

OPERATIONS POLICY AND PLANNING COMMITTEE

Monday, April 16, 2018 at 7:00 P.M.

REGULAR MEETING

OPPs Agendas and Minutes available at:

<https://www.sd61.bc.ca/board-of-education/meetings/operations-meetings/>

**NEXT OPPs MEETING IS SCHEDULED FOR:
Monday, May 14, 2018 at 7:00 P.M.**

Board of Education of School District #61 (Greater Victoria)

OPERATIONS POLICY AND PLANNING COMMITTEE

Dialogue with the public is welcome during Standing Committee Meetings.

Regular Agenda for Monday, April 16, 2018 – 7:00 p.m.

Board Room - Administration Offices, Tolmie Building

Chairperson: Trustee Watters

The Greater Victoria School District wishes to recognize and acknowledge the Esquimalt and Songhees Nations, on whose traditional territories, we live, we learn, and we do our work.

| Estimated Times | | Presenter | Status | Attachment |
|-----------------|--|-----------------------------------|-------------|------------|
| 7:00-7:05 | 1. APPROVAL OF THE AGENDA | | | Pgs. 1-3 |
| 7:05-7:10 | 2. APPROVAL OF THE MINUTES A. Combined Education Policy and Directions Committee and Operations Policy and Planning Committee Meeting of Monday, March 5, 2018 | | | Pgs. 4-8 |
| | 3. BUSINESS ARISING FROM MINUTES | | | |
| 7:10-7:15 | 4. PRESENTATIONS TO THE COMMITTEE A. Lambrick Park Fieldhouse | Tina Pierik, Rocky Vitale | | |
| 7:15-7:20 | B. District Community Living Partnership | Caileigh Swan, David Loveridge | | |
| 7:20-7:25 | C. Quadra Warehouse and Artemis Place Society | Rachel Calder, Deb Whitten | | |
| 7:25-7:30 | 5. SUPERINTENDENT’S REPORT A. Recognition of Student Representative Antonia Kowalewski, Reynolds Secondary School | Shelley Green | | Verbal |
| 7:30-7:40 | B. Policy and Regulation 5132 <i>Student Dress Code</i> | Shelley Green | Motion | Pgs. 9-12 |
| | Recommended motion: | | | |
| | i) <div>That the Board of Education of School District No. 61 (Greater Victoria) approve Policy 5132 <i>Student Dress Code</i> and accept Regulation 5132 <i>Student Dress Code</i>.</div> | | | |
| 7:40-7:50 | C. Equity Committee Report | Shelley Green | Information | Pgs. 13-14 |

6. PERSONNEL ITEMS

7. FINANCE AND LEGAL AFFAIRS

| | | | | |
|-----------|---|------------|-------------|------------|
| 7:50-8:20 | A. Budget 2018-2019 | Mark Walsh | Information | Pgs. 15-29 |
| 8:20-8:30 | B. Bylaw 9360 <i>General Meeting of the Board</i> | Mark Walsh | Motion | Pgs. 30-36 |

Recommended Motions:

- i)

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings to Bylaw 9360 *General Meeting of the Board* at the meeting of April 23, 2018.

Motion to be Carried Unanimously
- ii)

That Bylaw 9360, General Meeting of the Board be:

Read a first time this 23rd day of April, 2018;
Read a second time this 23rd day of April, 2018:
Read a third time, passed and adopted this 23rd day of April, 2018.

And that the Chairperson and the Secretary Treasurer be authorized to sign, seal and execute this Bylaw on behalf of the Board.

| | | | | |
|-----------|---|--------------|--------|------------|
| 8:30-8:40 | C. Greater Victoria Foundation for Learning | Greg Kitchen | Motion | Pgs. 37-63 |
|-----------|---|--------------|--------|------------|

Recommended Motion:

- i)

That the Board of Education of School District No. 61 (Greater Victoria) support the reinvigoration of the Greater Victoria Foundation for Learning and support in principle the updated Bylaws of the Foundation.

| | | | | |
|-----------|---|-------------|--------|------------|
| 8:40-8:50 | D. Policy 1300 <i>Acceptable Use of Digital Technology</i> , Regulation 1300.2 <i>Employee Acceptable Use of Digital Technology</i> , and Regulation 1300.3 <i>Student Acceptable Use of Digital Technology</i> | Ted Pennell | Motion | Pgs. 64-96 |
|-----------|---|-------------|--------|------------|

Recommended Motion:

- i)

That the Board of Education of School District No. 61 (Greater Victoria) approve Policy 1300 *Acceptable Use of Digital Technology* as revised and receive the revised Regulation 1300.2 (renumbered from Regulation 4216.2) *Employee Acceptable Use of Digital Technology*, revised Regulation 1300.3 (renumbered from Regulation 5131.9) *Student Acceptable Use of Digital Technology*, and deleted Regulation 5131.9(a) *Student Acceptable Use of Electronic Communications Systems in Schools Attachment* as reviewed.

| | | | | |
|-----------|--|------------|--------|-------------|
| 8:50-9:00 | E. Submission to the Expert Panel on the Funding Formula | Mark Walsh | Motion | Pgs. 97-105 |
|-----------|--|------------|--------|-------------|

Recommended Motion:

- i)

That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to submit the Board's response to the Expert Panel on the Funding Formula as presented.

9:00-9:10 F. Election Costs Mark Walsh Information Pg. 106

8. FACILITIES PLANNING

9:10-9:20 A. Childcare Partnership Opportunities Mark Walsh Motion Pg. 107

Recommended Motion:

- i) That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to negotiate partnerships with Childcare providers to apply for funding from the Ministry of Children and Families to build purpose built space on our sites with a space guarantee for 10 years less a day.

9:20-9:30 B. Quadra Warehouse and Artemis Place Mark Walsh Information Pgs.108-109
Society

9:30-9:40 C. Seismic (SRG3) Update David Loveridge Information Pg. 110

9. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

10. NEW BUSINESS

9:40-9:45 A. Trustee Questions Pg. 111

11. NOTICE OF MOTION

12. GENERAL ANNOUNCEMENTS

13. ADJOURNMENT



**Combined Education Policy and Directions Committee and
Operations Policy and Planning Committee Meeting
March 5, 2018 – GVSD Board Office, Boardroom**

REGULAR MINUTES

Education Policy and Directions Committee Members Present: Deborah Nohr, Chair, Tom Ferris, Peg Orcherton, Ann Whiteaker

Operations Policy and Planning Committee Members Present: Jordan Watters, Chair, Diane McNally, Rob Paynter, Elaine Leonard

Administration:

Piet Langstraat, Superintendent of Schools, Mark Walsh, Secretary-Treasurer, Shelley Green, Deputy Superintendent, Greg Kitchen, Associate Superintendent, Deb Whitten, Associate Superintendent, David Loveridge, Director of Facilities Services, Nella Nelson, Coordinator Aboriginal Nations Education, Craig Schellenberg, District Principal, Aboriginal Nations Education, Louise Sheffer, District Principal

The meeting was called to order at 7:00 p.m.

Chair Nohr recognized and acknowledged the Esquimalt and Songhees Nations, on whose traditional territories, we live, we learn, and we do our work.

1. APPROVAL OF THE AGENDA

It was moved by Trustee Orcherton:

That the March 5, 2018 combined Education Policy and Directions Committee and Operations Policy and Planning Committee regular agenda be approved.

Motion Carried Unanimously

2. APPROVAL OF THE MINUTES

It was moved by Trustee Orcherton:

That the February 5, 2018 Education Policy and Directions Committee Meeting regular minutes be approved with amendments.

Motion Carried Unanimously

It was moved by Trustee Leonard:

That the February 13, 2018 Operations Policy and Planning Meeting regular minutes be approved.

Motion Carried Unanimously

3. BUSINESS ARISING FROM MINUTES – None

4. EDUCATION POLICY AND DIRECTIONS COMMITTEE - Trustee Nohr, Chair

A. PRESENTATIONS TO THE COMMITTEE – None

B. NEW BUSINESS

1. Recognition of Student Representative

Superintendent Langstraat welcomed Megan Scott and Saskia Van Beers student representatives from Esquimalt High School.

2. Aboriginal Education - Annual Review

Deputy Superintendent Green, Nella Nelson, Coordinator, Aboriginal Nations Education, Craig Schellenberg, District Principal, Aboriginal Nations Education and Louise Sheffer, District Principal presented the Aboriginal Education Annual report. Trustees asked questions of clarification.

3. Policy on Inclusion

Trustee Orcherton presented her rationale.

It was moved by Trustee Orcherton:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent of Schools to write a policy on inclusion and return a draft policy to the Education Policy and Directions Committee at a future meeting.

Motion Carried Unanimously

C. NOTICE OF MOTION – None

5. OPERATIONS POLICY AND PLANNING COMMITTEE - Trustee Watters, Chair

A. PRESENTATIONS

1. Artemis Place Society

Representatives of Artemis Society sent their regrets and will present at a future meeting.

2. Strawberry Vale Preschool

Kimberley Guiry, President Strawberry Vale Preschool presented on behalf of the organization. She indicated that the group has traditionally maintained their facility and are seeking a rental rate similar to their previous rate. Chair Watters thanked them for the presentation.

3. Bowker Creek Initiative

Jody Watson, CRD Harbours and Watersheds Coordinator updated the Committee on the current status and work plans related to the restoration of Bowker Creek and requested the Committee's endorsement of the "Bowker Creek Blueprint" which is a

commitment to incorporate the principles and goals into future planning. Trustees thanked Ms. Watson for her presentation.

It was moved by Trustee McNally:

That the Board of Education of School District No. 61 (Greater Victoria) endorse in principle the Bowker Creek Blueprint.

Motion Carried

For: Trustees McNally, Paynter and Watters
Abstained: Trustee Leonard

B. SUPERINTENDENT'S REPORT – None

C. PERSONNEL ITEMS – None

D. FINANCE AND LEGAL AFFAIRS

1. Lunch-Hour Supervision Costing

Deputy Superintendent Green reviewed the lunch-time monitor and playground supervision considerations and explained that the cost of thirty extra supervisors would be approximately \$173,850. Trustees asked questions and provided comments.

It was moved by Trustee McNally:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to bring back operationalized recommendations for K-5 lunch hour supervision after consultation with our stakeholders.

Motion Carried Unanimously

E. FACILITIES PLANNING

1. Fortis Right-of-Way Agreement

David Loveridge, Director, Facilities Services explained that a statutory-right-of-way has been requested by FortisBC Energy Inc. related to the installation of a natural gas pipeline at Oak Bay High School to provide gas service to the school and to the tennis bubbles owned and operated by the District of Oak Bay.

It was moved by Trustee Leonard:

That the Board of Education of School District No. 61 (Greater Victoria) approve granting a Statutory Right-of-Way to FortisBC Energy Inc. for the purpose of installing and maintaining a gas pipeline on the Oak Bay High School properties legally described as Lot 2, Section 28, Victoria Land District, Plan 2376 except part in Plan 8380, PID 006-524-265, and Lot 3, Section 28, Victoria Land District, Plan 2376 except part in Plan 8380, PID 006-524-273.

Motion Carried Unanimously

The Committee supported that the following motions be brought forward to the March 12, 2018 Board of Education meeting.

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings of the Disposal (Right-of-Way) of Real Property Bylaw No. 18-01 at the March 12, 2018 Board meeting.

Motion to be Carried Unanimously

That the School District No. 61 (Greater Victoria) Disposal (Right-of-Way) of Real Property Bylaw No. 18-01, being a bylaw to grant a Statutory Right-of-Way to FortisBC Energy Inc. on the properties legally described as Lot 2, Section 28, Victoria Land District, Plan 2376 except part in Plan 8380, PID: 006-524-265, and Lot 3, Section 28, Victoria Land District, Plan 2376 except part in Plan 8380, PID 006-524-273 for the purpose of installing and maintaining a gas pipeline, be:

Read a first time the 12th day of March, 2018;

Read a second time the 12th day of March, 2018;

Read a third time, passed and adopted the 12th day of March, 2018;

And that the Chairperson and the Secretary-Treasurer be authorized to sign, seal and execute this Bylaw on behalf of the Board.

2. 2020 Canadian Francophone Games in Victoria

David Loveridge, Director, Facilities Services explained that the Canadian Francophone Games offer an opportunity for participating young Francophone Canadians to compete in events in three specific areas: arts, sports and leadership every three years in a selected Canadian municipality. The Victoria Organizing Committee has been granted the right to host these games in Greater Victoria in 2020 and is seeking support from the Greater Victoria School District to potentially house and feed the participants and to provide venues for the various sporting, arts and leadership events that make up the games.

It was moved by Trustee McNally:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to work with the 2020 Canadian Francophone Games Organizing Committee to find suitable accommodations and event venue options that would help support the games.

Motion Carried Unanimously

It was moved by Trustee McNally:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to return with a detailed facilities use proposal including a financial analysis, including a cost recovery model, for Board review and approval prior to making a final commitment for the use of District facilities in support of the 2020 Canadian Francophone Games in Victoria.

Motion Carried Unanimously

3. Horticultural Update

David Loveridge, Director, Facilities Services presented on the issue of the District's forest assets. He highlighted issues of conditions and the financial challenges of having an inventory of over 5500 trees. He particularly highlighted safety concerns at Frank Hobbs and Hillcrest Elementary Schools. Trustees asked questions of clarification.

F. NEW BUSINESS

1. Trustee Questions

A question was asked regarding the promotion of the parent education fund.

G. NOTICE OF MOTION – None

H. GENERAL ANNOUNCEMENTS – None

I. ADJOURNMENT

It was moved by Trustee Leonard:

That the meeting adjourn.

Motion Carried Unanimously

The meeting adjourned at 9:25 p.m.

TO: Operations Policy and Planning Committee

FROM: Piet Langstraat, Superintendent of Schools

DATE: April 16, 2018

RE: Student Dress Code

The Board passed the following motion on December 18, 2017:

That the Board of Education of School District No.61 (Greater Victoria) direct the Superintendent to draft a dress code Policy and Regulation and bring it back to the One Learning Community Ad Hoc Committee and all stakeholders.

This motion followed extensive consultation, committee work as well as previous recommendations being brought to the Board on a number of earlier occasions. The policy and regulation were brought to the Policy Sub-Committee to ensure a timely return to the Board.

The attached draft policy and regulation are intended to reflect the feedback of a variety of voices and set basic guidelines for schools. Notably, the requirements highlight dress that is appropriate and safe for specific activities and does not contain inappropriate drug and alcohol references nor offensive or discriminatory messaging. Finally, the policy was drafted to clearly recognize the specialized nature of the Board program at Cloverdale Traditional School.

The Regulations also incorporate feedback about the manner in which dress codes would be enforced. It also outlines the duties of the Superintendent, principals, students and staff, including the annual review of the procedures.

Recommended motion:

That the Board of Education of School District No.61 (Greater Victoria) approve Policy 5132 *Student Dress Code* and accept Regulation 5132 *Student Dress Code*.

POLICY 5132

STUDENT DRESS CODE

Drafted: February 2018

Adopted: [redacted]

Revised: Pending

Frequency of Review: Annually

1.0 RATIONALE

- 1.1 The District is committed to providing students with learning environments that are safe, responsive, and inclusive.
- 1.2 The District recognizes that decisions about dress reflect individual expression of identity, socio-cultural norms, and economic factors and are intensely personal.

2.0 DEFINITIONS

3.0 POLICY

- 3.1 Students may attend school and school-related functions in dress of their choice under the conditions that the choices:
 - 3.1.1 Conform with established health and safety requirements for the intended activity; and
 - 3.1.2 Do not promote drugs or alcohol; display offensive language or images; or encourage discrimination.
- 3.2 Cloverdale Traditional Elementary School may have a standard school uniform.

4.0 RESPONSIBILITIES

- 4.1 **The Board of Education** is responsible to ensure compliance with the *School Act*.
- 4.2 The **Superintendent** is responsible to ensure that District policy is upheld and regulations are enforced.

5.0 REFERENCES

- i. Regulation 5132 - Student Dress Code
- ii. Policy 4305 – Gender Identity and Gender Expression
- iii. Regulation 4305 - Gender Identity and Gender Expression
- iv. The B.C. Human Rights Code

Regulation 5132

STUDENT DRESS CODE

Background

The Superintendent shall:

- Ensure that all schools are safe, caring, and orderly
- Ensure Dress Code enforcement is in compliance with District Policy
- Develop positive and welcoming cultures
- Develop, implement, and continually evaluate practices that are equitable, ethical, and fair
- Train staff to enforce the Dress Code in a way that creates the least embarrassment for the student and the least impact on student learning

Procedures

1. The Principal shall:

- 1.1 Ensure that the Student Dress Code is limited to the criteria outlined in the District Policy subsections 3.1.1 (health and safety concerns); and 3.1.2 (drug and alcohol, offensive language or images and discrimination concerns).
- 1.2 Develop school procedures; in consultation with students, staff and parents, that:
 - 1.2.1 Communicates and reinforces clear expectations of student dress;
- 1.3 Supports the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type and size;
- 1.4 Provide continued opportunities for discussion and feedback regarding the procedures;
- 1.5 Annually review the procedures with students, staff and parents.

2. Students Shall:

- 2.1 Have the opportunity to advise and consult with the principal on matters related to student dress;
- 2.2 Have the opportunity to annually review the procedures with the principal.

3. Teachers shall:

- 3.1 Have the opportunity to advise and consult with the principal on matters related to student dress;
- 3.2 Have the opportunity to annually review the procedures with the principal.

4. Parents shall:

- 4.1 Have the opportunity to advise and consult with the principal on matters related to student dress;
- 4.2 Have the opportunity to annually review the procedures with the principal.

