

## Overview of the Education Act and Areas of Interest to Parents and School Councils

### The Education Act

The *Education Act* specifies goals for Alberta's Early Childhood Services to Grade 12 (ECS-12) education system and identifies the roles and responsibilities of the Ministry, school boards, charter schools, private schools, teachers, parents and students.

Bill 8: The *Education Amendment Act*, was introduced on June 5, 2019, to update the *Education Act*, which was passed in 2012 after widespread consultation, but was not brought into force.

Government is currently reviewing the Education Act's corresponding regulations. Regulations describe additional legal requirements that must be followed.

If Bill 8 is passed, the *Education Act* would come into force on Sept. 1, 2019.

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### Age of Entry

Children must be 5 years old by December 31 of the school year in which they begin school. The common age of entry takes effect in 2020 and standardizes the cutoff across the province.

### Attendance Age

Attendance is compulsory up to 16 years of age.

### Age of Access (Funded Age)

Student is entitled to education programming provided they are younger than 19 years of age on September 1.

Boards have discretion to fund education programming to students who are under age 20 as of September 1.

### Residency

Residency rules are based on the custodial parent.

### Alternative Programs

School boards will be permitted to provide alternative programs outside of their geographic boundaries, provided that the resident school board has the first opportunity to deliver the alternative program.

### School Boards

School boards will be required to establish a policy respecting the resolution of disputes or concerns at the school level between parents and school staff.

School boards (and charter schools) have to appoint an audit committee consisting of at least two public members — one from the business community and one from the adult learning community.

School boards could fire a publicly elected trustee who breaches the board's code of conduct.

School boards can determine their own electoral wards without ministerial approval, but have to establish and publicize a policy for setting those boundaries.

Name distinctions will change. All school boards will be identified as a Public School Division or a Separate School Division, with all numbers removed.

Required school policies pledging to offer a "safe and caring" environment would no longer need to reference human rights or be made publicly available.

School boards would have “natural person powers,” which gives them the ability to enter into contracts, acquire property and hire staff.

School boards could enter into agreements without ministerial approval to educate children who live on First Nations. The board or education minister can appoint a First Nation representative to sit on a school board that has such an agreement

### Charter schools

The act would lift the cap on charter schools, which is currently set at 15.

Criteria would change. Applicants would no longer have to demonstrate “significant community support” for a school. It would have to demonstrate potential to improve the education system, enhance education research or innovation, collaborate with a post-secondary institution or school division, show potential to improve student outcomes or focus on a teaching approach not already offered.

### Private Schools

The education minister would have the power to cancel or suspend registration or accreditation of a private school if the school’s precarious finances put students’ education at risk.

### School Fees

Restriction on charging school fees for specific instructional supplies and materials. Limits on student fees would apply to both charter schools and school boards.

### School Councils

Where a school council has been dissolved by the Minister, a school council must be established after the start of the school year immediately following the year in which it was dissolved.

### School Clubs

A specific time limit for principals to grant a student’s request to create a gay-straight alliance (GSA) club at school is removed. There would be no time limit to appoint a GSA club adviser.

The privacy of students in gay-straight alliances would no longer be spelled out in education law. Schools would have to follow provincial privacy laws.

### Separate Schools

Catholics would be able to vote and run for either public or Catholic school boards. Non-Catholics would only be able to vote or run for public school boards.

### Quality Standards/ Leadership Certification

Changes that require principals and superintendents to seek additional certification from government are maintained. The quality standards for teachers, superintendents and principals will come into effect in September 2019 as scheduled.

### Transportation

This now includes the ability of the Minister to direct a school board to cooperate with another board to transport students. Intent is to create efficiencies that would benefit students.

### Parent Responsibilities

This section has been strengthened with the intent that parents are important contributors to their children’s education. Language includes: “A parent *has the prior right to choose the kind of education that shall be provided to the parent’s child*, and has the responsibility to (a) *act as the primary guide and decision-maker with respect to the child’s education*”