



BOARD OF EDUCATION

POLICY DEVELOPMENT COMMITTEE

April 30, 2019

4:30 p.m.

District Education Office

A G E N D A

- | | | |
|---|---------|-------------|
| 1. Call to Order | | Chair |
| 2. Approval of Agenda | | Chair |
| 3. Approval of Minutes – January 29, 2019 | Page 2 | Chair |
| 4. Draft Revised Policy #6060 – Employees Working Alone or in Isolation | Page 5 | D Templeton |
| 5. Draft New Policy #6233 – Substance Dependence/Impairment | Page 8 | K Bird |
| BCPSEA Impairing Substances in the Workplace Toolkit | Page 12 | |
| 6. Draft Revised Policy #7018 – Classroom Based Early Assessment | Page 29 | K Nelson |
| Policies from other districts | Page 36 | |
| 7. Draft New Policy #7315 – Provision of Menstrual Products | Page 49 | K Bird |

Next Meeting: Fall, 2019
 District Office

ADJOURNMENT

**BOARD OF EDUCATION
SCHOOL DISTRICT NO. 78 (FRASER-CASCADE)**

**DRAFT MINUTES OF THE POLICY DEVELOPMENT COMMITTEE MEETING
January 29, 2019**

PRESENT:

Board Representatives:

Marilyn Warren	Trustee
Linda Kerr	Trustee
Wendy Colman-Lawley	Trustee (called in)

Committee Representatives:

Rosalee Floyd	Principal	FCPVPA
Patsy Graham	Principal	FCPVPA
Amy Smith	President	FCTA
Kristen Peters	Teacher	FCTA
Darlene Smith	Support staff	CMAW

District Staff:

Karen Nelson	Superintendent
Kevin Bird	Assistant Superintendent
Laurie Bjorge	Recording Secretary

Guest:

Kim Roberts	Public Health Nurse	Fraser Health
-------------	---------------------	---------------

Regrets:

Laurie Hansen	Staff	CMAW
Debra Schneider	AEC	
Leanne Boycott	AEC	
Wendy Clark	DPAC	

1. Call to Order

The meeting was called to order by Trustee Kerr at 4:32 p.m. in the District Board office.

2. Approval of Agenda – January 29, 2019

A SMITH/D SMITH

THAT the agenda of the Policy Development Committee meeting held on January 29, 2019 be approved as presented.

Carried

3. Approval of Previous Minutes – December 4, 2018

D SMITH/FLOYD

THAT the minutes of the Policy Development Committee meeting held on December 4, 2018 be approved as presented.

Carried

4. Draft Revised Policy #5500 – Head Lice

Guest Kim Roberts, Fraser Health Public Health Nurse attended meeting to discuss Fraser Health's lice protocol. There is an informational powerpoint for the schools to access. Nothing has changed in regard to treatment of head lice, but public health procedures have changed. Students no longer are sent home as a rule, as it opens it up to discrimination and bullying. Head lice not a communicable disease so public health no longer takes a role in treatment of head lice.

The Assistant Superintendent further discussed treatment and procedures within the school in regard to policy. The committee discussed putting together an information package to go out to families. A standard letter will be attached to the policy and the website updated.

D SMITH/A SMITH

THAT draft revised *Policy #5500 – Head Lice* be presented to the Board of Education for first reading, as amended.

Carried

5. Draft Revised Policy #1040 – Role of Trustee Liaison at Parent Advisory Council Meetings

The Assistant Superintendent reviewed the the draft policy. The committee discussed the trustee request form or letter and what form of training will be involved.

FLOYD/D SMITH

THAT draft revised *Policy #1040 – Role of Trustee Liaison at Parent Advisory Council Meetings* be presented to the Board of Education for first reading, as amended.

Carried

6. Draft Revised Policy #7310 – Student Participation in Extra Curricular Activities

The Assistant Superintendent reviewed draft policy after recommendations from BC School Sports and YouthSafe Outdoors have been included.

A SMITH/D SMITH

THAT draft revised policy *#7310 – Student Participation in Extra Curricular Activities* be presented to the Board of Education for first reading, as amended.

Carried

7. Draft Revised Policy #7530 – Challenge, Equivalency, External Credentials, Post Secondary Credit, and Independent Directed Studies

Much of this policy has been removed as it replicated the Ministry policy. The Ministry policy is referenced.

Graham/A Smith

THAT draft revised *Policy #7400 – Challenge, Equivalency, External Credentials, Post Secondary Credit, and Independent Directed Studies* be presented to the Board of Education for first reading, as amended.

Carried

Next Meeting

April 30, 2019

Location: District Education Office

Adjournment

The meeting adjourned at 5:20 pm

/WARREN

THAT the meeting be adjourned.

Carried

SCHOOL DISTRICT NO. 78 (FRASER-CASCADE)

POLICY

NO: 6060

DATE: 99-05-25

REVISED: 2005-04-26
2014-05-06

SUBJECT: **EMPLOYEES WORKING ALONE OR IN ISOLATION**

In accordance with [WorkSafeBC Regulation "Working Alone"](#) the School District must develop and implement written procedures for checking the well-being of a worker assigned to work alone or in isolation under conditions which present a risk of injury.

SCHOOL DISTRICT NO.78 (FRASER-CASCADE)

REGULATIONS

NO: 6060R

DATE: 99-05-25

REVISED: 2005-04-26

2014-05-06

SUBJECT: **EMPLOYEES WORKING ALONE OR IN ISOLATION**

Supervisor/Principal Responsibility

The Supervisor/Principal is responsible for ensuring workers are familiar with the checking of procedures appropriate to their duties. Workers are responsible for ensuring they follow procedures developed for their protection. Failure to comply with procedures developed is a serious violation of School District No. 78 (Fraser-Cascade) policy.

Communication

Where two-way telephone communication is the designated means of checking on workers well being, the schedule for contacting the designated personnel must be strictly adhered to.

In case of emergency, employees are reminded that the use of the school alarm system, the fire alarm system, or the school telephone system is available to summon emergency assistance.

Procedures for Custodians Working Alone or in Isolation

1. A Custodian working alone or in isolation will be given a phone number of a lead hand custodian working in another school.
2. The Custodian working alone will phone at a scheduled time to the lead-hand custodian. There will be at least three scheduled times for phone calls during an eight (8) hour shift. For Custodians working less than eight (8) hours or alone less than eight (8) hours, a schedule will be arranged with the Supervisor and the lead-hand custodian. The lead-hand must record times of call ins to be reviewed periodically by administration.
3. If the phone call is not received within thirty minutes of the time it is scheduled, the lead-hand custodian will take appropriate action which could include all or some of the following actions:
 - Calling the school where the custodian is working.
 - Advising other custodians in the school where the lead-hand is working that he/she is leaving and go to the school where the employee is working alone to check if any action is required.
 - Call the Supervisor
 - Call the Security company
 - Call the RCMP
 - Call the Secretary-Treasurer

Procedures for Maintenance Employees

1. Each employee will be issued a cell phone, which will be active and carried at all times.

2. ~~When a maintenance employee travels to rural schools out of the cell phone coverage area, the Supervisor and the employee will establish an estimated time of arrival. The maintenance employee working alone will notify the foreman or supervisor of their agenda with regard to locations they will be working at on a daily basis.~~
3. When the employee reaches his destination he/she will ~~telephone the Supervisor or acting Supervisor upon arrival. They will also~~ check-in with the School Principal or Principal designate. ~~The employee will advise the Supervisor by phone when he leaves the school.~~
4. ~~Should the employee not phone or arrive by the estimated time the Supervisor will take the appropriate action.~~

Procedures for Bus Drivers

1. Each bus will be equipped with a radio so they can be in contact with the Supervisor or other drivers.
2. For buses outside radio contact a satellite phone will be issued so the driver can be in contact with the Supervisor or acting Supervisor.

Voluntary or Personal Activities

If a Principal/Supervisor authorizes an employee to enter or use a facility outside normal operating hours, and no other person will be present in the facility, then the following rules apply:

- The employee will be required to sign in and out of the facility using a designated logbook.
- At each facility the school/location health and safety committee will develop a procedure detailing by whom, how, and when the employees well-being will be checked.

