

# Government of Alberta News Release

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"Education is a serious issue, and as Minister I need to do everything I can to ensure it is dealt with in a serious and professional manner."

*Dr. Lyle Oberg  
Minister of Learning*

August 19, 1999

## **Official Trustee Appointed to Run Calgary Board of Education**

(Calgary) Dr. Lyle Oberg, Minister of Alberta Learning, has announced effective today, the Board of Trustees of Calgary School District No. 19 has been replaced by an Official Trustee in accordance to Section 25.3(1)(b) of the *School Act*.

George Cornish, former Chief Commissioner of the City of Calgary, has been appointed Official Trustee until a new board is elected. As Official Trustee, Cornish will have all the powers of an elected Board of Trustees in operating the School District. He will work with the local returning officer to organize a by-election, which will be held no later than March 31, 2000. The province will cover the costs of holding this by-election.

"Education is a priority for the people of Calgary and we need a board that can work together to address the issue in a professional manner," said Dr. Oberg. "I have been monitoring the situation since I became Minister and last week the board chair said she felt there was little chance of moving the board to a functional level. I felt it was time to take action."

"This is not a step I take lightly, nor is it a reflection on the integrity of any individual board member," said Dr. Oberg. "My duty is to ensure that children in the Calgary public system receive the best education possible."

Under the *School Act* the Minister of Learning has the authority to appoint an Official Trustee when he considers it is in the public interest to do so. Minister Oberg concluded that based on the evidence of the Board members' inability to work together and with the chair's concerns, it is in the best interests of the public to replace the present Board.

"The most important consideration immediately is the quality of education the Calgary Board of Education delivers to its 100,000 students," said CBE Board Chair Teresa Woo-Paw. "Our trustees have been unable to come together to put the best interests of children foremost."

The Minister noted reasons for appointing an Official Trustee included the following:

- The Calgary Board of Trustees, despite attempts, has failed to resolve internal difficulties to effectively govern the local public education system.
- The Calgary Board of Trustees has lost credibility with the general public.
- Chair of the Calgary Board of Trustees views the Board as dysfunctional.

"In isolation none of the incidents that led to this decision would be grounds for appointing an Official Trustee, however taken together there is ample evidence that the Board is simply not functioning at a satisfactory level," Dr. Oberg stated. "The Board also shows no signs of being able to turn things around in the near future. My concern is that the public education system in Calgary is being adversely affected."

The seven trustees of the Calgary Board of Education were elected on October 19, 1998. They cease to hold office immediately upon the appointment of the Official Trustee.

An Official Trustee for a public school board has been appointed four times since 1980. The most recent appointment of an Official Trustee was made in May 1993 to replace the Board of Trustees of Twin Rivers School Division No. 65. Twin Rivers has since become part of Wild Rose School Division No. 66. Three Official Trustees were appointed in the early 1980s for the Westlock, High Prairie and the Northland School Divisions. An Official Trustee was also appointed to oversee the operations of Global Academy Charter School in Calgary in January 1998. This appointment was made at the request of the remaining members of the Board of Directors who no longer had a quorum to operate.

This announcement is available on the Internet at: <http://ednet.edc.gov.ab.ca/news>

-30-

### **Biography on Official Trustee and other background information attached.**

For more information:

Dr. Lyle Oberg - Minister of Learning - (780) 427-2285

Teresa Woo-Paw - (403) 275-6866

Ed Greenberg\* - Alberta Learning Communications - (780) 427-2285

Murray Ball\* - Calgary Board of Education Communications - (403) 294-8256

Outside Edmonton, call toll-free by dialing 310-0000

Media Note: Contact \* to arrange interviews with Official Trustee.

### **BACKGROUNDER**

The following chronology indicates some of the recent events:

- October 1998 - Board elected.
- October 1998 Complaint filed with Albertas Privacy Commissioner that the Calgary Board of Education disclosed personal information in violation of the *Freedom of Information and Protection of Privacy Act*. (After September 1, 1998 school boards came under the provisions of the *FOIPP Act*)
- November 1998 New board Chair elected.
- January 1999 - Disputes result in near confrontation at trustees board meeting.
- March 1999 Vice-chair resigns.
- March 1999 Disagreement over funding of projects and approval of invoices.
- May 1999 Legal review launched after demands for trustees to resign over being absent from three budget meetings.
- June 1999 Facilitator asked by Chair to resolve internal conflict among trustees, but fails to come up with a successful agreement.
- July 1999 - Privacy Commissioner holds hearing and indicates trustee leaked letters to newspapers that resulted in a complaint about an alleged violation of the *Freedom of Information and Protection of Privacy Act*.
- August 1999 - Board votes to reprimand trustees involved in note-passing controversy.
- August 1999 Complaint filed with Albertas Privacy Commissioner that the Calgary Board of Education disclosed personal information, on an individual who had been under contract with the board for communications advice, in violation of the *FOIPP Act*.
- August 1999 Board Chair advises Learning Minister that the board is dysfunctional and the CBE is

being bombarded by phone calls from taxpayers

**None of these events taken in isolation constitutes grounds for appointing an Official Trustee; however, taken together, there is ample evidence that this board is not functioning at a satisfactory level.**

## **BACKGROUND**

School Act:

- Section 25.3(1)(b) of the *School Act* provides the Minister with the authority to appoint, by Ministerial Order, an official trustee to conduct the affairs of the board when he considers it in the public interest to do so. The appointment is subject to any terms and conditions the Minister considers necessary. The trustee would remain in office until a new Board is elected and its members have taken their oaths of office at the first organizational meeting held following the by-election, and in any event not later than March 31, 2000.
- An official trustee is the Board and has all the powers and duties conferred by the *School Act* on a board with one exception. The official trustee must obtain the prior approval of the Minister to borrow money or pass a by-law [s.25.3(2)(c)]. Once the official trustee is appointed, the members of the board cease to hold office [s.25.3(3)].

