

Independent Review of the Bridgewater and Park View Family of Schools Review

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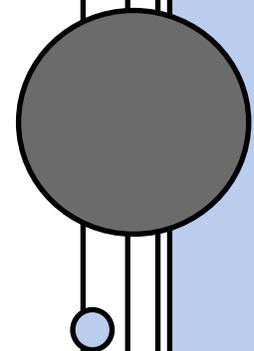


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Introduction

Issue

On October 28, 2015, the South Shore Regional School Board (SSRSB) recommended a review of the Bridgewater and Park View families of schools. As a result of this recommendation a School Options Committee (SOC) was formed. The SOC consisted of two School Advisory Council (SAC) members from each school in the two families and one community/business representative from each region who were not elected officials, parents of impacted students, or employees of the school board. In addition, a facilitator and a recording secretary were assigned to the committee as non-voting members.

The SOC was provided a mandate and five objectives by the SSRSB that was intended to guide their review and frame their final report and recommendations.

The SOC held its first meeting on November 26, 2015. There were ten committee meetings between November 26 and May 3, 2016. In addition to committee meetings, the SOC hosted 3 public meetings on February 2, February 25 and April 21. During these meetings the public were provided updates regarding the process utilized to conduct the school review and progress to date. They were also advised of the scenarios being considered and were invited to express their opinions on the issues being studied by the SOC.

Historically, school review processes that involve the closure of a school or the transfer of students are fraught with emotion. This school review was no exception with some SOC and community members making passionate pleas to retain grades 10-12 at Bridgewater Junior Senior High School (BJSHS) rather than move them to Park View Education Center (PVEC).

During the school review several members of the SOC were wondering whether the provincial review policy had been properly followed, if the process was flawed or minimally if the principles of administrative fairness had been adhered to.

The SOC members, who had concerns, brought them forward to the SSRSB, to municipal and provincial government representatives and to the Deputy Minister of Education and Early Childhood Development.

Independent Review

As a result of the concerns brought forward by some of the SOC members regarding the

process utilized to conduct the review of the schools, the governing school board requested an independent review of the process before they would proceed to consider the recommendations of the SOC.

The governing school board hired a consultant/reviewer, to examine the school review process. The consultant was provided a Terms of Reference document titled *Review of the Process Undertaken in Review of the Bridgewater and Park View Families of Schools*. This document can be found at Appendix 1 and provides a project scope and deliverables.

The reviewer was asked to focus on the policy and process used to conduct the review and the procedural fairness afforded to the process. The scope of the review did not require the reviewer to comment on the recommendations made by the SOC.

During the course of the independent review, 20 voting SOC members, the SOC facilitator and the recording secretary were interviewed. Interviews were also conducted with the School Board Superintendent and the Chair of the SSRSB. In addition to the 24 interviews a number of documents were taken into consideration including the review policy, SOC minutes, public meeting minutes and correspondence in the form of letters, email and text messages. The parameters of the independent review did not include an examination of school reviews that took place before the current policy was enacted. It also did not include a comparison of school reviews utilizing the current policy. Due to the time allotted for this independent review interviews with subjects outside of the SOC and school board were not conducted.

This report provides information on what led to the new school review policy being enacted. It will summarize what occurred during the SOC process and will describe in detail the policy objectives and directives that guided this independent review. In addition, it will detail concerns raised by stakeholders and will make observations and offer recommendations for future school review processes based on the experience of the SOC in this review.

A biography of the reviewer is attached as Appendix 2.

Background

Prior to 1994, any decision to close a school in Nova Scotia was made by the local school board. These decisions were often met with emotional pleas from the community to retain the school not simply for its value as an educational institution but also for its fundamental value to the community and the community's identity. Some school closures led to court challenges and jurisdictions started to look at ways to regulate the process.

Subsequently in 1994, the Nova Scotia government granted the Minister of Education the authority to regulate the process. School boards maintained the authority to administer the review process and make the final decision whether to close a school. However, as part of the review process school boards were required to establish a study committee for schools under review, to provide certain information to the public, and hold a public meeting.

In 1997 a provision was added to permit an SAC to act as a study committee.

In 2006 the Nova Scotia government initiated a province wide review of the school closure process and as a result recommendations were made to revise the process.

In 2008 the Nova Scotia government amended the Education Act and Regulations. The changes required the SAC to serve as the study committee, the timeframe for the review process was extended from four months to one year and the school board was required to prepare a comprehensive impact assessment report for each school under review.

After feedback from stakeholders in 2010 the Nova Scotia government further amended the Education Act and Regulations:

- A review was only required when permanent closure of a school was a possible outcome;
- When key milestones were revised, school boards were required to cite the sources they used for data in their impact and assessment reports;
- Study committees were required to hold at least one public meeting;
- School boards were required to publish their full decisions on the school board website instead of a newspaper.

In April 2013, the Minister of Education and Early Childhood Development requested that school boards suspend school review processes for the foreseeable future. Amid growing concerns about the effectiveness of the school review process, the *School Review Process Study* was initiated. The study was led by Mr. Robert Fowler and consisted of the development of a discussion paper and a province-wide public consultation.

Nine community representatives who attended the meetings held in their local area and provided input to Mr. Fowler on development of the recommendations supported the consultation process. The mandate of the study was to develop recommendations to improve the school review process by creating a more comprehensive approach to school reviews that would meet the needs of school boards and communities.

After responding to the report and recommendations from Mr. Fowler, the Minister of Education and Early Childhood Development introduced amendments to the Education Act in Spring 2014. The amendments were proclaimed in October 2014 with the release of the new policy outlining the revised school review process. This is the policy that was

utilized to conduct the school review of the Bridgewater and Park View families of schools.

The new school review policy focuses on involving communities earlier in discussions about the future of schools through long-range planning by school boards. It provides a more comprehensive review process by expanding the review to include a group of schools rather than an individual school and that the review is conducted by a multi-stakeholder committee and supported by data and facilitation assistance. The review process does not only consider closure options, but also provides an opportunity to examine a variety of options for a group of schools including any viable innovative scenarios (Nova Scotia Department of Education and Early Childhood Development, 2014).

Before the SSRSB began their reviews, the new school review policy was previously used by the Cape Breton-Victoria Regional School Board for a review of five families of schools which started on August 24, 2015 and the Strait Regional School Board review of the Strait Area Education Recreation Center Feeder System commenced on October 7, 2015.

Fowler (2014), commented on the impact of school reviews on communities. He stated that school reviews were having a negative impact on the relationship between school boards, parents, and communities. Fowler (2014) also indicated that school communities express a lack of trust in the information compiled by school boards and feel that community opinions and interests are not given priority when decisions are made about schools.

In his School Review Process Discussion Paper Fowler (2013) indicated that a variety of stakeholders said that the data used for identification reports and impact assessment reports can become a flashpoint for disagreement between school communities and school boards. This is a serious concern because the data is used throughout the school review process and decision makers rely on the information (Fowler, 2013).

The Nova Scotia Schools Boards Association (NSSBA) produced a document Right-Sizing the School Review Process. NSSBA (2014) stated, "In carrying out any school closure, school boards must comply with ministerial regulations and the principle of procedural fairness. School closures can be a source of much tension and conflict between communities and school boards, with communities frequently mounting social, political, and legal challenges to halt closure decisions." (p.2).

It is well documented that the potential of a school closure or the transfer of students will have a significant impact on a community. Emotions will run high therefore it is critical that this is considered in every step of the review process. Fairness, impartiality and transparency are the keys to success and must not only be ever present but must be seen to be present.

The School Review of the Bridgewater and Park View Families of Schools

Long-Range Outlook

The Nova Scotia Education and Early Childhood Development School Review Policy (2016) explains that school boards are required to present information annually to the public about the current and developing situation regarding their schools and the delivery of education programs and services, in the form of a long-range outlook. The outlook, which is updated annually, provides both the school board and the community with an opportunity to discuss the future of education delivery for a group of schools.

It goes on to say that the outlook provides valuable information about the changing circumstances of schools and the school community, such as changes in student enrolment and demographics, within the context of the strategic goals and priorities of the school board for the delivery of the public school program.

Based on the information provided in the outlook, a school board may choose to identify a group of schools or an individual school for review. The review of a group of schools or school must be undertaken in accordance with the Nova Scotia Education and Early Childhood Development School Review Policy (Nova Scotia Education and Early Childhood Development School Review Policy, 2016).

It is important to note that this policy applies when a school board wishes to conduct a review of a school or group of schools where school closure is a possible outcome. In this case there would be a debate between the Superintendent of SSRSB and supporters of BJSHS as to whether or not a recommendation to relocate grades 10-12 from BJSHS to PVEC would constitute a school closure. The Superintendent's position was the school, as an entity, would remain open therefore it was not a school closure; however, he did believe that the full review process should be applied as it was a significant potential change and the process was well designed to engage the community in the decision making process. The supporters of BJSHS felt strongly that if grades 10-12 were moved to PVEC it would constitute a closure of the Bridgewater high school.

The South Shore Regional School Board Long Range Outlook (2015), recommended a school review for Bridgewater Family of Schools, within one year, to examine "catchment area, cross boundary registrations, facility utilization, operational costs, grade configurations, and program options." It also recommended a school review for the Park View Family of Schools, within one year, to examine "catchment area, cross boundary registrations, facility utilization, operational costs, grade configurations,

program options, and P3 renewal of Bayview Community School.” (p.111).