POLICY

NO: 6233
DATE: 00-00-00
REVISED:

School District 78 (Fraser-Cascade) is committed to providing a safe, healthy, and productive working and learning environment where students, employees, and other members of the school community are protected from the adverse effects of impairing substances.

All employees are expected to perform their work safely, competently, and efficiently, without limitation from the use or after-effects of impairing substances.

This policy is designed to prevent and address impairing substance use at work.

School district employees are in positions of trust. This policy establishes expectations for behaviour in relation to the use of impairing substances that could impact an employee's ability to perform their work duties safely, competently, and efficiently, consistent with their position of trust. This includes the school district's requirements regarding employee:

- fitness for duty
- use of impairing substance(s), and
- disclosure of impairing substance(s) use.

It is the intent of the policy that the dignity and privacy of individuals are respected. Treatment, accommodation, and the successful recovery of employees who have a substance use disorder are prioritized in the policy.

This policy applies to all employees. Contractors engaged by the school district are expected to have an equivalent policy in place prior to attending on or in school property.

Policies with respect to student use of impairing substances are set out in School District 78 [Policy 7400](#) Student Substance Related Impairment and/or use of Illegal Drugs.

Non-compliance with this policy may result in appropriate disciplinary measures, up to and including dismissal.

REGULATIONS

NO: 6233R
DATE: 00-00-00
REVISED:

Definitions:

Fit For work

An employee's ability to perform their job duties with efficiency, competency, and in a safe manner as compared to established or generally-accepted performance standards.

Impairing Substance

Any substance that is ingested, consumed, or otherwise taken, that changes or negatively affects the way a person thinks, feels, or acts. Impairing substances may affect an employee's ability to perform their job safely or productively. The definition of impairing substances includes, but is not limited to alcohol, cannabis, illicit drugs, and medications with impairing effects.

Work

Any task performed for or on behalf of the school district or where the employee is seen as acting as a representative of the school district, including (but not limited to) student field trips or when an employee has contact with students.

Workplace

School property (including within a prescribed distance), any location, vehicle, or equipment owned, leased, licensed, operated, or otherwise controlled by the school district, or any other place at or from which an employee works in the course of their duties (including a personal vehicle). This includes any circumstance where an employee is in the vicinity of students, is responsible for the supervision of students, or could be seen as acting as a representative of the school district, and where an employee telecommutes or works from home.

1. Subject only to an exception required by human rights law, the school district does not permit the use of impairing substances at work or in the workplace.
2. The school district does not permit the possession, use, distribution, or sale of illicit drugs, at work or in the workplace.
3. Anyone who is reasonably suspected of not being fit for duty will be required to leave work and will be provided with safe transportation home or to required medical attention.
4. The school district recognizes employees' human rights and will support employees who struggle with responsible use of impairing substances, or who have a substance use

disorder, by assisting with access as appropriate to programs, services, benefits, or work accommodation as per human rights law.

5. The school district complies with all applicable health and safety, human rights, and privacy legislation.
6. Education on the risks of impairing substance use and abuse and the influence that such use and abuse has on job performance and health and safety will be made available to all employees.
7. Employee Responsibilities
 - 7.1. Be fit for duty at work or in the workplace.
 - 7.2. Ensure that their ability to perform their job duties is not negatively affected by the use or after-effects of impairing substances.
 - 7.3. Consult with their physician and/or pharmacist to determine if their use of any impairing substance may affect their fitness for duty or the safety of any person at work or in the workplace.
 - 7.4. Advise their supervisor or manager if they are taking, or have taken, an impairing substance that may negatively impact their fitness for duty or the safety of any person at work or in the workplace.
 - 7.5. Advise their supervisor or manager in a confidential manner if they reasonably believe that another employee is not fit for work.
 - 7.6. If an employee is working on-call, they must remain fit for duty or decline the call-in for work.
 - 7.7. Employees who need a valid driver's license in the performance of their duties must immediately inform their supervisor or manager if their driving privileges are lost, revoked, or suspended due to impaired driving, including but not limited to a charge, suspension, or conviction while on or off duty or in the employee's personal vehicle.
 - 7.8. Employees and their dependents may seek free and confidential assistance from the Employee and Family Assistance Program (EFAP). All voluntary referrals to the EFAP are confidential.
 - 7.9. Employees are also encouraged to seek assistance from their immediate supervisor, identified district staff/human resources, the BCTF Health and Wellness Program (teachers) or the Joint Early Intervention Services program (support staff).
8. Manager and Supervisor Responsibilities
 - 8.1. Communicate with employees about the need to maintain a workplace free from impairing substance use, including answering questions about this policy.
 - 8.2. With the assistance of identified district staff/human resources, proactively identify and manage performance issues related to impairing substance use or substance use disorder.

- 8.3. Foster a workplace culture that encourages employees to self-disclose any conditions or concerns, including impairing substance use or substance use disorder that might impair their job performance or compromise workplace health and safety.
- 8.4. Record relevant information about any incident of suspected impairment and report it without delay to the Superintendent (or Designate).
- 8.5. Address any situation, including prohibiting operation of a motor vehicle, where an employee is reasonably suspected of being not fit for duty.

Related Policies and Document

1. Policy 7400 Student Involvement with Alcohol, intoxicants or illegal drugs
2. Policy 4033 Smoking, Tobacco, & the Use of Vapour Products
3. Policy 6215 Respectful Workplace
4. Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 2
5. Controlled Drugs and Substances Act, S.C. 1996, c. 19
6. Cannabis Control and Licensing Act, [SBC 2018] Chapter 29
7. Cannabis Act, S.C. 2018, c. 16
8. Criminal Code, R.S.C., 1985, c. C-46
9. Tobacco and Vapour Products Control Act, R.S.B.C. 1996, c. 451

Impairing Substances in the Workplace Toolkit

October 2018

Contents

Introduction.....	2
What is This Toolkit?.....	3
Guide for Managing Impairment in the Workplace.....	3
The Starting Point is Safety.....	3
Implementing an Impairing Substances Policy	5
Managing Impairment in the Workplace: Checklist.....	8
Best Practices: When to Intervene	9
Appendix: Template Policy	13

Introduction

Effective October 17, 2018, the federal [Cannabis Act](#) will make it legal for adults to purchase, possess and grow certain amounts of cannabis in Canada.

The BC government has enacted the [Cannabis Control and Licensing Act](#) (CCLA) and [Cannabis Distribution Act](#), which regulate how cannabis may be sold, distributed, and consumed in British Columbia once it is legalized. The legislation includes significant restrictions aimed at preventing access to cannabis by minors under age 19, including vicarious liability for boards of education and administrators for certain violations of the legislation:

- Cannabis cannot be consumed in or on school property or within a prescribed distance.
- A board of education, superintendent, and principal are deemed vicariously liable for violating the CCLA if a person consumes cannabis in or on school property, unless it/they can demonstrate having taken reasonable steps to prevent the violation.
- Cannabis cannot be smoked or vaped in a vehicle or anywhere where tobacco smoking and vaping are prohibited, including a workplace, playground or outdoor park, sports field, skate park, or other places where children commonly gather, near entry/exits, or at a bus stop.
- Cannabis cannot be sold, supplied, or allowed to be consumed by minors, in addition to a variety of other measures to prohibit and prevent access of cannabis to minors.

The legislation creates a number of provincial cannabis offences, which may result in a fine ranging from \$2,000 to \$100,000, imprisonment of three to 12 months, or both. These obligations will require school districts to review and update policies which apply to students in addition to staff policies.

There are no changes to legislation regarding the use of cannabis for medical reasons. Individuals who have authorization from a physician to use cannabis for medical reasons may continue to do so.

More information about the legislation and other provincial government resources are available [here](#).

Public school employers are unique employers, tasked with fostering a safe and effective learning environment for a vulnerable population. Public school administrators, teachers, and support staff act as role models for K-12 students in their formative years of development. This is reflected in the unique obligations set out in the CCLA for boards of education and administrators to take reasonable steps to prevent violations of the CCLA, including the consumption of cannabis in or on school property.

More broadly, the legalization of recreational cannabis in Canada has made employers consider how they manage, and communicate with employees about impairing substances in the workplace. All employers have the legal right and obligation to ensure that their employees are fit to work safely and productively.