Guidelines

5. Staff Shall Respond to Student Dress Code Violations in a manner that:

- 5.1 Treats the violation as minor on the continuum of school rule violations;
- 5.2 Does not require the removal of students from a classroom or a loss of class time;
- 5.3 Does not require a parent or guardian to bring extra clothes for their child;
- 5.4 Does not require the student to wear clothing provided by the school and instead ask the student to wear additional clothing of their own to obscure the violating dress choice.

OFFICE OF THE SUPERINTENDENT

556 Boleskine Road, Victoria, BC V8Z 1E8

Pieter Langstraat, Superintendent

Phone (250) 475-4162

Fax (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Piet Langstraat, Superintendent of Schools

DATE: April 16, 2018

RE: Equity Committee Report - 2018-2019 Budget Recommendations

Background:

The Equity Ad Hoc Committee (“the Committee”) was established by the Board for the purpose of examining the practices of the District to determine the extent to which equitable opportunities are being provided for students, and to make recommendations for supporting equity in the district.

At the June 26, 2017 Board meeting, the Committee’s Terms of Reference was amended to add that the Committee will provide recommendations in advance of the 2018-2019 budget process. In order to fulfill this direction, the Committee established the following criteria to guide its budget recommendations:

- Value to students
- Term of implementation
- Ease of implementation
- Cost of implementation
- Duration of effect

Recommendations:

The Committee has developed six recommendations for the Board’s consideration:

1. That the Board promote the SD61 Principles of Equity to ensure that decisions regarding the distribution of financial resources, human resource allocations, and programming foster equity within the district.
2. That the Board give special consideration to the identified Equity Seeking Schools¹ in all discussions of resource allocations, so that these schools may be provided with additional resources.

¹ The Equity Committee conducted an assessment of need in district schools utilizing three indicators of need as determined by Baragar data. Based on this assessment 18 schools were identified as Equity Seeking.

3. That the Board develop, adopt, and fund a District Facilities Accessibility Plan, as a first step in working towards ensuring all buildings in the district meet the Access Requirements set out in the 2012 British Columbia Building Code.
4. That the Board fund the application of the Base+ Model for sensory rooms.
5. That the Board fund the application of the Base+ Model for elementary school counsellor allocations, and that the Board work to increase allocations for counsellors at the middle and secondary level.
6. That the Board support standardizing emergency response materials across the district, so that each school is afforded the same level of emergency preparedness.

OFFICE OF THE
SECRETARY-TREASURER

556 BOLESKINE ROAD, VICTORIA, BRITISH COLUMBIA V8Z 1E8
PHONE (250) 475-4108 FAX (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **Budget 2018-2019**

Background

On April 12, 2018 the proposed 2018-2019 budget was presented in a public meeting of the Board of Education. The District is facing a structural deficit of approximately \$3.9M. A structural deficit of \$3.7M was anticipated. Consequently, the Board approved \$1.4M restricted surplus allocation during the budget deliberations in April 2017 and \$2.3M unrestricted surplus allocation from the June 2017 year end results to address the anticipated structural deficit in 2018-2019. There is \$0.2M of structural deficit that remains to be addressed.

The increased structural deficit is mainly associated with the implementation of the Employer Health Tax offset by increased investment income.

Highlights

The District anticipates 19,349 school-aged students, representing an increase of 145 as compared to the current year. Any increase beyond the budgeted amount will assist in funding staffing associated with increased enrollment as well as reducing the structural deficit.

The District anticipates lowering its number of long-term international students by 25 as compared to the current year.

The 2018-2019 budget will include support for:

- ongoing professional learning support funds for schools
- ongoing maintenance of the Technology for Learning Strategy
- investment in project management to ensure timely delivery of capital projects
- targeted capital and operating dollars to maintain and support childcare in the District

Recommendation

If the District appropriates \$0.2M of anticipated unrestricted surplus from 2017-2018 towards the estimated structural deficit in 2018-2019, the 2018-2019 budget will be balanced. Any additional unrestricted surplus from 2017-2018 could be appropriated to the 2019-2020 budget to offset the projected structural deficit for that year.

The 2019-2020 structural deficit is difficult to estimate. However, it is anticipated that there will be an increase from the current structural deficit of \$3.9M due to inflationary factors and the impact of the implementation of the Employer Health Tax. While we anticipate that increased enrolment will have a positive impact on the structural deficit, the impact will be minimal.

The District recommends appropriating \$0.2M of anticipated unrestricted surplus from the June 2018 year end results to address the remaining \$0.2M structural deficit in 2018-2019.



2018/2019 Annual Budget Presentation

April 12, 2018

One *Learning* Community



Operating, Special Purpose and Capital Funds

School districts manage financial resources in three funds:

- **Operating Fund**
 - Where the main operating expenditures of a school district are recorded
- **Special Purpose Funds**
 - Report the expenditures for funding provided for a specific purpose; spending is restricted. Examples of special purpose funds include CommunityLINK, Provincial Resource Programs and the Annual Facility Grant.
- **Capital Fund**
 - Holds the capital assets of the District; land, buildings, equipment and vehicles. Five year capital plan budgets are approved by Boards.

One *Learning* Community

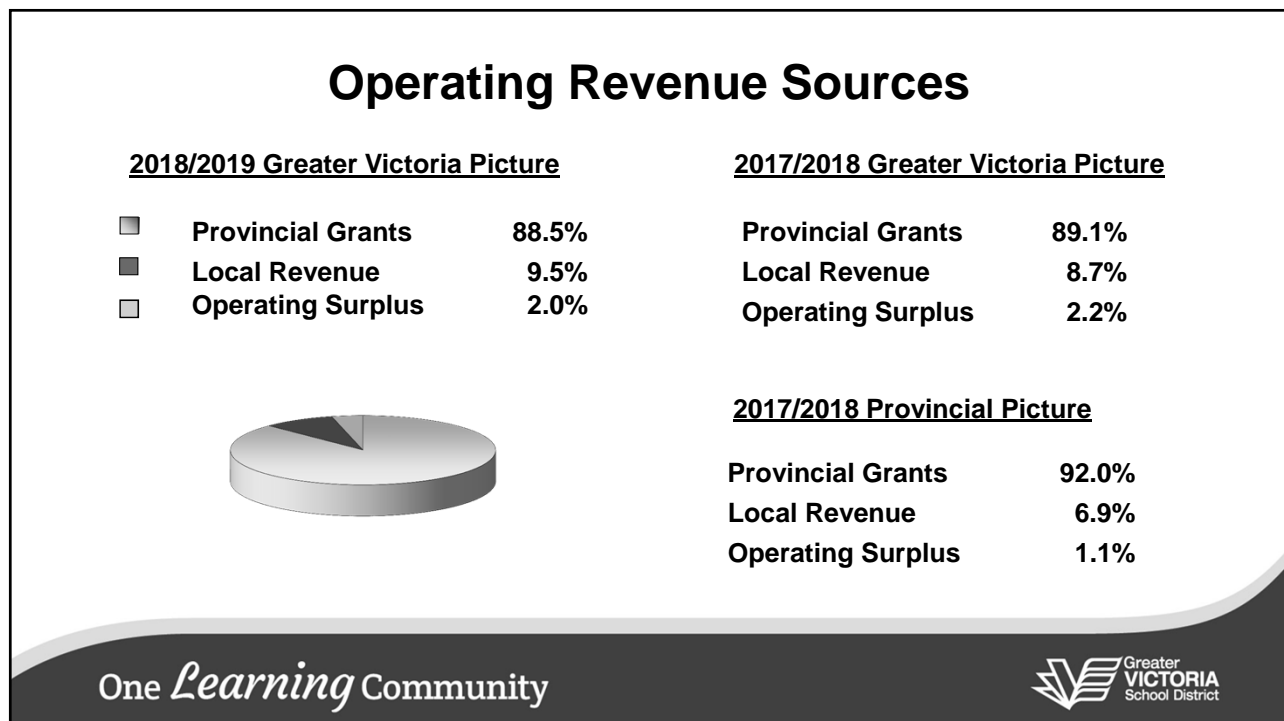
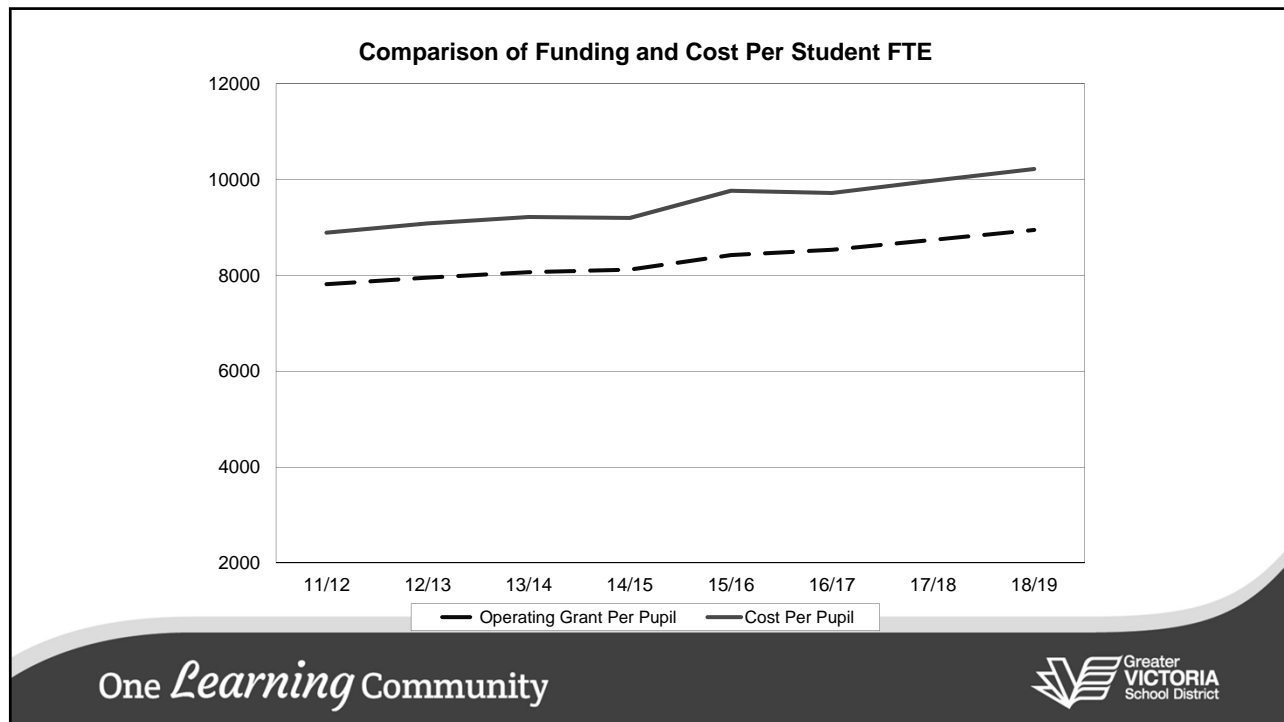


Sources of Operating Revenue

- The majority of school district revenue comes from provincial grants through the Ministry of Education's funding allocation system.
- School districts have local revenues from rental of facilities, interest revenue on short-term deposits, international students and continuing education.

One *Learning* Community





Allocation of Provincial Operating Grant

The 2018/2019 funding system provides for:

- Student allocation of \$7,423 per school-age FTE student
- Student allocation of \$4,696 per adult FTE student
- Distributed Learning student allocation of \$6,100 per FTE
- Unique student needs:
 - ELL \$1,420 per FTE
 - Aboriginal Education \$1,230 per FTE
 - Special Education Level 1 \$38,800 per FTE
 - Special Education Level 2 \$19,400 per FTE
 - Special Education Level 3 \$9,800 per FTE
- Teacher salary differential between districts
- Unique geographic factors of climate, dispersion, remoteness, and small communities
- Education Plan
- Summer, February, and May counts

One *Learning* Community



Funding Level per FTE

| | 2017/2018 Funding Levels per FTE | 2018/2019 Funding Levels per FTE |
|---------------------------|---|---|
| School-Age | \$ 7,301 | \$ 7,423 |
| Continuing Education | 7,301 | 7,423 |
| Distributed Learning | 6,100 | 6,100 |
| Adult Students | 4,618 | 4,696 |
| Special Needs - Level 1 | 38,140 | 38,800 |
| Special Needs - Level 2 | 19,070 | 19,400 |
| Special Needs - Level 3 | 9,610 | 9,800 |
| English Language Learners | 1,395 | 1,420 |
| Aboriginal Education | 1,210 | 1,230 |

One *Learning* Community



Enrolment Summary

| | 2017/2018 Annual Budget | 2017/2018 Final September 30 | 2018/2019 Annual Budget |
|---|----------------------------|------------------------------------|----------------------------|
| BASED ON PROJECTED FTE ENROLMENT OF: | | | |
| Elementary/Middle/Secondary (school-aged) | 18,908 | 19,062 | 19,267 |
| Continuing Education (school-aged) | 10 | 36 | 17 |
| Distributed Learning (school-aged) | 104 | 106 | 65 |
| Total - School-Aged | 19,022 | 19,204 | 19,349 |
| Summer School | 65 | 55 | 55 |
| Adult Students | 44 | 43 | 47 |
| Unique Student Needs: | | | |
| Special Needs - Level 1 | 21 | 22 | 22 |
| Special Needs - Level 2 | 720 | 775 | 775 |
| Special Needs - Level 3 | 400 | 418 | 418 |
| English Language Learning | 1,751 | 1,808 | 1,808 |
| Aboriginal Education | 1,420 | 1,454 | 1,432 |
| International Education (Long-term) | 978 | 1,020 | 995 |

One *Learning* Community



Other Grants, Fees and Revenue

| | 2017/2018 Annual Budget | 2018/2019 Annual Budget |
|---|----------------------------|----------------------------|
| Other Ministry of Education Grants: | | |
| Reduction for Local Education Agreements (LEA) | \$ (927,465) | \$ (1,087,263) |
| Pay Equity | 2,896,617 | 2,896,617 |
| Carbon Tax Reimbursement | 0 | 110,000 |
| Return of Administrative Savings | 827,353 | 0 |
| TOTAL OTHER MINISTRY OF EDUCATION GRANTS | 2,796,505 | 1,919,354 |
| Other Fees and Revenues: | | |
| Summer School Fees | 17,696 | 56,880 |
| Continuing Education Fees | 58,124 | 16,825 |
| Offshore/Out-of-Province Tuition Fees | 13,206,732 | 14,610,333 |
| LEA/Direct Funding from First Nations | 927,465 | 1,087,263 |
| Miscellaneous Fees and Revenues | 70,055 | 56,350 |
| Community Use of Facilities | 1,694,784 | 1,981,048 |
| Investment Revenue | 650,000 | 1,030,000 |
| TOTAL OTHER FEES AND REVENUES | 16,624,856 | 18,838,699 |
| TOTAL OTHER GRANTS, FEES AND REVENUE | \$ 19,421,361 | \$ 20,758,053 |

One *Learning* Community



Community Use of Facilities Out-of-School Care Licence Rate Increase July 1, 2018

Revenue Increase

- Out-of-School Care Rate Increase \$159,528

Expenditure Increase

- Childcare Capital Reserve (100,000)
- Maintenance of Facilities (59,528)

One *Learning* Community



Community Use of Facilities External User Rate Increase July 1, 2018

- Purpose for increased rate proposal
- Consultation process and feedback
- Final proposal for Board consideration (including shifting adults with diverse learning needs to youth rates)

One *Learning* Community



Community Use of Facilities External User Rate Increase July 1, 2018

| PROPOSED DISTRICT FACILITIES RENTAL RATES - Effective July 1, 2018 | | | | | |
|--|---|---|---|---|---|
| Description | 2014-2015 Rental Rates (\$/Hour) | 2017-2018 Rental Rates (\$/Hour) | 2018-2019 Rental Rates (\$/Hour) | 2019-2020 Rental Rates (\$/Hour) | 2020-2021 Rental Rates (\$/Hour) |
| GYMS - Elementary: *Youth Groups and Adults with Diverse Learning Needs are subsidized by Adult and Commercial Use Rates* | | | | | |
| Organized Youth Groups (age 18 and under) and Adults with Diverse Learning Needs - Weekdays | \$ 18.75 | \$ 18.75 | \$ 20.00 | \$ 21.25 | 22.50* |
| Organized Youth Groups (age 18 and under) and Adults with Diverse Learning Needs - Weekends | \$ 18.75 | \$ 18.75 | \$ 20.00 | \$ 21.25 | 22.50* |
| Organized Adult (sport) - weekdays | \$ 31.25 | \$ 31.25 | \$ 45.50 | \$ 60.00 | \$ 75.00 |
| Organized Adult (sport) - Soccer | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| Organized Adult (sport) - Baseball/Softball | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| Organized Adult (sport) - Floor Hockey | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| Organized Adult (sport) - weekends | \$ 31.25 | \$ 31.25 | \$ 45.50 | \$ 60.00 | \$ 75.00 |
| Organized Adult (sport) - Soccer | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| Organized Adult (sport) - Baseball/Softball | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| Organized Adult (sport) - Floor Hockey | \$ 31.25 | \$ 31.25 | \$ 47.50 | \$ 63.50 | \$ 80.00 |
| General Use Adult - weekdays | \$ 75.00 | \$ 75.00 | \$ 78.00 | \$ 81.00 | \$ 85.00 |
| General Use Adults - weekends | \$ 118.75 | \$ 118.75 | \$ 122.50 | \$ 126.25 | \$ 130.00 |
| Commercial Use - weekdays | \$ 118.75 | \$ 118.75 | \$ 122.50 | \$ 126.50 | \$ 130.00 |
| Commercial Use - weekends | \$ 143.75 | \$ 143.75 | \$ 147.50 | \$ 151.25 | \$ 155.00 |