The Board accepted the recommendation in the Long Range Outlook and directed a school review be initiated for both the Bridgewater and Park View families of schools and that they be conducted together. The rationale for doing the school reviews together, with one SOC, was based on their geographic closeness. The Bridgewater Family of Schools is almost completely surrounded by the Park View Family of Schools. Students in and just outside the Town of Bridgewater attend schools in both families of schools. It was the opinion of the SSRSB that the schools had to be reviewed together in order to realize any efficiencies due to the interrelated nature of the systems.

A Flow chart describing the School Review Process is attached as Appendix 3. This document clearly articulates step by step the official process and requirements for a school review.

Development of the School Options Committee

Once the governing school board directed that the school review would take place the next step in the process was to authorize the initiation of the SOC. As per the school review policy, the committee was made up of two members of the SAC from each school, specifically the chair of the SAC and a parent representative. In addition, a community representative from each region was selected by the SSRSB Superintendent to combine for a total of 20 voting members. The Superintendent chose a facilitator from a standing list of 11 individuals provided by the Department of Education and Early Childhood Development and added a recording secretary from the staff of the SSRSB. The facilitator and recording secretary were non-voting members of the SOC.

The SOC representatives included five people from the Bridgewater Family of Schools and 15 people from the Park View Family of Schools.

The families of schools are as follows:

Bridgewater Family of Schools:

- Bridgewater Elementary School
- Bridgewater Junior/Senior High School

Park View Family of Schools:

- Newcombville Elementary School
- Pentz Elementary School
- Petite Rivière Elementary School
- Bayview Community School

- Hebbville Academy
- Bluenose Academy
- Park View Education Center

Mandate of the SOC was provided by the SSRSB:

1. The School Options Committee will conduct a review, with public consultation, of Bridgewater and Park View Families of Schools. The review will include – catchment area, cross boundary registrations, facility utilization, operational costs, grade configuration, program options and P3 renewal recommendation.
2. The School Options Committee will submit a Report and Recommendations to the School Board, which will inform the Board’s final decision.

Review Objectives provided to the SOC by the SSRSB:

1. Make a recommendation to the Board that optimizes high school programming options and choices for all students.
2. Review school catchment areas as defined in the Catchment Area Policy.
3. Consider facility utilization and operational costs when making recommendations.
4. Make a recommendation to the Board regarding school grade configuration at all schools.
5. Determine whether Bayview Community School will be needed beyond 2020.

In addition to the mandate and objectives supplied to the SOC at their first meeting they were also to be guided by the school review policy objectives that state the following:

The review of schools in Nova Scotia is an important process, providing information and the opportunity for school communities to participate in school boards’ decision-making processes regarding the future of education delivery. The school review process will ensure that the following policy objectives are maintained:

- the future of a local school is part of a plan for the broader school region and parents and communities are able to contribute to the solutions for the region;
- clear, rigorous, and trusted information will be used to make effective decisions;
- more flexible timing will allow the review process to better align with school board planning processes;
- the principles of administrative fairness are maintained;
- decision makers are in a position to make the best decision possible for delivery of education to all students, based on relevant information and input from stakeholders; and
- innovative solutions to identified issues may be considered when it is in the best interests of the students and the community to do so.

In addition to the policy objectives there are policy directives that must be adhered to that are listed below:

- Directive A: A school review may be considered when a long-range outlook has been completed by a school board, as required by the Education Act.
- Directive B: To initiate a school review, school board staff will present a report called a Recommendation to Review to the governing school board identifying a group of schools for review. A review should include all schools that could be impacted by the outcome of a review or could expand the range of options for consideration. Under exceptional circumstances it may be appropriate to conduct a review of an individual school. A Recommendation to Review does not have to coincide with a particular calendar date.
- Directive C: The governing school board will approve the initiation of a school review through a vote at a public meeting and will authorize the establishment of a School Options Committee to conduct the review.
- Directive D: The School Options Committee will comprise voting and non-voting members, as outlined in Appendix 4 Appointments to the SOC will be for the duration of the review. The school board superintendent is responsible for forming the School Options Committee.
- Directive E: A facilitator will be appointed by the Superintendent from a roster maintained by the Department. The role of the facilitator is to guide and support the School Options Committee in fulfilling its mandate.
- Directive F: The School Options Committee will be provided with finalized Terms of Reference at or prior to its first meeting. The Terms of Reference will provide the SOC with the mandate, review objectives and reference criteria for the review as determined by the school board.
- Directive G: The school board staff will prepare and provide the School Options Committee with School Information Profiles for each school identified as part of the review, according to the template provided by the Minister in Appendix D of the School Review Policy Document.
- Directive H: A chair will be elected from among the voting members of the School Options Committee within the first two working meetings of the SOC.
- Directive I: The School Options Committee will meet regularly (“working meetings”) to consider, create, evaluate and refine solutions to the issues identified in the Recommendation to Review that meet the review objectives and reference criteria detailed in the Terms of Reference.
- Directive J: The School Options Committee will hold at least three public meetings to present its work and seek input and feedback about the review scenarios under consideration.
- Directive K: The school board and the School Options Committee are to work together to ensure that all information relevant to the review is made public by posting it in a prominent location on the school board’s website and making it available in print upon request. Any technical language should be explained in plain language.
- Directive L: At the conclusion of its review, the School Options Committee will submit a Report and Recommendation to the school board, through the superintendent, for consideration. The Report and Recommendation will outline the work of the SOC, address each issue identified in the Recommendation to Review, and make a recommendation consistent with the review objectives and reference criteria.

- Directive M: If deemed necessary or requested by the governing school board, school board staff will submit a Staff Technical Report providing additional technical details or pertinent comments related to the SOC's Report and Recommendation.
The Staff Technical Report will be presented at the same public school board meeting as the Report and Recommendation.
- Directive N: The governing school board is responsible for making a final decision with respect to the outcome of a school review.
- Directive O: In the event that a school board votes to permanently close a public school, school board staff will work with the principal of the school and the principal/s of the school/s that will receive the students of the permanently closed school to establish a transition committee that will develop a plan for transition. The decision to close a school and the transition plan must both be clearly communicated to the school community, to the public, and to the Minister.
- Directive P: The following timelines will apply:
 - A Recommendation to Review can be made to the governing school board at any time.
 - If a review is approved, no more than 30 calendar days must elapse before the establishment of the School Options Committee.
 - Upon its formation, the SOC has a minimum of 90 and a maximum of 150 calendar days to conduct the review, including public consultation.
 - No more than 60 calendar days will elapse between the submission of the Report and Recommendation to the superintendent and the presentation of the Report and Recommendation at a public school board meeting. [If a Staff Technical Report is being submitted it must be done during these same 60 days].
 - Generally, no more than 30 calendar days must elapse between the presentation of the SOC's Report and Recommendation and the board's final decision at a public school board meeting. In exceptional circumstances an additional 30 days is permissible for the school board decision to be made.
 - If the governing school board votes to permanently close a public school, the school must close within five school years of the decision, beginning in September of the school year following the decision.

The Work of the SOC

At the first meeting of the SOC on November 26, 2015, the Committee was introduced to one another and they met the facilitator and the Superintendent who explained how the process would work and provided the committee with timelines for the school review. The proposed timeline is attached as Appendix 5. Each SOC member was given a binder that contained copies of the school review policy, the long-range outlook, the recommendation to review and profiles of all schools under consideration. It was also explained that the recording secretary would take the minutes of their meetings and that through the course of their work they would be required to host three public meetings. The facilitator stressed the importance of the mandate and five objectives that would be

their guide throughout the process. He focused the attention of the SOC on the mandate and objectives at each subsequent meeting.

One of the tasks assigned to the SOC at their first meeting was to choose a Chairperson for the committee. This turned out to be a challenging process with a final vote resulting in a tie between two members of the SOC, both representing the Park View family of schools. The SOC, as a whole, agreed to move forward with co-chairs as opposed to continuing the process to find one chair.

With the committee members in place, mandate and objectives set, group norms discussed, co-chairs voted upon and a facilitator guiding the committee through the process, they began their work. The SOC met on 10 occasions up to May 3, 2016, however, the meetings were staggered with some being over a month apart and others just a week apart. This was caused by the fact that they had the Christmas, New Year and Easter Holiday Seasons plus the spring break to work around as well as deliverables and 3 public meetings to conduct.

The SOC used two main styles to conduct their meetings. One was a large group session where each person had the opportunity to speak to the entire group. The second approach involved small break out groups that conducted their discussions at separate tables on specific issues assigned to that table. They recorded the key points of their work in the break out groups so they could be captured and shared with the plenary group. Many SOC members commented on the fact that they preferred working in the smaller groups as it gave everyone more time to speak. The recording secretary prepared the minutes for approval and audio recorded all meetings for use by the SOC or governing board at a later date, if required. During the interviews, many members of the SOC commented on the fact that they were not aware their meetings were being audio recorded until late in the process.

Although time was spent on all five objectives it became clear from the early stages that objective #1 relating to high school programming options would be the most time consuming and emotional discussion as it involved the option of moving Grades 10-12 from BJSHS to PVEC. Several members of the SOC, representing the Bridgewater Family of schools, very passionately defended the position of keeping the BJSHS at status quo as they did not believe sufficient evidence was presented to justify the merger of the high schools. They proposed an alternate solution to the declining enrollment at PVEC that included the transfer of the grade nine students from the PVEC feeder schools to PVEC.

