

2006

S.H. No. 263926A

IN THE SUPREME COURT OF NOVA SCOTIA
And
IN THE MATTER OF AN APPEAL PURSUANT TO SECTION 41
OF THE FREEDOM OF INFORMATION AND PROTECTION OF
PRIVACY ACT, S.N.S. 1993, c.5

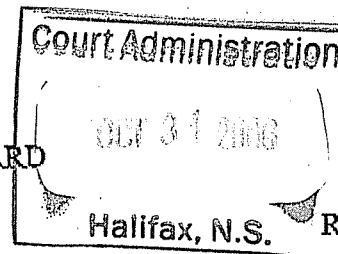
BETWEEN:

ATLANTIC INSTITUTE FOR MARKET STUDIES

APPELLANT/
APPLICANT FOR INFORMATION

- and -

HALIFAX REGIONAL SCHOOL BOARD



RESPONDENT

AFFIDAVIT

I, Brenda Moore, of the Berwick, Province of Nova Scotia, make oath and say as follows:

1. I am the Administrative Assistant to Superintendent of Schools/FOIPOP Administrator for the Annapolis Valley Regional School Board (AVRSB), and as such have personal knowledge of all the matters herein deposed to except where stated to be by way of information and belief.
2. The AVRSB is a body corporate created pursuant to the *Education Act*, S.N.S. 1995-96, c.1. The AVRSB has a mandate to deliver public education programs and services to students whose parents reside in the geographic boundaries from Mount Uniacke in Hants County to Bear River in Annapolis County, which boundaries match the geographic boundaries of the AVRSB.
3. On April 29, 2005 the AVRSB received a request from the Atlantic Institute of Market Studies (AIMS) for a variety of information related to student grades, attendance and other statistics. A true copy of AIMS' request is attached at Exhibit "A".
4. On June 1, 2005, James Gunn, Superintendent of Schools for the AVRSB wrote to Bruce Winchester, Director of Research Services for AIMS, responding to AIMS' request advising, *inter alia*, that AIMS' request could not be accommodated in its entirety due to the unavailability of much of the information requested, and asking if AIMS wished to

-2-

revise their request. Mr. Gunn also attached the discipline records which were readily available at that time. A true copy of Mr. Gunn's letter, with attachments, is attached as Exhibit "B".

5. On July 6, 2005 I had a telephone conversation with Mr. Winchester, during which he advised AIMS would amend their request for information. Mr. Winchester and I agreed I would make contact with the AVRSB schools to determine whether or not the information could be generated and that I would provide him with an estimate of the time and cost associated with providing the information. I confirmed our discussions by letter to Mr. Winchester on July 6, 2005, to which I also attached a copy of the AVRSB's policy and procedures on "Assessment and Evaluation of Student Progress" and "Use and Distribution of Assessment Results". A true copy of this correspondence, with attachments, is attached as Exhibit "C".
6. I contacted schools to determine availability of information and the length of time it would take to compile especially considering the time of year. During this time an appeal had been launched by AIMS regarding fees to be charged and, the FOIPOP Review Officer ruled on said appeal. Also, superintendents agreed they would provide information on a "go forward" basis. On September 28, 2006 AIMS requested the Review Office review their request for information from AVRSB.
7. The AVRSB did not create any records and did not charge any fee to AIMS for providing the above information.
8. On August 30, 2006 I had a telephone conversation with Bobby O'Keefe of AIMS, and indicated to Mr. O'Keefe the AVRSB would provide student data on a "go forward" basis" following discussions between AIMS and the Department of Education. I confirmed our telephone discussion in a letter to Mr. O'Keefe dated August 31, 2006. A true copy of this letter is attached as Exhibit "D".
9. We are currently proceeding to collect and provide information to AIMS for the 2005 - 2006 school year as requested by the Department of Education. This process is not yet complete.
10. I make this Affidavit related to an appeal filed pursuant to Section 41 of the *Freedom of Information and Protection of Privacy Act*, and for no other improper purpose.

