-17-14</b> Re: Employee benefits and/or Insurance reserve funds	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	<b>%</b>
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**AGM-17-15 BE IT RESOLVED that whereas private legal fees range in the vicinity of \$285.00 – 375.00/hour; and whereas school divisions frequently and routinely rely on the specialized legal services of the Saskatchewan School Boards Association to provide legal advice and services; Therefore be it resolved that the Saskatchewan School Boards Association reinstate the services that have been eliminated.**

**South East Cornerstone School Division No. 209**

*(Note: This Resolution relates to Position Statement 3.3)*

**Sponsor's Rationale:**

The SSBA provides a multitude of services and supports. SECPSD has frequently accessed and benefitted from the legal services provided by SSBA. The cost of retaining legal services independently will be cost prohibitive. Legal services, with specialized experience and knowledge in Saskatchewan education cannot be underestimated. Boards of Education, under the SSBA, combining to support legal representation that is accessible to all is a key example of cost efficiencies in our province.

The Annual Report of the SSBA in 2016 highlighted the role and accessibility of the legal services department.

*“Services*

*The SSBA Legal Services unit is widely recognized and used by the member school boards to formulate, evaluate and dispense sound situational and preventative legal advice. It is committed to facilitating legal solutions for clients. The team advised on thousands of education-related legal questions, matters and files during 2016. The varied scope of requests from school boards included contracts, duty of care, employment, interpretation of legislation, procurement and staff accommodation. Lawyers represented school boards at mediations and hearings in a variety of practice areas.*

*2016 Projects*

- Duty to Accommodate Students seminars for administration from more than 20 school divisions*
- Presentation with the Information and Privacy Commissioner at the Regina Teachers Convention*
- Prairie Valley School Division v. Pilot Butte, Saskatchewan Court of Appeal*
- Legal Modules (10 hours of professional development) for LEADS*
- Various presentations on legal topics (privacy law, search and seizure, student accommodation, conflict of interest, board conduct) to individual school divisions*
- Comprehensive legal support to school boards for the 2016 municipal and school board elections”*

The following is a memo from SSBA Executive Director on June 9, 2017 which outlines the changes in services. When these services are not offered through the SSBA, member Boards will be forced to retain independent legal advice/work and the costs implications will be considerable.

*“SSBA Legal Services provides for our members a team of lawyers uniquely experienced to provide legal advice in areas specific to the education sector. Boards also obtain or can seek advice from private law offices in those areas where legal services are not available through the SSBA.*

*Recent budget cuts and service reviews have led to the reduction of one lawyer on staff and we are carefully considering our capacity to ensure we continue to focus matters where our legal team is uniquely experienced in providing the best legal services to our members. We have outlined below an updated overview of the SSBA Legal Services provided to our members and this information is also available on our website at: <http://saskschoolboards.ca/services/legal/>*

*SSBA Legal Services continues to provide advice and support to boards of education on a variety of issues, including, but not limited to:*

- student issues including suspensions, parent issues, accommodation and custody issues affecting the school;*
- teacher and other staff employment contracts including drafting, interpretation, investigations, discipline, termination, etc.;*
- accommodation of employees and other human rights issues;*
- matters arising under The Education Act, 1995 and its regulations;*
- privacy and access;*
- board of education matters including conflict of interest, SCC, school closures etc.;*
- any other legal matter where there is a unique educational component; and*
- legal workshops and seminars are also provided to school board members and senior administrators to support school divisions in their work.*

*Please note, however the following about legal services offered by the SSBA:*

- Commercial contracts: Drafting, interpreting, or enforcement of commercial contracts (i.e. procurement, facilities, builder liens, purchasing and construction) will no longer be provided. Contract issues unique to school divisions, such as tuition agreements will continue to be supported by SSBA Legal Services.*
- Board of reference nominee: SSBA Legal Services does provide legal counsel for boards of education involved in a board of reference, however are no longer able to provide the services of a nominee in the process.*

- *Limited review of policy and procedures: involvement in review of policy and/or administrative procedures will be restricted solely to legal aspects of the policy or procedure.*
- *Litigation: SSBA Legal Services will work with members to review and then make a decision regarding support for litigation based on (a) the nature of the claim, (b) whether or not the matter is substantially education-related, and (c) capacity/workload of the lawyers.*
- *Insurance and real estate: Insurance-related tort or negligence matters as well as real estate transactions will continue to be handled by private law offices.”*

Cost of this resolution:

Full time lawyer salary:

The budgeted amount for a full time lawyer at SSBA including salary, benefits and expenses is \$170 000.00.

2016 Annual Report – Legal Services Total \$519 749

2015 Annual Report – Legal Services Total \$527 236

2014 Annual Report – Legal Services Total \$568 660

<b>Resolution AGM-17-15</b> Re: SSBA Legal Services	<b>For:</b>  <b>Against:</b>	<b>Spoil:</b>  <b>Blank:</b>	<b>CD DEF</b>	<b>%</b>
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