

# Alberta Education Policy AE-09

## Continuity of Education Programming in Emergency Situations

### Purpose

HLG acknowledges and accepts its responsibility to provide each student enrolled in a school operated by the board an education program consistent with the requirements of the *Education Act*.

### Definitions

**Board** – the Boards of Directors of Calgary Academy (CA), Headwater Learning Foundation (HLF) and Headwater Learning Solutions (HLS), otherwise known as the Headwater Learning Group (HLG).

**Communicable disease** – an illness in humans that is caused by an organism or micro-organism or its toxic products and is transmitted directly or indirectly from an infected person or animal or the environment.

**Consent during emergencies** – the requirement for parental notification and any subsequent permission or agreement related to any health measures intended to be undertaken in a school and to apply to the body of a student.

**Independent Student** – a student who is 18 years of age or older, or 16 years of age and living independently as determined by a board under section 6 of *the Education Act* or is a party to an agreement under section 57.2 of the *Child, Youth and Family Enhancement Act*.

**In-Person learning** – teacher-directed education programming provided by a person responsible for the operation of an independent school to a student at the student's school of regular attendance.

**Local State of Emergency** – a localized disaster or emergency situation declared by the municipal authority in a town or community where a school is located and where the board, in consultation with its principal and with the municipal authority, must assess the scope of the emergency and determine how (or if) and under what circumstances school classes can continue.

**Order** – a prescription established by the Minister under section 11.1 of the *Education Act* in relation to the rights of a student to an education during an emergency.

**Parent** – the parent/guardian of a student enrolled in Calgary Academy, and as defined in section 1(2) of the *Education Act*.

**Public Health Emergency** – a declaration by government under the Public Health Act of an urgent and temporary occurrence or threat of occurrence of an illness, a health condition, an epidemic or pandemic disease, a novel or highly infectious agent or biological toxin, the presence of a chemical agent or radioactive material that poses a significant risk to the public of an increase in disease, injuries, disabilities or deaths in excess of expectations during times of normalcy.

**Remote Learning** – teacher-directed education programming provided by a person responsible for the operation of an independent school to a student on a temporary basis at the student's residence or at a location other than the student's regularly attended school.

**Reporting Obligations** – the requirement under the Public Health Act for a teacher or a person in charge of an institution to notify a medical officer of health when the teacher or person in charge suspects the existence of a communicable disease or any other illness or health condition occurring at an unusually high rate.

**Right of access to education** – the requirement under section 3(1) of the Education Act which indicates that every person who on Sept 1 is 6 years of age or older, younger than 19 years of age, is resident of Alberta and has a parent who is a resident of Canada is entitled to access in that year to an education program in accordance with the Act.

**School Facility Emergency** – an emergency situation declared by a board when an unanticipated event in or near the school building (including but not limited to fire, flood, heating or utility failure issues) has rendered the school, or parts of it, unsafe for student use.

**State of Emergency** – a situation declared under the Alberta Emergency Management Act that threatens public safety, public health, the environment, critical infrastructure, property and or economic stability and under which government is empowered to perform actions or impose policies it would not normally be permitted to undertake.

**Student** – a person who is enrolled in a school or required under section 7 of the Education Act to attend school but does not include a child younger than 6 years of age who is enrolled in an early childhood services program.

## Guidelines

1. Calgary Academy will ensure parents are informed about school matters and classroom content that includes subject matter dealing primarily and explicitly with human sexuality, sexual orientation, or gender identity.
2. While prioritizing the value of in-person learning opportunities for students' mental well-being and success, HLG recognizes its need to respond flexibly to unanticipated emergencies. HLG is sensitive to the needs and unique circumstances of families and students when determining how best to deliver educational services to students and affirms its commitment to ensuring the best interests of the students is always its primary concern, whether the educational offering is "in-person learning" or "remote learning".