SWORN TO at Berwick,)
 in the County of Annapolis,)
 Province of Nova Scotia,)
 this 31st day of October)
 2006, before me:)

Jacqueline Langille)
 A Commissioner of Supreme Court)
 of Nova Scotia.)

Brenda Moore)
 BREND A MOORE, FOIPOPADMINISTRATOR)

**Chair**

David McD. Mann

Chairman Emeritus
Purdy Crawford**Vice Chairs**Peter C. Godsoe
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Allan C. Shaw

Research AdvisorsProfessor Robert E. Neill
(Chairman)

Professor Charles S. Colgan

Professor Jim Feehan

Professor Doug May

Professor Jim McIvor

Professor Robert A. Mundell

Professor David Murray

Professor David Murray

Professor David Murray

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Professor David Murray

Professor David Murray

Professor David Murray

Delivered via facsimile (902) 538-4634, original to follow by mail.

April 29, 2005

Ms. Brenda Moore
FOIPOP Administrator
Annapolis Valley Regional School Board
121 Orchard Street
Berwick, NS B0P 1E0

Dear Ms. Moore,

Please find enclosed a cheque in the amount of \$50.00. Under the *Freedom of Information and Protection of Privacy Act* I hereby request the following information from the Annapolis Valley Regional School Board:

1. A complete listing of the average exam grade and the number of students writing exams in provincially examined courses, specifically: math, physics, chemistry/chemie, English, English Communications;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
2. A complete listing of the average teacher assigned grades in the above mentioned courses;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
3. A complete listing of the average overall grade, and the number of students enrolled in the above mentioned courses;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
4. Percentage or number of grade twelve students with a graduating average of greater than 80 per cent;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
5. A complete listing of the average grade for grade 9 graduates;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);

18 2006 No. 263926A
This is Exhibit "A" referred to in
the Affidavit of Brenda Moore
sworn before me this 31st
day of October 19 2006Jacqueline Lancelotti
A Barrister of the Supreme Court
Commissioner Nova Scotia

RECEIVED

MAY 02 2005

ANTAPCO 2000 Barrington St., Suite 1006, Cogswell Tower, Halifax, Nova Scotia, Canada B3J 3K1
REGIONAL SENIOR Telephone: 902-429-1143 Facsimile: 902-425-1393 E-mail: aims@aims.ca
Visit us at www.aims.ca

6. A complete listing of annual student attendance rates in grades 10, 11, and 12;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
7. A complete listing of discipline statistics including but not limited to suspensions and expulsions, in grades 10, 11, and 12;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
8. Number of students by postal code in grades 10, 11, and 12;
 - o The above should be listed by school;
 - o Please provide a listing for each of the last five years (from June 2004 back);
9. A list of other alternative measures of student performance, school effectiveness or student/parent/staff satisfaction or opinions collected or maintained by the Board or reported to the Province for each of the last five years (from June 2004 back).

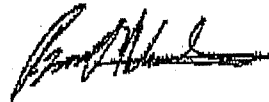
In requesting this data through the *Freedom of Information and Protection of Privacy Act* information provided does not have to be provided in strict accordance with the *Act* if the above requirements can be filled outside the act or through informal release of this information.

If possible, I would like the list provided to me in an electronic format, ideally in a Microsoft Excel format, or as a delimited text file.

If you have any questions, please do not hesitate to contact me, my direct telephone number is (613) 823-8134, or by e-mail at brucewinchester@aims.ca

Thanks for your assistance in this matter.