What is This Toolkit?

The *Impairing Substances in the Workplace Toolkit* is intended to support British Columbia public school employers to effectively manage impairing substances in the workplace, including cannabis, using the following resources:

1. Guide for Managing Impairment in the Workplace

- An overview of the laws public school employers need to know to manage impairing substances in the workplace, and develop and apply an impairing substances policy.
- A checklist summarizing the steps needed to make sure any impairing substances policy the district chooses to implement is legally defensible.
- Best practices on intervention for districts to consider when impairment is suspected.

2. Template: Impairing Substances Policy

- A template policy to communicate expectations to employees about what is acceptable/not acceptable regarding impairing substances in the workplace. Any policy applicable to students is outside the scope of this Toolkit.

These resources **do not** replace independent legal advice, and we strongly recommend that districts carefully review their local collective and employment agreements with legal counsel to ensure implementation of the resources in this toolkit are consistent with the district's legal obligations.

Guide for Managing Impairment in the Workplace

The Starting Point is Safety

The board of education, its supervisors and staff all have responsibilities to ensure the health and safety of the school workplace:

- Employers and supervisors cannot allow a person reported or observed to be impaired by alcohol, a drug, or other substance to be at work.¹
- Employees must not be impaired by alcohol, drugs or other causes at work, and must inform their supervisor if they **or** someone else may be impaired at work.²
- The board of education, superintendents, and principals must exercise due diligence and take reasonable steps to prevent the consumption of cannabis on or in school property³, including having clear policies prohibiting consumption on or in school property, which are

¹ *Occupational Health and Safety Regulation*, s. 4.19(2) s. 4.20

² *Occupational Health and Safety Regulation*, s. 4.19(1), s. 4.20(1) and (3); *Workers Compensation Act*, s. 116

³ Sections 61 and 68(1), *CCLA*

effectively communicated to staff and students (e.g., through bulletins, training, and signage) and consistently enforced.

Boards of education expect their employees to model professional and appropriate behaviour toward students and in the community. Teachers,⁴ administrators, education assistants, bus drivers,⁵ and other support staff⁶ work closely and independently with students, and must conduct themselves in a way consistent with their unique positions of trust.⁷ Arbitrator Goodfellow put it this way in *Re Ottawa-Carleton District School Board and O.S.S.T.F., District 25 (Cobb)*, (2006) 154 L.A.C. (4th) 387 (at p. 394):

Parents must know when they drop their children off in the morning and entrust them to the school for seven or eight hours a day five days a week that they will be safe, secure and in the care of people that they can count on.

The template policy included in this toolkit is offered to districts as part of ensuring employee and student safety through communication of expectations around impairing substances in the workplace.

Off-duty Consumption

School districts may need to address off-duty consumption of an impairing substance when it has an impact on the work environment. Off-duty consumption that impairs the employee's ability to work is an obvious example. Impairing substances used recreationally off duty may have a variety of effects on the body, including physical and/or mental impairment. Impairment may extend for some period beyond the immediate moment of consumption and will depend on the type of drug, dosage, amount, and timing of consumption, any other food or substance consumed by the individual, their individual characteristics, and the nature of their job and workplace.

Off-duty conduct may also have an impact on the workplace if it negatively affects the school district's reputation, such as a bus driver being charged with impaired driving⁸ or a teacher intervening at a local bar when an under-age student was asked for ID,⁹ or negatively impacts students such as students viewing a school district employee's social media posts about impairing substance use.

⁴ *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*;

⁵ *The Board of Education of School District No. 48 (Sea to Sky) v. C.U.P.E., Local 779*, 2012 CanLII 58063 (Kinzie) at pp. 17-18

⁶ *Toronto District School Board* (2009), 181 L.A.C. (4th) 49 (Luborsky) at para. 61; *Ottawa-Carleton District School Board* (2006), 154 L.A.C. (4th) 387 at paras. 16-18

⁷ *School District No. 30 and C.U.P.E., Loc. 733*, unreported, March 4, 1980 (Hope) at p. 25, cited in *Rocky Mountain School District No. 6 v. C.U.P.E., Local 440* (2002), 114 L.A.C. (4th) 298 (Jackson), at para. 81

⁸ *Board of School Trustees of School District No. 6 (Rocky Mountain) v. C.U.P.E. No. 440* (2002), 114 L.A.C. (4th) 298 (Jackson)

⁹ *Board of School Trustees of School District No. 20 (Kootenay-Columbia)*, unreported, March 31st, 2003 (Morley)

Implementing an Impairing Substances Policy

The board of education's right to implement an impairing substances policy must always be exercised fairly and reasonably. To be legally defensible, labour arbitrators have established that the policy must be:¹⁰

- a. consistent with the collective agreement
- b. reasonable
- c. clear and unequivocal
- d. communicated to employees, including that a breach may result in discipline — employees should be provided with a copy of the policy and, ideally, their acknowledgement of the policy should be recorded
- e. consistently enforced — it is essential that the school district train all supervisors and administrators on how to exercise their responsibilities under the policy. Training can be incorporated into existing district training for supervisors on how to support and communicate with employees about health, wellness and workplace performance.

Balancing Employees' Rights

How school districts manage the use of impairing substances by employees must be balanced against employees' rights — not only under the collective agreement but also their human rights and privacy rights.

Human Rights Code

The *Human Rights Code*¹¹ protects employees from discrimination in employment on the basis of mental or physical disability or perceived disability. Addiction to drugs or alcohol is a recognized disability protected by human rights law.¹²

Districts should consider the following questions when seeking to address the conduct of an employee who is impaired at work or otherwise breached a district policy, and that breach may relate to a disability:

1. Is there a disability?

If an employee's breach of policy is not related to a substance use disorder, but rather to recreational or casual use, then human rights considerations do not apply. However, even if an employee has not disclosed a disability, employers may have a duty to inquire into whether an employee has a disability if there is reasonable basis to conclude that an employee's conduct could be the result of an addiction.

¹⁰ *KVP Co.* (1965), 16 L.A.C. 73 (Robinson)

¹¹ R.S.B.C. 1996, c. 210

¹² *Handfield v. Board of School Trustees, School District No. 26 (North Thompson)*, 1995 CarswellBC 3081

Where an employee does have a substance use disorder, there may remain a question as to whether that substance use disorder caused the misconduct at issue (i.e., the “hybrid analysis”). The mere existence of a disability does not preclude a district from considering discipline. For example, in *Stewart v. Elk Valley Coal Corp.*,¹³ an addicted employee in a safety sensitive position breached a mandatory disclosure policy by failing to proactively disclose his addiction to cocaine. His employment was terminated after he tested positive for cocaine after a workplace accident. The termination was found not to be discriminatory because there was no evidence that the employee’s addiction prevented him from proactively disclosing his disability as required under the employer’s policy.

2. Has the district met its duty to accommodate?

If an employee’s impairment or breach of the policy is caused by his/her disability then the district must demonstrate that its policy is a bona fide occupational requirement (BFOR) and that the district has attempted to accommodate the disability to the point of undue hardship. A BFOR¹⁴ is:

- a. A rule or standard adopted for a purpose rationally connected to the performance of the job
- b. The rule or standard is adopted in an honest and good faith belief that it is necessary to fulfil the work-related purpose
- c. The rule or standard is reasonably necessary to accomplish the work-related purpose and cannot be accommodated without incurring undue hardship.

Undue hardship is a high but imprecise standard, considering financial costs, disruption to the collective agreement, interchangeability and morale of the workforce, and safety risks to employees or others in the workplace.¹⁵ For example, arbitrators have concluded that it can be an undue hardship to accommodate use of an impairing substance like cannabis by an employee in a safety-sensitive position without sufficient evidence that the employee is not impaired in their ability to work safely.¹⁶ In the context of a safety-sensitive position, accommodation typically includes a leave of absence and support to permit the employee to undergo treatment or a rehabilitation program. Additional supports may be available under the collective agreement and other district or union programs.