One *Learning* Community



Community Use of Facilities External User Rate Increase July 1, 2018

Revenue Increase

- External User Rate Increase \$TBD

Expenditure Increase

- To support capital replacement (e.g. field upgrades, gym floors, theatre lighting, etc.) TBD
- To support day-to-day maintenance of rental assets TBD

One *Learning* Community



School District Operating Spending

Spending is allocated between 4 key functional areas:

- Instruction
- District Administration
- Operations and Maintenance of Facilities
- Transportation of Students

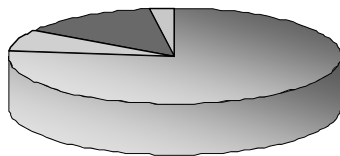
One *Learning* Community



School District Operating Spending

2018/2019 Greater Victoria Picture

| | | |
|---|--------------------------|-------|
| ■ | Instruction | 85.6% |
| ■ | Operations & Maintenance | 11.4% |
| ■ | District Administration | 2.5% |
| ■ | Transportation | 0.5% |



2017/2018 Greater Victoria Picture

| | |
|--------------------------|-------|
| Instruction | 85.5% |
| Operations & Maintenance | 11.6% |
| District Administration | 2.4% |
| Transportation | 0.5% |

2017/2018 Provincial Picture

| | |
|--------------------------|-------|
| Instruction | 82.9% |
| Operations & Maintenance | 11.6% |
| District Administration | 3.6% |
| Transportation | 1.9% |

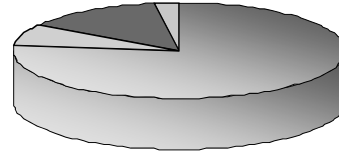
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School District Operating Spending Including Classroom Enhancement Fund

Greater Victoria Picture

| | | |
|---|--------------------------|-------|
| ■ | Instruction | 86.5% |
| ■ | Operations & Maintenance | 10.7% |
| ■ | District Administration | 2.3% |
| ■ | Transportation | 0.5% |

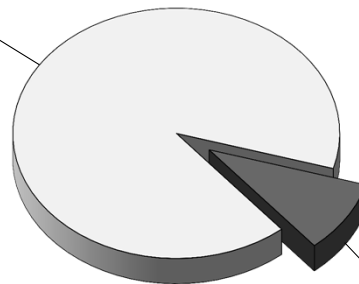


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School District Operating Spending

Salaries & Employee
Benefits
90.7%



Supplies, Services &
Equipment
9.3%

One *Learning* Community



Annual Operating Budget Assumptions

Assumptions used to prepare the 2018/2019 Annual Operating Budget:

- The 2018/2019 projected school-aged enrolment of 19,349 FTE has been used to prepare the annual operating budget. This represents an increase of 145 FTE as compared to the September 30, 2017 funded school-aged enrolment.
- The 2018/2019 projected summer school enrolment is 55 FTE.
- The 2018/2019 projected adult enrolment is 47 FTE.

One *Learning* Community



Annual Operating Budget Assumptions Cont.

The 2018/2019 Annual Operating Budget has been prepared to include:

- Incremental cost of salary grid/step adjustments
- Wage increases
- Statutory and contractual obligation changes e.g. benefits, utilities
- Technology Replacement Reserve and Childcare Capital Reserve

One *Learning* Community



Annual Operating Budget Summary

| | 2017/2018 Annual Budget | 2018/2019 Annual Budget |
|---|----------------------------|----------------------------|
| REVENUE | | |
| Provincial Government Grant | \$ 166,715,079 | \$ 173,604,633 |
| Other Grants, Fees and Revenue | 20,046,121 | 20,758,053 |
| TOTAL OPERATING REVENUE | \$ 186,761,200 | \$ 194,362,686 |
| EXPENDITURE | | |
| Salaries: | | |
| Teachers | 82,684,954 | 85,786,515 |
| Support Staff | 17,038,427 | 17,575,875 |
| Principals & Vice-Principals | 12,255,821 | 12,495,805 |
| Educational Assistants | 17,240,139 | 17,990,349 |
| Other Professionals | 3,839,697 | 4,264,085 |
| Substitutes | 7,181,346 | 7,460,144 |
| Total Salaries | 140,240,384 | 145,572,773 |
| Employee Benefits | 32,226,969 | 34,234,154 |
| Services and Supplies: | | |
| Services | 4,927,695 | 5,090,007 |
| Student Transportation | 998,933 | 1,018,933 |
| Professional Development and Travel | 571,601 | 663,417 |
| Rentals and Leases | 79,238 | - |
| Dues and Fees | 88,207 | 88,207 |
| Insurance | 442,842 | 365,000 |
| Supplies | 5,647,811 | 5,828,156 |
| Utilities | 4,642,407 | 4,349,019 |
| Total Services and Supplies | 17,398,734 | 17,402,739 |
| Capital Equipment Purchases | 800,000 | 800,000 |
| Technology Replacement Reserve | 200,000 | 200,000 |
| Childcare Capital Reserve | - | 100,000 |
| TOTAL OPERATING EXPENDITURE | \$ 190,866,087 | \$ 198,309,666 |
| OPERATING BUDGET SURPLUS / (DEFICIT) | \$ (4,104,887) | \$ (3,946,980) |
| Budgeted Prior Year Operating Surplus Appropriation | 4,104,887 | 3,946,980 |
| NET OPERATING BUDGET SURPLUS / (DEFICIT) | \$ - | \$ - |

One *Learning* Community



2018/2019 Operating Budget

Approved 2017/2018 One-Time Carry Forward Funding:

| | |
|---|------------------------|
| Restricted Surplus from 2016-2017 approved by the Board in April 2017 | \$1.4M |
| Unrestricted Surplus from 2016-2017 approved by the Board September 2017 | <u>2.3M</u> |
| Total Approved One-Time Carry Forward | \$3.7M |
| Appropriation from 2017/2018 Unrestricted Surplus (<i>to be approved</i>) | \$0.2M |
| 2018/2019 Structural Deficit | <u>(\$3.9M)</u> |
| 2018/2019 Operating Budget Surplus/(Deficit) | <u>\$ 0M</u> |

One *Learning* Community



2017/2018 Estimated Unrestricted Operating Budget Surplus

2017/2018 Estimated Unrestricted Surplus:

| | |
|---|---------------|
| Teacher Salaries and Benefits | \$1.3M |
| Recruitment Lag and Unfilled Positions | \$0.2M |
| Increased Revenue and Investment Income | \$0.4M |
| Increased ISP Enrolment | \$0.4M |
| Decreased NGN Charge | \$0.3M |
| Net Medical Premium Savings | <u>\$0.3M</u> |

2017/2018 Estimated Unrestricted Surplus **\$2.9M****

**** Recommendation: Use \$0.2M for 2018/2019 to balance the budget and carry forward \$2.7M to 2019/2020**

One *Learning* Community



2018/2019 Classroom Enhancement Fund

Classroom Enhancement Special Purpose Fund:

- Funding to implement the Memorandum of Agreement related to the Supreme Court of Canada decision from the fall of 2016
- 2018/2019 Stage 1 Classroom Enhancement Teacher Staffing Funding: \$13,835,661
- Remedy, Article D.3.5 Low Incidence Prep, and Overhead Funding to be allocated in the fall of 2018

One *Learning* Community



2018/2019 Classroom Enhancement Fund

Classroom Enhancement Special Purpose Fund Estimated Cost:

Non-Enrolling Teacher Staffing Ratios

| | |
|-----------------|---------|
| 27 FTE Teachers | \$ 2.2M |
|-----------------|---------|

Class Size and Composition

| | | |
|------------|------------------------|---------|
| Elementary | 53 FTE Teachers | |
| Middle | 34 FTE Teachers | |
| Secondary | <u>44 FTE Teachers</u> | |
| | 131 FTE Teachers | \$10.5M |

| | |
|----------------------|------|
| Remedy Cost Estimate | \$? |
|----------------------|------|

| | |
|--|------|
| Article D.3.5 Low Incidence Prep Cost Estimate | \$? |
|--|------|

One *Learning* Community



Budget Meeting Dates

- **Monday, April 16, 2018 at 7:00 p.m.**
At the Board Office, Tolmie Board Room, 556 Boleskine Road
An opportunity for members of the public to address the Board with respect to the proposed budget
- **Wednesday, April 25, 2018 at 7:00 p.m.**
At the Board Office, Tolmie Board Room, 556 Boleskine Road
Special Board Meeting to debate and approve the 2018-2019 budget bylaw

One *Learning* Community



2018/2019 Estimated Operating Grants Website

- <http://www2.gov.bc.ca/gov/content/education-training/administration/resource-management/k-12-funding-and-allocation/operating-grants/k12funding-18-19>

One *Learning* Community



OFFICE OF THE
SECRETARY-TREASURER

556 BOLESKINE ROAD, VICTORIA, BRITISH COLUMBIA V8Z 1E8
PHONE (250) 475-4108 FAX (250) 475-4110

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **BYLAW 9360 – GENERAL MEETING OF THE BOARD**

As a result of the general local government election being held on October 20, 2018, rather than mid-November as in previous years, administration is recommending changes to Section 2 of Bylaw 9360 *General Meeting of the Board* related to the timing of the inaugural meeting. The change would change the meeting from “the first Monday in December” to “within 30 days” after the official results of the election of trustees shall have been declared. The header of the policy template will also be updated to include the current Board mission statement.

The *School Act* contains the following requirements:

General term of office

49 The term of office of a trustee elected at a general school election

(a) begins on the first Monday after November 1 following the election or when the person takes office in accordance with section 50 (3), whichever is later, and

(b) ends immediately before the first Monday after November 1 in the year of the next general school election or when at least 3 trustees elected at or appointed following that election have taken office, whichever is later.

And:

Oath of office

50 (1) A person elected or appointed as a trustee must make a prescribed oath of office, by oath or solemn affirmation, within the following applicable time limit:

(a) in the case of a person elected by acclamation, within 50 days after the date set for general voting day had an election by voting been required;

(b) in the case of a person elected by voting, within 45 days after the declaration of the results of the election;

(c) in the case of a person appointed to office, within 45 days after the effective date of the appointment.

If the Operations Policy and Planning Committee reaches agreement with respect to the proposed revisions to Bylaw 9360 *General Meeting of the Board*, the following are the recommended motions for the Board's consideration:

Recommended Motions:

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings to Bylaw 9360, *General Meeting of the Board* at the meeting of April 23, 2018.

Motion to be Carried Unanimously

That Bylaw 9360, *General Meeting of the Board* be:

Read a first time this 23rd day of April, 2018;

Read a second time this 23rd day of April, 2018:

Read a third time, passed and adopted this 23rd day of April, 2018.

And that the Chairperson and the Secretary Treasurer be authorized to sign, seal and execute this Bylaw on behalf of the Board.

BYLAW 9360

GENERAL MEETING OF THE BOARD

1. The Board of Education of School District 61 shall meet in general session on the fourth Monday of each month except where the fourth Monday is a statutory holiday, in which case the meeting will take place on the next working day, except for the months of July and August, when no meeting will be held and for the month of December, when the meeting shall be on the second Monday of the month.
2. In addition to the regularly scheduled meetings of the Board in general session, the Board, as elected, shall meet for the first time ~~within 30 days on the first Monday in December,~~ after the official results of the election of trustees shall have been declared, for the purpose of receiving the results, the swearing in of the new trustees, and the selection of the Chair and Vice-Chair of the Board. This inaugural meeting of the Board shall be called and chaired by the Secretary-Treasurer of the School District. Each year thereafter during the term of office, the election of Chair, Vice-Chair, and Board representatives to various agencies where the Trustees have regular representation and the appointment of Trustees to internal and external committees shall take place at the November Board meeting.
3. The Chair, the Secretary-Treasurer or any three trustees, may call a special general meeting of the Board, in addition to the regularly scheduled meetings of the Board, upon not less than forty-eight hours' notice in writing to all trustees.
4. A special general meeting of the Board may be called upon less than the normal forty-eight hours' notice, in writing or by telephone, with such meeting being deemed to have been properly convened if a majority of trustees agree to waive the normal forty-eight hours' of written notice.

5. The following procedural matters will be implemented:

- The meetings will be conducted in two major sections:

The first will encompass the agenda, minutes and acceptance of presentations from the public and employee groups;

The second will be for the consideration of Board Committee Reports and Special Reports to the Board.

- The meetings should be conducted in a timely manner and time guidelines and limits adhered to with respect to:

- * general meetings of the Board of Education commence at 7:30 p.m. and continue until no later than 11:00 p.m., save as may be extended by majority consent

- * Starting the meeting on time

- * The Community Presentations period is limited to a maximum of six speakers, each speaking a maximum of five minutes; there can only be three speakers per issue (numbers and time may be extended at the discretion of the Chair)

- * No public debate with presenters; information only will be received

- * The Question Period is limited to 15 minutes

6. Wherever possible, the public will be encouraged to attend a Committee meeting rather than a Board meeting in order to facilitate dialogue with the public before decisions are made. Discussion and debate of issues takes place at two regularly scheduled Standing Committee meetings each month. During the Standing Committee meetings, members of the public make presentations and discussions often ensue with committee members, stakeholder groups, and staff.

In addition to the opportunities to present at Standing Committees, employee partner groups including the Greater Victoria Teachers' Association (GVTA), the Canadian Union of Public Employees (CUPE) Local 947 and Local 382), the

Victoria Parent Advisory Councils (VCPAC), Esquimalt and Songhees Nations, Youth Representatives Committee, and the Victoria Principals and Vice-Principals Association (VPVPA), are able to provide comment on specific motions prior to them being voted on by the Board. The Board Chair will ask stakeholder representatives whether they would like to provide comment on motions prior to the Board of Education considering the motion. Each stakeholder representative will have up to two minutes to provide comment through the Chair.

7. In the event that the Board shall fail to conclude the business of the agenda by the time of adjournment the Chair may designate not more than one additional meeting, to be held within one week on the day and date designated by the Chair.
8. The agenda shall be prepared and circulated by the Chair of the Board.
9. There shall be an agenda circulated to all trustees not less than three days prior to each regularly scheduled meeting of the Board in general session, and not less than forty-eight hours prior to a special meeting of the Board in general session.
10. The agenda shall be approved by ordinary motion as the first item of business at each meeting.
11. The Agenda shall contain the following:

Guidelines for the meeting format including outlining opportunities for public and stakeholder comments

- A. Acknowledgement of Traditional Territories; Approval of the Agenda; Approval of Previous Minutes and Business Arising from the Minutes

Student Achievement Presentations; District Presentations; Community Presentations

- B. Correspondence

- C. Chair's Report; Trustee Reports (including Reports from Trustee Representatives with Other Public Bodies)

D. Board Committee Reports:

- (1) Education Policy and Directions Motions
- (2) Operations Policy and Planning Motions

E. District Leadership Team Reports

F. Question Period

G. Public Disclosure of In-Camera Items

H. New Business/Notice of Motions

I. Adjournment

The order of the Agenda shall be as above, unless varied at the meeting by majority vote.

12. A copy of the Agenda shall be made available to the media, partner groups and the public (website) through the Secretary-Treasurer's office on the day after copies are delivered to trustees, and such Agenda shall have attached the Committee Reports.
13. The Board Chair may reschedule any regularly-scheduled general meeting of the Board to a different time and date in order to meet the business requirements of the Board. The Board may, by ordinary resolution, cancel a regular general meeting of the Board.
14. In accordance with Section 67 of the *School Act*, the Board may allow Trustees to participate in or attend a meeting of the Board by telephone or other means of communication if all Trustees and other persons participating in or attending the meeting are able to communicate with each other. Such attendance shall only be permitted where Trustee participation is prevented by extraordinary circumstances. Trustees wishing to attend electronically must provide a minimum of 48 hours' notice of such attendance.

15. With the exception of poll votes pursuant to Bylaw 9011, the Board shall not conduct meetings electronically. For the purposes of this bylaw, electronic communications that would constitute a meeting include communications shared among all trustees that materially advance a matter before the Board. This Bylaw does not prohibit the electronic provision of information pertaining to a matter before the Board.

Greater Victoria School District

Adopted: April 27, 1981

Various Revisions

Revised: November 25, 1991

Revised: June 23, 1997

Revised: January 16, 2006

Revised: January 19, 2009 (corrected)

Revised: November 17, 2014

Revised: December 14, 2015

Revised: June 20, 2016

Revised: April 24, 2017

Revised: April 23, 2018

To: Operations Policy and Planning Committee

From: Greg Kitchen, Associate Superintendent

Date: April 16, 2018

RE: Greater Victoria Foundation for Learning

The Board passed a motion (November 2017) in regard to the reinvigoration of the Greater Victoria Foundation of Learning, and directed the Superintendent to bring back a revised constitution and bylaws. In accordance with this motion, steps have been taken to reinvigorate the Foundation. Revised bylaws are attached.

Please note that the bylaws have been forwarded to Benefic Law Corp. to ensure that they are still in compliance with the new Society Act. Should there be any recommendations to amend the revised bylaws, the amendments will be returned to the Operations Policy and Planning Committee for information.

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) support the reinvigoration of the Greater Victoria Foundation for Learning and support in principle the updated Bylaws of the Foundation.