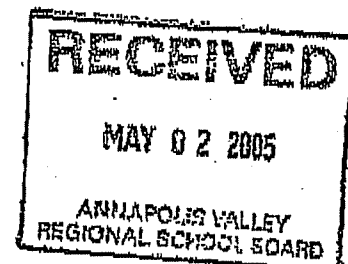
Regards,



Bruce Winchester MA
Director of Research Services
Atlantic Institute for Market Studies

Encl.

cc: Dr. James Gumm, Superintendent



ANNAPOLIS \ LLEY REGIONAL SCHOOL BOARD

121 Orchard Street
P.O. Box 340
Berwick, Nova Scotia
Canada B0P 1E0



Toll free: 1-800-850-3887
Phone: 902-538-4606
Fax: 902-538-4634
Web: www.avrsb.ednet.ns.ca

Superintendent of Schools

June 1, 2005

Mr. Bruce Winchester MA
Director of Research Services
Atlantic Institute for Market Studies
2000 Barrington Street, Suite 1006
Cogswell Tower, Halifax, N. S.
B3KJ 3K1

199006 No. 263926A
This is Exhibit "B" referred to in
the Affidavit of Brenda Moore
sworn before me this 31st
day of October 199006

Jacqueline Langille
A Barrister of the Supreme Court
Commissioner of Nova Scotia

Dear Mr. Winchester:

From what my staff has learned so far, most schools do not maintain the "average exam grade" or the "teacher assigned grades" especially for more than a year. Although some schools do not maintain the "graduating averages", it may be possible to generate these averages from computer data. Most schools do not maintain annual attendance rates by grade or postal code records by grade. Knowing that your request cannot be accommodated in its entirety, it seems reasonable to ask whether or not you want to revise your request. Some times partial data is worse than no data at all.

Discipline records are maintained at Regional Office and tracked by length and infraction. A copy of the record for the periods September 3, 2003 through June 30, 2004 and September 2, 2004 through April 1, 2005 is attached. A note of explanation about the "infractions" - one student may have more than one infraction, therefore the number opposite does not equate to a total of individual students.

Depending upon your response to my question and depending on what more detailed information I can gain from schools, I believe that we can provide at least some information. The only issue remaining would be to give a reasonable dollar estimate for your consideration.

If you have any questions about this decision, you may contact Brenda Moore, FO/POP Administrator at 902-538-4615.

Yours truly,

JAMES A. GUNN
SUPERINTENDENT OF SCHOOLS

Our schools are welcoming learning environments that reflect the nature and culture of our region • Our students excel in becoming lifelong learners and contributors to society • Our competent, caring staff ensure equal opportunity, recognition of uniqueness and diversity, a dynamic curriculum, and open, responsive communication with all our partners

Annapolis Valley Regional School Board**EXTERNAL STUDENT SUSPENSIONS****September 3, 2003 – June 30, 2004****NUMBER of DAYS:**

1.	Suspensions to YEAR END	53	
2.	Suspensions OVER 5 DAYS	90	(includes 4 "end of semester") and 1 "end of term"
3.	Suspensions 1-5 DAYS	2,243	
	TOTAL	2,386	

INFRACTIONS: *

1.	Absenteeism	266
2.	Abusive Language	408
3.	Behaviour	803
4.	Chronic Tardiness	54
5.	Drug & Alcohol	173
6.	Fighting	380
7.	Harassment	108
8.	Insubordination	558
9.	Insufficient Effort	106
10.	Smoking	294
11.	Theft	39
12.	"OTHER"	541
	TOTAL	3,730

* Note: Suspensions are sometimes for more than one reason (infraction).

Annapolis Valley Regional School Board**EXTERNAL STUDENT SUSPENSIONS****September 2, 2004 – April 1, 2005****NUMBER of DAYS:**

1.	Suspensions to YEAR END	23	
2.	Suspensions OVER 5 DAYS	62	(includes 9 "end of semester" and 1 "end of term")
3.	Suspensions 1-5 DAYS	1,632	
	TOTAL	1,717	

INTERACTIONS: *

1.	Absenteeism	217
2.	Abusive Language	254
3.	Behaviour	615
4.	Chronic Tardiness	44
5.	Drug & Alcohol	141
6.	Fighting	279
7.	Harassment	83
8.	Insubordination	440
9.	Insufficient Effort	94
10.	Smoking	189
11.	Theft	21
12.	"OTHER"	369
	TOTAL	2,746

* Note: Suspensions are sometimes for more than one reason (infraction).