## **Terms of Reference for the Official Trustee:**

- To be responsible for carrying out all the powers and duties conferred by the *School Act* on a board.
- To coordinate with the municipal elections officer a by-election for the election of a new Board to be held prior to March 31, 2000.

A Statement From

Dr. Lyle Oberg, Minister of Alberta Learning

Over the past two and a half months that I have been Minister of Learning I have been monitoring the ability of the Calgary Board of Education to provide governance that supports quality public education for the students of Calgary.

During this period I have had numerous complaints made to my office and my department from citizens expressing concern over the way the Board has conducted its business and handled themselves as elected officials. I have also heard from MLAs in Calgary that they too have received many concerns as has the Calgary Board of Education itself. Many callers asked that specific trustees be removed from the board. Under the *School Act* I do not have the authority to do this the authority that exists is to appoint an Official Trustee and therefore the board ceases to have power.

Last week I was approached by Board Chair Teresa Woo-Paw who expressed her concern that the board was completely dysfunctional and we discussed whether the best thing for the students of Calgary would be to disband the board.

I have given careful and serious consideration to all possible options. I thought of asking a mediator to work with the Board to assist them in working together as a corporate entity. I rejected this idea, as the Board had already attempted this in June of this year without any positive result. I thought again of asking the Board to work together, but based on the Chair's view of the board's dysfunction and her lack of optimism that this can improve, coupled with the apparent lack of public confidence in this Board, I don't believe this is a solution. As a result, I have determined that the best course of action for the students of

Calgary is to appoint an Official Trustee. This is an interim step until a by-election can take place to elect a new Board that can start fresh and work with Calgarians to ensure quality public education.

Today, I have appointed Mr. George Cornish to govern the operations of the Calgary Public School System effective immediately. In the meeting just held with the Board I advised the Trustees that under section 25 of the *School Act* I have appointed an Official Trustee and the Board of Trustees cease to hold office. A by-election will be scheduled no later than March 31, 2000. My goal will be to hold a by-election as soon as possible ideally before year-end.

I am very disappointed at having to enforce this section of the *School Act*. However education is a very serious matter and as Minister I need to do everything I can to ensure it is dealt with in a serious and professional manner. This is not a step I take lightly, nor is it a reflection on the integrity of any individual board member, but rather on the Board as a corporate entity and its collective inability to conduct business in a professional manner. My duty is to ensure that children in the Calgary public system receive the best education possible.

In isolation none of the incidents that led to this decision would be grounds for appointing an Official Trustee, however taken together there is ample evidence that the Board is simply not functioning at a satisfactory level. The Board also shows no signs of being able to turn things around in the near future. My concern is that the public education system in Calgary is being adversely affected.

I am confident that the Official Trustee will continue to work with the administration to ensure quality education for the students of Calgary until such time as a new Board is in place. Mr. Cornish has indicated that he will work with the administration in a very open fashion for example receiving reports at public board meetings. The business of the school jurisdiction will continue schools will open on schedule, operations will not be adversely impacted.

I ask Teresa to now say a few words after which we will have opportunity for a few questions from the floor.

## BIOGRAPHY

### GEORGE H. CORNISH

#### **Born and received public and high school education in Calgary.**

Received Bachelor of Applied Science (B.A.Sc.) in Electrical Engineering in 1956 from the University of British Columbia.

Registered Professional Engineer in the Province of Alberta.

Summer of 1952 to 1955, inclusive, worked as a student engineer in The City of Calgary Electric System.

June 1, 1956 upon graduation, appointed as an engineer for The City of Calgary Electric System.

1957 --- appointed Streetlighting Engineer for The City of Calgary.

1959 --- appointed Technical Assistant to the General Manager of The City of Calgary Electric System, retaining the Streetlighting responsibilities.

1962 --- appointed Assistant General Manager of The City of Calgary Electric System.

1968 --- appointed Executive Assistant to the Chief Commissioner.

January, 1970 --- appointed Assistant Commissioner, The City of Calgary.

May 25, 1971 --- appointed Commissioner of Utilities & Services, The City of Calgary.

February, 1974 --- appointed Commissioner of Planning and Transportation, The City of Calgary and Chairman of the Calgary Municipal Planning Commission.

May 25, 1981 --- appointed Chief Commissioner, The City of Calgary.

January 2, 1989 --- retired from the City of Calgary.

February 1, 1989 to August 31, 1994 --- Executive-in-Residence, Faculty of Management, The University of Calgary.

June, 1990 to August 31, 1994 --- Associate Director, Division of International Business, Faculty of Management, The University of Calgary.

Mr. Cornish is a member of the Illuminating Engineering Society of North America and in

1974-75 was the International President of that Society. Mr. Cornish serves as a Director on the Calgary Airport Authority, the Alberta Blue Cross, and Enmax Corp. (Chairman).

He was also a member of the Board of Directors of the Olympic Organizing Committee

(OCO 88), the Calgary Olympic Development Association (CODA) the Calgary Research and Development Authority (CRDA). In 1993 he was the Executive Director of the Alberta Financial Review Commission and in 1996/97 was the Chief Operating Officer for Calgarys Expo 2005 bid.

From 1993 to 1998 --- he was a member of Alberta Municipal Government Board.

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Alberta Index | Dept Index | Learning Home Page | News Releases [Top of Page](#)

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