

COURT FILE NUMBER **1604-00908**

COURT **COURT OF QUEENS BENCH OF ALBERTA**

JUDICIAL CENTRE **GRANDE PRAIRIE**

APPLICANTS **TRINITY CHRISTIAN SCHOOL ASSOCIATION, WISDOM HOME SCHOOLING SOCIETY OF ALBERTA, GREG HASSAN, SONYA HASSAN, GAYLE CHURCH, ROGER CHURCH, JOHN DOE and JANE DOE**

RESPONDENT **HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ALBERTA**

DOCUMENT **CONSENT ORDER**



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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DATE ON WHICH ORDER WAS PRONOUNCED: **January 5, 2017**

NAME OF JUDGE WHO MADE THIS ORDER: **THE HONOURABLE JUSTICE E. SIMPSON**

LOCATION OF HEARING: **GRANDE PRAIRIE, ALBERTA**

WHEREAS the Applicants commenced the within Action by Originating Application for Judicial Review following the closure of Trinity Christian School Association ("Trinity") on October 25, 2016 (the "Closure");

AND WHEREAS on November 4, 2016 this Honourable Court issued an interim interim injunction reinstating Trinity's accreditation pending a hearing on January 5, 2017;

AND WHEREAS the parties hereto (the “Parties”) have entered into an agreement between Trinity and Alberta Education which provides, *inter alia*, that:

- a) Trinity will continue to be a registered and accredited school under the *Alberta School Act* and regulations thereto, and will operate both the in-school program and the home school program. The Applicant WISDOM Home Schooling Society as an entity will have no governance role or decision-making authority in the Trinity organization.
- b) All staff, including the principal, home school administrator, teachers, teacher contractors, facilitators, etc., will be employees of Trinity.
- c) All accounting functions (banking, payroll, student records, facilities (including leases), etc.) will be under the auspices and governance of Trinity with all funds flowing through a single Trinity bank account.
- d) The funding for October through December 2016 for Trinity that was previously withheld shall be released to Trinity by the Respondent no later than January 10, 2017.
- e) Funding to Trinity from January 2017 onward will be provided on a monthly basis until otherwise approved by Alberta. Trinity shall receive 20% of allotted yearly funding in both September 2017 and October 2017 in order to meet reimbursement requirements.
- f) Alberta Education will appoint a financial administrator (in good faith consultation with Trinity as to the individual selected) (the “Financial Administrator”) to oversee Trinity for a term of twelve (12) months, the time of appointment to be extended if necessary. Alberta Education will bear the cost of the Financial Administrator.
- g) The Financial Administrator will support the Board of Trinity’s review and development of revised bylaws, board policies, and oversee the restructured operations of Trinity as set out in the agreement including policies on related party transactions, remuneration and leasing.
- h) The Originating Application for Judicial Review and the Application scheduled for January 5, 2017 will be adjourned *sine die*. A Discontinuance of the Originating Application in Court of Queen’s Bench Action No. 1604-00908 will be provided to counsel for the Respondent in trust and on a “without costs” basis, same not to be filed until the discharge of the Financial Administrator and Trinity resumes being funded in accordance with Alberta Education’s Funding Manual for School Authorities.;

AND WHEREAS the Parties hereby respectfully request that the Court issue the following Consent Order:

IT IS HEREBY ORDERED THAT:

1. The Originating Application for Judicial Review and the Application scheduled for January 5, 2017 shall be adjourned *sine die*.

2. The Parties have leave to return to Court to appear before the Honourable Justice Simpson in the event the assistance of the Court is required in regard to the within matter.

J.C.Q.B.A. **E. SIMPSON**

CONSENTING AS TO FORM
AND CONTENT:

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AND CONTENT:

MARTA BURNS
Counsel for the Respondent

JAY CAMERON
Counsel for the Applicants