



CASS

College of
Alberta School
Superintendents

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Standing Committee on Resource Stewardship c/o Committee Clerk
3rd Floor, 9820 - 107 Street NW
Edmonton, Alberta, T5K 1E7
Sent by email to: RSCommittee.Admin@assembly.ab.ca

Subject: Submission Regarding the Review of the *Public Interest Disclosure (Whistleblower Protection) Act*

Introduction

The College of Alberta School Superintendents (CASS) appreciates the opportunity to provide input into the comprehensive review of the *Public Interest Disclosure (Whistleblower Protection) Act* (“the Act”). As an organization representing system education leaders across Alberta, we are keenly interested in supporting effective, safe, and transparent mechanisms for the disclosure of wrongdoing within public bodies, including school authorities.

CASS is uniquely positioned to offer informed commentary on this legislation. Our members have served throughout their careers as teachers, school leaders, and system leaders who currently and regularly work with elected governing boards. This breadth of experience gives our membership a comprehensive understanding of how the *Act* affects the education system at all levels—from the classroom to governance.

This submission reflects the direction provided by the CASS Board of Directors and is grounded in our responsibility to foster public trust, accountability, and enhance the capacity of system education leaders to implement leadership practice standards within the K-12 education sector.

Key Recommendations

Clarity of Definitions

It is essential that the terms “wrongdoing,” “reprisal,” and “disclosure” are clearly defined and interpreted in a way that is relevant to education systems. These definitions should allow for consistent application across school jurisdictions and be easily understood by school system leaders and staff.

Clarity of Expectations for Governing Bodies

Despite the existence of the *Act* and its support materials, expectations for members of governing bodies, such as elected school boards and municipal councils, to be active participants in addressing allegations of wrongdoing remain unclear. CASS recommends explicit language be added to the legislation requiring governing body members to respond appropriately to such allegations.

Expediting Resolutions

The Board expressed circumstances where timelines have not been clearly stated regarding when the resolution of complaint proceedings would take place. Furthermore, perspectives were expressed that the resolution of complaints can be protracted. Both circumstances create unnecessary dissonance and

confusion within the education system, especially for circumstances that impact the ongoing well-being of employees and their colleagues.

Protection Against Reprisal, Including 'Without Cause' Termination

A significant concern among executives—including Superintendents, CEOs, and Managers—is the potential for retaliation when reporting wrongdoing, particularly when the report involves the executive's own governing body. Many of these leaders are employed under contracts that include "without cause" termination clauses. CASS strongly recommends that the *Act* be modified to explicitly state that use of "without cause" provisions following a disclosure will be considered a form of retaliation under the *Act*.

Redress Mechanisms for Executives

The legislation should clearly outline mechanisms for workplace executives to seek redress if they are subject to "without cause" terminations after reporting wrongdoing. This could include access to an independent tribunal or arbitration process specific to disclosures involving governance bodies.

Leadership Support and Procedural Fairness

Superintendents and other system leaders must be supported through clear procedures for receiving and processing disclosures. Guidance should ensure confidentiality and procedural fairness, both for whistleblowers and those subject to allegations.

Awareness and Training

CASS recommends the introduction of mandatory education and training for all public bodies, including school authorities. This training should focus on the operational realities of the K–12 public education system and help align the intent of the *Act* with practical governance structures.

Alignment with Other Legislative Frameworks

It is important that the *Act* explicitly states its alignment with other legislation governing employment, professional conduct, and governance within the education sector, to ensure clarity and avoid conflict in interpretation or application.

Conclusion

Thank you for the opportunity to contribute to this important review. CASS is committed to supporting legislation that enhances public accountability while protecting the individuals who serve within our education systems.

Respectfully submitted,



David Keohane
Chief Executive Officer
College of Alberta School Superintendents (CASS)