At the first public meeting on February 2, 2016 the SOC, lead by the facilitator, explained the school review process to the members of the public in attendance and went over the Mandate and Objectives. Everyone in attendance was also made aware of 4 scenarios that had been developed to that point by the SOC. Those scenarios included:

- Status Quo
- Move grades 10-12 from BJSHS to PVEC
- Move grade 9s from PVEC feeder schools to PVEC
- Move grades 9-12 from BJSHS and the feeder school grade 9s to PVEC.

The second public meeting was held February 25, 2016 and again the objectives were covered as a reminder to the public and each scenario was discussed along with a list of the potential impacts if the scenario was chosen.

The scenarios discussed at this meeting were:

- Status Quo
- Move grades 10-12 from BJSHS to PVEC
- Move grade 9s from PVEC feeder schools to PVEC
- Move grades 9-12 from BJSHS and the feeder school grade 9s to PVEC.
- Move BJSHS Grades 10-12 to PVEC; Move Bayview Community School to Bridgewater Elementary School and BJSHS

On March 30, 2016 a regularly scheduled meeting of the SOC was held. Presentations were made by the Superintendent and a member of the school board staff and after they departed a motion was made by a member of the SOC to vote on the issue of the high school options. The member making the motion felt they had been at this long enough and they should vote. The motion was seconded and the facilitator moved to take a vote as consensus could not be reached. Prior to voting a member of the Bridgewater family of schools asked that the vote be recorded and everyone's vote therefore identified. This was agreed upon and the vote took place with eighteen of the twenty voting members in attendance. The vote was 11-7 in favour of recommending that grades 10-12 at BJSHS be moved permanently to PVEC. This recommendation was very upsetting to some members of the Bridgewater family of schools and they indicated in their interviews that they had even considered resigning from the SOC, as they were concerned their voices were not being heard. They were troubled by what they perceived as inequality in the makeup of the SOC with only five voting members from the Bridgewater family and 15 from the Park View family of schools.

It should be noted that the other members of the SOC felt that the representatives of the Bridgewater family of schools had the majority of the time to speak at the committee meetings. Three members of the Park View family of schools voted in favour of keeping grade 10-12 at BJSHS and one member of the Bridgewater family voted to merge the two high schools at Park View which demonstrated that SOC members did not all vote along family of school lines on this issue.

At the regular SOC meetings on April 5th and April 18th the SOC worked on the recommendations for the Board leading up to the third and final public meeting on April

21st. At this public meeting it was explained that the committee was ready to make recommendations on the 5 objectives.

The SOC listed the objectives and their position on each as follows:

- Objective #1 - Make a recommendation to the Board that optimizes High School programming options and choices for all students.
SOC explained they voted 11-7 to recommend that grades 10-12 at BJSHS move to PVEC. The SOC explained in detail the conditions that they requested before this move was made.
- Objective #2 - Review school catchment areas as defined in the catchment area policy.
SOC recommended the Board review catchment areas with consideration for improving bussing times for all students.
- Objective #3 - Consider facility utilization and operational costs when making recommendations
SOC recommends the Board direct the Superintendent to evaluate facility utilization and operational costs throughout the SSRSB and recommend an application for Addition and Alteration for Bridgewater Elementary School and BJSHS.
- Objective #4 – Make a recommendation to the Board regarding school grade configuration at all schools.
SOC recommended that Staff review grade configurations for Bridgewater Elementary School and BJSHS to optimize programming and facility use and space and recommend that grade configurations at all other Park View feeder schools remain unchanged.
- Objective #5 – Determine whether Bayview Community School will be needed beyond 2020.
SOC recommended Bayview Community School remain part of the Board’s infrastructure beyond 2020.

At the Public meeting on April 21st the parent representative from Hebbville publically resigned from the SOC citing concerns over the school review process.

The SOC did experience some other resignations during its tenure. The community representative for Bridgewater was replaced at the February 11 meeting and the Pentz parent representative was replaced at the March 2 meeting. Both of these resignations were for personal reasons and not related to the process. The parent representative that resigned at the public meeting on April 21 was not replaced as the SOC had only one meeting after April 21.

On May 3, 2016 the SOC had their tenth and final regular meeting. A report was prepared by the co-chairs and recording secretary to be delivered to the governing board at a special public meeting scheduled for May 12, 2016. On that date the co-chairs made the presentation to the governing board. The Board had intended to meet again in a public forum on May 19 to discuss the report and finally on May 24 to make their final decision on the recommendations. Due to questions raised by some of the SOC members regarding the process the governing board decided not to make a decision until an independent review could be conducted and they cancelled the May 19 and 24 meetings.

Reviewer Analysis and Response

Areas of Concern

Three members of the Bridgewater Family of Schools had a number of concerns with the school review process and took their concerns to the Deputy Minister of Education and Early Childhood Development as well as engaging other elected officials at the local and provincial level.

The reviewer also heard from other SOC members who were not as impacted by the issues as the Bridgewater members but nevertheless felt that improvements were warranted in the process.

The reviewer has captured the concerns of the SOC members in the list of issues below. It must be reiterated that these are concerns raised by individuals within the SOC and do not represent the position of the SOC as a whole. Below each issue is the reviewer's response:

Issue: Attendance. There is no policy that requires a minimum attendance requirement for a member of an SOC including no requirement to be present for a minimum number of meetings before being entitled to vote on a recommendation.

Response: A review of the policy confirms that there is no requirement to attend a minimum number of SOC meetings as well as no minimum requirement before a member of the SOC is entitled to vote on a recommendation. It is possible that someone could miss a significant number of meetings or could join a committee as a replacement very late in the process and be asked to vote without the benefit of full exposure to the information the committee has discussed. This is a valid concern and one that should be addressed in the policy.

Issue: During the March 30th SOC meeting the Superintendent and another staff member made a presentation that included new information on a proposed 21 Credit plan for the High School program. This was the first time that the committee was made aware of this information and several people on the SOC admitted during their interviews that this had an impact on how they voted that night. Some SOC members felt that due to receiving this new information that a vote should not have occurred until there was time to absorb the information and discuss its impact.

Response: In conducting interviews with SOC members many commented on the fact that this new information did influence them and several felt they should have had more time to discuss it before they voted and that the vote should have been postponed to consider this information. However, once the motion was brought forward for the vote they did comply and voted. It is the responsibility of committee members to raise this concern and recommend an alternate time to vote after having the opportunity to study the new information.

Issue: The two members of the SOC, not in attendance on the evening of the vote, also felt they should have been given the opportunity to vote after investing so much of their time in the process. It was not on the agenda that a vote would occur that evening and no alternate arrangements were made for the members not in attendance. This is something that should be addressed in policy if a voting process will continue to be utilized.

Response: If voting on an objective will continue to be part of the process, a system should be put in place to allow members of the committee an opportunity to cast a vote when they cannot be present when a vote is called for.

Issue: The taking and posting of minutes from the SOC meetings. There were several aspects to this complaint. The first related to the fact that policy states a member of the SOC should take the minutes. The SSRSB provided an administrative assistant from the Staff to be recording secretary. There was a concern that the recording secretary, because of her position with SSRSB, could be relating what occurred at the meetings to the staff at SSRSB and that she was placed in a difficult position if the SOC were being critical of people she worked with. The second concern related to what was seen by some on the committee as the brevity of the minutes. The minutes were posted on line and were being relied on by the public to stay informed on what was happening with the SOC. Some committee members wondered if this was all the governing board would see in making their decision. The third concern related to the time it took on one occasion to post the minutes on the school board website. It took fifteen days to post the minutes from the meeting where the vote occurred and minutes posted from the March 30th meeting were the draft minutes without amendments.

Response: It is important to note that every member of the SOC was complimentary

regarding the work of the recording secretary and complaints made were regarding the process and not the individual. They felt she worked very hard and took on this role in addition to her regular duties at SSRSB

With regard to the first concern the recording secretary was in fact a non-voting member of the SOC and policy is clear that the Superintendent can appoint School Board Staff. The decision to assign her to this duty was based on her experience in the role and it was understood the minutes would be very important. It was a reasonable decision to make, however, its been identified that there can be a trust issue between the school board and the community when conducting a review and impartiality and the appearance of impartiality are critically important. Trust will be a factor throughout the discussion relating to concerns about the process.

The second issue related to the brevity of the minutes. The reviewer felt the minutes complied with an acceptable standard for minute taking. In addition all meetings were audio taped and those tapes would be available to the SOC or the Board to assist where required.

The concern relating to the delay in posting minutes is a reasonable one, however, when the reviewer looked into this specific incident it was determined the recording secretary and the facilitator were both dealing with personal circumstances at that time which could not be avoided. The reason the minutes were not amended was due to the fact that the recording secretary searched the tapes for the exact word alleged to describe BJSHS and it could not be located. It was agreed that comments relating to the state of BJSHS were made but since the exact word was not found the recording secretary felt she could not amend the minutes.

Issue: The role and performance of the Co-Chairs. Some members of the SOC felt the co-chairs did a good job but the majority felt they did not perform as a chair would be expected to function and allowed the facilitator to control the meetings.

Response: The policy states that the school board will provide the individual elected as chair with information on his or her role, i.e. on standard meeting procedure. Generally, the chair will be responsible for ensuring that the committee follows the meeting agendas, that the established norms are maintained, and that correct decision- making procedures are followed.

