



Education

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September 10, 2020

To: Chairs of Schools Boards

Dear Chairs of Schools Boards:

As we enter the 2020/21 school year, the Manitoba government recognizes that the evolving public health situation may require flexibility in certain legislative provisions in order to support the continuity of services in the education system.

The Manitoba government has proactively passed changes to education legislation, enabling the transition to fully electronic meetings of the board, if and when the public health situation warrants. Although these changes are already in effect, the expectation is that boards will continue to meet in person while in-classroom learning is in place. However, the department recognizes that board meetings must occur in line with public health guidance and that individual board members may need to be accommodated through remote participation due to personal health concerns or travel restrictions. The specific legislative changes are:

- Subsection 39.7.1(2) of The Public Schools Act is suspended by Emergency Order, expiring March 16, 2021. This subsection requires that trustees physically attend a board meeting at least every three months.
- Section 5 of the Electronic Meetings Regulation, M.R. 201/2004, is suspended through regulation amendment, for the duration of the 2020/21 school year. This section requires that the board Chair, a trustee, the Superintendent and the Secretary-Treasurer or their delegates be present in the board's meeting room during an electronic board meeting.

The Manitoba government has also passed a regulatory amendment to suspend the requirement that school buses use laminated glass in the 2020/21 school year. This suspension is to enable school divisions to access additional bus capacity from other provinces, in order to support the transportation of all eligible students in accordance with public health guidelines. Transport Canada's regulations respecting school bus design do not include laminated glass, and Manitoba is the only province in Canada with this requirement. Specifically, clause 4(f) of the School Buses Regulation, M.R. 465/88 R, is suspended for the duration of 2020/21 school year.

The above noted Emergency Order and regulatory amendments are available at:

Order re Temporary Suspension of School Trustee Meeting Provision:

<http://web2.gov.mb.ca/laws/orders/pdf-order.php?ord=250/2020>

Electronic Meetings Regulation amendment:

<http://web2.gov.mb.ca/laws/regs/annual/2020/088.pdf>

School Buses Regulation amendment:

<http://web2.gov.mb.ca/laws/regs/annual/2020/083.pdf>

Should you have any questions regarding these legislative provisions, you may contact Jeffrey Kehler, Manager of Legislation and Strategy Policy at

Jeffrey.Kehler@gov.mb.ca.

Sincerely,

Original signed by

Sarah Whiteford
Assistant Deputy Minister

c. Honourable Kelvin Goertzen, Minister of Education
Dana Rudy, Deputy Minister, Department of Education
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