GREATER VICTORIA FOUNDATION FOR LEARNING

BYLAWS

PART 1

INTERPRETATION

- 1.1 In these Bylaws, unless the context otherwise requires:
- a) “Board” means the Directors acting as authorized by the Constitution and these Bylaws in managing or supervising the management of the affairs of the Society and exercising the powers of the Foundation;
 - b) “bylaws” means the bylaws of the Foundation as filed with the Office of the Registrar
 - c) “Directors” means the directors of the Society for the time being pursuant to Part 5 hereof;
 - d) “Foundation” means the pre-existing society continued under the *Societies Act* under the name GREATER VICTORIA FOUNDATION FOR LEARNING
 - e) “Members” means the members of the Society for the time being;
 - f) “ordinary resolution” means any of the following:
 - i. A resolution passed at a general meeting by a simple majority of votes
 - ii. A resolution consented to in writing, after being sent to all of the voting members, by at least 2/3 of the voting members.
 - g) “registered address” of a member means the address of that person as recorded in the register of members or register of directors.
 - h) “special resolution” means any of the following:
 - i. a resolution passed at a general meeting by at least 2/3 of the votes cast by the voting members.
 - ii. a resolution consented to in writing by all of the voting members;
 - iii. if the bylaws authorize indirect or delegate voting or voting by mail or another means of communication, including by fax, email or other electronic means, a resolution passed by at least 2/3 of the votes cast, in accordance with the bylaws, on the resolution;
 - i) “Society” means GREATER VICTORIA FOUNDATION FOR LEARNING
 - j) “*Societies Act*” means the *Societies Act* of the Province of British Columbia, as amended from time to time.
- 1.2 The definitions in the *Societies Act*, on the date these Bylaws become effective, apply to these Bylaws.

- 1.3 Words importing the singular include the plural and vice versa; and words importing a gender include the masculine, feminine, and neuter genders; and words importing a person include an individual, partnership, association, body corporate, trustee, executor, administrator and legal representative.

PART 2

MEMBERSHIP

- 2.1 The Members of the Society shall be only those persons who are serving from time to time as the Directors of the Society.
- 2.2 A person shall cease to be a Member of the Society upon ceasing to be a Director of the Society.
- 2.3 The membership of a person in the Foundation is not transferable.
- 2.4 Every Member shall uphold the constitution and comply with these Bylaws.

PART 3

MEETING OF MEMBERS

- 3.1 The general meetings of the Foundation shall be held at such time and place, in accordance with the *Societies Act*, as the Directors decide.
- 3.2 Note of a general meeting shall specify the place, the day, and the hour of the meeting.
- 3.3 An annual general meeting shall be held at least once every calendar year. Notwithstanding the foregoing, an annual general meeting is deemed to have been held if:
- (a) All of the matters required by *the Societies Act* to be dealt with at an annual general meeting are dealt with in a resolution as permitted by section 72 of *the Societies Act*; and,
 - (b) All of the members entitled to vote consent in writing to the resolution on or before the date by which the annual general meeting must be held under section 71 of *the Societies Act*.
- 3.4 Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- 3.5 The Directors may, whenever they think fit, convene an extraordinary general meeting.

- 3.6 The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the Members entitled to receive notice does not invalidate proceedings at that meeting.

PART 4

PROCEEDINGS AT GENERAL MEETINGS

- 4.1 Special business is
- a) all business at an extraordinary general meeting except the adoption of rules of order, and
 - b) all business that is transacted at an annual general meeting, except
 - i) the adoption of rules of order;
 - ii) the consideration of the financial statements;
 - iii) the report of the Directors;
 - iv) the report of the auditor, if any;
 - v) the election of Directors;
 - vi) the appointment of the auditor, if required; and
 - vii) such other business as, under these Bylaws, ought to be transacted at an annual general meeting, or business which is brought under consideration by the report of the Directors issued with the notice convening the meeting.
- 4.2 No business, other than the election of a chair and the adjournment or termination of the meeting, shall be conducted at a general meeting at a time when a quorum is not present.
- 4.3 If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- 4.4 A quorum shall be the greater of one third of the Members or three Members. If the Foundation has fewer than three voting Members, the quorum for that transaction of business is all voting members in good standing.
- 4.5 If within 30 minutes from the time appointed for a Members' meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week, at the same time and place, and if at the adjourned meeting a quorum is not present within 30 minutes from the time appointed for the meeting, the Members present constitute a quorum, provided there are at least three Members present.
- 4.6 The President of the Society, the Vice-President, or, in the absence of both, one of the Directors present, shall preside as chairperson of a general meeting.

- 4.7 If a person presiding as chair of a general meeting wants to step down as chair for all or part of that meeting, they may designate an alternate to chair such meeting or portion thereof.
- 4.8 A general meeting may be adjourned from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 4.9 When a meeting is adjourned for 14 days or more, notice of the adjourned meeting shall be given as in the case of the original meeting.
- 4.10 Except as provided in these Bylaws, it is not necessary to give notice of adjournment or of the business to be transacted at an adjourned general meeting.
- 4.11 No resolution proposed at a meeting need be seconded, and the chairperson of a meeting may move or propose a resolution.
- 4.12 In case of an equality of votes, the chairperson shall not have a casting or second vote in addition to the vote to which he or she may be entitled as a Member, and the proposed resolution shall not pass.
- 4.13 A Member in good standing is entitled to one vote.
- 4.14 Any issue at a general meeting which is not required by these bylaws or the *Societies Act* to be decided by a special resolution shall be decided by an ordinary resolution.
- 4.15 Voting is by show of hands, unless the Members otherwise decide.
- 4.16 Voting by proxy is not permitted.
- 4.17 A corporate Member may vote by its authorized representative, who is entitled to speak and vote, and in all other respects exercise the rights of a Member, and that representative shall be reckoned as a Member for all purposes with respect to a meeting of the Society.

PART 5

DIRECTORS

- 5.1 The Board of Directors shall be comprised of the following individuals:
 - a) four (4) representatives from the Victoria community
 - b) one (1) trustee who is elected by the board of trustees from the Greater Victoria School District - Board of Education.
 - c) the superintendent or designate of the Greater Victoria School District
 - d) one (1) principal from the Greater Victoria School District
- 5.2 The Directors shall manage, or supervise the management of, the affairs and business of the Society in accordance with the Constitution and shall be authorized to exercise all such powers and do all such acts and things as the Society may exercise and do, and which are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the Society in general meeting, but subject, nevertheless, to the provisions of:

- a) all laws affecting the Society;
 - b) these Bylaws; and
 - c) rules, not being inconsistent with these Bylaws, which are made from time to time by the Society in general meeting.
- 5.3 No person shall be a director of the Foundation unless duly elected or appointed a Director in accordance with these bylaws. Any election or appointment of a Director is invalid unless:
 - a) the individual, so appointed or elected, either consents in writing; or
 - b) is present at the meeting at which he or she is appointed or elected and consents verbally.
- 5.4 Directors may be elected or appointed by members at a general meeting and take office commencing at the close of such a meeting.
- 5.5 The members may from time to time, by ordinary resolution, appoint additional directors to be known as appointed directors, and such ordinary resolution shall set out the term of office subject to Bylaw 5.8
- 5.6 The members may by ordinary resolution remove a director before the expiration of such director's term of office and may elect or appoint a person as a replacement director until the next annual general meeting.
- 5.7 If a director ceases to hold office during his or her term for any reason, other than removal as aforesaid, the Board may appoint a person as a replacement director to take the place of such director until the next annual general meeting.
- 5.8 A Director's term of office shall commence immediately after the close of the annual general meeting at which he or she was elected or appointed and his or her term of office shall expire at the close of the second (2nd) annual general meeting of the Society after the annual general meeting at which he or she was elected or appointed.
- 5.9 A Director is eligible for re-election or re-appointment when his or her term expires.
- 5.10 A person shall cease to be a Director of the Society
 - a) by delivering his or her resignation in writing to the Secretary of the Society or by mailing or delivering it to the address of the Society;
 - b) by expiration of his or her term;
 - c) on his or her death, or mental incapacity; or
 - d) on being removed by the Members in accordance with the provisions of the *Societies Act*;
- 5.11 If a Director resigns or otherwise ceases to hold office, the remaining Directors may, by a majority vote, appoint a duly qualified person, as a replacement Director to fill the vacancy until the expiration of the term of the Director ceasing to hold office.

- 5.12 If no successor is elected or appointed to replace the person who otherwise would cease to be a director and the result is that the number of directors would fall below three, the person previously elected or appointed as director continues to hold office until such time a successor director is elected or appointed.
- 5.13 No act or proceeding of the Directors is invalid only by reason of there being less than the prescribed number of Directors in office.
- 5.14 No Director shall be remunerated for being or acting as a Director, but a Director may be reimbursed for all expenses necessarily and reasonably incurred by him or her while engaged in the affairs of the Society.

PART 6

PROCEEDINGS OF DIRECTORS

- 6.1 The Directors may meet together regularly at such places as they think fit for the dispatch of business, they may adjourn and otherwise regulate their meetings and proceedings as they see fit, and may hold meetings, in whole or in part, by telephone, telephone conference call, and audio/visual telecommunications.
- 6.2 The Directors may from time to time fix the quorum necessary for the transaction of regular business. Quorum may only be fixed if the School Board Trustee or the Superintendent/their designate, as Directors, are part of the quorum. Unless fixed, the quorum shall be a majority of the Directors then in office. Directors participating by telephone or telephone conference call shall be considered part of the quorum.
- 6.3 The President shall be chairperson of all meetings of the Directors unless the Directors otherwise decide. If the person presiding as chair of a meeting wants to step down as chair for all or part of that meeting, he or she may designate and alternate to chair such a meeting or portion thereof.
- 6.4 The President may at any time, and the Secretary on the request of at least two directors shall, convene a meeting of Directors.
- 6.6 Questions arising at any meeting of the Directors and committee of Directors shall be decided by a majority of votes unless otherwise specified by the *Societies Act* or other provisions in the Bylaws.
- 6.7 In case of an equality of votes, the President does not have a second or casting vote.
- 6.8 No resolution proposed at a meeting of Directors or committee of Directors needs to be seconded, and the chair of a meeting may move or propose a resolution.
- 6.9 Voting shall be by a show of hands or voice vote recorded by the secretary of the meeting except that, at the request of any one director, a secret vote by written ballot shall be required.
- 6.10 A resolution in writing, signed by all the Directors and placed with the minutes of the Directors, is as valid and effective as if regularly passed at a meeting of Directors.
- 6.11 All acts done by any meeting of the Directors, or by any person acting as a Director, shall notwithstanding that it be afterwards discovered that there was some defect in

the qualification, election or appointment of any such Directors or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly elected or appointed and was qualified to be a Director.

PART 7

DUTIES AND POWERS OF DIRECTORS

- 7.1 The Directors may delegate any, but not all, of their powers to committees consisting of such persons as they think fit, and may name the committee.
- 7.2 A committee so formed in the exercise of the powers so delegated shall conform to any rules that may from time to time be imposed on it by the Directors, and shall report every act or thing done in exercise of those powers to the Directors.
- 7.3 Subject to directions of the Directors, each committee shall determine its own procedure.
- 7.4 The members of a committee may meet and adjourn as they think proper.
- 7.5 A Director shall
 - a) act honestly and in good faith and in the best interests of the Society; and
 - b) exercise the care, diligence and skill of a reasonable and prudent person in exercising power and performing functions as a Director.
- 7.6 A Director who is directly or indirectly interested in a proposed contract or transaction with the Society shall disclose fully and promptly the nature and extent of his or her interest all of the Directors and shall otherwise comply with the requirements of the *Societies Act*.
- 7.7 The Directors shall enter in the register the names of applicants for incorporation, and the name of every other person admitted as a Member of the Society, together with the following particulars of each:
 - a) the full name and residence address;
 - b) the date on which a person is admitted as a Member; and
 - c) the date on which a person ceases to be a Member
- 7.8 The Directors shall prepare all reports, including financial reports, required by law to be prepared by the Society for the annual general meeting.
- 7.9 Financial reports of the Society must be audited once a year. The Board of Directors shall determine the choice of auditors and the remuneration of auditors. The auditor's report shall be presented to the directors at each annual general meeting.
- 7.10 The Directors shall on behalf of the Society file all financial and other reports that have to be filed after the annual meeting as required by the *Societies Act* and *Income Tax Act* or other law.

- 7.11 The Directors, on behalf of the Society, shall keep proper accounting records in respect of all financial or other transactions and, without limiting the foregoing, shall keep records of:
- a) all money received and disbursed by the Society and the manner in respect of which the receipt and disbursement took place;
 - b) every asset and liability of the Society; and
 - c) every other transaction affecting the financial position of the Society.
- 7.12 The Directors may invest the assets of the Society as the Directors in their absolute discretion consider advisable and shall not be limited to those investments authorized by law for trustees.
- 7.13 The Board of Directors may from time to time retain investment counselors, professional advisors and other persons for the purpose of counseling the Society with respect to the investment of its assets.
- 7.14 The Board of Directors may, in consultation with investment counselors and professional advisors, adopt by resolution a policy with respect to the investment objectives and guidelines for the investment of assets of the Society and such policy may be rescinded or amended from time to time by resolution of the Board of Directors.

PART 8

OFFICERS

- 8.1 The Officers of the Foundation shall be as follows:
- a) President;
 - b) Vice-President;
 - c) Secretary;
 - d) Treasurer;
- and such other Officers as may be determined by the Board of Directors from time to time.
- 8.2 At the first meeting of the Board held after an annual general meeting, the Board shall elect, from among the directors, a President who shall hold office until the first meeting of the Board held after the next annual general meeting.
- 8.3 At the first meeting of the Board held after an annual general meeting, the Board may appoint a Secretary and Treasurer who do not need to be directors and determine the duties, responsibilities, and term, of the Secretary and Treasurer.
- 8.4 An Officer may hold position for a one (1) year term. The Directors may confirm renewal.
- 8.5 A person may be removed as an officer by a Director's ordinary resolution.

- 8.6 A person may be appointed to two or more offices of the Foundation at any one time

PART 9

PROVISIONS FROM THE SOCIETY'S PRE-TRANSITION CONSTITUTION

- 9.1 The activities of the Foundation shall be carried on without purpose of gain for its members and any income, profits or other accretions to the Foundation shall be used in promoting the purposes of the Foundation. This provision was previously unalterable
- 9.2 Upon the winding up or dissolution of the Foundation, the funds and property remaining after the payment of all costs, charges and expenses properly incurred in the winding-up or dissolution, including the remuneration of a liquidator, and after payment to employees of the Foundation of any arrears of salaries or wages, and after payment of any debts of the Foundation, shall be distributed to The Board of School Trustees of School District No. 61 (Greater Victoria) provided that it is at that time a "qualified donee" allowed under the Income Tax Act, as shall be designated by the Board. Any of such funds or property remaining which had originally been received under specific purposes shall, whenever possible be distributed to "qualified donees" or charities registered under the provisions of the Income Tax Act carrying on work of a similar nature to such specific purposes. This provision was previously unalterable.

PART 10

- 10.1 On being admitted to membership, each member is entitled to and upon request, the Foundation shall provide him or her with a copy of the constitution and bylaws of the Foundation.
- 10.2 These bylaws shall not be altered or added to except by special resolution

SCHEDULE "1"

GREATER VICTORIA FOUNDATION FOR LEARNING BYLAWS

PART 1 - INTERPRETATION

1.1 In these bylaws and the constitution of the Foundation, unless the context otherwise requires:

"address of the Foundation" means the address of the Foundation as filed from time to time with the Registrar in the Notice of Address;

"Advisory Council" means the council appointed by the Board in accordance with these bylaws;

"appointed director" means a person appointed in accordance with these bylaws as an appointed director or appointed as a replacement director for an appointed director;

"Board" means the directors acting as authorized by the constitution and these bylaws in managing or supervising the management of the affairs of the Foundation and exercising the powers of the Foundation;

"Board resolution" means a resolution passed at a meeting of the Board by a simple majority of the votes cast by those directors entitled to vote at such meeting;

"bylaws" means the bylaws of the Foundation as filed in the Office of the Registrar;

"consent resolution of directors" means a resolution passed by a simple majority of the directors in accordance with Section 54(2) of the *Societies Act*. Such approval may be evidenced either by written resolution or email confirmation;

"constitution" means the constitution of the Foundation as filed in the Office of the Registrar;

"directors" means only those persons who are or who have become either appointed, elected, founding or replacement directors in accordance with these bylaws and have not ceased to be directors, and a "director" means any one of them;

"elected director" means a person elected as an elected director in accordance with these bylaws or elected or appointed as a replacement director for an elected director;

"Foundation" means the pre-existing society continued under the *Societies Act* under the name GREATER VICTORIA FOUNDATION FOR LEARNING;

"Income Tax Act" means the *Income Tax Act* R.S.C. 1985 c. 1 (5th supp.) as amended from time to time;

"members" means only those persons who are members or who have subsequently become members in accordance with these bylaws and, in either case, who have not ceased to be members, and a "member" means any one of them;

"Members' Moderator" means a person appointed as the Members' Moderator in accordance with these Bylaws;

"ordinary resolution" means any of the following:

- (i) a resolution passed at a general meeting by a simple majority of the votes cast by the voting members in good standing, whether cast in person or by proxy;

- (ii) a resolution consented to in writing, after being sent to all of the voting members, by at least 2/3 of the voting members in good standing; or
- (iii) a resolution passed by a simple majority of the votes cast by mail or another means of communication, including by fax, email or other electronic means;

"Patron" means a person appointed by the Board to be a Patron of the Foundation;

"President" means a person elected to the office of President in accordance with these bylaws but such office holder may, with the approval of a Board resolution or consent resolution of directors, use the title Chair, Chairperson, Chairwoman or Chairman in substitution for, or in addition to, the title "President";

"registered address" of a member or director means the address of that person as recorded in the register of members or the register of directors;

"Registrar" means the Registrar of Companies of the Province of British Columbia;

"Secretary" means a person appointed to the office of Secretary in accordance with these bylaws;

"*Societies Act*" means the *Societies Act* of British Columbia, as amended from time to time;

"special resolution" means any of the following:

- (i) a resolution passed at a general meeting by at least 2/3 of the votes cast by the voting members in good standing, whether cast in person or by proxy;
- (ii) a resolution consented to in writing by all of the voting members in good standing; or
- (iii) a resolution passed by at least 2/3 of the votes cast by the voting members in good standing by mail or another means of communication, including by fax, email or other electronic means;

"Treasurer" means a person appointed to the office of Treasurer in accordance with these bylaws; and

"writing" includes words printed, typewritten, painted, engraved, lithographed, photographed or represented or reproduced by any mode of representing or reproducing words in visible form.