When interviewed the co-chairs stated they were given the binder provided to all SOC members with the policy included and they did speak to the Facilitator at the first meeting about their role. They did not receive any specific instruction in meeting procedure although they have both sat on committees before and are familiar with the role of the Chair.

The co-chairs met with the facilitator in advance of the meetings and worked on the agenda, they answered some questions at public meetings and delivered the final report to the Board but it is generally accepted by the majority of SOC members that they did not perform the role as noted in policy but were active SOC members who for the most part deferred to the facilitator who managed the meetings.

Several members of the SOC felt the role of the chair and facilitator should have been more clearly defined and explained to the committee. That may have assisted the co-chairs in understanding their role and at the same time lessened the concern from committee members.

Issue: The role and performance of the facilitator. Some committee members were concerned that the facilitator was believed to be a friend and former colleague of the Superintendent. They believed the Superintendent had made his feelings known that his preference was to see grades 10-12 at BJSHS move to PVEC. For that reason they did not believe the facilitator would be impartial and felt he influenced the SOC in the direction of the high school merger. These members of the SOC agreed that the facilitator was very skilled at managing conflict and was an experienced educator and a good person with a wealth of knowledge but that he acted too often as a subject matter expert as opposed to a facilitator. They were concerned that he answered questions and told them what options would or would not work without bringing in experts from the school board staff or teachers and principals who could answer the questions. One of their greatest concerns centered on a request they made to the facilitator to bring in the principals of the BJSHS and PVEC so they could ask them directly about programs in their schools. The facilitator refused this request as he felt they could access the information from the school board data and the principals would not want to appear before the committee. The facilitator had met earlier with the principals on his own and gathered information that he brought to the SOC. Some SOC members believed this was outside the mandate and role of a facilitator and they remained upset that the principals were not made available to the SOC particularly when school principals were introduced at the first meeting and they were told they would be available if necessary.

These members of the SOC felt the facilitator relied too heavily on his experience as a principal in the Halifax school system and made decisions and provided them direction based on that experience.

Response: In relation to the selection of the facilitator by the Superintendent, as per policy he was selected from a standing list of facilitators that the Department of Education and Early Childhood Development provided to the Superintendent. The facilitator had experience as a facilitator in other roles outside of the school review process and had parallel experience with the Tancook School Review. It was completely within the parameters of the policy to hire this facilitator.

There was absolutely no information surfaced in this review to demonstrate that the

facilitator was influenced to guide the SOC in any particular direction by the Superintendent but rather he followed the policy and guidelines provided to him including focusing the SOC on their mandate and objectives. It should be noted that many of the SOC members were very complimentary regarding the work of the facilitator. They praised him for keeping the group on task throughout what seemed to be an overwhelming mandate and for managing conflict within the group. The majority agreed that at times he might have injected more of his personal opinions than one might expect from a facilitator but because he was seen as a subject matter expert his opinion was often sought.

The policy states that the facilitator will not be responsible for decision- making, information preparation and collection (outside the context of meetings) or logistics. The complainants felt that when the facilitator met independently with the two high school principals it breached this aspect of the policy relating to "information preparation and collection" outside the context of the meetings. The definition of "context of the meetings" may be argued but it is the reviewer's opinion, in reflecting on what occurred and understanding the trust issues that existed, that it would have been advisable for the facilitator to make the request for the principals to attend the SOC meeting. His meeting with the principal's to gather information without including the other SOC members was well intended but would appear to fall outside of the mandate of the facilitator in the school review policy.

The facilitator felt the policy was straightforward and he was provided with a mandate and objectives for the SOC. His job was to focus the group on the task at hand over the 10 meetings and prepare for the public meetings with the ultimate goal of being ready to deliver on recommendations to the governing board within the timeframe allotted. He recognized that emotion would play a role in the committee meetings and that was why he wanted to utilize data as much as possible as opposed to calling on individuals outside of SSRSB staff to provide their opinions. He felt that whenever the SOC asked for information or for someone to speak on a topic he did his best to arrange for it through the SSRSB. His decision not to bring in the principals was guided by the desire to look at the data that was available from the schools as opposed to forcing a principal to explain how things worked in their school, which was not the same as relying on the factual data. The facilitator correctly implemented a process where all requests for information went through him as opposed to multiple committee members seeking information from the SSRSB.

The facilitator noted that some of the committee members who represented elementary schools found it difficult to grasp the high school data. He also tried to continually remind the SOC that they were making a recommendation and it was still up to the governing board to make the decision. He felt it was important to remind them that regardless of the emotion that comes with difficult discussions their focus had to be on what is best for the students and high school programming.

It is the opinion of the reviewer, based on all documentation reviewed and the interviews conducted, that the facilitator assisted the members of the committee to communicate, collaborate and, where possible, achieve consensus, as per the policy. There is no information to indicate he attempted to direct the committee to make a specific decision in an effort to support anyone's personal agenda.

Issue: Comments made by the Superintendent. The complainants acknowledged and appreciated that the Superintendent made himself available at any time to answer questions but did not appreciate what they referred to as "unsolicited opinions" on things such as potential cuts if schools did not merge or promises of improvements to schools if certain decisions were made. They felt he should have restricted his comments to the facts and what they could actually consider and not to speculation. They also felt his comments about the state of BJSHS made it obvious what recommendation he preferred and that it was not appropriate to influence the committee in that fashion. They realize this was not a violation of policy but question the need for his comments. The complainants also took issue with the Superintendent's methodology for choosing the community representative assigned to the SOC.

Response: The Superintendent was interviewed in relation to his participation in the school review and specifically regarding the complaints made. He explained that since a school closure was not being considered the school review policy/process was not technically necessary, however, he felt strongly that since there were some significant decisions that had to be made utilizing the relatively new school review process would ensure there was stakeholder engagement and public consultation.

In terms of his comments at SOC meetings he was responding to questions posed by the committee when they requested him to attend. It is very difficult to have information that he felt could benefit the committee and not provide it. What was considered an "opinion" was actually based on his experience and knowledge of the system and information that he thought would be useful to them. He realizes that people may have been overwhelmed or upset by receiving the information on the "21 credits" on the night they voted but this was brand new information and he felt they should have it and believes he would have been more open to criticism had he not provided that information once he had it.

The Superintendent explained his rationale for choosing the community member and it fit with the policy of requiring independence from the Board, elected office or being a parent of an affected student.

It is the opinion of the reviewer that one could draw an inference from the comments made by the Superintendent that he felt the BJSHS was in need of repair. It would be logical to combine that with the fact that PVEC is in the midst of a mid life refit that will make it a more modern facility. However, there is absolutely no information that would

lead to the conclusion that the Superintendent had anything to gain from grades 10-12 from BJSHS moving to PVEC. There is nothing to indicate he influenced the facilitator to direct the committee to one specific decision or that his comments to the SOC were for any other reason than to provide information and context. In fact he will soon be retired and no longer the Superintendent of SSRSB therefore any recommendation in favor or against the merger would have had no impact on him.

As with the earlier concerns the issue of trust is paramount here again. Although the reviewer believes the Superintendent was acting in good faith, if he had restricted his comments to solely the facts when asked a question his comments may not have been interpreted the way they were.

Issue: The makeup of the SOC. With fifteen voting members from the Park View family and only five from the Bridgewater family this raised a concern for some members of the Bridgewater family particularly where the issue of moving the Grade 10-12 classes from BJSHS was the most challenging objective.

Response: Although it is understood why the complainants would be concerned if there was a vote required, the structure of the committee was in direct compliance with the policy as written. It should be noted that there were five objectives and four did not require a vote. The issue of the vote is one that will be dealt with further by way of a recommendation in the recommendation section.

Issue: The policy does not provide an opportunity to conduct an evaluation. This would permit the SOC members to have input in the process and basically create an after action report with a list of best practices and challenges that could help guide the process in future school reviews.

Response: The reviewer agrees with an evaluation component and feels a follow up mechanism should be incorporated into the policy to provide feedback to the Department of Education and Early Childhood Development.

Issue: It was felt a clear plan should have been available before a vote was taken that would detail what would happen to BJSHS and BES if BJSHS moved to PVEC. The complainants were told this was not part of their mandate and they would have to trust the process.

Response: Although it is understood why this would be a concern for the Bridgewater family of schools, developing plans of this nature was not within the mandate of the SOC. They were asked to optimize high school programming and look solely at changes that would impact programming. Dealing with things such as occupancy in the remaining schools would be the work of SSRSB and the transition teams once the governing board made a decision.

Issue: Conducting the review with no clear understanding of what was happening with the Petite Riviere Elementary and Pentz Elementary schools. The fate of these schools and whether students would be relocated could have had an impact on their decisions. The Minister of Education and Early Childhood Development had written a letter regarding the two schools but the SOC had been directed by the Superintendent not to take that letter into consideration in their deliberations. The letter stated, among other things, that the school board would continue with the school review process for Park View and Bridgewater families of schools with the understanding that the school boundaries would stay the same for Pentz Elementary School and Petite Riviere Elementary School.

