

Date	October 6, 2026
To	Board of Trustees
From	Trustee Sarah Doll
Subject	Motion re: Recommendations for alignment of board policies with the recognition of every child's right to education
Resource Staff	Kelsey Duebel
Reference	<i>Education Act Sections 11(1), 3(1), 12</i> Funding Manual for School Authorities 2026-2027 sections C 1.1, C1.2 Edmonton Public Schools 2026-2030 Strategic Plan HEC.BP Non-Resident Student Admission and Enrolment HC.BP Resident Student Enrolment HC.AR Student Admission and Enrolment May 27, 2025 Recommendation Report: Advocacy for the Education of Undocumented Children Letter from EBSB Trustees to Minister of Education ASBA Position Passed at the Spring General Meeting 2026 United Nations Convention on the Rights of the Child

ISSUE

The Edmonton Public School Board's (EPSB) policies have not been comprehensively reviewed to determine whether they align with the recognition of every child's right to education as described in the United Nations Convention on the Rights of the Child (UNCRC). This recognition of every child's right to education has been reflected in the Board's support of a related Alberta School Boards' Association position. Current registration and enrolment policies may create a barrier for children to enrol in school based on funding eligibility status. The Policy Review Committee should identify any systemic barriers or areas of misalignment and provide thoughtful recommendations prepared with support from administration for the consideration of the Board.

RECOMMENDATION

That the Policy Review Committee (PRC) review relevant Board policies and develop recommendations to align those policies with the recognition of every child's right to education as described in the United Nations Convention on the Rights of the Child. The review should be informed by input from Administration regarding operational, legal and financial considerations.

BACKGROUND

There has been continued community advocacy for ensuring that children who are not eligible for provincial education funding due to their immigration status should be able to attend school. This advocacy has included multiple presentations at public Board meetings, the [Education 4 All campaign](#) by the Alberta

Workers Association for Research and Education, a petition being circulated for the Alberta Legislature, and direct advocacy with Trustees of the Board throughout multiple terms.

The Board of Trustees has responded with advocacy that has primarily focused on provincial funding eligibility and changes to the *Education Act*. In spring of 2025, the Board of Trustees [wrote](#) to the Minister of Education recognizing no child is responsible for their immigration status and requesting amendments to the *Education Act* to provide funding to accommodate these students. The Board also [voted](#) to move forward advocacy alongside our professional organizations with school boards across the province.

In spring of 2026, the Board of Trustees supported the Alberta School Boards' Association (ASBA) position statement that asks for K-12 funding for all 'ordinarily resident' students in Alberta and recognizing every child's right to an education as described in the UNCRC.

In May of 2026, EPSB adopted its new 2026-2030 Strategic Plan, which includes commitments advancing inclusion and anti-racism, addressing systemic barriers to student success, and strengthening trusting relationships among communities.

The issue is currently occurring in the context of a pending provincial referendum which questions education funding eligibility for students whom the Division is currently mandated to educate under the *Education Act* based on immigration status.

RELATED FACTS

Education funding and student enrolment have distinct requirements

- The Board is required to operate in accordance with the *Education Act* and all other applicable legislation and provincial requirements.
- The *Education Act* and Alberta's 2026-2027 Funding Manual for School Authorities distinguish between eligibility for provincial funding and a school board's authority to enrol a student.
- Funding eligibility includes criteria related to student citizenship, immigration status and Alberta residency.
- This means children within the same family may have different funding eligibility based on their individual circumstances.
- School boards are not prohibited from enrolling a student who is not eligible for provincial funding; however, certain requirements must be met:
 - Boards must ensure effective stewardship of division resources; comply with all applicable Acts and Regulations; refrain from issuing statements or taking positions, including political, social or ideological positions, that are not relevant to the fulfilment by the board of its obligations; and carry out any other matters prescribed by the Minister of Education.
 - Resident students eligible for funding must be prioritized and non-resident students may be enrolled where sufficient space and resources permit.
 - A board may charge tuition fees in respect of an individual who attends a school operated by the board and who is not a resident student of the board or any other board or the Government.
 - [HEC.BP Non-Resident Student Admission and Enrolment](#) outlines the application of tuition fees for students when necessary, and the amount of annual tuition fees is established by the Board of Trustees.
- The Minister of Education has [publicly stated](#) that school boards can accept students who are not eligible for provincial funding, if they have the space and resources.