1.2 The definitions contained in the *Societies Act* on the date these bylaws become effective apply to these bylaws and the constitution except where the wording of the definitions contained in the *Societies Act* differs from the wording of the definitions contained in these bylaws, and in such cases, the wording of the definitions contained in these bylaws shall take precedence provided that the meaning thereof is not inconsistent with the meaning of definition contained in the *Societies Act*.

1.3 Words incorporating the singular number include the plural and vice versa; words importing gender include the masculine, feminine and neuter genders; and words importing a person include an individual, partnership, association, body corporate, trustee, executor, administrator and legal representative.

PART 2 – MEMBERSHIP

2.1 Membership in the Foundation shall be restricted to the persons whose names were on the register of members as at the date of transition to the *Societies Act*, and to those persons who have requested admission and are subsequently admitted by ordinary resolution which may set out specific terms and criteria of membership.

2.2 There shall be one class of members. In the absence of any determination establishing a specific term for a member, a member shall continue as a member until ceasing to be a member pursuant to bylaw 2.5.

2.3 The amount of the membership dues shall be determined by the Board. In the absence of any determination of membership dues it shall be deemed that there are no annual or other membership dues. Once the amount of any membership dues has been determined, that amount shall be deemed to be the annual membership dues in each succeeding membership year until such amount is changed.

2.4 A member may withdraw from the Foundation by delivering his or her resignation in writing to the Secretary of the Foundation or delivering it to the address of the Foundation.

2.5 A person shall immediately cease to be a member of the Foundation:

- (a) upon the date which is the later of the date of delivering his or her resignation in writing to the Secretary of the Foundation or to the address of the Foundation or the effective date of the resignation stated therein;
- (b) upon his or her death;
- (c) upon ceasing to hold a position or meet the criteria by virtue of which he or she is a member;
- (d) in the case of a corporation, society or association, upon dissolution, bankruptcy or receivership;
- (e) upon the expiration of the term currently determined stipulating the length of time for which he or she is to be a member; or
- (f) upon being removed.

2.6 A member may be removed by a resolution passed by not less than 2/3 of the members entitled to vote. A member shall not be disciplined.

2.7 The membership of a person in the Foundation is not transferable.

2.8 All members shall be in good standing except a member who has failed to pay his or her current membership dues, or any other subscription or any debt due and owing by such member to the Foundation, and such member is not in good standing as long as the debt remains unpaid.

PART 3 - MEETINGS OF MEMBERS

- 3.1 The voting members in good standing shall appoint from among themselves a Members' Moderator who shall hold office until the close of the next annual general meeting; but if no successor is appointed, the person previously appointed as Members' Moderator continues to hold office until such time as a successor is appointed provided that he or she continues to be a voting member in good standing.
- 3.2 The Members' Moderator shall be responsible for making the necessary arrangements for:
- (a) the issuance of notices of meetings of members;
 - (b) the keeping of minutes of all meetings of members; and
 - (c) the maintenance of the register of members.
- 3.3 The Members' Moderator may be removed by an ordinary resolution.
- 3.4 The general meetings of the Foundation shall be held at such time and place, in accordance with the *Societies Act*, as the directors shall decide.
- 3.5 The Members' Moderator shall give not less than 7 days written notice of a general meeting to its members entitled to receive notice; but those members may waive or reduce the period of notice for a particular meeting by unanimous consent in writing.
- 3.6 Notice of a general meeting shall specify the place, the day and the hour of the meeting.
- 3.7 The accidental omission to give notice of a general meeting to, or the non-receipt of notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.
- 3.8 An annual general meeting shall be held at least once in every calendar year. Notwithstanding the foregoing, an annual general meeting is deemed to have been held if:
- (a) all of the matters required by *the Societies Act* to be dealt with at an annual general meeting are dealt with in a resolution as permitted by Section 72 of *the Societies Act*; and,
 - (b) all of the members entitled to vote consent in writing to that resolution on or before the date by which the annual general meeting must be held under section 71 of *the Societies Act*.
- 3.9 Every general meeting other than an annual general meeting is an extraordinary general meeting.
- 3.10 The directors may, whenever they think fit, convene an extraordinary general meeting. As required by Section 75 of the *Societies Act*, the directors shall convene an extraordinary general meeting of members upon receipt of a written request requesting such a meeting and signed by at least 10% of the voting members in good standing.

PART 4 - PROCEEDINGS AT GENERAL MEETINGS

4.1 Special business is:

- (a) all business at an extraordinary general meeting except the adoption of rules of order; and
- (b) all business that is transacted at an annual general meeting, except:
 - (i) the adoption of rules of order;
 - (ii) consideration of the financial statements prepared in accordance with the *Societies Act*;
 - (iii) consideration of the report of the directors;
 - (iv) consideration of the report of the auditor, if any;
 - (v) the election or appointment of directors;
 - (vi) the appointment of the Members' Moderator;
 - (vii) the appointment of the auditor if desired; and
 - (viii) such other business that, under these bylaws or any governing statutes, ought to be transacted at an annual general meeting, or business which is brought under consideration by the report of the directors if the report was issued with the notice of the meeting.

4.2 In order to have quorum at a general meeting:

- (a) 1/3 of the members or three members, whichever is greater, must be present or, where proxies are allowed, represented by the member's appointed proxy; or
- (b) if the Foundation has fewer voting members than the quorum provided for in 4.2 (a), the quorum for the transaction of business at a general meeting is all of the voting members in good standing.

4.3 No business, other than the election of a person to chair the meeting and the adjournment or termination of the meeting, shall be conducted at a general meeting at a time when a quorum is not present.

4.4 If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.

4.5 If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be terminated; but in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within 30 minutes from the time appointed for the meeting, the members present shall constitute a quorum.

4.6 The Members' Moderator shall chair all general meetings; but if at any general meeting the Members' Moderator is not present within 15 minutes after the time appointed for the general meeting, or requests that he or she not chair that meeting, the voting members in good standing that are present may choose one of their number to chair that general meeting.

4.7 If a person presiding as chair of a general meeting wants to step down as chair for all or part of that meeting, he or she may designate an alternate to chair such meeting or portion thereof, and upon such designated alternate receiving the consent of a majority of the members present at such meeting, he or she may preside as chair.

4.8 A general meeting may be adjourned from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

4.9 It is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting except where a meeting is adjourned for more than 14 days, in which case notice of the adjourned meeting shall be given as in the case of the original meeting.

4.10 Any issue at a general meeting which is not required by these bylaws or the *Societies Act* to be decided by a special resolution shall be decided by an ordinary resolution.

4.11 A voting member in good standing is entitled to one vote.

4.12 A corporation, association or society which is a member may vote by its duly authorized representative who is entitled to speak and vote and in all other respects exercise the rights of a member and that representative shall be reckoned as a member for all purposes in connection with any meeting of the Foundation. The chairman of a meeting shall be entitled to require any such representative to first produce a certified copy of a resolution of the board of directors or other governing body of the corporation appointing him as its representative.

4.13 A member that is chairing a general meeting may vote but, if he or she does so and the result is a tie, shall not be permitted to vote again to break the tie and the resolution being voted on shall be deemed to have failed.

4.14 Voting shall be by show of hands or voice vote recorded by the secretary of the meeting, unless proxy votes are to be recorded or if any two voting members in good standing present at the meeting make a request for a secret vote, a secret vote by written ballot shall be required.

4.15 Voting by proxy is permitted provided that the proxy has previously been appointed in writing by the member appointing the proxy and the proxy has the written appointment at the meeting. However, a permanent proxy or a proxy entitling a person or member to vote at other than one meeting and any adjournment of that meeting is void. In the case of written proxy votes on specific issues such written proxy votes are also to be counted and added to the total of voices by hand or voice.

4.16 No resolution proposed at a general meeting need be seconded and the person chairing such a meeting may move or propose a resolution.

4.17 A resolution in writing which is identified as an ordinary resolution and has been submitted to all the members and signed by a minimum of 2/3 of the members who would have been entitled to vote on it in person or by proxy at a general meeting of the Foundation is as valid and effectual as an ordinary resolution as if it had been passed at a meeting of members duly called and constituted and shall be deemed to be an ordinary

resolution. Such a resolution may be in two or more counterparts which together shall be deemed to constitute one ordinary resolution in writing. Such ordinary resolution shall be filed with minutes of the proceedings of the members and shall be effective on the date stated therein or, in the absence of such a date being stated, on the latest date stated on any counterpart.

4.18 A resolution in writing which is identified as a special resolution and has been signed by all the members who would have been entitled to vote on it in person or by proxy at a general meeting of the Foundation is as valid and effectual as a special resolution as if it had been passed at a meeting of members duly called and constituted. Such a resolution may be in two or more counterparts which together shall be deemed to constitute one special resolution in writing. Such special resolution shall be filed with minutes of the proceedings of the members and shall be deemed to be passed on the date stated therein or, in the absence of such a date being stated, on the latest date stated on any counterpart.

PART 5 - DIRECTORS

5.1 The number of directors shall be three or such other number, not being less than three, as may be determined from time to time by ordinary resolution.

5.2 Every director shall subscribe to and support the purposes of the Foundation. No person shall be a director of the Foundation unless duly elected or appointed a director in accordance with these bylaws and shall cease to be a director if notice of a change in directors is not filed with the Registrar of Companies in compliance with the *Societies Act* within 60 days of such election or appointment. Any election or appointment of a director is invalid unless:

- (a) the individual, so appointed or elected, either consents in writing; or
- (b) is present at the meeting at which he or she is appointed or elected and consents verbally.

5.3 The persons whose names are listed as directors with the Registrar on the date these bylaws were filed with the Registrar will serve as directors until such time as the terms for which they were elected or appointed for expire.

5.4 Elected directors may be elected by the members at a general meeting and take office commencing at the close of such meeting.

5.5 The term of office of elected directors shall normally be three (3) years. However, the members may determine that some or all elected directors may serve without specific term or may have a term other than three (3) years to be determined by the members in their discretion. For purposes of calculating the duration of an elected director's term of office, the term shall be deemed to commence at the close of the annual general meeting in which such director was elected. If the director was elected at an extraordinary general meeting, for purposes of calculating the term of office only, such term shall be deemed to have commenced at the close of the annual general meeting next following such extraordinary general meeting.

5.6 In elections where there are more candidates than vacant positions for directors, election shall be by secret ballot with the name of each duly nominated candidate appearing individually on the ballot. Candidates shall be deemed to be elected in order of those candidates receiving the most votes.

5.7 No member shall vote for more directors than the number of vacant positions for elected directors. Any ballot on which more names are voted for than there are vacant positions shall be deemed to be void.

5.8 The members may from time to time, by ordinary resolution, appoint additional directors to be known as appointed directors, and such ordinary resolution shall set out the term of office and may set out criteria to be met in order for the appointed director to serve.

5.9 Elected or appointed directors may serve repeated consecutive terms.

5.10 A person need not be a member of the Foundation in order to serve as a director of the Foundation.

5.11 Every director shall retire from office at the close of the annual general meeting in the year in which his or her term expires.

5.12 The members may by ordinary resolution remove a director before the expiration of such director's term of office and may elect or appoint a person as a replacement director and determine the term of such replacement director.

5.13 If a director ceases to hold office during his or her term for any reason, other than removal as aforesaid, the Board may appoint a person as a replacement director to take the place of such director until the next annual general meeting.

5.14 No act or proceeding of the Board is invalid by reason only of there being less than the prescribed number of directors in office.

5.15 A person shall immediately cease to be a director of the Foundation:

- (a) upon delivering his or her resignation in writing to the Secretary of the Foundation or to the address of the Foundation;
- (b) upon his or her death;
- (c) upon the expiration of the term currently determined stipulating the length of time for which he or she is to serve as a director;
- (d) upon ceasing to meet the criteria attached to his or her appointment; or
- (e) upon being removed as a director by the members.

5.16 If no successor is elected or appointed to replace the person who otherwise would cease to be a director and the result is that the number of directors would fall below three, the person previously elected or appointed as director continues to hold office until such time as a successor director is elected or appointed.

5.17 A director may be reasonably remunerated for services rendered in his or her capacity as a director as determined by a Board resolution and a director may be reimbursed for all expenses necessarily and reasonably incurred by him or her while engaged on the affairs of the Foundation. A director may also receive compensation for services provided to the Foundation in another capacity. Provided, however, that a majority of the directors must not receive or be entitled to receive compensation from the society for services provided to the Foundation in another capacity.

5.18 As required by Section 56 of the *Societies Act*, a director who has a direct or indirect material interest in a contract or transaction, or a proposed contract or transaction, of the Foundation, or a matter that is or is to be the subject of consideration by the directors, if that interest could result in the creation of a duty or interest that materially conflicts with that Director's duty or interest as a director of the Foundation, shall

- (a) disclose fully and promptly to the other directors the nature and extent of the director's interest,
- (b) abstain from voting on a Board resolution or consenting to a consent resolution of directors in respect of the contract, transaction or matter,
- (c) leave any meeting of the Board when
 - (i) the contract, transaction or matter is discussed, unless asked by the other directors to be present to provide information, or
 - (ii) the other directors vote on the contract, transaction or matter; and
- (d) refrain from any action intended to influence the discussion or vote.

A disclosure under (a) must be evidenced in at least one of either the minutes of a meeting of directors, a consent resolution of directors, or a record addressed to the directors that is delivered to the delivery address, or mailed by registered mail to the mailing address, of the registered office of the Foundation.

PART 6 - PROCEEDINGS OF THE BOARD

6.1 A meeting of the Board may be held at any time and place determined by the Board, provided that 1 days' notice of such meeting shall be sent in writing to each director. However, no written notice shall be necessary if all directors were present at the preceding meeting when the time and place of the meeting were determined or are present at the meeting or waive notice thereof in writing or give a prior verbal waiver to the Secretary of the Foundation.

6.2 For the purposes of the first meeting of the Board held immediately following the appointment or election of a director or directors at a general meeting, or for the purposes of a meeting of the Board at which a director is appointed to fill a vacancy in the Board, it is not necessary to give notice of the meeting to the newly elected or appointed director or directors for the meeting to be properly constituted.

6.3 The President may at any time, and the Secretary, on the request of any two directors shall, convene a meeting of the Board.

6.4 The Board may from time to time fix the quorum necessary to transact business, and unless so fixed the quorum shall be one-third of the directors in office at the time when the meeting convenes; but in no instance may the number necessary for a quorum be less than two.

6.5 The President shall chair all meetings of the Board; but if at any meeting the President is not present within 15 minutes after the time appointed for the meeting, or the President requests that he or she not chair that meeting, the directors present may choose one of their number to chair that meeting.

6.6 If the person presiding as chair of a meeting of the Board wants to step down as chair for all or part of that meeting, he or she may designate an alternate to chair such meeting or portion thereof, and upon such designated alternate receiving the consent of a majority of the directors present at such meeting, he or she may preside as chair.

6.7 No resolution proposed at a meeting of the Board must be seconded. The person chairing a meeting may move or propose a resolution.

6.8 Any issue at a meeting of the Board which is not required by these bylaws or the *Societies Act* to be decided by a resolution requiring more than a simple majority shall be decided by a Board resolution.

6.9 A director chairing a meeting may vote but, if he or she does so and the result is a tie, he or she shall not be permitted to vote again to break the tie and the resolution being voted on shall be deemed to have failed.

6.10 Voting shall be by show of hands or voice vote recorded by the secretary of the meeting except that, at the request of any one director, a secret vote by written ballot shall be required.

6.11 A consent resolution of directors is as valid and effectual as if it had been passed at a meeting of the Board duly called and constituted. Such consent resolution of directors may be in two or more counterparts which together shall be deemed to constitute one resolution in writing. Such resolution shall be filed with minutes of the proceedings of the Board and shall be effective on the date stated therein or, in the absence of such a date being stated, on the latest date stated on any counterpart.

6.12 A director who contemplates being or is temporarily absent from Canada may, by post or electronic means such as facsimile or email, send or deliver to the address of the Foundation a waiver of notice of any meeting of the Board for a period not longer than one year and may, at any time, withdraw the waiver in like manner. Until the waiver is withdrawn:

- (a) no notice of meetings of the Board need be sent to that director; and
- (b) any and all meetings of the Board, notice of which has not been given to that director shall, if a quorum is present, be valid and effective.

PART 7 - PATRONS

7.1 The Board may appoint prominent persons and office holders to be Patrons of the Foundation.

7.2 The function and number of Patrons and the terms of each appointment shall be determined by the Board. Patrons shall not have the legal powers to direct the acts and operations of the Foundation and will not be acting in the capacity of directors of the Foundation.

PART 8 - ADVISORY COUNCIL

8.1 The Board may constitute an Advisory Council to provide advice and counsel to the Board on broad issues of policy and profile and may appoint worthy persons to it and determine the terms of each appointment.

8.2 The Board shall determine the size, composition and specific functions of the Advisory Council.

8.3 The Advisory Council shall not have the legal powers to direct the acts and operations of the Foundation and its members will not be acting in the capacity of directors of the Foundation.