Response: The Superintendent was asked why he advised the SOC to disregard the letter and he explained that the two elementary schools are slated to close in two years. The board has asked government for a new building. To date no new school has been awarded. What was received was a letter from the minister to the board stating there might be money for a retro fit for one of the two buildings. This would not be in the spirit of the board motion and legal counsel for the board has advised against this. The letter also asked the board to not look at boundary for these two schools. The governing board did not agree to this. Therefore the Superintendent's message to the SOC was to not worry about the letter and to move forward with their work because the governing board was dealing with the letter not the SOC. The movement of the BJSHS students could allow for some of the Pentz students to attend a reconfigured elementary middle school situation if that was to be approved by the governing board.

Issue: The Superintendent had stated in the Tancook Review that there were "errors in the Long Range Outlook". If this was the case was the information they were using to conduct their review flawed.

Response: The Superintendent was asked about this and provided the following information:

The Long Range Outlook is a living document that is updated on a yearly basis. This update would include new enrolments, decisions obtained in reviews and repairs to infrastructure.

The comment at the Big Tancook Island review was around the term "school by necessity." This term was used to describe rural, remote schools that were needed because the board was unable to transport students by bus within a time frame of 60 minutes. During the round of public consultations sharing the long range outlook, it was noted that New Ross did not have the designation attached and should have. Staff agreed and it was noted that they would update the long range outlook for the board on this piece. At the Big Tancook Island Review, it was asked why Big Tancook also wasn't called a school by necessity and it was explained that the long range outlook designation

was for distance by bus, which the board had some control over. The 'mistake' was in the designation of a term. This term has no bearing on the PVEC/BJSH review as no schools in this catchment area have that designation.

The reviewer accepts that there were no significant errors in the Long Range Outlook that took this review in a direction that adversely impacted the recommendations.

Issue: Some SOC members wanted to further pursue the scenario of taking grade 9's from the PVEC feeder schools and adding them to PVEC to make it a 9-12 school. They felt this fit with the Nova Scotia's action plan for education but the facilitator told them it did nothing to enhance high school programming and in fact it was a detriment. Some of the Bridgewater family of school members believed the PVEC family did not want to see this happen as it would have disrupted their schools and nothing was going to be discussed that would change the make up of the Park View family of schools.

Response: This scenario was #3 of the 5 scenarios studied by the SOC and they listed multiple reasons why this was not a viable option. The majority felt this scenario should not be recommended.

Issue: The complainants felt the school reviews should have been conducted independently with an SOC in each.

Response: This has been addressed earlier in the report. The Board felt the interrelated nature of the two families of schools required that the review be conducted together. This is not common but the reviewer agrees with the rationale of the review for these two families of schools together.

Issue: SOC members from the Bridgewater family of schools requested specific members of the public attend SOC meetings. They were refused.

Response: The facilitator stated when interviewed that he felt it was critical to the success of the SOC to focus on data. With only 10 meetings it would not be possible to hear from everyone in the community who wanted to comment or who the SOC felt had something to offer. That was the purpose of the public meetings.

The reviewer would support this position with the exception of situations where the committee could clearly demonstrate the specific value of having a member of the public attend to speak on an issue. With meeting time being extremely valuable it would be incumbent upon the facilitator to strictly adhere to the rules relating to who could attend a meeting to present.

Issue: Concern was raised that letters forwarded to the SAC from the public did not get placed on the SOC agenda. Letters were sent by the public through the SAC as requested and SOC members tried to get them on the agenda with no success.

Response: The facilitator reiterated that he was focused on data that was meaningful to the SOC and would assist with making the recommendations relating to the five objectives. He felt it was his job to focus the SOC on their mandate and objectives or it would have been impossible to make progress. SOC members could bring up issues raised by the public in the meetings without referring specifically to the letter on the agenda.

Issue: There was a complaint that the public meetings were not advertised in the manner that the policy directs. The first public meeting wasn't in the newspaper two weeks in advance of the meeting.

Response: The policy states that public meetings must be well publicized through a range of methods and preferably held at the schools under review. All public meetings must be advertised at least two weeks prior to the meeting date.

It should be noted the policy doesn't specify what specific mediums have to be utilized to advertise the meetings

The reviewer learned that all meetings were advertised two weeks in advance. Advertising was done via SSRSB website, Facebook page, twitter account and the local newspaper in advance of the public meetings. Local newspaper cut off times were an issue at times and may not have been two weeks in advance for the newspaper article to appear. All other avenues - the SSRSB website, Facebook page and twitter account were indeed two weeks in advance. The newspaper is a weekly newspaper and not a daily therefore cut off times can be a challenge.

The reviewer feels the meetings were well publicized as stated in the policy.

Issue: There was a complaint that there was no dedicated tab for the review on the SSRSB website.

This was brought to the attention of the SSRSB staff by the SOC and was quickly dealt with and brought up to policy standards.

Issue: A concern was raised that letters written to the governing board by the public were not being reviewed. Some SOC members indicated members of the public were disappointed to receive a letter from the Board chair saying their letters would not be viewed until a later date.

Response: The Board Chair was interviewed in this regard and offered that initially the public were sending letters and emails to the vice-chair and she was forwarding them to board members. The Board Chair then sent an email to the Board Members to explain that the letters need to be forwarded to the board secretary to collect so they could

receive them at the May 19th special meeting. The May 19th special meeting was scheduled for discussion of the SOC report and to receive the letters. This meeting was cancelled because of the pause in the process.

The Reviewer sees this as a reasonable approach to dealing with the letters in a consistent manner.

Issue: The Mandate and Objectives were too extensive and unmanageable for the time the SOC had allotted and their level of expertise.

Response: The reviewer agrees with this complaint. The SOC was asked to work on five objectives. All of the objectives were challenging and the committee only had 10 regular meetings. Consideration must be given to the SOC's ability to manage the workload assigned to them when objectives are set.

Issue: The SOC was too large to be effective.

Response: The reviewer would agree with this complaint. The SOC had twenty members plus a facilitator and recording secretary. This is a very large group to work with when trying to provide everyone an opportunity to speak and to try to gain consensus.

Issue: It was suggested there was a lack of Communication with the public through the media about the process. There was also a concern that the public didn't understand the role of the SOC and where school board representatives fit into the process.

Response: The reviewer determined that the policy documents describing all roles and the function of the SOC and Board were displayed on the SSRSB website. It was suggested that there should have been a notice in the newspaper to direct the public to the website. It is not the opinion of the reviewer that this was necessary. Websites are an acceptable medium for sharing information with the public.

Issue: It was a concern that all governing board members were not in attendance at the public meetings. It was felt this would be the best way to ensure the Board heard what the public had to say rather than relying on minutes of the meetings.

Response: The reviewer would agree with this statement. Governing board members should have been present to listen and take notes with an understanding that this was a meeting organized by the SOC and was not a public Board meeting. The Board had been provided advice not to attend the public meetings.

Issue: There was a concern that the appropriate people did not form the SOC. It was felt educators, staff from schools and town and municipal officials should be represented on the committee.

Response: The SOC was appropriately formed as per the current policy that requires two

representatives from each school in the family of schools and a community representative from each area. The reviewer will make a recommendation that the SOC should consist of individuals who are not from the local schools or community. They should, however, call upon groups from the community, designated in policy, and hold open public meetings to gain the information they need to make recommendations on the objectives.

Issue: Members of the SOC felt that SOC personnel need to be made aware of the expectations and their responsibilities before they commit to the committee.

Response: Interviews conducted by the reviewer would indicate that the majority of SOC personnel really had no idea what this commitment would mean before they agreed to participate. Only at the first meeting were roles and responsibilities explained.

Issue: Some members of the Bridgewater family of schools considered resigning at one point and they were advised by the Superintendent if they resigned from the SOC they would have to resign from the SAC so they remained with the committee.

Response: The reviewer questioned the Superintendent on the punitive tone of this comment and he advised that it was in no way meant to be punitive. It is stated in policy that you have to be an SAC member, parent or Chair to be a member of the SOC. In some cases there are so few qualified SAC members that if someone resigned from the SOC it might be necessary for the person to resign their seat on the SAC to bring someone else on to comply with the policy for the SOC. It was simply a matter of having enough people available.

Issue: Some SOC members complained that they didn't get to see a copy of the recommendations before they went to the governing board. They were advised they could see them when they were posted on the website at the same time as the public. There was also an issue with information in public presentations and the recommendations not being consistent with what was discussed in their meetings.

Response: The reviewer would agree that all SOC members should have seen the recommendations before they went to the Board. Their names were attached to the recommendations and they should have the ability to review and approve them before they were presented. Some SOC members raised a concern that the plenary group did not discuss information that came up in recommendations such as the potential to move the school board offices to BJSHS. It could have been discussed in breakout groups and therefore missed by some members of the SOC.

Not having a sign off process on the presentations and report and inconsistency from meetings to presentations again has an impact on trust.

Issue: SOC members complained about a lack of understanding of roles and

responsibilities. For example parent representatives weren't sure if they should be attending the meetings and stating their personal opinion or calling meetings with parents and then bringing the consensus position from those meetings.

Response: Although the Superintendent and facilitator spent time explaining the process in the original meeting of the SOC it appears there were still a lot of unanswered questions and members of the committee who didn't clearly understand their role. Detailed explanations are required in the initial meetings.

Issue: Some members of the SOC were concerned that consensus had not been reached on the four objectives that were not voted on. They did not want to have it stated there was consensus or leave that impression with the governing board. They felt if there wasn't unanimous agreement then there wasn't consensus and there should have been a vote as was the case for objective #1.

