

Policy 10 - Bylaw and Policy Development

Bylaw and policy development is a key responsibility of the Board. Policies constitute the will of the Board in determining how the Division will operate, and communicate the Board's values, beliefs and expectations.

Bylaws take precedence over policies, and policies must be in harmony (not conflict) with the bylaws. Bylaws codify the fundamental governing rules of the Division and are incorporating legal documents.

Policies provide effective direction and guidelines for the action of the Board, Superintendent, staff, students, electors and other agencies. Policies also serve as sources of information and guidelines to all who may be interested in or connected with the operation of the Division. Adoption of new Board policies or revision of existing policies is solely the responsibility of the Board.

The Board shall be guided in its approach to policy making by ensuring adherence to the requirements necessary to provide for a wide range of cultural, linguistic, and religious diversity in education and compliance with the Education Act as well as provincial and federal legislation.

Board policies shall provide an appropriate balance between the responsibility of the Board to develop the broad guidelines to guide the Division and the opportunity for the Superintendent to exercise professional judgment in the administration of the Division.

The Board believes in the establishment and review of policy that reflects its values and perspectives.

Specifically

1. Board Policies and Bylaws:

- 1.1. The development and adoption of new Division policies and bylaws, and the revision of existing policies and bylaws, are the responsibility of the Board.
- 1.2. The development and adoption of administrative procedures and the revision of existing administrative procedures are the responsibility of the Superintendent, and shall be in compliance with Board Policies, Board Bylaws, and provincial legislation.
- 1.3. The Board shall be receptive to the general public, parents, students, teachers and administrators when considering the revision of existing policy and bylaws, and adding new policies and bylaws.
- 1.4. The Board delegates to the Superintendent the responsibility for drafting all new and revised policy and bylaw statements which shall be submitted to the Board for approval.

- 1.5. All policies and bylaws shall be written, clearly defined and based on the Board's philosophy and on a thorough understanding of local needs.
- 1.6. Board policies and bylaws shall be reviewed periodically (at least once every two years) and revised, if necessary, to meet changing needs. Policy and bylaw development is a continuous process.
- 1.7. The Policy Committee shall normally be the vehicle through which change occurs by the use of recommendations of any new and any changes to the Board.
- 1.8. Under normal circumstances, the following steps are to be followed for developing new BYLAWS or for revising existing BYLAWS:
 - 1.8.1. Trustees and the administration will normally initiate bylaw development. However, a need for new or revised bylaws may be identified by any group or individual and forwarded to the Superintendent. The Superintendent may seek advice from the Board and/or from the Policy Committee before proceeding to make recommendations on revision of existing bylaws or draft new bylaws.
 - 1.8.2. A draft copy of the bylaw is prepared by the Superintendent and may be presented to the Policy Committee for its consideration.
 - 1.8.3. Each reading of the bylaw can only be done once per month and must allow for at least three weeks between readings.
 - 1.8.4. FIRST READING:
 - 1.8.4.1. Draft bylaws are approved by the Board for circulation and feedback
 - 1.8.4.2. Draft bylaws are then: posted on the Division's website, and e-mailed to all staff, school council chairs, and parents for input for at least two weeks.
 - 1.8.4.3. Any feedback received would be considered by the Policy Committee.
 - 1.8.5. SECOND READING:
 - 1.8.5.1. the draft would be approved and/or amended by the Board.
 - 1.8.5.2. Draft bylaws are then: posted on the Division's website, and e-mailed to all staff, school council chairs, and parents for input for at least two weeks.
 - 1.8.5.3. Any feedback received would be considered by the Policy Committee.
 - 1.8.6. THIRD READING:
 - 1.8.6.1. The final draft is then presented to the Board for approval.
 - 1.8.6.2. Bylaws become effective upon adoption or at a later date set by the Board.
 - 1.8.6.3. Bylaws, and accompanying policies and/or administrative procedures, shall be posted on the Division's website.
- 1.9. Under normal circumstances, the following steps are to be followed for developing new POLICIES or for revising existing POLICIES:

- 1.9.1. Trustees and the administration will normally initiate policy development. However, a need for new or revised policies may be identified by any group or individual and forwarded to the Superintendent. The Superintendent may seek advice from the Board and/or from the Policy Committee before proceeding to revise existing policies or draft new policies.
- 1.9.2. A draft copy of the policy is prepared by the Superintendent and may be presented to the Policy Committee for its consideration.
- 1.9.3. Draft policies are approved by the Board for circulation and feedback.
- 1.9.4. Draft policies are then: posted on the Division's website, sent directly to the principals and to school council chairs for input for approximately two weeks.
- 1.9.5. Any feedback received would be considered by the Policy Committee.
- 1.9.6. The final draft is then presented to the Board for approval.
- 1.9.7. Policies become effective upon adoption or at a later date set by the Board.
- 1.9.8. The policy statements shall be posted on the Division's website.
- 1.9.9. NOTWITHSTANDING to the above, changes to Policy 10 - Policy and Bylaw Development as it pertains to bylaws shall follow the process for bylaws and not policies.
- 1.9.10. Except for Article 1.9.9 above, the Board may in their motion waive the requirement for consultation when it is in the best interest of the Division to do so and/or where the Board has determined they have all relevant information pertaining to the change.

2. Technical Amendments

Technical Amendments represent changes to existing policies that do not change the nature or purpose of the policy. The focus for a technical amendment is to ensure compliance with legislation or Board policies, correct errors, or update based on timeliness of information (stale-dated). They do not substantively change the document and would not generally need full consultation. A bylaw cannot be amended through a technical amendment.

- 2.1. The Superintendent will draft the change to Board Policies.
- 2.2. The Superintendent will distribute the technical amendments to the Board for information.
- 2.3. When determined by the Superintendent, the Superintendent will distribute the amended policies to Division staff, update the website, and any other communication as needed.

3. Administrative Procedures

Administrative procedures are those procedures that provide the detailed operational processes needed to comply with Board Policies and Board Bylaws, or to provide guidance to staff on the operations of the Division. The Superintendent shall have the responsibility for drafting new, deleting, or amending administrative procedures and shall have an administrative procedure outlining the process thereof.

- 3.1. The Superintendent will communicate changes to administrative procedures to the Board for information.

Reference: Section 33,51,52,53,222 Education Act
Board Procedures Regulation (AR 82/2019)

Effective: March 14, 1996
Amended: November 10, 2020