ANNAPOLIS VALLEY REGIONAL SCHOOL BOARD

121 Orchard Street
P.O. Box 340
Berwick, Nova Scotia
Canada B0P 1E0



Toll free: 1-800-850-3887
Phone: 902-538-4606
Fax: 902-538-4634
Web: www.avrsb.ednet.ns.ca

July 6, 2005

Mr. Bruce Winchester, MA
Director of Research Services
Atlantic Institute for Market Studies
2000 Barrington Street, Suite 1006
Cogswell Tower, Halifax, N. S.
B3J 3K1

Dear Mr. Winchester:

Re: FOIPOP 2005-21

This is in follow-up to our telephone conversation July 5, 2005. During discussion it was agreed you would amend your request of April 29, 2005, to the following:

1. A complete listing of the average exam grade and the number of students writing exams in provincially examined courses, specifically: math, physics, chemistry/chimie, English, English Communications;
The above should be listed by school;
Provide a listing for the last year.
2. A complete listing of the average teacher assigned grades in the above mentioned courses;
The above should be listed by school;
Provide a listing for the last year.
5. A complete listing of the average grade for grade 9 graduates;
The above should be listed by school;
How the school generates the average;
Provide a listing for the last year.
6. A complete listing of annual student attendance rates in grades 10, 11, and 12;
The above should be listed by school;
Provide a listing for the last three years.

It was also agreed that I would make contact with our schools to determine whether or not the information can be generated and provide an estimate of time and cost.

As we discussed, schools are closed and staff won't be returning until the last week of August. You indicated you understand staffs aren't in the schools and you aren't concerned with the time factor; further, that I don't need to request an extension under the FOIPOP Act. I

Our schools are welcoming learning environments that reflect the nature and culture of our region • Our students excel in becoming lifelong learners and contributors to society • Our competent, caring staff ensure equal opportunity, recognition of uniqueness and diversity, a dynamic curriculum, and open, responsive communication with all our partners

1A 2006 No. 263926A
This is Exhibit "C" referred to in
the Affidavit of Brenda Moore
sworn before me this 31st
day of October 1A 2006.

Jacqueline Langille
A Barrister of the Supreme Court
Commissioner of Nova Scotia

am sending a request to the schools for the amended information to obtain an estimate of cost as requested.

I'm enclosing copies of school board policy and procedures on "Assessment and Evaluation of Student Progress" and "Use and Distribution of Assessment Results" for your information and to hopefully give you an understanding that we measure student progress against Provincial outcomes.

Sincerely,



BRENDA MOORE, ADMINISTRATIVE ASSISTANT TO
SUPERINTENDENT OF SCHOOLS/FOIPOP ADMINISTRATOR

encls.



Annapolis Valley Regional School Board

Administrative Procedure – AP 402.6

Assessment and Evaluation of Student Progress

Department: Programs & Services
Section: Programs

The Board's "Student Assessment, Evaluation, and Reporting Practices and Procedures" manual constitutes the full amplification of this Administrative Procedure, AP 402.6.

Specifically:

I ALIGNMENT/CONGRUENCY

- 1.0 These administrative procedures align with, and are congruent with, all Department of Education Acts, Ministerial Regulations and requirements of the Department of Education pertaining to student assessment, evaluation, and reporting practices and procedures
 - 1.1 These administrative procedures align with, and are congruent with, the Department of Education's *Public School Programs, Reporting Policy Framework, Adaptations: Strategies and Resources, Inclusion: Supporting all Students, and Enrichment: Challenge for Excellence*
 - 1.2 These administrative procedures align with the Mission Statement of the Annapolis Valley Regional School Board and with relevant board policies, including
 - BP/AP 100.1 – Development and Implementation of Policy and Administrative Procedures
 - BP/AP 100.2 – Communication with Parent/Guardian Organizations and School Advisory Councils
 - BP/AP 100.3 – (SAC) School Advisory Council – School Improvement Plan & Annual Report
 - BP/AP 100.4 – Monitoring of Board Policies and Administrative Procedures
 - BP/AP 102.1 – RCH Foundation Statements
 - BP/AP 402.10 – Use and Distribution of Assessment Results
 - BP/AP 403.4 – Student Identification and Assessment
 - BP/AP 403.5 – Individual Program Plan (IPP) Development
 - BP/AP 403.14 – Enrichment
 - BP/AP 403.15 – Homebound Tutoring