Response: The interpretation of "consensus" may vary, however, it is commonly accepted that in a group decision making environment consensus is not the same as unanimity. Consensus does require cooperation even if parties disagree and it may be necessary to afford someone in the group less weight in order to move forward with what the group feels is best.

Interviews indicated the facilitator would often conclude a discussion by saying "ok are we good to move forward with this". Without experiencing significant resistance from within the group and with his understanding that the majority were in agreement he accepted that as consensus and moved forward. This was the case for objectives 2-5. In the case of objective #1 relating to the high school merger a motion to vote was called for and seconded by the SOC. It was clear to the facilitator that consensus would not be reached therefore he saw no other avenue to follow except to call for a vote.

Issue: In 2013 a business case was submitted and subsequently approved for a 12.5 million dollar mid-life renovation project for PVEC. Within that business case were the following statements:

"Although PVEC is not subject to school review, it could be affected by decisions that are made about near-by schools in future years."

"Inherent in this study is a long-term strategy to address diminishing student populations in this area, which may result in this building population being consolidated with Bridgewater High School, which currently has a population of approximately 200 students. With the current population of Park View Education Center of nearly 800, by the time of consolidation, the population of PVEC is projected to be 950 students. The study assumes the joint occupancy will occur with an eventual student population of 950 students serving grades 10-12."

These and other similar comments in the business case would leave little doubt in anyone's mind that there was a long-range plan to consolidate the two high schools at PVEC. This left some members of the SOC feeling that, on this objective, they were just going through the motions and this review was just an exercise to get buy in or to be able to say the public were consulted.

Response: Upon reviewing the business cases for the 12.5 M renovation to PVEC the reviewer could see why some members of the SOC might have been skeptical and felt the decision on the high school option was a foregone conclusion. This led to some of their frustration or feeling that their voices were not being heard.

It must be recognized, however, that the high school programming option was only one of five objectives for the Committee to study. It was an opportunity to identify any key concerns relating to the potential high school merger in advance of a recommendation.

A lack of trust was a consistent theme throughout the complaints and the comments in the business case added to the concern.

Issue: It is believed by some members of the SOC that the principals of Administrative/Procedural fairness were not maintained.

Response: The School Review Discussion Paper of 2013 stated that the decision to close a school must adhere to the principles of administrative fairness. It referred to the Common Law definition of administrative fairness, which states:

- *An individual who is affected by a decision has a right to influence the decision.*
- *The information used to make the decision is readily available.*
- *The decision is unbiased.*

The independent review would indicate that SOC members were given the right to influence the governing decision by making a recommendation to the Board. All members of the committee were given time to speak in formulating their recommendation. The public also had the opportunity to attend public meetings and express their opinions.

Any information in possession of the SSRSB was made available to the SOC through a request from the facilitator. Information including minutes from the meetings was posted on the website for the public to see.

The recommendation was made after a majority of the SOC voted in favor of making the recommendation. It was not possible to reach consensus therefore the committee followed the process prescribed in the policy which led to a vote.

It would appear the three basic criteria were met, however, as noted several times

throughout this report there was a definite lack of trust in the process by some members of the SOC and some members of the community. This lack of trust impacted their feelings regarding fairness.

The reviewer suggests it was necessary to anticipate this trust issue based on all that has been learned about the challenge of school reviews over the years and the fact that the PVEC Business Case of 2013 would have clearly appeared to have pre-determined the outcome of one or more objectives.

This school review was also combining families of schools to add an extra layer of complexity and trust issues. It was necessary to deal with the issues at the front end of the process to acknowledge the challenges and explain what the process hoped to achieve and to take every step possible to build confidence in the SOC and community by displaying impartiality and fairness in all decisions.

The reviewer noted that many SOC members spoke of the pressure they felt from the community to protect their school. They were approached in public and some had very negative things said to them regarding their position as an SOC member because of the vote and recommendations that were made.

It is very unfortunate that as a result of recommendations made by their committee some volunteers who were trying their best and investing their free time were treated disrespectfully by the community.

Conclusion

In requesting an independent review the governing board developed a project scope that contained five areas for review. Each of the areas in the project scope is listed below with the reviewer's response.

1. Whether the SOC established clear guidelines, including procedural norms for the review and if they were followed.

Interviews conducted with SOC members indicated the committee was provided with clear guidelines including procedural norms at the first meeting. The Superintendent and facilitator outlined the expectations for the individual members' participation on the SOC. In addition each SOC member was provided a binder with the relative policy and profiles for all schools under consideration. The procedures with respect to the structure of the meetings, the election and

authority of the chair and decision making protocol were clearly presented as per the school review policy.

2. The process established for decision making by the SOC and if it was followed.

The process for decision making by the SOC is contained in Directive L of the School Review Policy. The Directive recommends that decisions of the SOC be determined by consensus. When a consensus cannot be reached, a vote should determine the decision under consideration. Once a vote has been taken it represents the decision of the SOC.

This process was discussed when discussing group norms at the first meeting and it was utilized when the committee made decisions. Consensus was reached on four of the five objectives. One objective, relating to the high school merger, required a vote, as consensus could not be reached.

The committee agreed in the discussion on group norms that once a decision was made that decision represented the position of the entire SOC. Some members of the SOC did not follow through with this agreement and openly stated they were not in agreement with the position taken by the committee.

It is the position of the reviewer that a decision making process was developed and utilized as per the school review policy.

3. Whether the roles of all parties were clearly defined and followed, including school board staff, SOC members, SOC chair and the facilitator.

The roles of the SOC members, chair and facilitator are clearly defined in the school review policy under the directives and these were discussed with the SOC by the facilitator and Superintendent and agreed to at the first meeting. The role of the school board staff to provide whatever information the committee required was also explained early in the process.

Although the facilitator in the first meeting discussed the role of SOC members, some SOC members felt that the expectations need to be more specifically detailed. This would give potential members the option of declining the position if they knew the challenges they would face, volume of material that would have to be studied and the pressure that would be placed on them by the community.

The School Review Policy states the following: "a chair will be elected from among the voting members of the School Options Committee within the first two working meetings of the SOC. The school board will provide the individual elected as chair

with information on his or her role, i.e. on standard meeting procedure. Generally, the chair will be responsible for ensuring that the committee follows the meeting agendas, that the established norms are maintained, and that correct decision-making procedures are followed”.

The committee complied with the policy and voted to elect a chair at the first meeting of the SOC. The vote came down to two SOC members both from the Park View Family of schools and the committee cast the same number of votes for each candidate. For that reason the SOC decided to proceed with a co-chair system rather than continuing until they elected a single chair.

The chairs received the school review policy binder with the basic information relating to the role of the chair and they met with the facilitator to discuss the role but they did not receive specific information from the school board on standard meeting procedure, as noted in the policy. It is the general consensus of the SOC members that the co-chairs did not take a strong position as chair and other than speaking up on a few occasions they did not consistently follow the accepted practices expected of someone in the role of chair including opening and closing the meetings, calling for motions and votes and ensuring norms and correct decision making procedures were followed. They seemed to defer to the facilitator to manage the meetings based on his experience.

The co-chairs did meet with the facilitator on meeting agendas and presented the final report to the Board.

The school review policy states the role of the facilitator is distinct from the role of the chair. He or she has no decision-making capacity but will assist the members of the committee to effectively communicate, collaborate and, where possible, achieve consensus. The facilitator will assist the chair in ensuring that meeting agendas are followed and that members are engaged and on-task.

The facilitator will also:

- facilitate public meetings*
- act as liaison between the SOC and the school board*
- assist the chair in presenting the Report and Recommendation to the governing school board.*

The facilitator will not be responsible for

- decision- making (ex-officio)*
- information preparation and collection (outside the context of meetings)*
- logistics (organization of meetings, etc.).*

The facilitator was considered, by the majority of the SOC members, to have performed admirably in bringing the committee together and providing them with

meeting strategies to maximize the use of their time when together. His skills in conflict management were commented on by most of the SOC. He assisted in the development of the meeting agendas and acted as a liaison between the SOC and the school board. He set up a process whereby all information sought from the SSRSB staff would be requested through the facilitator. This reduced the chances of multiple requests to the staff for the same information.

There were concerns raised by some members of the SOC in relation to the work of the facilitator and those are expanded on in the section above titled "Areas of Concern".

The reviewer accepts that the line between the role of chair and facilitator was blurred by the fact that the co-chairs did not take a strong position. The facilitator was very knowledgeable regarding the process and managed the SOC in the absence of a strong position taken by the co-chairs.

The reviewer is satisfied that although the roles of chair and facilitator may not have been filled exactly as dictated in the policy there was no intentional effort on the part of the co-chairs or facilitator to abdicate responsibility or to undermine, coerce or intentionally mislead the SOC. The committee was free to ask questions, request information and make motions and suggestions relating to the direction taken by the committee.

4. How the SOC determined what information was required and how the information was provided.

In the beginning of the SOC process it was agreed that the facilitator would request any information the committee felt was required to assist in making their recommendations.

The committee would agree on what they needed and ask the facilitator to obtain it through the appropriate subject matter expert or documentation. The facilitator attempted to obtain the data from the person directly responsible. For example, if the request was for information relating to courses, the Director of Programming was called upon to provide that information.

Some SOC members had concerns regarding the information provided by members of the school board staff and felt it conflicted with information they had received from staff working in the schools. The reviewer did not find any information that would indicate anyone on the school board staff intentionally provided misleading information to the SOC. The context in which questions were

posed to the different individuals may not have been the same, which could result in different information being provided.