Districts will necessarily engage their existing disability management, and attendance support and wellness processes, to support employees who may have disabilities in the workplace. The search for an accommodation requires the active cooperation of the employee seeking to be accommodated and, if applicable, their union.¹⁷ The employee and the union, if applicable, will

¹³ 2017 SCC 30

¹⁴ *British Columbia (Public Service Employee Relations Commission)*, [1999] 3 S.C.R. 3 (“Meiorin”)

¹⁵ *Syndicat des Employées de Techniques Professionnelles et de Bureau d’Hydro-Québec, Section Locale 2000 v. Hydro-Québec* (2008), 174 L.A.C. (4th) 1 (S.C.C.)

¹⁶ *French v. Selkin Logging*, 2015 BCHRT 101; *Aitchison v. L&L Painting and Decorating Ltd.*, 2018 HRTO 238; *International Brotherhood of Electrical Workers, Local 1620 v. Lower Churchill Transmission Construction Employers Association Inc.* (2018), 136 C.L.A.S. 26 (Roil)

¹⁷ *Central Okanagan School District No. 23 v. Renaud*, [1992] 2 S.C.R. 970, at para. 43

need to participate in the accommodation process by providing relevant information.¹⁸ The union may also need to agree to modify collective agreement provisions which may otherwise impede an accommodation.

Prescription Treatments

Employees may also legally be prescribed cannabis or other impairing substances as treatments for a disability. A prescribed treatment may or may not cause impairment, depending on the nature of the job and workplace, the type of drug, dosage, amount, and timing of consumption, any other food or substance consumed by the individual and their individual characteristics. In accordance with privacy and arbitral law, school districts should request information necessary to determine if an employee's prescribed use of an impairing substance impairs their ability to work safely and productively. Employees have a positive duty to be fit for work and, in accordance with the template Impairing Substance Policy included in this Toolkit, must inform the district if there is some impairment associated with the use. If there is such impairment, the district will need to consider if it is possible to accommodate the employee, such as through a change in shift hours, position, or duties.

Privacy Rights

School districts will need to consider employees' privacy rights when managing impairment in the workplace, including requesting medical information from employees. School districts are subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA),¹⁹ which requires a board of education to have a legal authority to collect, use, and disclose personal information. A board of education must only collect information that is *directly related to and is necessary* for managing or terminating the employment relationship.²⁰ If an employee's recreational or medical use of an impairing substance impacts their fitness to work, that information may be reasonably required to be disclosed by an employee.

FIPPA also obliges boards of education to collect personal information directly from an individual, with some exceptions for the employment relationship,²¹ use that information only for the purpose for which it was collected or a consistent purpose,²² make every reasonable effort to ensure personal information used to make decisions about individuals is accurate,²³ and protect personal information through reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.²⁴

¹⁸ *Dennis v. British Columbia (No. 3)*, 2003 BCHRT 168, para. 27

¹⁹ R.S.B.C. 1996, c. 165

²⁰ Section 26, FIPPA

²¹ Section 27, FIPPA

²² Section 30.4, FIPPA

²³ Section 28, FIPPA

²⁴ Section 30, FIPPA

Drug Testing

Drug and alcohol testing by employers is legally permissible in very limited circumstances in Canada. Because of the direct impact of testing on an employee's privacy and human rights, Canadian courts and arbitrators have found drug and alcohol testing is justified only if there is a clear policy communicated to the employee, the employee works in a safety sensitive position, and there is either reasonable cause to suspect impairment, there is a workplace incident of which impairment is a potential cause, or as part of an agreed return to work/rehabilitation plan. If a district wishes to implement a drug and alcohol testing policy, it is strongly advised to consult legal counsel.

Managing Impairment in the Workplace: Checklist

If a school district elects to implement an impairing substance policy, it should ensure that **before implementation**, it has met the key steps below to ensure the policy is legally defensible:

- ☐ District has developed a template impairing substance policy consistent with its disability management, attendance support and wellness practices.
- ☐ District has reviewed the policy with legal counsel to ensure compliance with collective agreements and other policies.
- ☐ District has provided a copy of the policy to all existing employees and included as part of the orientation package with all new employees, and records employee acknowledgement of receiving the policy.
- ☐ District has provided training with employees and local union/employee associations about the policy, including its purpose.
- ☐ District has communicated to employees about the risks of impairing substance use and abuse, the effects that such use and abuse has on job performance, health and safety, and resources available to support employees (including substance use disorders).
- ☐ District has trained supervisors and managers about how to recognize potential signs of impairment, their responsibilities under the policy and human rights (including the need for individualized assessment and accommodation), occupational health and safety, and privacy laws.²⁵ Training may take a variety of forms and may be readily incorporated into existing district training for supervisors on effectively supporting, and communicating with, employees on health and safety, attendance support, wellness, disability management, and/or performance.

²⁵ Optional but recommended training may also include the impact of cannabis on the developing brain, appropriate social media use, and the impact of school personnel as role models for students.

Best Practices: When to Intervene

Supervisors are responsible for identifying and addressing, in consultation with identified school district staff and/or human resources (and/or BCPSEA), any situation where there is a concern about an employee's ability to perform their job safely and productively due to an impairing substance.

Supervisors are not impairment detection experts. Supervisors are managers who know their employees as individuals and can identify behaviours or other physical signs that may be consistent with impairment. The following best practices are offered for districts' consideration and may need to be adapted to fit with districts' existing disability management, and attendance support and wellness programs and practices.

1. When should I intervene?

Every situation must be assessed objectively and the right approach will depend on all the facts. Supervisors should intervene when:

- you hear a report or information that an employee may be impaired or consuming an impairing substance at work
- you observe use or evidence of use of an impairing substance
- you observe an employee with erratic or unusual behaviour or changes in the employee's behaviour or appearance, which may indicate impairment.

2. What are the signs of potential impairment?

You are not required to be an impairment expert or to diagnose an employee. Some of the signs of impairment or substance use that will prompt you to intervene are:

- physical signs: odours, changes in appearance (red or watery eyes, unkempt appearance), paraphernalia in or around the employee or their worksite (e.g., empty bottles, edibles, joints, etc.)
- behavioural changes: slurred speech, unsteadiness, irritability, unexplained lateness or leaving early, yelling or inappropriate emotional responses, erratic or unusual behaviours
- performance changes: difficulty communicating or concentrating, changes in quality of work or inability to complete work, increase in accidents or near-misses
- admission or observation of impairing substance use — including before work or during work hours (e.g., lunch).

3. Example Scenario: An Education Assistant who reports to you has been showing a decline in their attendance and performance over the course of several months and appears to be unusually dishevelled when they reported to work this morning. What should you do?

- Do not ignore the employee's declines in attendance, performance, and/or appearance. Talk to identified district staff/HR to make sure you understand the district's and employee's rights and responsibilities, including under any applicable district policy (e.g., substance use disorder policy).
- Treat the employee fairly and respectfully and respect their right to privacy. Ask the employee to speak with you in a confidential area.
- Share directly and non-judgmentally with the employee what you have observed (or what has been reported) regarding the employee's attendance, performance, and/or appearance, and the impact of that behaviour in the workplace. Ask if there is anything going on for the employee, and if there may be a medical reason for the changes.
- Be open to all relevant information. Signs and symptoms consistent with impairment could also be related to other causes such as fatigue, stress, other medical condition(s), or non-medical personal issue(s).
- If the employee denies a medical problem, consult with identified district staff/HR and set expectations for the employee's attendance, performance, and/or appearance to improve. Remind the employee of all available resources to support them, including the employee and family assistance program (EFAP), which may assist with personal and other non-medical life challenges.
- If the employee acknowledges a medical problem, consider the next steps in consultation with identified district staff/HR such as a leave of absence pending receipt of medical information.
- Advise the employee of confidential assistance available through EFAP and any rights that may assist them in seeking treatment (sick leave benefits, leave of absence). Contact identified district staff/HR to assist the employee in confirming their rights to leave, benefits, and other assistance, inquire about fitness to work, and any other support or accommodation the district may be able to provide. Additional supports may be available under the collective agreement and other district or union programs.

4. Example Scenario: A teacher arrives at school after lunch smelling of cannabis. What do you do?

- Ask the teacher to remain outside the classroom in a confidential area and arrange for an appropriate replacement for the class, as necessary.
- Contact identified district staff/HR immediately for advice and assistance in conducting the investigation. Record your observations and those of other witnesses.