School Division funding is determined by a weighted enrolment metric rather than an exact headcount

- The Adjusted Enrolment Method (AEM), which is integral to Alberta's K-12 education funding model, does not provide funding based on actual enrolment numbers throughout the school year, but uses the Division's enrolment from the September count date.
- The AEM formula calculates an AEM Full Time Equivalent (FTE) enrolment figure, which is used to allocate funding for Early Childhood Services to Grade 12 instructional activities. This formula is based on 30% of the prior school year's actual enrolment plus 70% of the enrolment for the current year. Students who enrol after the September count date are not included in the AEM FTE enrolment calculation for the current school year. As a result, a school division's actual enrolment during a school year may differ from the AEM FTE enrolment figure used in the provincial funding allocation.
- As reflected in the Division's approved [2026-2027 Budget](#), the Division budgeted to receive funding based on an AEM FTE enrolment of 118,969 whereas our projected FTE enrolment was 119,690 (resulting in a gap of 721). For the 2025-2026 school year, the AEM FTE enrolment was 116,590 compared to our actual FTE enrolment of 117,288 (resulting in a gap of 698).
- School divisions remain responsible for providing instruction to eligible students regardless of when they enrol with the Division.

UNCRC and the right to education

- Article 28 of the UNCRC recognizes the right of the child to education and that primary education should be compulsory and available free to all.
- Article 2 establishes the Convention's non-discrimination principle and includes protections related to status and origin.
- Canada is a party to the UNCRC as of 1991 and the endorsement of its ratification was formally acknowledged by Alberta in 1999.

Edmonton Public Schools Strategic Plan

- Our 2026-2030 Strategic Plan includes commitments related to strengthening relationships with families and communities, inclusion, and addressing systemic barriers.
- **Priority 2** Advance anti-racism, Truth and Reconciliation, and inclusion to support student learning.
 - **Goal 1** Take individual and collective action to address systemic barriers to students' academic success.
- **Priority 3** Centre good relationships to enhance belonging, safety and well-being for students and staff.
 - **Goal 1** Strengthen trusting relationships among students, staff, families and communities.
- These priorities provide relevant strategic context for the review of board policies relevant to student enrolment and registration.

The ASBA position

- At the spring 2026 General Meeting, ASBA adopted the position statement "Supporting Children's Right to Access Fully Funded K-12 Public Education in Alberta."
- The position asks that "ASBA advocate to the Government of Alberta that all school age individuals who are ordinarily resident in Alberta be eligible to receive fully funded K-12 education in Alberta's public, separate and francophone school boards, recognizing children's right to education as described in the Convention on the Rights of the Child."
- ASBA represents all 61 public, catholic, and francophone school boards in Alberta.
- EPSB supported this position statement.

CONSIDERATIONS and ANALYSIS**The UNCRC provides a recognized framework for reviewing existing board policies**

- Canada is a party to the UNCRC and has committed to implementing the rights recognized within it.
- While the UNCRC does not create the same legal obligations for Edmonton Public Schools as provincial legislation, it provides an established human rights framework through which the Board can examine its existing policies and practices.
- The proposed review could ask: Are children's rights to education being equitably and meaningfully realized through policies within the Board's authority?
- Having supported an ASBA position recognizing children's right to education under the UNCRC, it is reasonable and appropriate for the Board to consider whether its own policies reflect that recognition.

The proposed review is intended to be undertaken within the Board's existing legal obligations

- The proposed review does not seek to disregard or override provincial legislation or Trustee obligations and fiduciary duties.
- Administration's legal, operational, funding and financial analysis will identify any legislative requirements, limitations, or implications associated with potential policy changes.
- This input from Administration would help inform any recommendations brought forward to the Board.
- Approving this review does not commit the Board to any particular policy change or financial expenditure. It is an opportunity to understand what options are available within the Board's authority and work meaningfully to recommend any changes that would support alignment.
- Recognition of the UNCRC and commitment to advocacy for all children's right to education is an existing position of EPSB through previous advocacy and support for the ASBA position.
- The issue, background, and context of this recommendation is relevant to the obligations under the *Education Act*.