* Manual may be obtained from the Programs & Services Department, Annapolis Valley Regional School Board

1.3 School principals are responsible for being familiar with Department of Education requirements and Annapolis Valley Regional School Board policies and procedures that relate to student assessment and evaluation and for ensuring that teachers are informed of and comply with these policies and procedures

1.4 The AVRSB requires that alignment exist as follows

- 1.4.1 Each school's student assessment practices and communication plan are required to align with all relevant AVRSB policies and procedures
- 1.4.2 Teacher developed assessments are required to align with teacher instructional strategies and methods
- 1.4.3 Classroom instructional activities must align with Department of Education curriculum guidelines
- 1.4.4 Teacher strategies for teaching and assessment must align with student needs and diversities among students
- 1.4.5 Teacher-made assessments must align with Department of Education expected learning outcomes.

II COMMUNICATION

2.0 In conformity with the *Education Act*, *Ministerial Regulations under the Act*, and the *Public School Program*, every school must develop, implement, and, on an annual basis, communicate the school's assessment policy to students and parent(s)/guardian(s)

2.1 The Annapolis Valley Regional School Board views student assessment as one of the most important features of the teaching-learning dynamic, and the Board requires that student assessment must be a priority for every school community, every year.

3.0 The AVRSB requires that all schools and teachers explain to students and families that assessment and evaluation of students, and the practices and procedures of reporting student progress and achievement, are essential components of learning and teaching that contribute to the improvement of students' achievement and growth

3.1 AVRSB schools will provide at the beginning of each school year to students and parent(s)/guardian(s) clearly communicated plans for comprehensive, regular reporting practices and procedures that support student achievement

3.2 The Annapolis Valley Regional School Board requires its schools to communicate and effect assessment and evaluation practices and procedures that provide students with the opportunity to make maximum progress in school according to their needs and abilities

3.3 All AVRSB teachers will report to students and parent(s)/guardian(s) in a frequent and fair manner the results of accurate assessments of student achievement. Assessments will

- support student growth and development,
- provide explanations that assist students to improve their achievement, and
- offer opportunities for students to experience success.

III ACHIEVEMENT

- 4.0 The Annapolis Valley Regional School Board believes that student progress is just that – achievement that results over time involving numerous assessments. The AVRSB stipulates that student evaluation will not be based on any one single assessment event; nor will it be based on one or a few heavily weighted assessments
- 4.1 Teachers must monitor student achievement regularly and provide feedback frequently to students and their parent(s)/guardian(s)
- 4.2 Teachers are required to collect information for student evaluations that is carefully focused and sufficiently comprehensive, so that evaluation questions can be fully answered and the needs of students addressed
- 4.3 AVRSB teachers are required to provide assessments and evaluations that enhance students' opportunities to learn.
- 5.0 In planning and conducting evaluations, teachers who evaluate students are to identify and justify the values used to judge student performance, so that the bases for the evaluation are defensible.