- Comply with any collective agreement obligations requiring notice of investigation and a union representative to attend the meeting with the teacher. Have another person at the meeting to record what is said.
- Advise the teacher they will be sent home pending further investigation. If there is any suspected impairment **do not allow the employee to drive**. Arrange for safe transportation home or to medical assistance.
- Work with identified district staff/HR to determine next steps in your investigation, which may include requiring medical information to determine if there is an addiction and treatment required.
- Work with identified district staff/HR regarding the outcome of the investigation, which may include disciplinary action and/or accommodation in the case of a disability.

5. Example Scenario: A bus driver tells you she received a roadside license suspension on Saturday for cannabis. What do you do?

- The employee must report the suspension to you, their supervisor, on the next working day as it interferes with their ability to do her job.
- Contact identified district staff/HR to inform them about the report of suspension and discuss next steps.
- Let the employee know that you will not be able to permit them to drive pending investigation.
- Comply with any collective agreement obligations requiring notice of investigation and a union representative to attend before asking for more details about the location, time, and other particulars about the suspension.
- Work with identified district staff/HR to determine next steps in your investigation, which may include requiring medical information to determine if there is an addiction and treatment required.
- Work with identified district staff/HR regarding the outcome of the investigation, which may include disciplinary action and/or accommodation in the case of a disability.

6. Example Scenario: What if an employee discloses to me that they are addicted to an impairing substance?

- Once you are aware that an employee may have a substance use disorder or other disability requiring accommodation, contact identified district staff/HR. The district will arrange for the employee to confidentially share the information necessary and determine next steps, which may include a leave of absence pending receipt of medical information and completion of any treatment required.

- The district must keep records of accommodation requests, information provided, solutions considered, and actions taken. These should be kept and stored confidentially by identified district staff/HR.
- Keep all information about an employee's disability strictly confidential and only share information that is needed for other employees to do their jobs.
- Communicate as appropriate (and consistent with district practices) with an employee about their accommodation, including status, planned next steps, and expected check-ins to ensure the accommodation is working/still needed.

7. Example Scenario: What if an employee self-discloses to me that they are using a substance that is impairing, which has been prescribed as treatment?

- Contact identified district staff/HR to determine next steps, including whether the employee should be placed on a leave of absence pending receipt of medical information.
- Advise the employee the district will need information from their physician regarding their limitations in order to assess the impact on the workplace. Contact identified district staff/HR to coordinate the inquiry and potential accommodations if necessary.

Appendix: Template Policy

Policy Creation Date:

Policy Revision Date(s):

Policy Statement	<p>School District <> (the “School District”) is committed to providing a safe, healthy, and productive working and learning environment where students, employees, and other members of the school community are protected from the adverse effects of impairing substances.</p> <p>All employees are expected to perform their work safely, competently, and efficiently, without limitation from the use or after-effects of impairing substances.</p> <p>This policy is designed to prevent and address impairing substance use at work.</p>
Purpose	<p>School district employees are in positions of trust. This policy establishes expectations for behaviour in relation to the use of impairing substances that could impact an employee’s ability to perform their work duties safely, competently, and efficiently, consistent with their position of trust. This includes the school district’s requirements regarding employee:</p> <ul style="list-style-type: none"> ▪ fitness for duty ▪ use of impairing substance(s), and ▪ disclosure of impairing substance(s) use. <p>It is the intent of the policy that the dignity and privacy of individuals are respected. Treatment, accommodation, and the successful recovery of employees who have a substance use disorder are prioritized in the policy.</p>
Scope	<p>This policy applies to all employees. Contractors engaged by the school district are expected to have an equivalent policy in place prior to attending on or in school property.</p> <p>Policies with respect to student use of impairing substances are set out in <POLICY NAME/NUMBER and link>.</p>
Compliance	<p>Non-compliance with this policy may result in appropriate disciplinary measures, up to and including dismissal.</p>

Definitions	
Fit for Duty	An employee's ability to perform their job duties with efficiency, competency, and in a safe manner as compared to established or generally-accepted performance standards.
Impairing Substance(s)	Any substance that is ingested, consumed, or otherwise taken, that changes or negatively affects the way a person thinks, feels, or acts. Impairing substances may affect an employee's ability to perform their job safely or productively. The definition of impairing substances includes, but is not limited to alcohol, cannabis, illicit drugs, and medications with impairing effects.
Work	Any task performed for or on behalf of the school district or where the employee is seen as acting as a representative of the school district, including (but not limited to) student field trips or when an employee has contact with students.
Workplace	School property (including within a prescribed distance), any location, vehicle, or equipment owned, leased, licensed, operated, or otherwise controlled by the school district, or any other place at or from which an employee works in the course of their duties (including a personal vehicle). This includes any circumstance where an employee is in the vicinity of students, is responsible for the supervision of students, or could be seen as acting as a representative of the school district, and where an employee telecommutes or works from home.
Application	<ol style="list-style-type: none"> 1. Subject only to an exception required by human rights law, the school district does not permit the use of impairing substances at work or in the workplace. 2. The school district does not permit the possession, use, distribution, or sale of illicit drugs, at work or in the workplace. 3. Anyone who is reasonably suspected of not being fit for duty will be required to leave work and will be provided with safe transportation home or to required medical attention. 4. The school district recognizes employees' human rights and will support employees who struggle with responsible use of impairing substances, or who have a substance use disorder, by assisting with access as appropriate to programs, services, benefits, or work accommodation as per human rights law. 5. The school district complies with all applicable health and safety, human rights, and privacy legislation. 6. Education on the risks of impairing substance use and abuse and the influence that such use and abuse has on job performance and health and safety will be made available to all employees.

Responsibilities	
Employees	<p>Employees must:</p> <ol style="list-style-type: none"> 1. Be fit for duty at work or in the workplace. 2. Ensure that their ability to perform their job duties is not negatively affected by the use or after-effects of impairing substances. 3. Consult with their physician and/or pharmacist to determine if their use of any impairing substance may affect their fitness for duty or the safety of any person at work or in the workplace. 4. Advise their supervisor or manager if they are taking or have taken an impairing substance that may negatively impact their fitness for duty or the safety of any person at work or in the workplace. 5. Advise their supervisor or manager in a confidential manner if they reasonably believe that another employee is not fit for work. 6. If an employee is working on-call, they must remain fit for duty or decline the call-in for work. <p>Employees who need a valid driver's license in the performance of their duties must immediately inform their supervisor or manager if their driving privileges are lost, revoked, or suspended due to impaired driving, including but not limited to a charge, suspension, or conviction while on or off duty or in the employee's personal vehicle.</p>
Supervisors and Managers	<p>Managers and Supervisors will:</p> <ol style="list-style-type: none"> 1. Communicate with employees about the need to maintain a workplace free from impairing substance use, including answering questions about this policy. 2. With the assistance of identified district staff/human resources, proactively identify and manage performance issues related to impairing substance use or substance use disorder. 3. Foster a workplace culture that encourages employees to self-disclose any conditions or concerns, including impairing substance use or substance use disorder that might impair their job performance or compromise workplace health and safety. 4. Record relevant information about any incident of suspected impairment and report it without delay to [district contact]. 5. Address any situation, including prohibiting operation of a motor vehicle, where an employee is reasonably suspected of being not fit for duty.