Some SOC members also complained that the facilitator often used his own opinion to determine whom the SOC should hear from.

The reviewer is satisfied that the process that was in place for the SOC to request and obtain the information they required complied with the policy.

The majority of SOC members felt they had all the information they required and perhaps on occasion too much information to be managed in just 10 meetings.

There was nothing uncovered by the reviewer that would lead him to believe that anyone intentionally blocked the SOC from receiving information that would be needed for them to make a recommendation.

5. The approval process for documentation and reports of the SOC, e.g. meeting minutes, presentations, reports.

The SOC agreed on a process for the meeting minutes in their first meeting when discussing committee norms. The recording secretary took the minutes and she prepared them and got them back to the committee as soon as possible. At first she tried using Google docs but then resorted to email to ensure everyone received them. The recording secretary admitted the minutes weren't always prepared in a timely fashion, as she had other commitments including a full time job. The committee would review the minutes, offer comments and make amendments, where required, at their next meeting and then the minutes would be approved. Once approved the recording secretary would post them to the SSRSB website under a tab for the school review.

The co-chairs and facilitator developed meeting agendas. On the majority of occasions the agenda would flow from the previous SOC meeting. It would include topics carried over from the last meeting, information requested and speakers who were subject matter experts in a specific field. The agenda would also set times for each topic.

Presentations and reports were worked on by the committee and were posted to the website for the public but they did not have the same approval process as the meeting minutes. Some presentation material that was utilized in public meetings was not the same as the material viewed at the last meeting and caused some concern for SOC members. In addition they did not see the final report until it was posted to the website even though there were requests to see the report in advance of its presentation to the Board.

Directive I clearly articulates the process for managing minutes for the SOC. Notwithstanding the admission that some minutes were not prepared in as timely a manner as may have been desired the reviewer feels the spirit of the policy and process for the minutes was followed and is acceptable.

There is no similar policy for managing the development and approval of reports and presentations. Therefore there was no breach of policy or process

In conducting this independent review the reviewer has closely examined the school review policy objectives and directives, including the school review process flowchart and the basic principles of administrative fairness. The reviewer took into consideration the comments made by all 24 people who were interviewed and acknowledges that there will always be some variability in the interpretation of any policy document that is intended to guide a process, particularly a new policy.

It is the opinion of the reviewer that the process as prescribed by the policy and the principles of administrative fairness were adhered to for the purposes of this review. That is not to say that the review process is void of challenges, some of which could rightly lead to frustration and disappointment for some committee members. Some of those challenges will be discussed in this section and the next section titled Recommendations.

Studies have shown that school communities express a lack of trust in the information compiled by school boards and feel that community opinions and interests are not given priority when decisions are made about schools. The issue of trust runs through the entire process and emotions surrounding the potential of school closures can galvanize a community against a school board decision regardless of the effort put into that decision.

Once trust is breached then the perception of fairness comes into question. This school review was no exception and began with the fact that in 2013 a business case for a 12.5 million dollar mid-life renovation to PVEC clearly stated that the long-range plan would be to have the Bridgewater High School move to PVEC. Objective #1 of the school review related to optimizing high school programming options. Some members of the SOC felt the merger was something that had already been decided by the SSRSB and the committee's work in this regard was simply an effort to use the committee as a way of claiming the community had been consulted on a decision that was already made. Those who opposed the merger felt extremely frustrated and this led to a feeling that their "voices were not being heard". They were also concerned that the community would be upset with them if they were not successful in resisting the merger of the two schools. When one understands this context it is easy to see why the majority of the time utilized by the committee went to discussions around the high school programming issue.

Once trust is breached for an individual or a group of individuals it is understandable that they would be suspicious of activity that supports their position or belief. The following are just some examples of factors that would add to their existing lack of trust in the school board and the process:

- the recording secretary works for senior staff at SSRSB.
- the facilitator who guided the process was a friend and former colleague of the Superintendent.
- the perceived inequality in the committee voting process (15-5).
- the facilitator refused to have the principals of the high schools present.
- the feeling the process was very scripted and did not consider innovative thinking.
- no real discussion of cost or cost savings.
- being asked to make a decision on the high school without knowing the impact on the elementary and junior high schools.
- perceived desire to not accept the commentary from town officials.
- two schools being reviewed together by one SOC.

Each school review process must start with considering the factors that make that particular review unique. Those factors must be accounted for and addressed up front with the SOC. The Parkview Business Case in this instance is an example. Every possible effort must be made to display complete impartiality throughout the process from the setting of the objectives to the choice of people who will occupy key roles in the process. The Department of Education and Early Childhood Development School Review Policy is a huge improvement from the process once utilized to conduct school reviews, however, gaining the trust of the committee and community through transparency regarding all issues is the key to success regardless of how strong the policy document is.

The new policy was developed as a need was recognized to engage and consult the community in some of the difficult decisions that a governing school board must make. It is very important to follow the process and comply with policy but equally as important to have community members feel engaged, consulted and confident in the process. The following recommendations are offered for consideration in improving the process and to assist in building confidence with the community.

Recommendations

1. That the SOC be formed by individuals not affiliated to the schools being reviewed or the community in which the school resides. In addition to gathering data from the school board, the independent committee would call upon representatives of the schools and the community as well as holding open public meetings to obtain the information required to make a recommendation. The specific representatives of the schools and community would be

designated in the school review policy.

Rationale

School closures or the transfer of students take an emotional toll on the community. Many members of this SOC were forthright with the reviewer when they admitted that they were focused on protecting their local school as opposed to taking an unbiased look at what was best for programming. They felt a great deal of pressure from the community to save their school and this included members outside of the Bridgewater family of schools. An independent committee would be able to focus on what was best for the students and at the same time involve as many members of the community as possible in the recommendation.

2. The size of the SOC must be reasonable in order to allow for the efficient use of time by the members of the committee and to ensure each committee member has an opportunity to be heard.

Rationale

This SOC was made up of 20 people plus the facilitator and recording secretary. The committee was too large to be effective.

3. The Mandate and Objectives set for the committee must be manageable in the timeframe provided to the Committee.

Rationale

The reviewer believes the five objectives provided to the SOC were too overwhelming to be dealt with in 10 regular meetings of the committee. The first objective dealt with high school programming and required a discussion around a school merger and another dealt with catchment in an area where the boundaries had not changed in 30 years. This resulted in some frustration for the committee who felt that only two of the five objectives were dealt with.

4. It is recommended that the process of calling for a vote by an SOC when a consensus can't be reached on a recommendation should be discontinued.

Rationale

In the case of this SOC a consensus could not be reached on the objective of high school programming which then, as per policy, required a vote. A vote of 11-7 took place with two members of the committee not in attendance. The requirement to vote created a winner and a loser and polarized the committee as well as having a negative impact in the community. The reviewer would suggest that when consensus cannot be reached that the committee acknowledge this and provide the governing board with

documentation that lists the pros and cons articulated by the committee as opposed to a vote. The Board makes the ultimate decision and would benefit more from this type of information. In addition it would permit each member of the committee to have a voice in the final document even if they are not present for the vote.

There was also one public meeting after the vote where some members of the public questioned why there was a public meeting where their input was requested if a vote had already been taken. If there was no vote the final public meeting would have had more meaning and comments and concerns of the public could have been added to the document provided to the Board.

5. The SOC should make every effort to elect one chair and only appoint a co-chair in a circumstance where the elected chair is unable to attend a meeting.

Rationale

Having co-chairs may have led to the position of chair not being as strong as expected by committee members.

6. The facilitator should not be an educator or former educator.

Rationale

With impartiality being paramount, the reviewer believes the facilitator should not have an education background. In a province the size of Nova Scotia, it would be very unlikely that the Superintendent or staff at the school board would not know a person from this field. With the lack of trust that is acknowledged in these processes every step must be taken to reassure the committee and community that there is no outside influence on the process. It must be reiterated that the information obtained by the reviewer indicates the facilitator for this review acted in good faith and was complimented by the majority of the committee for his hard work and facilitation skills.

7. An evaluation process should be included in the school review process and added to the policy.

Rationale

The SOC members should be provided an opportunity to come together after the process is complete to discuss best practices and areas of concern. This is critical for the development of the school review process and policy. Those directly involved are well placed to comment.

8. Roles and responsibilities must be explained in significant detail at the beginning of the SOC process and any unique challenges addressed up front.

Rationale

In addition to the first meeting where roles and responsibilities were explained it is incumbent upon the facilitator to check with the committee members at points throughout the process to ensure they are still on track with the expectations and ensure an understanding of their responsibilities.

The issue of the PVEC Business Case needed to be discussed at the first meeting to ensure transparency and to provide an understanding of the expectations for the committee in the light of this reality.

9. Elected school board members should be present during the public meetings.

Rationale

There was an expectation from the public that the governing school board members would attend the public meetings. The minutes of the public meetings are provided to the Board to aid in their decision making process. Their presence at the meeting would be reassuring to the public and would offer them first hand information as opposed to reading it in minutes.

10. Public meetings must have a standard structure, clear agenda and stated goals to assist in ensuring public confidence. Reference to any documents that will be produced should be carefully explained to avoid confusion or unwittingly raising expectations.

