

SCHOOL DISTRICT NO. 92 (NISGA'A)

Policy Subject: SCHOOL CALENDAR

Date Passed: 94.05.10

Date Amended: June 14, 1994

Description:

SCHOOL CALENDAR APPROVAL PROCEDURES BYLAW

Regulation No. 111-R

The School Calendar Regulation requires that certain approvals be obtained before the school board can take certain actions respecting school calendars. These actions are:

- (a) to make available a local calendar for a school district in its district which varies from the provisions of the standard school calendar (section 6);
- (b) (effective July 1, 1994) to amend a school calendar (section 6.1); and
- (c) (effective July 1, 1994) to refrain from scheduling one or more non-instructional periods that the Minister of Education has ordered to be scheduled and used for a specific purpose (section 10).

The procedures for obtaining approvals are required to be contained in a school board bylaw.

THE SCHOOL BOARD, IN PUBLIC MEETING, THEREFORE ENACTS the following procedures for obtaining required approvals of school calendar proposals:

1. Definitions

- (1) In this bylaw,
“Act” means the *School Act*.

“*Regulation*” means the *School Calendar Regulation*.

“*Representation*” means the person or persons chosen by those employees of a school who are not represented by a union to present them for purposes of this bylaw.

“*School calendar proposal*” means a proposal of the school board to make available a local school calendar which departs from the standard school calendar established by the *Regulation*, or to amend a school calendar after it has been made available as required by the *Act* and *Regulation*, or to

refrain from scheduling one or more non-instructional periods that the Ministry of Education has ordered to be scheduled and used for a specific purpose.

- (2) Words and expressions used in this bylaw have the same meanings as are assigned to them in the *Act* and *Regulation*.

2. **Legal Requirements**

- (1) A proposal for a local school calendar for a school, or for an amendment to a school calendar, shall comply with the requirements of the *Act*, *Regulation* and any applicable ministerial orders.

3. **Notice**

- (1) If the Board intends to adopt a school Calendar proposal, the Board shall, before seeking the required approvals, provide to parents of students enrolled in the school, to employees of the board assigned to the school, and to employees' unions and other representatives at least seven days written notice of the board's intentions to seek that approval
- (2) Notice to parents may be given by distribution of notices to students at school and by notice to the Parent Advisory Council, if any.
- (3) Notice to employees may be given through the President and Executive, or by distribution of notices through internal mail.
- (4) Failure to provide notice to any individual employee or parent, unless bad faith is shown, shall not invalidate any action taken on a school calendar proposal.
- (5) Notice to an employees' union shall be given in accordance with the provisions contained in the relevant collective agreement.
- (6) Notice to an employee representative shall be given in writing in accordance with the designation of the representative.

4. **School Staff Approval**

- (1) Approval of the employees of the board assigned to a school of a school calendar proposal affecting that school is to be determined and expressed by the employees through their respective unions or representatives, in the manner that the employees and their respective unions may provide.
- (2) The representative of administrative officers and any other employees assigned to the school, who are not represented by a union, shall be the Nisga'a Administrators Association. Unless an administrative officer or other employee

notifies the secretary treasurer of a different choice of representative, no later than seven days after notice is given under section 3, or within such longer time as may be stipulated by the secretary treasurer.

- (3) Unions and representatives representing employees assigned to the school, following their determination of the wishes of the employee they represent, shall report total members of approvals and rejections by the employees whom they represent to the secretary treasurer within 30 days following notice under section 3.
- (4) Where an employee neither approves nor rejects a school calendar proposal, the employee shall be deemed to have approved the proposal unless the union or representative determines otherwise.
- (5) If a union or representative fails to report the approval or rejection of employees as required under subsection (3) within 30 days following notice under section 3, the school calendar proposal is deemed to be approved by those employees represented by the union or representative.
- (6) Approval by a majority of the board employees assigned to the school, as determined and expressed by their unions and representatives, constitutes employee approval of the school calendar for purpose of the regulation.
- (7) This section applies only to the regulation, requires employee approval of a school calendar proposal.

5. **Parent Approval**

- (1) A school calendar proposal may be referred by the school board to the parent advisory council of the school, if one has been established.
- (2)
 - (a) If there is no Parent Advisory Council, Education Committee, or Parent Teacher Association operating in the community, or if the school board does not refer the school calendar proposal to the Parent Advisory Council, Education Committee, or Parent Teacher Association, the school board shall notify the parents of students in the school as required by section 3 and send ballots home with students and approval will be sought.
 - (c) Approval by a Parent Advisory Council, Education Committee, or Parent Teacher Association to which the school has been referred under subsection (1), or approval by a majority of the votes cast a meeting convened under subsection (2), constitutes approval of parents for purposes of the *Regulation*.

6. School Board Approval

A school calendar proposal which has been approved by the school board, the parents and, if required, the employees in accordance with the provisions of this bylaw, shall govern school operation in accordance with its terms.

7. Distribution

- (1) Following approval, a local school calendar, or a school calendar which does not Schedule one or more of the non-instructional periods designed by the Minister, shall be made available to parents of students in the school on or before May 31, as required by the *Act*.
- (2) Following approval of an amendment to a school calendar, the board shall be given written notice of the amendments to the school calendar and the date on which they are to take effect to:
 - (a) the parents of the students enrolled in the school, and
 - (b) the employees of the board assigned to that school and to their unions and other representatives, in accordance with sections 3(2) to 3(6).
- (3) An amended school calendar or a local school calendar shall be filed with the Minister of Education within 30 days after all approvals (parents, staff and school board) have been obtained.
- (4) An amended school calendar shall not come into effect until at least 28 days after it has been filed with the Minister.

8. Effective Date

This bylaw shall come into force on July 1, 1994.

- (1) The provisions of this bylaw relating to amending school calendars and to refrain from scheduling designated non-instructional days come into force on July 1, 1994.