8.4 The Advisory Council may hold meetings at such time and place as is determined by the Board and shall conform to any rules that may from time to time be imposed on it by the Board.

PART 9 - COMMITTEES

9.1 The Board may create such standing and special committees as may from time to time be required which may be in whole or in part composed of directors as the Board thinks fit. The Board may delegate any, but not all, of its power to such committees and any such committee shall limit its activities to the purpose or purposes for which it is appointed, and shall have no powers except those specifically conferred by the Board. Unless specifically designated as a standing committee, any special committee so created must be created for a specified time period only. Upon completion of the earlier of the specified time period or the task for which it was appointed, a special committee shall automatically be dissolved.

9.2 A committee, in the exercise of the powers delegated to it, shall conform to any rules that may from time to time be imposed by the Board, and shall report every act or thing done in exercise of those powers at the next meeting of the Board held after it has been done, or at such other time or times as the Board directs.

9.3 The members of a committee may meet and adjourn as they think proper and meetings of committees shall be governed, with the necessary alterations, by the rules set out in these bylaws governing proceedings of the Board.

PART 10 - DUTIES OF OFFICERS

10.1 At the first meeting of the Board held after an annual general meeting, the Board shall elect from among the directors a President who shall hold office until the first meeting of the Board held after the next following annual general meeting. The President shall be responsible for chairing general meetings of the Board.

10.2 At the first meeting of the Board held after an annual general meeting the Board may appoint a Secretary and Treasurer who do not need to be directors and determine the duties, responsibilities, term and remuneration, if any, of the Secretary and Treasurer.

10.3 The Secretary shall be responsible for making the necessary arrangements for:

- (a) the issuance of notices of meetings of the Board and Advisory Council;
- (b) the keeping of minutes of all meetings of the Board and Advisory Council;
- (c) the custody of all records and documents of the Foundation except those required to be kept by the Treasurer or the Members' Moderator;
- (d) the custody of the common seal of the Foundation;
- (e) the maintenance of the register of directors; and
- (f) the conduct of the correspondence of the Foundation.

10.4 The Treasurer shall be responsible for making the necessary arrangements for:

- (a) the keeping of such financial records, including books of account, as are necessary to comply with the *Societies Act*; and
- (b) the custody and control of the assets of the Foundation, including the implementation of the instructions of the Board as to the investment of the assets of the Foundation and the Foundation's banking transactions; and

- (c) the rendering of financial statements to the directors, members and others when required.
- 10.5 A person may be removed as an officer by a Board resolution or consent resolution of directors.
- 10.6 Should the President or any other officer for any reason not be able to complete his or her term, the Board shall elect or appoint a replacement without delay.
- 10.7 If the Secretary is absent from any meeting of the Board, the directors present shall appoint another person to act as secretary at that meeting.
- 10.8 A person may be appointed to two or more of the offices of the Foundation at any one time.
- 10.9 The Board may appoint and remove such other officers as it deems necessary and determine the duties, responsibilities, title, term and remuneration, if any, of all officers.

PART 11 - CHIEF EXECUTIVE OFFICER

- 11.1 The Board may select and appoint a chief executive officer of the Foundation, determine his or her title and set the terms of his or her duties, responsibilities and employment.

PART 12 - MANAGEMENT OF THE FOUNDATION

- 12.1 The property and the affairs of the Foundation shall be managed by the Board.
- 12.2 The Board may exercise all such powers and do all such acts and things as the Foundation may exercise and do, and which are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the members in general meeting, but subject, nevertheless, to the provisions of:
 - (a) the *Societies Act*;
 - (b) these bylaws; and
 - (c) rules, not being inconsistent with these bylaws, which are made from time to time by the Foundation in general meeting.
- 12.3 No rule made by the Foundation in general meeting invalidates a prior act of the Board that would have been valid if that rule had not been made.
- 12.4 The Board may from time to time on behalf of and in the name of the Foundation:
 - (a) raise and borrow money in such manner and amounts, on such security, or without security, from such sources and upon such terms and conditions as they think fit;
 - (b) guarantee the repayment of money by any other person or corporation or the performance of any obligation of any other person or corporation; and
 - (c) incur, or secure the payment or repayment of or the performance of, any indebtedness or obligation in such manner and upon such terms and conditions in all respects as the Board thinks fit, and, without limiting the generality of the foregoing, by the issue of bonds, notes, income bond, perpetual or redeemable debentures or any mortgage, charge or other security whether specific or floating, on the undertaking or on the whole or any part of the property and

assets (both present and future) of the Foundation or indebtedness or other obligation of the Foundation, provided, however, that no debenture shall be issued by the Foundation without first being authorized by special resolution.

12.5 The Board on behalf of the Foundation may acquire, accept, solicit and receive, by purchase, lease, contract, donation, legacy, gift, grant, devise, bequest or otherwise, any kind of real or personal property, including without limitation shares in and securities of other corporations, licences, royalties, inventions, patents of invention, patent rights, copyrights, trademarks, formulae, processes, know-how and other industrial property and similar rights of all kinds; hold, use, control, manage, develop, sell, let, lease, license and otherwise deal with and dispose of, or hold as a trustee, all or any such property; and enter into, conduct and carry on agreements, trusts, contracts and undertakings in connection therewith or incidental thereto for the further attainment of the Foundation's purposes.

12.6 The Board shall take such steps as it deems necessary to enable the Foundation to receive donations, bequests, funds, property, trusts, contracts, agreements and benefits ("collectively referred to herein as "assets") for the purpose of furthering the purposes of the Foundation. The Board may accept an asset which has a liability attached to it. The Board may postpone conversion and retain any assets in the form donated to the Foundation notwithstanding that such assets are not income producing and any asset so retained shall be an authorized investment for all purposes of the Foundation and a director shall not be liable for any loss resulting from such postponement and retention. The Board in its sole and absolute discretion may refuse to accept any donation, bequest, trust, loan, contract or property.

12.7 The Foundation may invest and deal with the monies and assets of the Foundation not immediately required by the Foundation both inside and outside of Canada in such manner as the Board may from time to time determine. In investing the funds of the Foundation, the Board shall not be limited to securities and investments in which trustees are authorized by law to invest, but may make any investments which in its opinion are prudent. In determining whether an investment is prudent, the Board may consider the extent to which an investment furthers purposes and funding of the Foundation in addition to issues of pure economic return. Subject to the provisions of the *Societies Act*, a director shall not be liable for any loss which may result from any such investment.

12.8 The Board may invest in real and personal property, shares, bonds, debentures and other securities including mutual or other pooled investment funds and evidences of indebtedness and obligations issued or guaranteed by any individual or entity (regardless of any relationship which might exist between the individual or entity and the Foundation) and in evidences of any interest in respect of any such real and personal property, share, bonds, debentures and other securities and evidence of indebtedness and obligations and the Board may invest and lend money at interest on the security of real or personal property or without security and may change or alter any investments, and while the Foundation is the holder or owner thereof the Board may, on behalf of the Foundation, exercise all rights, powers and privileges of ownership, including all voting rights, if any, with respect thereto. The Board shall be authorized to invest in "non-qualified investments" and "non-qualifying securities" as defined in the *Income Tax Act*.

12.9 The Foundation shall have the power to make expenditures and loans whether or not secured or interest bearing for the purpose of furthering the purposes of the Foundation. The Foundation shall also have the power to enter into trust arrangements or contracts for the purpose of discharging obligations or conditions either imposed by a person donating, bequeathing, advancing or lending funds or property to the Foundation, or assumed by the Foundation in expectation of such donations, bequests, advances or loans. Such arrangements or contracts shall be in accordance with the terms and conditions that the Board may prescribe.

12.10 In order to carry out the purposes of the Foundation the Board may, on behalf of and in the name of the Foundation, raise or secure the payment or repayment of money in any manner it decides including the granting of guarantees, and in particular, but without limiting the foregoing, by the issue of debentures.

12.11 The Board shall be entitled, in its discretion, to hold and deposit the funds and other assets of the Foundation in one or more accounts, whether co-mingled with other funds and assets or not, in such manner as the Board in its discretion may determine from time to time.

12.12 The Board shall be entitled to retain, rely on the advice of and delegate powers and discretions to lawyers, accountants, financial advisors, investment advisors, agents and similar persons as they determine may be helpful to assist them in performing their duties and, without limitation, may delegate to an investment advisor any and all discretionary investment powers and in doing so shall not be liable.

12.13 The members may restrict the borrowing powers of the Board.

PART 13 - EXECUTION OF DOCUMENTS

13.1 The Board may provide a corporate seal for the Foundation, and shall provide for the custody of the seal with the Secretary or for a temporary period, when authorized by a Board resolution or consent resolution of directors, with such other person as determined by the Board. The Board shall also have power from time to time to destroy a seal and substitute a new seal in its place.

13.2 The seal of the Foundation shall be affixed only when authorized by the Board, and then only in the presence of the person or persons prescribed by the Board, or, if no person or persons are prescribed, in the presence of any two directors.

13.3 Contracts, documents or any instruments in writing requiring the signature of the Foundation shall normally be signed by two officers or directors of the Foundation or such other number of officers or directors as may be determined from time to time by Board resolution or consent resolution of directors. Further, the Board may from time to time by Board resolution or consent resolution of directors appoint a person or persons, any of whom may not be a director or officer, to sign specific contracts, documents and instruments in writing.

PART 14 - AUDITOR

14.1 This Part applies only where the Foundation is required or has resolved to have an auditor.

14.2 The first auditor shall be appointed by the Board which shall also fill any vacancy occurring in the office of auditor.

14.3 At each annual general meeting, the Foundation shall appoint an auditor to hold office until he or she is re-appointed or his or her successor is appointed at the next following annual general meeting.

14.4 An auditor may be removed by ordinary resolution.

14.5 An auditor shall be promptly informed in writing of his appointment or removal.

14.6 The auditor may attend general meetings.

PART 15 - NOTICES

15.1 Notice of a general meeting shall be given at least 7 days and not more than 60 days in advance, to every person shown on the register of members as a member on the day the notice is given. No other person is entitled to be given notice of a general meeting. Notwithstanding the foregoing and pursuant to Section 79 of the *Societies Act*, a member of a society may, in any manner, waive the member's entitlement to

notice of a general meeting or may agree to reduce the period of that notice. Attendance at a general meeting is a waiver of the member's entitlement to notice of the meeting unless the member attends the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called.

15.2 Any notice required to be given may be given to a member, a director or a member of a committee either by delivery, electronic means such as facsimile or email, or by first class mail posted to such person's or representative organization's registered address.

15.3 A notice sent by mail shall be deemed to have been given on the third day following that on which the notice was posted. In proving that notice has been given it is sufficient to prove the notice was properly addressed and put in a post office receptacle with adequate postage affixed, provided that if there shall be, between the time of mailing and the deemed receipt of the notice, a mail strike or other labour dispute which might reasonably be expected to delay the delivery of such notice by the mails, then such notice shall only be effective when actually received. Any notice delivered by hand or sent by electronic means such as facsimile or email shall be deemed to have been given on the day it was so delivered or sent.

15.4 If a number of days notice or a notice extending over any other period is required to be given, the day the notice is given or deemed to have been given shall not, but the day on which the event for which notice is given shall, be counted in the number of days required.

PART 16 - MISCELLANEOUS

16.1 The members shall from time to time determine to what extent and at what times and places and under what conditions or regulations the documents, including the books of account, of the Foundation and minutes of meetings of the Board and Advisory Council shall be open to the inspection of members of the Foundation not being directors. In the absence of such determination by the members, the documents, including the books of account, of the Foundation shall not be open to inspection of any member of the Foundation not being a director. No person, other than a member or a director, shall inspect any records of the Foundation, including those required to be kept under Section 20 of the *Societies Act*, unless required to do so by law.

16.2 Any meeting of the Foundation, Board, Advisory Council or any committee or group may also be held, or any members, directors or committee member may participate in any meeting of the Foundation, Board, Advisory Council or any committee in which he or she is entitled to participate, by conference call or similar communication equipment or device so long as all the directors, council or committee members or other persons participating in the meeting can hear and respond to one another. All such members, directors, council or committee members or other persons so participating in any such meeting shall be deemed to be present in person at the stated location of such meeting and shall be entitled to vote by a voice vote recorded by the secretary of such meeting.

16.3 The rules governing when notice is deemed to have been given set out in these bylaws shall apply with the necessary changes to determine when a consent resolution of directors shall be deemed to have been submitted to all of the directors and when a written ordinary resolution shall be deemed to have been submitted to all of the members.

16.4 The Foundation shall have the right to subscribe to, become a member of and cooperate with any other society, corporation, foundation or association whose purposes or objectives are in whole or in part similar to the Foundation's purposes.

16.5 The Foundation may establish and maintain one or more branch societies with the powers, not exceeding the powers of the Foundation that the Foundation confers.

PART 17 - INDEMNIFICATION

17.1 Subject to the provisions of the *Societies Act*, each director or officer of the Foundation shall be indemnified by the Foundation against expenses reasonably incurred by him or her in connection with any action, suit or proceeding to which he or she may be made a party by reason of his or her being or having been an officer or director of the Foundation, except in relation to matters as to which he or she shall be finally adjudged in such action, suit or proceeding to have been derelict in the performance of his or her duty as an officer or director. "Derelict" shall mean grossly negligent, criminally negligent or intentionally engaged in tortious conduct with the intent to defraud, deceive, misrepresent or take advantage improperly of an opportunity available to the Foundation.

17.2 Subject to the provisions of the *Societies Act*, the Board is authorized from time to time to give indemnities to any director or other person who has undertaken or is about to undertake any liability on behalf of the Foundation or any society or corporation controlled by it, and to secure such director or other person against loss by mortgage and charge on the whole or any part of the real and personal property of the Foundation by way of security, and any action from time to time taken by the directors under this paragraph shall not require approval or confirmation by the members.

17.3 The Board in its discretion may submit any contract, act or transaction for approval, ratification or confirmation at any annual general meeting or at any extraordinary general meeting of the members called for the purpose of considering the same and any contract, act or transaction that may be approved, ratified or confirmed by a resolution passed by a majority of the votes cast at any such meeting (unless any different or additional requirement is imposed by the *Societies Act* or these bylaws) shall be as valid and as binding upon the Foundation and upon all the members as though it had been approved, ratified and confirmed by every member of the Foundation.

17.4 Subject to the provisions of the *Societies Act*, no director or officer for the time being of the Foundation shall be liable for the acts, neglects or defaults of any other director or officer of the Foundation or for joining in any receipt or act for conformity or for any loss, damage or expense happening to the Foundation through the insufficiency or deficiency of title to any property acquired by order of the directors for or on behalf of the Foundation, or for the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Foundation shall be placed out or invested, or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or corporation with whom or which any funds or property of the Foundation shall be lodged or deposited, or for any other loss, damage or misfortune whatsoever which may happen in the execution of the duties of his or her respective office or trust or in relation thereto, unless all or any of the same shall happen by or through the wilful act, default or neglect of such director or officer.

17.5 The Foundation shall, to the full extent permitted by the *Societies Act*, indemnify and hold harmless, every person heretofore, now or hereafter serving as a director or officer of the Foundation and his or her heirs and legal representatives.

17.6 Expenses incurred with respect to any claim, action, suit or proceeding may be advanced by the Foundation prior to the final disposition thereof in the discretion of the Board and upon receipt of an undertaking satisfactory in form and amount to the Board by or on behalf of the recipient to repay such amount unless it is ultimately determined that he or she is entitled to indemnification hereunder.

17.7 The Foundation shall apply to the Court for any approval of the Court which may be required to make the indemnities herein effective and enforceable. Each director and officer of the Foundation on being elected or appointed shall be deemed to have contracted with the Foundation upon the terms of the foregoing indemnities. Such indemnities shall continue in effect with regard to actions arising out of the term each director or officer held such office notwithstanding that he or she no longer continues to hold such office.

17.8 The failure of a director or officer of the Foundation to comply with the provisions of the *Societies Act* or of the constitution or these bylaws shall not invalidate any indemnity to which he or she is entitled under this Part.

17.9 The Foundation may purchase and maintain insurance for the benefit of any or all directors or officers against personal liability incurred by any such person as a director or officer.

PART 18 – CLAUSES TRANSFERRED FROM THE CONSTITUTION

18.1 The activities of the Foundation shall be carried on without purpose of gain for its members and any income, profits or other accretions to the Foundation shall be used in promoting the purposes of the Foundation. This provision was previously unalterable.

18.2 Upon the winding-up or dissolution of the Foundation, the funds and property remaining after the payment of all costs, charges and expenses properly incurred in the winding-up or dissolution, including the remuneration of a liquidator, and after payment to employees of the Foundation of any arrears of salaries or wages, and after payment of any debts of the Foundation, shall be distributed to The Board of Education of School District No. 61 (Greater Victoria) provided that it is at that time a "qualified donee" allowed under the Income Tax Act. If that shall not be possible, then any funds and property remaining shall be distributed to such charities, registered under the provisions of the Income Tax Act, or such "qualified donees" allowed under the Income Tax Act, as shall be designated by the Board. Any of such funds or property remaining which had originally been received for specific purposes shall, wherever possible, be distributed to "qualified donees" or charities registered under the provisions of the Income Tax Act carrying on work of a similar nature to such specific purposes. This provision was previously unalterable.

PART 19 - BYLAWS

19.1 On being admitted to membership, each member is entitled to and upon request, the Foundation shall provide him or her with a copy of the constitution and bylaws of the Foundation.

19.2 These bylaws shall not be altered or added to except by special resolution.

TO: Operations Policy and Planning Committee

FROM: Ted Pennell, Director of Information Technology

RE: Policy and Regulations 1300 – Acceptable Use of Digital Technology

DATE: April 16, 2018

Background

The current “Acceptable Use” Policy and Regulations are out of date and require updating to reflect changes within the scope of digital technology.