IV ADAPTATIONS

- 6.0 Annapolis Valley Regional School Board teachers respect that the contemporary, inclusive classroom is home to a diversity of learners; consequently, AVRSB teachers assess students by using a variety of strategies, techniques, and resources.
- 7.0 The process of preparing Individual Program Plans must follow the requirements set forth in Annapolis Valley Regional School Board's *Student Services Policies, Practices, and Procedures Manual*, Board Policy 403.5 and Administrative Procedures 403.5, and the Department of Education's *Special Education Policy Manual – Policy 2.6*. Specifically, schools are responsible for
- putting into place procedures for evaluation of programs and services for students with special needs,
 - the identification, referral, and assessment processes of students,
 - the development of an Individual Program Plan,
 - review and discussion of the plan with parents/guardians, and
 - making use of appropriate procedures for reporting the progress and achievement of students with Individual Program Plans.

V EXAMINATIONS

- 8.0 The AVRSB expects that schools will regard examinations as one type of assessment among many
- 8.1 The emphasis placed upon, and value assigned to, examinations will vary according to grade level (see AVRSB Manual, *Student Assessment, Evaluation, and Reporting Practices and Procedures*, § 6.6 Examination Procedures).
- 9.0 The number of days that schools may schedule for examinations is determined by the Department of Education and published annually in the Department's P & I Release
- 9.1 AVRSB schools are required to follow Department of Education direction when scheduling examinations
- 9.1.1 Schools are to obtain permission from the Director of Programs and Services in the event that unforeseen circumstances indicate that an examination schedule might have to vary from Department requirements
- 9.2 Schools are required to provide to students who receive resource support on a regular basis a similar level of support, including adaptations, when those students are writing examinations.
- 10.0 A scoring guide, table, or rubric must accompany examinations when they are turned into the curriculum area supervisor (principal, vice-principal, or department head). This guide, table, or rubric is to be available to anyone who requests it after the exam has been written.

VI PROMOTION, PLACEMENT, RETENTION, AND ACCELERATION

- 11.0 The AVRSB defines "promotion," "placement," "retention," and "acceleration" in *Student Assessment, Evaluation, and Reporting Practices and Procedures*, Sections 4.2, 4.3, 4.4, and 4.5
- 11.1 The promotion, placement, retention, and acceleration of students are actions that are directly related to each school's assessment of students' success in achieving expected learning outcomes.
- 12.0 Students will not be placed, retained, or accelerated without a Program Plan being developed and put into effect.
- 13.0 The decision to place, retain, or accelerate a student rests with the school/site; in the case of students proceeding from one site to another (for example from grade 6 in one school to grade 7 in the next school), this decision rests with the originating school.
- 14.0 When a placed or accelerated student is proceeding from one school in the AVRSB to another, the originating school has the responsibility of providing the receiving school with a framework for the student's Program Plan.

VII COMMUNICATION

15.0 The Annapolis Valley Regional School Board requires all school administrators and teachers to adhere to the Freedom of Information/Protection of Privacy Act (FOI/POP)

15.1 In situations where there is uncertainty or ambiguity with regard to school assessment practices and procedures and/or the handling of student assessment information in relation to the FOI/POP Act, school personnel are required to contact the Director of Programs and Services or Superintendent of Schools for clarification.

16.0 The Annapolis Valley Regional School Board requires all schools to develop and implement plans to communicate with parent(s)/guardian(s)

16.1 Communication with students and their parent(s)/guardian(s) with regard to student achievement and progress is a central feature of any school communication plan

16.1.1 Communication plans should be provided to students and parents during the first month of each school year/semester

16.2 It is expected that parent(s)/guardian(s) will be contacted whenever circumstances indicate that students would benefit from additional support at home

16.3 The Board requires that all schools shall provide parent(s)/guardian(s) with accurate and regular information on student progress and achievement through report cards and scheduled conferences

16.3.1 Schools shall provide parent(s)/guardian(s) with a minimum of three (3) report cards (November, March, and June)

16.3.2 Schools organized on a semester system shall provide parent(s)/guardian(s) with four (4) report cards (November, February, April, and June)

16.3.3 There shall be a minimum of two (2) opportunities for scheduled conferences. Conferences may be parent (guardian)-teacher, parent (guardian)-student-teacher, or student-led

16.3.4 The dates of the reports and opportunities during the year for parent-teacher, student-parent (guardian)-teacher, and/or student-led conferences shall be communicated to parent(s)/guardian(s) at the beginning of the year in the School's Communication Plan

16.3.5 Students on individual program plans will receive reports at the same times as students following the public school program as well as at other times as appropriate.