Additional Resources	<p>Employees and their dependents may seek free and confidential assistance from the Employee and Family Assistance Program (EFAP) available at: [insert]. All voluntary referrals to the EFAP are confidential.</p> <p>Employees are also encouraged to seek assistance from their immediate supervisor, identified district staff/human resources, the BCTF Health and Wellness Program (teachers) or the Joint Early Intervention Services program (support staff).</p>
Related Documents	<ol style="list-style-type: none"> 1. [Policy re student use of impairing substances] 2. [Policy re tobacco and vapour products] 3. [Respectful Workplace/Code of Conduct/Ethics Policy] 4. [Policy or policies re disability management, attendance support and/or wellness] 5. <i>Workers Compensation Act</i>, R.S.B.C. 1996, c. 492, s. 2 6. <i>Controlled Drugs and Substances Act</i>, S.C. 1996, c. 19 7. <i>Cannabis Control and Licensing Act</i>, citation not yet available 8. <i>Cannabis Act</i>, citation not yet available 9. <i>Criminal Code</i>, R.S.C., 1985, c. C-46 10. <i>Tobacco and Vapour Products Control Act</i>, R.S.B.C. 1996, c. 451



POLICY 7018
CLASSROOM ASSESSMENT AND REPORTING

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

SCHOOL DISTRICT NO. 78 (FRASER-CASCADE)

POLICY _____ **NO:** _____ **7018**

DATE: _____ **2001 12 11**

REVISED: _____ **2011 11 01**

SUBJECT: **CLASSROOM-BASED EARLY ASSESSMENT ASSESSMENT AND REPORTING**

The Board of Education supports the importance of classroom assessment and reporting as outlined by the Ministry of Education. ~~-based early identification as an essential element of successful program planning for students with special needs, as stated in the Ministry of Education's Policy, Procedures and Guidelines for Special Education (p.C13, 2010). The Board of Education believes that identification/assessment shall begin with the classroom teacher making systematic observations and evaluations and determining appropriate teaching/learning strategies to correct learning difficulties in reading, writing, numeracy, and social responsibility.~~

Classroom assessment is an integral part of the instructional process and can serve as meaningful sources of information about student learning. Feedback from ongoing assessment in the classroom can be immediate and personal for a learner and guide the learner to understand their misconceptions and use the information to set new learning goals.

The goal of reporting and communicating student learning is to ensure that parents are well informed about their student's progress. Effective communication between the home and the school is central to student success. Improving and ensuring effective practices for reporting and communicating student learning assures that students and parents will receive information about the student's progress in a timely and responsive manner. (curriculum.gov.bc.ca/assessment)

Important links:

Core Competencies

Curriculum Updates

B.C.'s K-12 Assessment System

Graduation Updates



POLICY 7018
CLASSROOM ASSESSMENT AND REPORTING

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

SCHOOL DISTRICT NO. 78 (FRASER-CASCADE)

REGULATIONS

NO:

7018

DATE: 2001-12-11

REVISED: 2011-11-01

SUBJECT: **CLASSROOM-BASED EARLY ASSESSMENT**

REGULATIONS

SUBJECT: **CLASSROOM ASSESSMENT AND REPORTING**

Adapted from SD23 –

506 – PRINCIPLES OF ASSESSMENT

The Board of Education believes in the following:

*"It is worth noting, right from the start, that assessment is a human process, conducted by and with human beings, and subject inevitably to the frailties of human judgment. However crisp and objective we might try to make it, and however neatly quantifiable may be our 'results', assessment is closer to an art than a science. **It is, after all, an exercise in human communication.**" - Ruth Sutton (world renowned educator and writer on education)*

Introduction

Assessment is defined as the ongoing gathering and communicating of information about students' performance and progress in relation to district goals and provincial curriculum. Through the use of ongoing assessment practices supported by research, educators (K-12) enhance and promote intellectual learning and growth, as well as social and emotional development, for all students in an inclusive, educational environment.

1. Quality assessment is authentic and promotes learning that is reflected in all aspects of our learning community.

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

- 1.1 **Assessment FOR Learning (Formative Assessment):** Assessment FOR learning occurs **during** the learning process and is essential for student success. Formative assessment meaningfully engages students, and enables educators, to seek and interpret evidence of learning in order to determine where students are at, where they need to go, and how best to get there. Ongoing descriptive, written, and/or verbal feedback guides this process to support deep, meaningful learning.
 - 1.2 **Assessment OF Learning (Summative Assessment):** Assessment OF learning summarizes evidence of student learning collected through observations, conversations, and artifacts at the end of a learning cycle.
 - 1.3 **Communicating Student Learning:** Communicating student learning, in various forms, is designed to communicate snapshots of learning to students, parents/guardians, and educators. Students' academic learning needs to be clearly articulated and communicated separately from work ethic, behavior, and/or social responsibility.
2. The Board of Education believes that quality assessment is to be undertaken in accordance with the following principles:
- 2.1 **Assessment practices reflect current research**
 - Assessment is a key competency in which educators focus and reflect on how students learn best as well as on how to improve teaching and learning.
 - Assessment utilizes appropriate assessment tools to align with purpose: diagnostic, formative, or summative.
 - 2.2 **Assessment is fair and equitable**
 - Assessment supports the development of the whole student: intellectual, aesthetic, physical, social, and emotional.
 - Assessment is a valid reflection of the student's current understanding.
 - Assessment identifies and supports the student's individual strengths and needs.
 - 2.3 **Assessment is based on and guided by essential learning goals**
 - Assessment powerfully supports the relationship between students, teachers, and curricula by focusing on the core competencies, big ideas, and learning standards (curricular competencies and content) that are

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

most relevant to our learners and context.

- Assessment supports the creation of high quality learning tasks that develop critical, creative, and collaborative individuals.
- Assessment supports and reflects Ministry and District educational goals.
- Assessment is an essential part of effective planning that is guided by clear performance targets and criteria in all three components of the curriculum – knowing, doing, and understanding.
- Assessment supports personalized learning as may be outlined in a student's individualized education or learning plan.

2.4 Assessment is inseparable from instruction

- Assessment informs and guides the instructional process by providing teachers with information about student progress towards learning goals.
- Assessment is embedded in meaningful learning experiences, empowering teachers and students to co-develop core competencies through engaging, criteria-framed, quality tasks.
- Assessment involves teachers in continuous interactions with their students to seamlessly provide dynamic and descriptive feedback on evidence of student learning in relation to specific criteria.

2.5 Assessment is flexible, authentic, and responsive to the learning needs of students

- Assessment is responsive to each student's needs and interests, fostering voice and choice and building on individual strengths.
- Assessment is differentiated, empowering students to demonstrate their learning in a variety of ways.
- Assessment is ongoing, systematic, and provides multiple and varying opportunities for students to demonstrate their learning over time.
- Assessment allows teachers to triangulate evidence from observations, conversations, and artifacts to accurately determine what students know, are able to do, and are learning.

2.6 Assessment promotes thinking and personal reflection, empowering students to become independent learners

- Assessment enables students to articulate their learning goals and to make informed decisions about how to progress towards these goals.
- Assessment promotes understanding of criteria through the use of samples and examples.

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

- Assessment develops effective self- and peer-assessment skills.
- Assessment stimulates metacognition and promotes self-reflective learning.

2.7 Assessment is a collaborative process

- Assessment is co-constructed with students, including but not limited to: co-development of criteria, strength-based conversations, and goal setting.
- Assessment engages students and parents in conversations about learning.
- Assessment is transparent and clearly communicated with students and parents.

2.8 Assessment is a key professional competency

- Assessment practices reflect current research in learning and assessment, and therefore require support through ongoing professional learning.
- Assessment practices require teachers to seek knowledge and skills to assess learning. This process includes planning for instruction and assessment, observing for learning, interpreting evidence, and providing constructive feedback.
- Assessment is a critical part of teachers' reflection and ongoing refinement of their practice.

The Board of Education recognizes the complex nature of quality assessment and the need for educators to engage in ongoing, collaborative learning in order to create the conditions for all students to reach their potential is recognized.

3. Definitions

Artifacts: an object that represents a student's learning.

Authentic: genuine and meaningful.

Big Ideas: statements that are central to one's understanding in an area of learning. A big idea is broad and abstract. It contains two or more key concepts. It is generally timeless and is transferable to other situations. Big ideas are the key concepts, principles, and theories that are used to organize knowledge within and across disciplines. A big idea is a statement of an idea that is central to an area of learning or across disciplines that links numerous understandings into a coherent whole.

Criteria: the standards by which we judge the quality of a given task.

<u>Adopted: 2001-12-11</u>	<u>Reviewed:</u>	<u>Amended: 2011-11-01</u>
----------------------------	------------------	----------------------------

Core Competencies: sets of intellectual, personal, and social and emotional proficiencies that all students need to develop in order to engage in deep learning and life-long learning.

Concepts and Content: what students should know and understand in a given area of learning at a particular grade level. They define the core knowledge (facts and concepts) essential to the development of big ideas for that area of learning in that grade. Concept and content learning standards in some areas of learning are displayed as a continuous view.