- Policy 1300 – Acceptable Use of Technology and Networked Information
- Regulation 4216.2 - Employee Acceptable Use of Electronic Communications Systems in Schools
- Regulation 5131.9 – Student Acceptable Use of Electronic Communications Systems in Schools

Revisions

Policy 1300 and Regulation 4216.2 and Regulation 5131.9 have been revised to reflect current practice with digital technology and renumbered so that the regulations correspond with the revised Policy 1300.

- Policy 1300 has been revised.
- Regulation 4216.2 has been revised and renumbered to Regulation 1300.2.
- Regulation 5131.9 has been revised and renumbered to Regulation 1300.3.
- The policy and regulations were formatted in to the new format.
- A definitions section has been added to Policy 1300 for clarity and removed from each regulation in order to support better alignment to Policy 1300.
- The attachment for Regulation 5131.9 – 5131.9(a) will be deleted and incorporated in to a Digital Citizenship Policy component within school’s codes of conduct.
- Because of the rapid changes within technology, an annual review of the regulations is recommended.

Timeline of Events

- December 11, 2017 - Draft revised “Acceptable Use” policy and regulations were presented to the Trustees at the December OPPs meeting for review and comments with the expectation to incorporate their feedback and bring the revised policy documents back to the February OPPs meeting.
 - The Committee requested that the District use that time to gather feedback from District stakeholders.
- December 21, 2017 - Draft documents were shared with stakeholders
- January 24, 2018 - Stakeholder feedback was completed
- April 16, 2018 – Present draft documents to the Board of Education at OPPs meeting

Supporting Documents

- i. Proposed Changes to Policy 1300 and Regulations 1300.2 and 1300.3
- ii. Current Policy 1300 and Regulations 4216.2 and 5131.9 & 5131.9(a)

Recommended motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve Policy 1300 *Acceptable Use of Digital Technology* as revised and receive the revised Regulation 1300.2 (renumbered from Regulation 4216.2) *Employee Acceptable Use of Digital Technology*, revised Regulation 1300.3 (renumbered from Regulation 5131.9) *Student Acceptable Use of Digital Technology* and deleted Regulation 5131.9(a) *Student Acceptable Use of Electronic Communications Systems in Schools Attachment* as reviewed.

POLICY 1300

ACCEPTABLE USE OF DIGITAL TECHNOLOGY

Adopted:
Frequency of Review: Annual

1.0 RATIONALE

- 1.1 The Board of Education recognizes that digital technology is an integral part of the educational curriculum, bringing value to support student achievement, business excellence and staff development. Through software applications, cloud-based solutions and electronic mail, the District Technology Resources significantly enhances educational experiences and supports communications, along with learning opportunities for staff and students while also providing schools with rich online resources.

Access to the digital network, however, is also associated with hazards that may not be considered appropriate in the context of students or a Board of Education setting. As a means of encouraging responsible and ethical use of digital technology, while filtering digital content, monitoring activity and protecting the personal information of students and staff, the Board of Education has established standards and guidelines for all users.

2.0 DEFINITIONS

- 2.1 ***BYOD (Bring Your Own Device)*** refers to the practice of enabling students and staff to bring personally owned devices (such as laptops, tablets and smart-phones) to school, for the sole purpose of educational use.
- 2.2 ***Data*** include, but are not limited to, student records, employee records, confidential, personal, or professional information and communications, or any other electronically stored information that passes through or is stored electronically on District Technology Resources.
- 2.3 ***Digital Learning and Collaboration Tools*** facilitate the storage and sharing of content and are accessed using technology devices, usually through an internet connection.

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2.4 ***District Technology Resources*** include:

- 2.4.1 Access to the District's wired and wireless network from any location, such as schools, workplaces, home or other offsite locations,
- 2.4.2 Board of Education-provisioned hardware, such as desktop computers, laptop computers, tablets and printers (and including removable and/or external storage devices),
- 2.4.3 Access to the Board of Education's technology support services, and
- 2.4.4 Board of Education-provisioned software and applications, including cloud-based resources

2.5 ***Personally Owned Technology*** is any device that is not provided by the Board of Education, including (but not limited to) personal computers, smart phones and tablets.

2.6 ***Personal Information*** of students and staff is protected under the *Freedom of Information and Protection of Privacy Act*. The Board of Education is bound, under its obligation to this Act, to carefully manage all personal information within its custody and control how it is collected, used and released. This includes restrictions on the release of personal information without permission.

2.7 ***Users*** include (but are not limited to) students, parents, guardians, staff members, volunteers, guests, Parent Advisory Committee members, Board of Education members given authorized access to District Technology Resources, regardless of whether access is onsite or offsite.

2.8 ***Spamming*** is the action of sending irrelevant or unsolicited bulk messages indiscriminately to a large number of recipients through electronic messaging systems like e-mails and other digital delivery systems.

3.0 POLICY

- 3.1 This policy and all related procedures apply to all users who access District Technology Resources, including use of personally-owned devices.
- 3.2 Users are subject to the expectations of use and standards of behavior set out in the accompanying regulation and operational procedures, and any other applicable law, related policies and procedures (at all times) when accessing District Technology Resources for any purpose.
- 3.3 District Technology Resources are intended for educational, instructional or business-related use, to facilitate the goals and objectives of the Board of Education.
- 3.4 Engaging in personal use is a choice users make that may involve the sacrifice of personal information. The Board of Education cannot guarantee that personal information is secure while using District Technology Resources.
- 3.5 Users shall take all reasonable precautions to prevent a breach of privacy by ensuring that data, as defined by this policy, is secure and safe. In addition, users shall not knowingly commit a breach of privacy and will only use data for the purposes intended in 3.3.
- 3.6 The Board of Education owns all District Technology Resources and may access data and information that users create, store, send, or receive when using District Technology Resources, in accordance with the accompanying procedure.
- 3.7 The Board of Education is not responsible for:
 - 3.7.1 anything accessed by the user through District Technology Resources that is not created, published or authored by the Board of Education;
 - 3.7.2 any claims, losses, damages, costs, or other obligations arising from the use of District Technology Resource (whether or not accessed by a personal owned device), including, but not limited to, the loss or damage of user information or personal devices;

- 3.7.3 any additional charges borne by the user to their personal device, or any unauthorized charges borne by the user on a Board of Education-issued device, when using or attempting to use District Technology Resources.

- 3.8 Users who do not comply with this policy and accompanying procedures will be subject to the appropriate disciplinary actions.

4.0 RESPONSIBILITIES

- 4.1 **District Administration** is responsible for:

- 4.1.1 Implementing and operationalizing the Acceptable Use of Digital Technology Policy.
- 4.1.2 Supporting and providing direction to users about the policy application.
- 4.1.3 Keeping the expectations of use and standards of behavior updated in regulations and operational procedures, and informing users of any changes.

- 4.2 **Teachers and Educational Assistants** are responsible for:

- 4.2.1 The overall management of student use of computing and information technology facilities and resources within their areas of responsibility.

- 4.3 **All Users of District Technology Resources and/or Technology Services** are responsible for:

- 4.3.1 Ensuring that District Technology Resources are only accessed by those to whom the technology resource is assigned;
- 4.3.2 Ensuring that any use of personal and Board of Education-provisioned devices that access District resources are password-protected to restrict unauthorized access to these devices;

- 4.3.3 Using District Technology Resources in an appropriate, responsible and ethical manner, consistent within the professional, educational, and informational contexts for which they are provided;
- 4.3.4 Refraining from using technology in a malicious manner or with intent to bring harm to District Technology Resources;
- 4.3.5 Complying with the *Freedom of Information and Protection of Privacy Act*, as it relates to the management of personal and private information;
- 4.3.6 Modeling the appropriate use of technology;
- 4.3.7 Ensuring that inappropriate and irresponsible use of technology is immediately reported to their supervisors or for students, an appropriate adult.

5.0 REFERENCES

- 5.1 BC Ministry of Education *School Act*, sections 6(1)(2), 7(1), 10, 16, 95(3)
- 5.2 *Freedom of Information and Protection of Privacy Act*, sections 22(1), 22(2), 30, 32
- 5.3 Criminal Code, sec. 184, 430(1), 430(5)
- 5.4 BC Human Rights Code, sec 7
- 5.5 *Copyright Act*, sec. 3
- 5.6 BC Ministry of Education: Safe, Caring and Orderly Schools
- 5.7 Policy 5140.1 – Child Abuse
- 5.8 Policy 5131.0– Personal Safety and Security in the Greater Victoria School District
- 5.9 Individual SD61 School Codes of Conduct



*The Greater Victoria School District is committed to
each student's success in learning within
a responsive and safe environment.*

POLICY 1300

ACCEPTABLE USE OF DISTRICT TECHNOLOGY AND NETWORKED INFORMATION

The computing and telecommunication facilities and services provided by the Greater Victoria School Board is intended for teaching, learning and administrative purposes. As such School District computing and telecommunication resources are used to enhance educational programs and to conduct School District business.

It is the intent of the Greater Victoria School Board that:

1. Each student, employee and other person having access to any School District computing resource is required to use such resources in a legal, ethical, responsible and professional manner
2. The publication and posting of information on any School District network or the World Wide Web is to be in accordance with ethical and legal standards and those derived directly from standards of common sense and courtesy that apply to the use of any public resource.
3. Access to District computing and telecommunication resources is a privilege, not a right.
4. Access to District computing and telecommunication resources may be withdrawn if employees or students do not comply with the Board policy governing the acceptable use of District technology and networked information.

Greater Victoria School District

Adopted: June 26, 2000

Modification to this document is not permitted without prior written consent from the Greater Victoria School District.

REGULATION 1300.2

EMPLOYEE ACCEPTABLE USE OF DIGITAL TECHNOLOGY

1. RATIONALE

In connecting employees to a variety of electronic resources, including access to the Internet and connections with other users, the Board of Education recognizes the importance of providing clear guidelines surrounding digital technology usage.

The Board of Education's technology tools, systems and networks are intended for educational purposes, as well as for business and administrative functions directly in support of the Board of Education's operation. The Board of Education will ensure that employees and other users are aware of the guidelines and expectations related to technology, as stated below.

2. RESPONSIBILITIES

2.1 The Director of Information Technology will:

2.1.1 Establish and maintain sustainable service offerings which include:

- Hardware, software and configuration standards,
- Operational strategies for hardware and software (ie computer installation, user accounts administration and virus protection strategies).

2.1.2 Provide access to District Technology Resources (websites, e-mail, etc.) to users outside of the Board of Education.

2.1.3 Monitor activity on the District Technology Resources and follow established processes and procedures when necessary, to protect the integrity of the network. Actions may include revoking individual privileges or entire site privileges where it is deemed that temporary exclusion from the network is necessary to maintain the health of the network.

- 2.1.4 Adhere to the *Freedom of Information and Protection of Privacy Act*.
- 2.1.5 Provide resources and training to help govern the appropriate use of District Technology Resources.
- 2.1.6 Ensure that parents/ guardians are aware of the individual student's responsibility to use District Technology Resources in an ethical and educational manner.
- 2.1.7 Take measures to prevent objectionable and illegal access of information. Internet access carries with it the potential to encounter information that is inappropriate for students. The Board of Education reserves the right to block any external material or content accessed through District Technology Resources.
- 2.1.8 Endeavor to provide a reliable, sustainable technology environment.
- 2.2 School/Site Administrators will:**
- 2.2.1 Ensure that current information regarding the appropriate use of technologies is made available to staff, students and parents.
- 2.2.2 Ensure adequate supervision of students using District Technology Resources through an approved process.
- 2.2.3 Ensure that school-based technology activities adhere to Board of Education policies, procedures and standards.
- 2.2.4 Approve site-based technology activities.
- 2.3 Board of Education Employees**
- It is the responsibility of every employee to:
- 2.3.1 Read, be aware of, and comply with:
- Policy 1300 – *Acceptable Use of Digital Technology*
 - Regulation 1300.2 – *Employee Acceptable Use of Digital Technology*
 - Regulation 1300.3 – *Student Acceptable Use of Digital Technology*

2.3.2 Report incidences of technology misuse to the site principal/manager.

3. ETHICAL GUIDELINES

The use of District Technology Resources is a privilege, not a right, and usage may be revoked at any time for inappropriate conduct.

3.1 All employees will:

- 3.1.1 Protect their provisioned account credentials from others and will not use other users' passwords and accounts;
- 3.1.2 Exercise good judgment and use technology for educational or Board of Education related administrative purposes;
- 3.1.3 Respect Board of Education property and be responsible for its use;
- 3.1.4 Be courteous and communicate online with the same level of respect as in face-to-face situations at all times;
- 3.1.5 Respect copyright and software licensing laws;

3.2 Employees are prohibited from:

- 3.2.1 Attempting to gain unauthorized access to Board of Education accounts, or to go beyond their authorized access;
- 3.2.2 Revealing their password to anyone;
- 3.2.3 Using inappropriate language in electronic correspondence;
- 3.2.4 Engaging in prejudicial or discriminatory activity;
- 3.2.5 Posting student work, photographs and/or video images on any website without prior written consent from the student and/or parent/guardian;
- 3.2.6 Posting student's personal information, such as class lists, marks and demographics, in a non-secure environment;

- 3.2.7 Copying or downloading copyrighted and/or intellectual property materials, such as movies, music and images;
 - 3.2.8 Posting false or defamatory information;
 - 3.2.9 Knowingly accessing illegal, harassing, obscene, pornographic, racist, libelous, threatening resources that are sexually explicit or promote physical violence;
 - 3.2.10 Using electronic mail to send obscene, anonymous, threatening, libelous, discriminatory, or inflammatory messages;
 - 3.2.11 Accessing, transmitting and/or duplicating materials, in violation of Canadian laws;
 - 3.2.12 Using District Technology Resources for commercial, political or illegal purposes;
 - 3.2.13 Vandalizing or attempting to destroy Board of Education data;
 - 3.2.14 Engaging in spamming activities using District Technology Resources.
4. SECURITY
- 4.1 Users must not download computer software or information relating to compromising District Technology Resources. This type of activity will be considered a violation of Policy 1300 – *Acceptable Use of Digital Technology*.
 - 4.2 Any user identified as a **security risk** may be denied access to District Technology Resources until further adjudication is performed.
 - 4.3 All incidences of vandalism must be reported to the School/Site Administrator. Where appropriate, the Board of Education will seek reimbursements for costs incurred.
 - 4.4 The Board of Education reserves the right to monitor all user activity of District Technology Resources.

5. DISCIPLINARY CONSEQUENCES

According to Canadian common law and provincial privacy legislation, employees are afforded certain privacy rights related to their use of District Technology Resources. However a search and investigation of any user's Board of Education issued computer account will be conducted if there is reasonable suspicion that the terms of this policy have been violated.

Allegations of unacceptable use of District Technology Resources will be addressed according to established policies and procedures. Discipline for inappropriate use may include, but is not limited to, one or more of the following:

- 5.1 Temporary or permanent revocation of access to some or all of the District Technology Resources;
- 5.2 Disciplinary action according to applicable Board of Education policies;
- 5.3 Legal action according to applicable laws and contractual agreements.

6.0 EVALUATION

Due to the dynamic nature and associated risks of digital technology, this regulation will be reviewed and revised if necessary on an annual basis.

Greater Victoria School District

Approved:

Modification to this document is not permitted without prior written consent from the Greater Victoria School District.

REGULATION 4216.2

EMPLOYEE ACCEPTABLE USE OF ELECTRONIC COMMUNICATIONS SYSTEMS IN SCHOOLS

Definitions:

“Computer resources” all computer hardware, software (including email, Internet access), and communications equipment.

“Internet” the global interconnection of data networks or bulletin board systems that commonly use (but are not limited to) the Internet Protocol.

“Offensive material” includes, but is not limited to, pornography, hate literature or any material that contravenes the *BC Human Rights Act*.

“Sensitive Information” personal, confidential or protected information whose release is unauthorized i.e. information that is reasonable likely to be excepted or excluded from access under the *Freedom of Information and Protection of Privacy Act*.

“Scheduled Hours of Work” does not include approved rest and/or meal periods.

“User” all persons authorized to access the District computer resources.

The following guidelines on the use of District electronic communication systems must be followed in accordance with the Regulation.

1. Central system or network account holders are responsible for all usage of their accounts and, therefore, must keep their passwords confidential to protect themselves, their files and the School District's files. Account holders must not distribute others user id and password or reveal others personal information.

2. School District computer resources must not be used in a manner that may annoy or harass others; for example, distributing obscene, abusive, racist, threatening, unsolicited e-mail messages, or sexually/harassing messages or material.
3. Sensitive information must not be transmitted via or exposed to Internet access without taking appropriate measures to ensure data remains confidential.
4. All electronic communication, including email, (both internal and external) are the property of the School District and are subject to provisions under the *Freedom of Information and Protection of Privacy Act*.
5. Computer resources must not be used for personal use during scheduled hours of work.
6. The use of computer resources during non-scheduled hours of work for personal reasons must be in accordance with these regulations and must not incur additional cost to the School District, whether through the consumption of computer cycles, labour costs, printers, paper, storage media or other resources.
7. Non-acceptable usage of computer resources includes activities that:
 - May lead to personal financial gain.
 - Could be interpreted as gambling.
 - Are used to conduct private business.
 - Obscure the origin of any message under an assumed computer network address.
 - Access illegal or offensive computer networks.
 - Access or distribute unlicensed software or documentation.
 - Initiate or distribute chain letters, advertising or unauthorized solicitations.
 - Have not been approved during working hours by the employee's supervisor.
 - Access electronic systems or information inappropriately or without authorization.
 - Vandalize the system or system accounts.
 - Produce product and/or service advertisement or political lobbying.
 - Utilize network-intensive resources such as network games.
 - Violate or attempt to violate, the security of the system or attempt to subvert other systems.
 - Deliberately or recklessly expose systems to computer infections.
 - Contravene any laws or regulations.