Annapolis Valley Regional School Board

Board Policy – BP 402.10

Use and Distribution of Assessment Results

Department: Programs and Services
Section: Programs and Student Services

The AVRSB believes that assessment and evaluation are integral to teaching and learning, and support informed judgments about curricula, the effectiveness of teaching and learning, and the quality of programs. The AVRSB values a balanced approach to assessment and evaluation that includes teacher-conducted and -administered assessments, program assessments conducted by the AVRSB, and tests/assessments conducted by external agencies and approved by the Department of Education or the AVRSB.

The AVRSB believes that large-scale external assessments may provide valuable information about the delivery of curricula and programming when used to assist and support school and teacher judgments in assessing student achievement. The AVRSB believes that external tests/assessments are only one indicator of school or student achievement, and must be used in the context of improving teaching and learning, not to measure teacher competency nor to compare schools.

The AVRSB believes that assessment results tracked over a number of years provide a more reliable indicator of performance than single-year results.

Specifically:

- ♦ The AVRSB will participate in large-scale assessments mandated by and conducted through the Department of Education. This will include assessments formulated and conducted for the province of Nova Scotia by the Department of Education, and those national and international assessments (e.g. SAIP, PISA) administered by the Department of Education on behalf of these agencies.
- ♦ Results and interpretations from such large-scale external assessments will be released and disseminated in a timely fashion, and in a method and format deemed appropriate by the AVRSB.
- ♦ The Director of Programs and Services will be responsible for the implementation and monitoring of this policy.
- ♦ The policy will be monitored annually.

Board Approved: December 4/02
Ref: AP 402.10
Monitoring Date: Annually
Revised:

VIII REPORTING STUDENT PROGRESS

- 17.0 The Annapolis Valley Regional School Board stipulates that student evaluation will not be based on any one single assessment event; nor will it be based on one or a few heavily weighted assessments.
- 18.0 The AVRSB requires that schools take a comprehensive approach to reporting student progress at the elementary, middle/junior high school, and high school levels.
- 18.1 The AVRSB requires that report cards focus on the individual student's progress and achievement in comparison with
- the expectations of the provincial program, and
 - each student's individual potential to meet those expectations.
- 18.2 Report cards shall provide information on the individual student's progress and shall not include comparisons to the progress and achievement of other students (for example, class averages, medians, percentiles)
- 18.2.1 The exception to 18.2 occurs when students at the Grades 11 and 12 levels are ranked for purposes of competing for scholarships, bursaries, and other distinctions associated with graduation and proceeding towards post-secondary opportunities
- 18.3 The AVRSB recognizes that social development and work habits are features of student performance that can have a significant impact on learning; these features will be reported as separate and distinct aspects of each individual student's progress.
- 19.0 The Department of Education and/or the Annapolis Valley Regional School Board may, from time to time, require that large scale assessments be written
- 19.1 The Education Act, § 26 (1) (j) states that, "It is the duty of a teacher in a public school to administer such evaluation and assessment instruments as are required by the board or the Minister."

VI MONITORING

- The Director of Programs and Services shall be responsible for the implementation, monitoring and revision of the administrative procedure (which includes the manual, *Student Assessment, Evaluation, and Reporting Practices and Procedures*, attached as part of the administrative procedure).
- This administrative procedure shall be monitored annually.