The proposed review provides a responsible path to policy consideration

- A potential concern is that students who do not generate provincial funding may create an additional financial or operational burden for the Division.
- This concern is legitimate and will be considered as part of the proposed review process, but the existence or amount of that burden has not yet been established.
- The motion proposed today does not assume that enrolment should occur regardless of cost, available space, staffing, or resources. The considerations presented in this report surrounding enrolment are provided to identify areas that warrant examination and demonstrate the value of the proposed review.
- Instead, it would allow Administration to identify the actual financial and operational implications of any recommended policy changes and work collaboratively with the Board.
- The proposed review allows the Board to distinguish between barriers that are legally required due to provincial legislation and barriers that may result from existing policy or procedure within the Board's control.
- The purpose of this report is to establish the rationale for undertaking a policy review, not to predetermine the possibility or impossibility of specific operational or policy changes that are in alignment with the UNCRC.

The proposed review advances the Board's commitment to address systemic barriers

- The 2026-2030 Strategic Plan places new emphasis on identifying and addressing systemic barriers to student success.
- The Board has established this direction through its own Strategic Plan, and undertaking the proposed review is a concrete step in the direction of implementing our priorities.

- Meaningful work to address systemic barriers can require institutions to examine their own policies and practices including areas where findings may be challenging and require change.
- A commitment to inclusion requires a willingness to undertake that work and respond accordingly to recommendations identified.

A policy review strengthens previous advocacy work within current provincial context

- The Board's provincial advocacy regarding funding and legislative changes should continue; however, those matters are outside of the Board's direct authority. The proposed review would be an opportunity to examine what work can be done through the Board's own policies.
- Provincial policy regarding education funding eligibility is facing potential changes. Regardless of future provincial decisions, the Board is still responsible for understanding policies and barriers within its own authority.
- Completing the proposed review now would provide the Board with a clear understanding of its policy options as the provincial funding environment changes over time.
- This proactive work is crucial to the stability and predictability for students and demonstrates the Board's commitment to our fiduciary duty and good governance practices.

Existing capacity does not eliminate the need for infrastructure investment or sustainable funding

- The Division continues to face significant infrastructure needs, including the construction of new schools and renewal of aging facilities as well as sustainable and predictable funding to support operations and enrolment.
- Accommodating students within available capacity does not diminish the need for continued provincial investment or minimize the complexity of managing 122,000 students in 214 schools across a growing, busy city. At the same time, the existence of broader capacity pressures does not mean that every school within EPSB is at capacity.
- The Division currently has [16 school projects](#) in the capital funding process, which will advance towards full construction and provide additional school capacity. Enrolment growth has also [significantly stabilized](#) over the past two years.
- This changing growth trajectory is an important context when considering how existing capacity may be used and whether or not capacity itself is an absolute barrier to every potential opportunity to enrol students.

The impact of maintaining the status quo

- Where a Board policy may contribute to a barrier to education, it is the Board's responsibility to eliminate that barrier, if possible.
- Without completing the proposed review, the Board cannot determine whether any existing barrier to a child's right to education experienced in EPSB is legally required or whether there are previously unidentified mechanisms to overcome the barrier.
- Undertaking the proposed review allows the Board to respond to any identified policy barriers based on evidence and thoughtful consideration of its legal, operational, and fiduciary duties. It would also create a policy alignment with our strategic plan.

NEXT STEPS

Upon approval of the recommendation:

- The PRC will commence a policy review, including policies governing registration and enrolment, to identify barriers or possible areas of misalignment with the UNCRC.

- As part of the PRC's review, Administration will bring forth operational, legal, and financial analysis of potential policy recommendations.
- PRC will bring a recommendation report for any policy amendments that will support alignment with the UNCRC while remaining within the Board's legal and fiduciary obligations. If any other relevant policies are identified as part of the review, they'll be brought forward in this report.
- All substantive policy changes require public engagement. As such, any draft amendments recommended by the PRC will be made available for public feedback after first reading
- Any corresponding relevant administrative regulations, such as [HC.AR Student Admission and Enrolment](#) would be addressed through the Division's established administrative process as a result of any changes required to operationalize board policies.

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