3. The CEO delegates to the principal the responsibility for communicating to parents, employees and students the requirements of the *Education Act* and applicable regulations as they apply to "in-person learning" and "remote" learning.
- a) In particular, the principal shall communicate the board's commitment to providing students with access to education programming that provides the student the opportunity to meet the standards set by the Minister, even during declared public health emergencies and/or other states of emergency.
  - b) Except in those emergency situations where the Minister has made an order to the contrary, the principal and employees shall endeavour as a matter of priority to maintain in-person learning opportunities for students.
    - i) In fulfilling the responsibility in 3.b). above when concerns exist about limiting or preventing spread of any communicable disease as defined in the *Public Health Act*, the principal and employees shall respect choices made by parents and students to either wear or not wear a face mask or any other face covering.
    - ii) Further, if during an emergency described in section 3.1(1) of the *Education Act*, health measures established by a board that relate to the emergency are intended to apply to the body of a student, the principal must before the intended health measures are applied to the body of the student,
      - a. in the case of a student who is under 16 years of age, seek the consent of the student's parent, or
      - b. in the case of a student who is 16 years of age or older and considered an independent student as defined in these procedures, seek the consent of the student, or
      - c. in the case of any other student who is 16 years of age or older, notify the student's parent and seek the consent of the student or the parent, in accordance with section 3.2(1)(a) and (b) of the *Education Act*.
  - c) Even with the school's desire to prioritize and maintain in-person learning during public health emergencies, other states of emergency or a school facility emergency, the school principal and employees, in considering the unique circumstances, needs and interests of families and students and the school community itself, may from time to time determine that some or all students in grades 1 -12, and children in kindergarten, require an remote learning program.

- d) Unless the school has been exempted from the terms of the *In-Person Learning Regulation* by order of the Minister because of the particular nature or impacts of the emergency situation, the principal's decision to provide an option for remote learning at any grade levels, must be matched by the school's provision of in-person learning in those grade levels.
  - e) Notwithstanding the priority for maintaining in-person learning as expressed in 3.a) to 3.d) above, as the *Public Health Act* remains the overarching direction on all public health matters and may prevail over the *Education Act*, the principal and employees shall always cooperate with public health authorities in managing emergencies and will adhere to all applicable orders of Alberta Health Services or emergency officials.
  - f) In those circumstances where a school must temporarily cancel classes due to short term emergent situations such as inclement weather, a gas leak or a power outage, there is no requirement for the school to request an exemption to the *In-Person Learning Regulation*.
4. In the face of an emergency situation unrelated to the public health emergencies and other states of emergency identified under section 3.1(1) of the Act, the principal, following consultation with the CEO, may temporarily determine the need to transition some or all students to remote learning without also providing an in-person learning option if:
- a) Circumstances threaten the safe operation of all or part of the building where students regularly attend school;
  - b) The CEO and the principal are satisfied that given the circumstances referred to in 4.a) it is reasonably necessary to restrict access to all or part of the building where students normally attend, and unreasonable to conduct in-person learning; and
  - c) The CEO and principal plan to provide remote learning without an in-person learning option for 3 consecutive school days or less.
5. Within 48 hours of the commencement of the temporary, remote learning described in 4. above, the principal shall on the CEO's behalf notify the Minister, in a form and manner acceptable to the Minister, of:
- a) the date and time when the remote learning began;
  - b) the total number of students and the grades of the students for whom the remote learning is provided; and

- c) the date and time upon which the school plans to resume the provision of remote learning for some or all students.
- 6. Once the in-person learning option has resumed for some or all students, the principal, on behalf of the CEO, must once again notify the Minister, of:
  - a) the date and time at which the school's in-person learning option resumed;
  - b) the total number of students and the grades of the students for whom the in-person learning option resumed; and
  - c) the school's plans, if any, to continue providing remote learning without providing an in-person learning option.
- 7. Where the plans expressed by the principal and the CEO in 6.c) above indicate a need for the school to continue providing remote learning without an in-person option for some or all of the students in the school, then the Minister may establish an order under section 2(3) of the *In-Person Learning Regulation* to exempt the school from the requirement to provide an in-person learning option, provided:
  - a) The principal and CEO are satisfied that the conditions that threaten the safe operation of all or part of the school building and referenced in 4.a) above, continue;
  - b) The principal and CEO are satisfied that it is necessary under the circumstances to continue to restrict access to all or part of the building where students regularly attend school and not reasonable to resume in-person learning; and
  - c) The principal and CEO comply with the terms and conditions of the Ministerial Order.
- 8. With the implementation of the Minister's order in 7. above, the principal and employees shall commit to making every reasonable effort to enable all students to continue with the same courses and education studies in place at the time remote learning began.
- 9. The principal shall work with employees to develop and annually update the school's contingency plans for responding to emergency situations with in-person and remote learning, and the principal shall report to the CEO a summary of this plan. The plan shall include:
  - a) A description of factors the school will consider in determining whether learning will continue in-person or whether it may need to be complemented by remote learning;