Superintendent Approved: September 1/99

Ref: BP 402.6

Monitoring Date: Annually

Revised: June 29/05



Annapolis Valley Regional School Board

Board Policy - AP 402.10

Use and Distribution of Assessment Results

Department: Programs and Services
Section: Programs and Student Services

1. The results of external tests/assessments will be used only as one measure to assess the effectiveness of the teaching/learning process.
2. External tests/assessment results may be used at the school, regional or provincial level to establish baselines, and to track program success or improvements in student achievement over given time frames.
3. External tests/assessments are never to be used as the primary measure of student achievement, but should be viewed as only one indicator of student achievement. When such results are reported or used, other measures should also be reported to provide a broad and balanced view.
4. External tests/assessment results may be used only as one indicator of school effectiveness or school improvement. The results from such assessments should be reported as only one indicator, and not be viewed as the most important. Other indicators should be used in conjunction with external test/assessment results when reporting on school effectiveness or school improvement.
5. External tests/assessment results will be released only under the authority of the Director of Programs and Services and be communicated in an informed manner "in context." Any persons or groups receiving information or results from external tests/assessments will receive sufficient information to understand the context and the critical issues, merits, and problems associated with such assessments.
6. Public disclosure of external test/assessment results will take place only after the Board and/or Education Committee have/has reviewed the results with the Director of Programs and Services.
7. External tests/assessments will not be used to measure teacher competency, to compare schools, or to compare individual students.
8. Only legal guardians, teachers and other Board professional educational staff should have access to individual student results.
9. The results of external tests/assessments will not be reported on student report cards except as required by the Department of Education, or as deemed appropriate by the AVRSB.
10. Schools/teachers will participate in any training/professional development required for the development and administration of such external tests/assessments as required by the Department of Education, or as deemed appropriate by the AVRSB.
11. These administrative procedures will be monitored on an annual basis.

Monitoring and Evaluation

1. The Director of Programs and Services (or designate) will be responsible for the implementation, monitoring and revision of this administrative procedure.
2. The Board's Education Committee, principals, students, parents and parental organizations, and other appropriate groups/individuals will be consulted when revisions or major significance are made to the policy and administrative procedure.
3. Sufficient time will be provided to ensure groups and/or individuals have appropriate opportunity to react to any report which recommends significant revisions as a result of the monitoring of policy and procedure.
4. The Director of Programs and Services will ensure the results of the monitoring of the policy and administrative procedures are recorded in writing and forwarded to the Superintendent of Schools for review.
5. This Administrative Procedure will be monitored on an annual basis.

Superintendent Approved: July 25/03
Ref: BP 402.10
Monitoring Date: Annually
Revised:



Annapolis Valley

REGIONAL SCHOOL BOARD

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Superintendent of Schools

August 31, 2006

via email: bobbyokeefe@alms.ca
Mr. Bobby O'Keefe
Atlantic Institute for Market Studies
Halifax, Nova Scotia

11:03 am Aug 31

Dear Mr. O'Keefe:

This letter is in follow-up to our conversation of August 30 and your request to have, in writing, that the Annapolis Valley Regional School Board will provide information on student data on a "go forward" basis. This decision is made with the understanding that the Deputy Minister of Education and your organization will meet to determine data to be collected and methods of collection to your mutual satisfaction. We will provide student data as is determined.

Student achievement is our number one priority; AVRSB believes the delivery and assessment of the educational program to our students must be relevant and meaningful.

Yours truly,

Brenda Moore
BRENDA MOORE, ADMIN. ASST. TO
SUPERINTENDENT OF SCHOOLS &
FOIPOP ADMINISTRATOR

bfm

1/9/2006 No. 263926A
This is Exhibit "D" referred to in
the Affidavit of *Brenda Moore*
sworn before me this 31st
day of October 2006
Jacqueline Langille
A ~~Commissioner~~ ^{Barister} of the Supreme Court
of Nova Scotia

Contact the Superintendent of Schools: 902-4800 telephone, 902-4634 fax, superintendent@avrsb.ednet.ns.ca email

Our schools are welcoming learning environments that reflect the nature and culture of our region • Our students excel in becoming lifelong learners and contributors to society • Our competent, caring staff ensure equal opportunity, recognition of uniqueness and diversity, a dynamic curriculum, and open, responsive communication with all our partners