Rationale

The public meetings must have a predetermined program that involves introductions of all SOC members and in addition clearly articulates what can be expected from a committee that will only have the opportunity to meet 10 times outside of the public meetings. As an example, if reference will be made to "drop downs" then expectations related to them must be explained to the people in attendance. If it is interpreted that these will be detailed drop downs that could include financial spreadsheets and significant supporting data then anything less will not be accepted by the public and will lead to a lack of confidence and satisfaction in reporting. Public meetings can be emotionally charged and having a formal structure with a clear agenda and stated goals can assist in managing expectations and creating efficiency.

11. All documentation being released from the SOC to the public should be subject to an approval process that involves all members of the committee.

Rationale

The current policy includes an approval process for meeting minutes but does not have a

specific policy for the approval of presentations and reports by the committee. This created concern with the committee that they did not get to sign off on presentations made at public meetings or the final report to the Board.

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APPENDIX 1

Overview

On October 28, 2015 the South Shore Regional School Board approved the initiation of a school review process for the Bridgewater and Parkview families of schools.

The recommendation to review, as approved by the board, outlined the mandate of the School Options Committee (SOC) to conduct a review, with public consultation, of these families of schools and consider: catchment area, cross boundary registrations, facility utilization, operational costs, grade configuration, program options and a specific question of whether or not the P3 school (Bayview Community School) will be needed into the future.

Through the course of the review, concerns were brought forward from some members of SOC with respect to the procedural fairness of the SOC phase of the review. Before proceeding with a decision, the school board has asked for a review of the process to date.

Requirements

A consultant will be engaged to conduct a review of the process undertaken by the SOC. The review will include:

- interviews with SOC members, the review facilitator, recording secretary for the SOC, school board superintendent and staff as necessary, and any other individual deemed necessary by the consultant in the course of the review
- examination of documents related to the review process

Project Scope

The review will examine:

- Whether the SOC established clear guidelines, including procedural norms for the review and if they were followed
- The process established for decision making by the SOC and if it was followed.
- Whether the roles of all parties were clearly defined and followed, including school board staff, SOC members, SOC chair, and the facilitator?
- How the SOC determined what information was required and how that information was provided.
- The approval process for documentation and reports of the SOC, e.g. meeting minutes, presentations, reports.

Deliverables

A report will be provided to the school board outlining the work undertaken by the consultant and the findings of the review.

APPENDIX 2

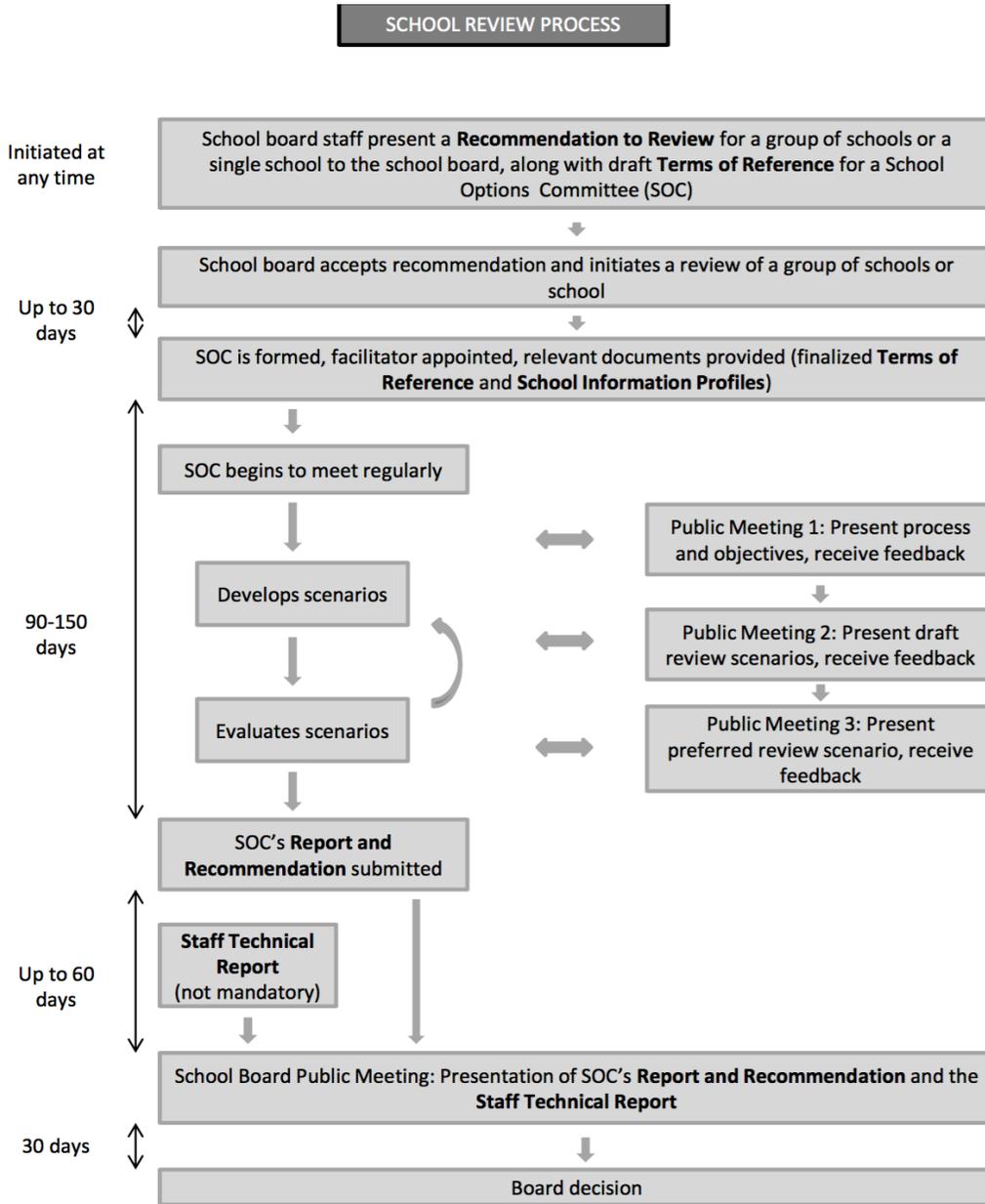
ALPHONSE MACNEIL

Alphonse MacNeil is an independent consultant. He retired from the Royal Canadian Mounted Police in April of 2014 after thirty-eight years of service in four provinces. He attained the rank of Assistant Commissioner with his last posting being the Commanding Officer of the RCMP in the Province of Nova Scotia.

As a Senior Manager with the RCMP he held several other high profile positions including the Officer in Charge of the National Traffic Program, The Canadian Air Carrier Protective Program (Air Marshalls) and was the Officer in Charge of security planning for the G-8 and G-20 Summits held in Ontario in 2010.

Since retiring from the Force in 2014 he has lead the review of the murder of 3 RCMP Officers and wounding of 2 more in Moncton, New Brunswick that occurred in June of 2014. Following that review he was retained by the Government of Ontario to assist in the review of the security planning in advance of the 2015 Pan American and ParaPan American Games and then in conducting the After Action Review of Games security. He was also a member of the Review Panel that developed a report on the Nova Scotia Fuel Shortage in the summer of 2015.

APPENDIX 3



APPENDIX 4

SOC Membership		
Voting	School Advisory Council (SAC) representatives	<p>Two members of the School Advisory Council (SAC) from each school identified as part of the review:</p> <p style="padding-left: 40px;">Chair of the SAC (or designate); and one parent representative. SAC representatives cannot be employees of the school board.</p>
	Community/business representatives	<p>Up to two community /business representatives from the region in which the schools under review are located.</p> <p>Individuals may apply to be members of the SOC or may be asked to act as such by the school board superintendent. The final decision on a candidate’s membership rests with the superintendent.</p> <p>Representatives must not be elected officials, parents of impacted students, or employees of the school board.</p>
Non-Voting	School board staff	Central school board staff (facilities, programs, etc.) as determined by the school board superintendent.
Other members		<p>The superintendent may also request representatives from the following groups to join the SOC:</p> <p style="padding-left: 40px;">The principal (or designate) from each school identified as part of the review;</p> <p style="padding-left: 40px;">Planning staff from those municipalities in which the schools under review are located; and</p> <p style="padding-left: 40px;">Representatives of other directly impacted groups in the school region, as determined by the superintendent.</p>

APPENDIX 5

DATE	DURATION	ACTIVITY
Oct 28, 2015		School Board accepts <i>A Recommendation to Review</i> submitted by the Superintendent. A review of Bridgewater and Park View Families of Schools is initiated.
Oct 29 to Nov 27, 2015	Up to 30 days	A School Options Committee (SOC) is formed, a facilitator is appointed, and relevant documents (<i>Terms of Reference</i> and <i>School Information Profiles</i>) are provided.
Nov 28 to Mar 27, 2016	Up to 122 days	SOC conducts the review. It meets regularly to develop and evaluate scenarios, holds 3 public meetings (as outlined in the <i>School Review Process</i>) and prepares Report and Recommendation .
Mar 28, 2016	Up to 31 days	SOC submits Report and Recommendations to the superintendent. Staff submits Staff Technical Report (optional).
Apr 27, 2016		SOC facilitator and chair present the Report and Recommendations at a public school board meeting.
Apr 28 to May 25, 2016	Up to 28 days	School Board makes a final decision about recommendations made by the SOC for Bridgewater and Park View Families of Schools, at a public school board meeting.