Curricular Competencies: the processes and skills that students need in order to meet the outcomes.

Diagnostic: pre-assessment to inform instruction.

Evaluation: the process of making judgments about what a student knows, understands, and is able to do in relation to curricular outcomes and core competencies.

Learning Standards: an explicit statement of what students are expected to know, understand and be able to do in a given grade and area of learning. In BC, learning standards are of two types: curricular competency standards, and concept and content standards. In previous curricula, these expectations were presented as learning outcomes.

Metacognition: reflecting on thinking processes (including planning, monitoring one's own thoughts, solving problems, making decisions, and evaluating one's thought processes).

Peer-Assessment: students providing each other with descriptive and constructive feedback based upon evidence and explicit criteria, for the purpose of producing better work in the future.

Self-Assessment: students judging the quality of their own work based upon evidence and explicit criteria, for the purpose of producing better work in the future.

Triangulation of Evidence: the process of analyzing evidence of student learning from multiple sources (conversations, observations, and artifacts) in order to gain a more accurate and reliable indication of student progress.

| -

School District 43: Coquitlam

Policy Subject: STUDENT ASSESSMENT AND EVALUATION

Date Passed: June 2005

Date Amended: October 2005

Policy: STUDENT ASSESSMENT AND EVALUATION

Procedure No. 360

Date Approved: June, 2005

Date Amended: October, 2005

Background

The mission of School District No. 43 is to provide quality learning for students.

To ensure that this goal is realized, measures of success are used to assist in planning for the most effective means to facilitate the learning and teaching of students. These measures must be educationally sound and provide direction for curricular planning.

The District believes that assessment and evaluation activities are undertaken for the following purposes:

- to inform teaching practice and to improve student achievement
- to provide information useful to school improvement efforts;
- to maintain the confidence of the students, the parents and the community.

The student formative and summative assessment activities shall address the following areas:

- the use of school-based formative assessments as and for learning to inform classroom instruction and improve student learning .
- assessments for learning seek and interpret evidence for teachers and students to

use in order to know where learners are, where they need to go, and how to get there

- assessments as learning involve the purposeful use of assessment activities to directly inform learning, e.g. developing the criteria for assessment with the students and then examining work in progress to judge what is needed next.
- the use of summative assessments of learning to inform classroom instruction, improve student learning, and to indicate where a student's performance is in relation to the learning outcomes.
- Assessments of learning include: Evaluations, judgments, or decisions about the work or merit of student performance in relation to a set of expectations (usually external) or standards of performance
- the use of school-based assessment programs that provide for the appropriate evaluation of student learning for the purposes of enrichment, remediation or to support district personnel in the identification of cognitive learning issues
- the utilization of a variety of formal and informal assessment and evaluation approaches which identify students strengths and areas needing improvement
- the use of assessment and evaluation is based solely on provincially prescribed learning outcomes. It is inappropriate practice to include work habits, effort or behaviour when reporting student achievement. Work habits, effort and behaviour are required to be reported to parents/guardians separately
- the use of classroom assessment and evaluation practices that include criterion-referenced assessments and standards based evaluation
- the use of consistent and equitable means by which student progress is assessed and reported upon.

Procedures

1. Relevant findings from District and Provincial surveys on student attitude and

achievement, which may be taken from time to time, shall be interpreted and incorporated into the annual goals and objectives established by schools and the District.

2. The District will provide in-service that supports current assessment and reporting practices; these may include;

- using teacher generated performance tasks
- using performance standards rubrics
- using letter grades (e.g. IP)
- implementation of new Student Progress Report Order (i.e., at the request of individual schools or groups of schools)
- using electronic reporting

3. Schools shall review their Student Evaluation Policies annually, an up-to-date copy of which is to be filed at the District Office.

4. Included in each school's Student Evaluation Policy will be procedures used to promote consistency in learning, assessment and evaluation practices used to evaluate and report student progress.

5. Schools with Grade 10, 11 and 12 enrollments will interpret their results annually from the grade 10, 11 and 12 Graduation Program exams.

5.1 Principals will coordinate activities of departments in their interpretation of Grade 10, 11 and 12 Examination results and support staff in the development of follow-up plans for respective curricular areas.

5.2 Principals will provide an annual update on interpretation and follow-up plans, based on Graduation Program Examination results, to their respective zone assistant superintendent.

5.3 A report will be prepared at the District level containing the following:

- pass rates by subject

- examinations means by subject
- scholarship results

Student Reports

6. Requirements for the content and format of report cards shall be as outlined in the School Act, its Regulations and related Ministerial Orders.
7. All schools will provide at least five reports to parents/guardians on student achievement per school year, of which three are to be formal.
8. A copy of the final formal report card must be kept in the student G4 file.
9. Interviews, telephone conferences and other means of communication are recognized as informal reports. A record of such procedures shall be kept by the teacher; noting the dates, topic or focus of the informal report, a summary of the discussion and any follow-up action decided upon (See Guidelines for Student Reporting pg. 4). A parent shall be informed when contact is to be considered as an informal report and told that a record of the discussion is being kept.
10. A description of the students' behavior, including information attitudes, work habits, effort and social responsibility shall be included in each report of academic achievement.

Primary Reports (Kindergarten to Grade 3)

11. Student progress reports for students in kindergarten through grade 3 must be in writing and, in relation to expected learning outcomes set out in the curriculum.

Primary Progress Reports must contain:

- (a) written reporting comments and a performance scale (may be a sliding scale or a comment) on each of the following subjects;
 - i) English Language Arts, or in the case of a student enrolled in a francophone

educational program or a French immersion student, French Language Arts, must include:

- a) reading/viewing,
- b) writing/presenting,
- c) speaking and listening/oral communication

- ii) Mathematics,
- iii) Science and Social Studies.

a) With respect to reporting in Social Studies and Science, at least 2 student progress reports in each school year must include separate reporting for these two subjects.

(b) written reporting comments and, in addition, may contain a performance scale on each of the following subjects,

i) Fine Arts (at least once during the school year,) in each of the following specific areas of the curriculum:

- a) dance
- b) drama
- c) music, and
- d) visual arts

- ii) Personal Planning
- iii) Physical Education

(c) a separate description of the students' demonstration of social responsibility.

12. In conjunction with the student progress reports parents of a student in kindergarten through grade 3 must be provided with oral or written comments on the student's school progress with reference to the expected developments for students in a similar age range.

13. Formal reports must include written comments to describe student behaviour, including information on attitudes, work habits and effort.

Intermediate Reports (Grades 4 to 5)

14. Student progress reports for students in grades 4 through 5 must, in relation to expected learning outcomes set out in the curriculum, contain

- a) letter grades (unless the board provides the letter grades to parents in a different document), and
- b) written reporting comments
- c) formal reports must include written comments to describe student behaviour; including information on attitudes, work habits and effort

Intermediate Reports (Grades 6 to 7)

15. Student progress reports for students in grades 6 through 7 must, in relation to expected learning outcomes set out in the curriculum, contain

- a) letter grades and
- b) written reporting comments
- c) formal reports must include written comments to describe student behaviour, including information on attitudes, work habits and effort

16. When an IP is assigned it is a sign that a student is making progress, but it has been determined that additional time is required to meet the expected learning outcomes for the course or subject and grade. An F may only be used if an IP has been previously assigned.

17. Language Arts must receive a letter grade but schools may decide whether to include letter grades or effort symbols for components of Language Arts.

18. Students must receive either one letter grade for Fine Arts or schools may decide to include letter grades for the components of Fine Arts (i.e., art, dance, drama, music).

19. Schools may decide whether to include symbols for effort along with letter

grades and which subjects are to receive symbols for effort.

20. Formal reports must include written comments to describe student behaviour, including information on attitudes, work habits and effort.

Intermediate Reports (Grades 8 to 10)

21. Formal reports must provide letter grades for each course or subject on the provincial curriculum and locally developed courses approved by the Board. Criterion-referenced letter grades shall indicate the level of performance as they relate to the prescribed learning outcomes set out in the Integrated Resource Packages (See Guidelines for Student Reporting pg. 6).