- b) A description of any alternative solutions that might permit in-person learning to continue, where the school building itself or parts of it are otherwise compromised by the emergency;
- c) An indication of the steps the school has taken to ensure its readiness for a possible transition to remote learning, including the school's efforts to ensure teachers are competent in delivering remote learning, and a description of the resources and virtual learning platform teachers will use to ensure students have the opportunity to meet the intended learning outcomes of their respective programs of study;
- d) An overview of the home-school communication plan the school will use when providing the remote learning option, including opportunities for direct communication between teachers and parents or teachers and students, when that may be necessary.

#### **Guidelines for School Staff Response to Emergency Situations**

10. When emergencies are declared by government or arise otherwise in a school environment, the principal and employees must consider how best to preserve in-person learning programs, along with when and how to employ a remote learning option.
  - a) In determining the potential for the in-person learning to continue, the principal and employees should:
    - i) Assess the breadth and scope of the emergency situation and determine the degree to which in-person learning may reasonably continue with minor adjustments, or where in-person learning opportunities alone may be compromised by the impacts of the emergency situation;
    - ii) Communicate to parents of students to ensure parents are fully informed about the nature of the emergency and the challenges which may be apparent in maintaining in-person learning;
    - iii) Where a facility emergency at the school limits in-person learning for some students, consider reorganization possibilities for the school building to ensure in-person learning remains a priority for the most vulnerable learners and for those deemed less able to perform successfully with a remote learning option;
    - iv) If possible, ensure that efforts are made to address the needs of children in Early Childhood Services programs. Recognizing that ECS children are not of compulsory school age, the principal and staff shall nevertheless endeavour to continue ECS programming during emergencies through alternative arrangements or remote activities; and

- v) Review opportunities for the school to continue in-person learning in an alternate venue (including a neighbouring school or other public venue), if any exist and if those facilities can meet health and safety requirements.
- b) When the nature of the emergency situation makes it apparent to the principal and employees that in-person learning must, at least temporarily, be matched by remote learning, then the principal should:
- i) Communicate with parents to explain the nature of the emergency situation and to describe the student learning options recommended by employees;
  - ii) Engage with teachers to review the learning styles and needs of students and to identify the cohort of students most able to successfully navigate the shift from in-person to remote learning;
  - iii) Develop, organize, and allocate resources to ensure that employees have the expertise and the resources to confidently deliver remote learning in such ways that students can successfully achieve the intended learning outcomes in each of their courses of study.
- c) When the effects of an emergency situation are such that in-person learning is not deemed safe nor that it is apt to become safe in the foreseeable future, then the CEO shall promptly seek Ministerial exemption to temporarily shift to remote learning. Subject to the terms and conditions of such an order, the principal and employees should:
- i) Communicate with parents of all students to describe the emergency situation, the likely timeline for resolution, and the school's plan to transition to remote learning for the entire student body;
  - ii) Where the emergency is a "school facility emergency" as described in this procedure, support those parents who may wish to explore alternate in-person learning options in another school authority;
  - iii) Organize resources, build professional expertise and either independently or in partnership with other schools experienced in distance and virtual education, establish effective delivery platforms for remote learning.
  - iv) Establish strategies to enable regular and ongoing feedback between students and teachers, and between parents and the school principal, as one means to mitigate the limitations of the remote learning and to increase the likelihood of student success.

## REFERENCES

*Child, Youth and Family Enhancement Act*

*Education Act*

*Emergency Management Act*

*Public Health Act*

Independent Schools Regulation

In-person Learning Regulation

Public Health Emergencies Governance Review Panel Report (2023)