



Date: August 28, 2024 **Agenda Item:** 6.1
To: Board of Trustees
From: Shawna Warren, Superintendent
Originator(s): Sean Nicholson, Associate Superintendent, Corporate Services
Governance Policy: [Board Policy 225: Role of the Board](#)
[Board Policy 605: Public Use of School Buildings and Property](#)
Assurance Domain: Governance
Local & Societal

Superintendent Leadership Quality Standard (SLQS)

SLQS Competencies ([SLOS](#) / [Board Policy 700](#)):

Building Effective Relationships
School Authority Operations and Resources
Supporting Effective Governance

Subject: **JUPA Governance Clause Recommendation**

Purpose:

For approval. Motion required.

Recommended Motion:

THAT the Board of Trustees approve the use of a Joint Use Planning Agreement without the Governing Committee and that any issues arising from the agreement will be dealt with first between administration staff and then escalated to the Board as needed.

Background:

Currently two Joint Use and Planning Agreements are being worked on

1. The City of St.Albert area, which includes:
 - a. THE CITY OF ST. ALBERT
 - b. THE GREATER ST. ALBERT ROMAN CATHOLIC SEPARATE SCHOOL DIVISION
 - c. THE FRANCOPHONE REGIONAL AUTHORITY OF THE GREATER NORTH CENTRAL FRANCOPHONE EDUCATION REGION
 - d. THE ST. ALBERT SCHOOL DIVISION
 - e. THE STURGEON PUBLIC SCHOOL DIVISION

2. The Town of Morinville area, which includes:
 - a. THE TOWN OF MORINVILLE

- b. THE GREATER ST. ALBERT ROMAN CATHOLIC SEPARATE SCHOOL DIVISION
- c. THE STURGEON PUBLIC SCHOOL DIVISION

In both of these agreements, the parties have identified that they will not have a governing committee for the following reasons:

- Once the agreement is in place and approved by the Council (City/Town) and the School Board, it is administrative and most effectively dealt with between administrative personnel.
- If issues do arise with the agreement it should be taken to the School Board to amend the agreements, in which a meeting between the Council and the School Board can be arranged at any time.
- Reduce the number of meetings required and the difficulty of getting every member together.

As other parties of the agreements do not wish to have a governance committee included, Sturgeon Public School Division would have to create their own agreements between the municipalities and the Division.

Examples of wording for the governance committee have been attached for reference. In addition, an example of a dispute resolution clause has been included to identify how the Board would be involved if administration staff could not resolve an issue.

Administration is prepared to respond to questions at the August 28, 2024, Public Board meeting.

Attachment(s):

1. GOVERNING COMMITTEE EXAMPLES
2. ALTERNATIVE SOLUTIONS EXAMPLES

GOVERNING COMMITTEE EXAMPLES FOR JOINT USE AND PLANNING AGREEMENTS

Example One - GOVERNING COMMITTEE

1. The Governing Committee shall consist of two (2) Council members and the CAO or their designate and two (2) Board members and the Superintendent or their designate from each Board. The Governing Committee shall meet on an ***** basis.
2. The role of the Governing Committee shall be to provide recommendations to the Council and Boards regarding:
 - 2.1. Reviews of this Agreement and proposed amendments to this Agreement from time to time; and
 - 2.2. Resolution of any issues or matters of disagreement that arise.
3. Quorum of the Governing Committee shall consist of at least two representatives from each Party attending each agreed upon meeting. The Governing Committee may adopt such rules of procedure as may be agreed upon by its members.
4. The CAO and each Superintendent may be accompanied by administration, staff and/or resource personnel as deemed necessary by the CAO or the respective Superintendent.
5. Meetings of the Governing Committee shall be considered in-camera closed to encourage and facilitate frank and open discussion. All decisions of the Governance Committee shall require consensus of its members.

Example Two - GOVERNING COMMITTEE

1. The governance committee will meet annually in May. This meeting will be attended by a governance committee consisting of
 - a. two (2) members of Council of the Municipality and the Municipality's CAO or their designate;
 - b. two (2) school trustees of the Greater St. Albert Roman Catholic Separate School Division and the Superintendent of that Board or their designate; and
 - c. two (2) school trustees of the Sturgeon Public School Division and the Superintendent of that Board or their designate
2. In addition to the annual meeting of the Governance Committee, the Governance Committee shall meet as required to carry out its functions pursuant to Schedule "H" – Dispute Resolution Process for Joint Use and at any other times when required pursuant to this Agreement or when the parties determine such a meeting is appropriate.
3. The Governance Committee's role will be to:
 - a. Provide recommendations to Council and to the Boards regarding reviews of this Agreement and proposed amendments to this Agreement; and
 - b. Recommend resolutions of any issues or matters of disagreement that arise.

DISPUTES REGARDING OPERATIONAL ISSUES

1. Any disputes regarding the scheduling of a specific use or User Group for use of a Joint Use Space shall be addressed as follows:
 - 1.1. The administrative staff of the affected Parties shall attempt to resolve the dispute amongst themselves;
 - 1.2. If the administrative staff of the affected Parties are unable to resolve the dispute amongst themselves, the dispute shall be referred to the Municipality and the Board in a timely manner;**
 - 1.3. If the Municipality and the Board are unable to reach a resolution, the decision of the Party which owns the applicable Joint Use Space shall be final and binding .