22. Where deemed to be appropriate by the teacher, principal, vice principal or director of instruction, written reporting comments shall be included. (Note: Schools may continue to use computer-generated comments at the secondary level. The Ministry recommends that computer-generated comments be thoughtful and as specific as possible).

23. When an IP is assigned it is a sign that a student is making progress, but it has been determined that additional time is required to meet the expected learning outcomes for the course or subject and grade. An F may only be used if an IP has been previously assigned.

24. Formal reports must include written comments to describe student behaviour, including information on attitudes, work habits and effort.

25. In addition to the student progress report, each Student Learning Plan, as required under the curriculum, if any, must be made available to the students' parents

Graduation Reports (Grades 11 and 12)

26. Formal reports must provide letter grades for each course or subject on the provincial curriculum and Board Authority/Authorized courses (BAA) approved by the Board. Criterion-referenced letter grades as defined by the ministry shall

indicate the level of performance as they relate to the prescribed learning outcomes set out in the Integrated Resource Packages. (See Guidelines for Student Reporting pg. 6).

27. Where deemed to be appropriate by the teacher, principal, vice principal or director or instruction, written reporting comments shall be included. (Note: Schools may continue to use computer-generated comments at the secondary level. The Ministry recommends that computer-generated comments be as thoughtful and as specific as possible).

28. When an In Progress (IP) is assigned it is a sign that a student is making progress, but it has been determined that additional time is required to meet the expected learning outcomes for the course or subject and grade. An F may only be used if an IP has been previously assigned.

When an IP is assigned the students must have their final learning indicated in relation to the learning outcomes upon completion of the requirements outlined in the IP plan. It is not appropriate to indicate only that a student has achieved a C- if this is not indicative of the level of learning demonstrated.

29. Formal reports must include written comments to describe student behaviour, including information on attitudes, work habits and effort.

30. Student progress reports for students affected by the Graduation Requirements Order or the Graduation Program Order, must, in addition to the information required above, contain the credits assigned toward meeting the general requirements for graduation as set out in these orders.

29. In addition to the student progress report, each student must receive a written comment in their Grade 11 year indicating their progress toward the Graduation Portfolio completion.

Promotion and Retention

31. Students in primary grades should not repeat a grade. (See Guidelines for

Student Reporting pg. 39).

32. Recognizing that the research indicates that advancement and retention are rarely able to support students in increasing their learning when an entire school year is lost as a result, a greater argument for repeating a course can be sustained at the secondary level if all other avenues available to the student have been exhausted.

The decision to advance or repeat a course will be made in the best interest of that student by the teachers, parents, and the Principal.

Students With Special Needs and English as a Second Language Students

33. For students with special needs the number of reports to parents is to be consistent with District guidelines for reporting.

34. For students who have difficulty demonstrating their learning and/or accessing the curriculum without adaptations these adaptations must be provided in order to make the curriculum accessible. These adaptations must be documented in a student's Individual Education Plan (Students with Special Needs) or Annual Instructional Plan (English as a Second Language Students).

Students who receive adaptations to ensure learning activities and curriculum are accessible MUST receive letter grades and comments as required for any student in line with the relevant ministerial orders.

If, despite adaptations and personnel support, a student with special needs is unable to demonstrate his or her learning in relation to the expected learning outcomes set out in the curriculum for the course or subject and grade, a student progress report for that student must contain written reporting comments in relation to the expected learning outcomes set out in that student's Individual Education Plan. (e.g., achievement of modified goals and objectives). See Guidelines for Student Reporting pg. 7.

35. Until an English as a Second Language student is able to demonstrate his or her

learning in relation to the expected learning outcomes set out in the curriculum for the course or subject and grade, a student progress report for that student must only contain written reporting comments in relation to the expected learning outcomes

36. The student progress report must contain, where deemed to be appropriate by the teacher, principal, vice principal or director of instruction, written comments describing

i) ways to enable the student to demonstrate his or her learning in relation to expected learning outcomes set out in the curriculum for the course or subject and grade, and

ii) the time period required to enable the student to demonstrate his or her learning

37. A letter grade may only be assigned for a student with special needs or an ESL student where that student is able to demonstrate his or her learning in relation to the expected learning outcomes in the curriculum for the course or subject and grade.

38. A statement must be included in the report card indicating that the progress of the student is in relation to the expected learning outcomes for that student in his or her Individual Education Plan and is not in relation to the expected learning outcomes set out in the curriculum for the course or subject and grade.

39. If adaptations to assessment or instructional methods are made, these adaptations shall be reflected in the structured written comments but NOT in the letter grade.

40. The permanent record card shall indicate that there is an Individual Educational Plan (I.E.P.) in place for the student.

Reference: Section 65, 85, School Act

Board Minutes

June 2005 Volume 47 Page 78

October 2005 Volume 47 Page 95

School District 53: Okanagan Similkameen

Policy Subject: ASSESSMENT AND EVALUATION

Date Passed: January 28, 2004

Date Amended: June 17, 2008

Policy: ASSESSMENT AND EVALUATION

Policy No. E-11

Date Approved: January 28, 2004

Date Amended: June 17, 2008

Quality assessment and evaluation followed by clear and specific communication of student progress and achievement are essential components of effective instruction expected by the Board of Education.

Assessment that is fair and provides accurate information about student achievement will lead to an evaluation and communication process which is clear and meaningful to students and parents. Fair and accurate assessment supports instruction and promotes student achievement.

REGULATION

The "Guiding Principles"• and "Standards of Fair Student Assessment"• (below) indicate how student achievement and performance can be supported by implementation of good assessment practices in the classroom, school and district.

Guiding Principles

1. The primary purpose of assessment is to guide instruction to improve student learning.
2. Assessment practices are fair and equitable as they are customized to match student needs.

3. Communication about assessment criteria is ongoing, clear and meaningful.
4. Staff development, professional development and teacher collaboration support assessment.
5. Assessment practices are regularly reviewed and refined by individuals, groups, schools and the district.

Standards of Fair Student Assessment

Student achievement and performance is supported by implementation of good assessment practices, including:

1. Instructional plans that reflect the Integrated Resource Programs (IRPs) including local courses, and are available to students in writing, in advance of instruction and, upon request, to parents/guardians. Instructional plans would include major learning outcomes, proposed teaching strategies, timelines, likely resources and materials, and assessment and evaluation procedures.
2. Assessment and evaluation procedures align with the specified outcomes in IRPs (including local courses), Performance Standards, or the student's Individual Education Plan (IEP).
3. Providing all students with appropriate, multiple and varied opportunities to demonstrate the knowledge, skills, attitudes and behaviors being assessed; and inform grade 4 - 12 students, in advance, of the basis and criteria for assigning letter grades. Academic assessment marks/grades are separated from effort marks.
4. Using assessment methods that match the purpose and content of the instruction.
5. Demonstrating the procedures for judging or scoring performance are consistently applied and monitored.
6. Providing communication that is clear and accurate to the parties for whom the

information is intended.

7. Using assessment results to make decisions about program planning and instruction.

The Guiding Principles and Standards of Fair Student Assessment defined in this policy support those articulated in Ministry and District directives such as the:

- Ministry of British Columbia Integrated Resource Programs (IRPs)
- Ministry of British Columbia Performance Standards
- Ministry of Education Spec. Ed. Services: A Manual of Policies, Procedures & Guidelines
- School District No. 53 (Okanagan Similkameen) Teacher Handbook

Adopted: 0000-00-00	Reviewed: 0000-00-00	Amended: 0000-00-00
---------------------	----------------------	---------------------

SUBJECT: Provision of Menstrual Products

The Board of Education believes that students in British Columbia should have access to healthy and effective learning environments. The school system is expected to promote gender equality and create an inclusive learning experience. Lack of access to menstrual products can negatively impact students' school attendance and their social-emotional well-being. Providing all students with convenient access to free menstrual products helps to support their full participation in school activities, reduces stigma and promotes gender equality.

The Board of Education, in keeping with Ministry of Education Policy, will ensure that schools provide menstrual products to students of all gender identities and expressions using delivery methods that are:

- Free of charge;
- Protect privacy;
- Are barrier free and easily accessible;
- Are non-stigmatizing;
- And that take into account the developmental levels of the student population.