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8. Account holders must respect the rights of other users and consider the impact of their conduct on others.
9. Computer resource usage must be able to survive public scrutiny and/or disclosure. Users must avoid activities that might bring the School District into disrepute.
10. Computer resource use may be monitored without warning and inappropriate usage may be cause for cancellation of privileges and/or disciplinary action up to and including dismissal, or cancellation of contract.
11. Employees are responsible to ensure they have reviewed these Regulations prior to making use of School District computer resources.

Reference: Policy 1300

Greater Victoria School District

Approved: June 26, 2000

REGULATION 1300.3

STUDENT ACCEPTABLE USE OF DIGITAL TECHNOLOGY

1.0 RATIONALE

This regulation outlines the Board of Education's mission to reduce the risks posed by Internet usage as a starting point for promoting positive digital citizenship among students. The Board of Education's expectations for student online behavior are no different than for face-to-face interactions in school, and are governed by Board of Education regulations and government legislation. Successful, technologically savvy digital citizens live safely and civilly in an increasingly digital world, and recognize that information posted on the Internet is public, permanent and of lasting social impact.

The Board of Education will make every reasonable effort to mitigate risk associated with digital technology usage, through student education and supervision, employee training and support, and through network filtering and monitoring. Yet with the understanding that digital citizenship is a shared responsibility between students, parents, educators, schools and governments, and given the dynamic nature of digital technology, the Board of Education's responsibility has limits. To that end, the following procedures are in effect.

2.0 RESPONSIBILITIES

2.1 The Director of Information Technology will:

2.1.1 Establish and maintain sustainable service offerings, which include:

- Hardware, software and configuration standards,
- Operational strategies for hardware and software (ie. computer installation, user accounts administration and virus protection strategies).

- 2.1.2 Provide access to District Technology Resources (websites, e-mail, etc.) to users outside of the Board of Education.
- 2.1.3 Monitor activity on District Technology Resources and follow established processes and procedures to protect the integrity of the network. Actions may include revoking individual privileges or entire site privileges where it is deemed that temporary exclusion from the network is necessary to maintain the health of the network.
- 2.1.4 Adhere to the *Freedom of Information and Protection of Privacy Act*.
- 2.1.5 Provide resources and training to help govern the appropriate use of technology.
- 2.1.6 Ensure that parents/guardians are informed of the individual student's responsibility to use District Technology Resources in an ethical and educational manner.
- 2.1.7 Take measures to prevent objectionable and illegal access of information. Internet access includes the potential for encountering information that is inappropriate for students. The Board of Education reserves the right to block any external material or content accessed through its Digital Technology Resources.
- 2.1.8 Endeavour to provide a reliable, sustainable technology environment.

2.2 School/Site Administrators:

School and Site Administrators provide student access to District Technology Resources to maximize educational opportunities. As such, administrators are responsible for the following:

- 2.2.1 Ensure the equitable provision of digital access to all students;

- 2.2.2 Notify parents about policies governing student use of District Technology Resources.
- 2.2.3 Ensure that students and parents are informed of the digital citizenship policy which is included in each school's code of conduct prior to allowing student access to District Technology Resources;
- 2.2.4 Ensure appropriate student supervision through staff oversight, including (but not limited to) internet activity;
- 2.2.5 Ensure that students and staff are trained in the safe use of District Technology Resources and that they understand the inherent risks associated with using technology;
- 2.2.6 Ensure that all student access to the Internet, while on school property, is through District Technology Resources and their Board of Education-provisioned account;
- 2.2.7 Ensure that resources are available to help staff guide students in managing appropriate student use of digital technology.

2.3 Teachers and Educational Assistants:

In order to facilitate student access and to ensure the appropriate use of District Technology Resources, teachers and educational assistants will:

- 2.3.1 Review and comply with the Board of Education's Policy 1300 *Acceptable Use of Digital Technology*
- 2.3.2 Know the status of the students' parental consent;
- 2.3.3 Instruct students in the effective and ethical use of the Internet, social networking tools and other collaborative technologies;

- 2.3.4 Provide guidance to students for minimizing online risks;
- 2.3.5 Encourage parents' involvement in developing their children's digital citizenship;
- 2.3.6 Monitor student use of District Technology Resources.

2.4 Students:

Students are responsible for reviewing and complying with the digital citizenship policy which is included in each school's code of conduct. This provides students with the following:

- Access to the Board of Education network
- Access to Board of Education software solutions
- Access to the Internet
- Access to the school library catalogue
- Access to electronic file storage
- Access to printing

3.0 ETHICAL GUIDELINES

- 3.1 Students may obtain access to the District Technology Resources, including the Internet, and are expected to display appropriate behavior and accountability. As such, students must:
 - 3.1.1 Review the digital citizenship policy in order to gain access to the District Technology Resources and understand compliance with the policy as a condition of their access;
 - 3.1.2 Use assigned devices as directed by their teachers;
 - 3.1.3 Show consideration to other students when digital resources are scarce;

- 3.1.4 Protect access to their individual network accounts under the use of a private, personal password. Ensure that their password is not shared;
- 3.1.5 Refrain from deliberately disrupting system performance or interfering with the work of other students;
- 3.1.6 Refrain from intentionally damaging equipment, including (but not limited to) rearranging keyboards and key caps, and tampering with monitors, printers, or any other peripheral equipment;
- 3.1.7 Leave devices and peripherals in their designated places;
- 3.1.8 Leave equipment, device and room in good condition for the next student or class;
- 3.1.9 Always log off devices after finishing work.

3.2 Ethical Conduct

The use of District Technology Resources is a privilege and usage may be revoked at any time for inappropriate conduct. All students will:

- 3.2.1 Exercise good judgment and use technology for educational or school-related purposes only;
- 3.2.2 Respect copyright and software licensing laws;
- 3.2.3 Refrain from unauthorized reading, modifying or deleting personal files owned by other users;
- 3.2.4 Refrain from illicitly accessing, tampering with or experimenting with systems outside of the school network;

3.2.5 Refrain from using technology to engage in or share obscene, profane, inflammatory, embarrassing, threatening, or disrespectful language or media of any kind;

3.2.6 Refrain from using technology to engage in personal attacks.

4.0 SECURITY

The Board of Education uses internet filtering and monitoring as a means of preventing access to material that is obscene, illegal and/or harmful to minors. This filtering applies to all devices accessing the Internet through District Technology Resources, regardless of whether the devices are Board of Education-assigned or personally owned. If monitoring leads to the discovery that a student has failed to follow the regulations, then a fair and reasonable investigation will be carried out. As a preventative measure, the following terms must be adhered to:

4.1 Information will not be posted by students if it:

4.1.1 Violates the privacy of others;

4.1.2 Jeopardizes the health and safety of students;

4.1.3 Is obscene, libelous or discriminatory;

4.1.4 Causes disruption of school activities;

4.1.5 Plagiarizes the work of others; or

4.1.6 Is a commercial advertisement.

4.2 Students will not change or delete files belonging to others.

4.3 Real-time messaging and online chat may only be used with the permission of the teacher.

- 4.4 Students will not reveal their personal information (such as last name, home address, email address, images, school name, phone number or anything that personally identifies themselves) while in correspondence with unknown parties.
- 4.5 Students are responsible for reporting any inappropriate material they receive, or any material that makes them feel uncomfortable.
- 4.6 Students are prohibited from viewing, sending and accessing illegal material, or any other Internet-based material that is inconsistent with the educational mission of the Greater Victoria School District.
- 4.7 Students are prohibited from downloading inappropriate or illegal material.
- 4.8 Students should **never** agree to meet with anyone encountered online.

5.0 PERSONALLY OWNED COMPUTING/NETWORK DEVICES (BYOD)

- 5.1 Where applicable, appropriate virus-checking software must be installed, updated, and made active prior to any personally owned computing device being placed on the Board of Education's network.
- 5.2 Personal devices should be brought to school fully charged.
- 5.3 Students should avoid bringing peripheral devices, such as chargers and charging cables to school.
- 5.4 No device connected to the Board of Education's network will have software that monitors, analyzes, or may cause disruption to District Technology Resources.
- 5.5 The Board of Education is not responsible for any device or data loss, theft, damage or other associated costs of replacement or repair as a result of a student bringing their own device to school.

- 5.6 Board of Education employees will not be responsible for supporting or troubleshooting a student-owned device.
- 5.7 Students will take full responsibility for any personally owned device and will appropriately secure all devices when not in use.

6.0 DISCIPLINARY CONSEQUENCES

The Board of Education reserves the right to monitor and inspect all activities connected to District Technology Resources, including activities from personal devices. A search and investigation associated with any student's Board of Education-provisioned computer account will be conducted if there is reasonable suspicion that the terms of this regulation have been violated. Discipline for inappropriate use may include, but is not limited to, one or more of the following:

- 6.1 Parents will be contacted and provided with the opportunity to be informed of, and defend or explain student misconduct;
- 6.2 Temporary confiscation of the student's personally owned device(s) by school authorities;
- 6.3 Temporary revocation of access to some or all District Technology Resources, including (but not limited to) internet access, wireless access, use of personal device and printing.
- 6.4 Disciplinary action according to applicable Board of Education policies.
- 6.5 Legal action, according to applicable laws.

7.0 EVALUATION

Due to the dynamic nature and associated risks of digital technology, this regulation will be reviewed on an annual basis.

Greater Victoria School District

Approved:

REGULATION 5131.9

STUDENT ACCEPTABLE USE OF ELECTRONIC COMMUNICATIONS SYSTEMS IN SCHOOLS

Preamble:

Electronic communications systems including computers, telecommunications devices and other forms of technology are providing opportunities for gaining interaction with a wide array of valuable educational tools, strategies and information resources. Much of this interaction takes place over the Internet which is not governed for content or activity by any central policy. It is essential that all users of electronic communications systems, including the Internet, view activities and the exchange of information through these media critically as to its legitimacy, veracity and application.

The use of electronic communications systems, including the Internet must be used only for those purposes that support the goals, objectives and activities as prescribed by the school district. All users must be aware of their responsibilities with respect to acceptable use.

The Board is committed to providing a wide range of access to students who are using school district electronic communications systems. The responsible use of these district systems is the overriding goal of this regulation. The benefits of access to resources through the Internet and communications networks outweigh the risks involved, and the Board will encourage the use of electronic communications systems and the Internet to provide appropriate learning opportunities for all users.

Definitions:

“Electronic communications systems” include all electronic devices and related processes used for the purposes of transmitting, retrieving and storing of voice, data or graphic images. These devices include but are not limited to computers,

servers, local area networks, intranets, the Internet, electronic mail systems, online conferences, chats, blogs, videoconferences, cell phones, digital cameras, video cameras and fax machines.

“Educational purposes” are those purposes which directly support student learning as outlined in the prescribed learning outcomes mandated by the Ministry of Education.

RESPONSIBILITIES:

A. Responsibility of the School

It is the responsibility of the school Administration to:

1. Inform parents of the educational benefits as well as the potential risks involved in communications with any persons using electronic communications systems.
2. Provide parents with a standard Acceptable Use Agreement for parents/guardians and students to sign before students are given Internet access.
3. Distribute *Expectations for Students Using School or District Electronic Communications Systems*, review these with all Grades 6-12 students and require students and their parents/guardians to sign a *Student Use Agreement – (Grades 6-12)*.
4. Distribute *Expectations for Students Using School or District Electronic Communications Systems* to parents of students in Grades K-5 for their information.
5. Distribute *“My Rules for Online Safety”* and review these with all Grades K-5 students and require students and their parents/guardians to sign a *Student Use Agreement - (Grades K-5)*.
6. Provide a statement of consequences of inappropriate use, including taking appropriate disciplinary action when the policy or regulations are contravened.

B. Responsibility of the Teacher

It is the responsibility of the teacher to:

1. Review and comply with District’s and the school’s Electronic Communications Systems Use policy.

2. Instruct all students in the nature of the risks involved in communicating with others through this medium, including not publicizing photos of or giving out personal information about oneself or others.
3. Give students guidelines for minimizing risks (similar to safety instruction, meeting strangers, etc.).
4. Monitor student use of the computer and the use of electronic communications systems and the Internet.

C. Responsibility of the Parent/Guardian

It is the responsibility of the parent/guardian to:

1. Be aware of the educational benefits of access to resources through the Internet and communications networks.
2. Be aware of the risks inherent in that access, while encouraging safe and acceptable practices of use.
3. Be aware of the consequences set out by the school and the district for unacceptable and inappropriate use.
4. Read the acceptable use guidelines and the school/district policy and regulation as they apply to electronic communications systems as well as computer/Internet access. If a parent/guardian wishes to permit their son/daughter to have access to these tools, they must indicate their permission by signing the Acceptable Use Agreement.

D. Responsibility of the Student

It is the responsibility of the student to:

1. Sign the Acceptable Use Agreement in order to gain access to and use of electronic communications systems and understand compliance with this is a condition of access, and noncompliance will have consequences.
2. Protect access to their individual network accounts under the use of a private, personal password. Ensure that their personal password is not shared and agree not to use the password of any other individual.
3. Conduct all his/her activities in accordance with the policies, regulations and guidelines set out for the use of school computers and electronic communications systems both during and outside of school hours.
4. Conduct all activities in a responsible, ethical, legal and courteous manner.

Approved: June 26, 2000

Revised: September 26, 2005

Expectations for Students using School or District Electronic Communications Systems

The following are expectations for students using electronic communications systems including but not limited to accessing the Internet and e-mail through the District's/Schools' networks.

Students in Grades 6-12, signing this document agree to the following terms and conditions.

School rules apply: As a student, I understand that there are school rules related to expected conduct, the use of appropriate language including making fair and respectful comments, and guidelines for responsible behaviour. I understand that any other "School Rules" related to using technology must also be followed.

More specifically, without limiting the above, I agree that:

- ☐ I understand that having access to use e-mail will be at the discretion of my school.
- ☐ I will use electronic communications systems for lawful educational purposes only
- ☐ I will handle with care and consideration any electronic communications equipment so as to avoid or minimize any physical damage or damage to data.
- ☐ I will use network services in such a way that performance is not disrupted or terminated.
- ☐ I will use my time and required materials so as not to be wasteful.
- ☐ I will use every effort so as not to corrupt the files or systems of other users.
- ☐ I will respect the privacy of other users.
- ☐ I will use language that is not considered offensive or threatening to others.
- ☐ I will avoid receiving, keeping or distributing inappropriate materials, including material that is obscene, pornographic, sexist, racist, belligerent or harmful to others.
- ☐ I will inform my teacher or principal if I come across any sites, material, information or situations that I believe contain inappropriate material.
- ☐ I will not meet with any strangers I talk to on the Internet without first consulting my parent or guardian.
- ☐ I will not distribute personal information about myself or anyone else through the District or school server including names, school, interests, extracurricular activities, home or school address or phone numbers. I may however, post school projects and work on the Internet as approved by my teacher.
- ☐ I will only use what I believe to be authorized, legal copies of information and software.
- ☐ If provided, I agree to keep any network service password secret and I agree that I will not use someone else's password to access the system.

Plagiarism & Copyright:

- ☐ I agree that I will not copy any information and claim it as my own.
- ☐ I will ask the original author for written permission to use the graphics or any copyrighted works, including works of art, compositions, text, symbols, sayings, cartoons, excerpts, and quotations.
- ☐ I agree that I will give written credit for sources of information for my work.

Consequences of unacceptable use: The consequences for breaking any rules that apply to use of any electronic communications system, include but may not be limited to the following:

- Loss of privileges to access and use any electronic communications systems.
- Possible disciplinary action through the School Code of Conduct.

I understand that I am personally responsible for my actions, errors, and omissions in using a District electronic communications system and accessing the Internet. I further understand the consequences for failing to comply with the terms and conditions of these regulations, may well exceed school disciplinary action, and may include criminal investigations, civil suits or both.

Student Use Agreement – (Grades 6-12)

I have read, understand and will abide by the “*Expectations for Students Using School or District Electronic Communication Systems*”. I will use resources responsibly, respect the rights of others and will not use these systems for unethical or illegal activities. I further understand that any violation of the district policy or regulation using electronic communications systems is unethical and may constitute a criminal offense. Should I commit any violations, my access privileges may be revoked, school disciplinary action may be taken, and possible legal action may be taken. I understand that this document will remain in my school file for as long as I am enrolled at this school or until terminated by either party by notification in writing.

Student's Name: _____ Date: _____

PLEASE PRINT

School Name _____ Teacher Name: _____ Div. _____

I have read the “Expectations for Students Using Electronic Communications Systems” and agree to abide by the provisions therein.

I have read “*Expectations for Students Using School or District Electronic Communication Systems*” and agree to those rules for being a responsible computer user.

Student Signature: _____ Student ID# _____

Parent/Guardian Permission Form – (Students in Grades 6-12)

I have read the attached “*Expectations for Students Using School or District Electronic Communication Systems*”. I understand that our daughter or son may access District electronic communications systems which allow them to access resources, communicate with others and to publish their work. I further understand that, should our child's work be published, it will appear with copyright notice prohibiting use without written permission. I also understand that filtering or blocking software which may be applied to the electronic communications systems to prevent gaining access to inappropriate material is not foolproof and cannot guarantee 100% effectiveness.

| | YES | NO |
|---|-----|----|
| We grant permission for our daughter or son to access electronic communications systems at school. | | |
| We grant permission for our daughter or son to publish their work and/or photos online, including full name identifiers. | | |
| We grant permission for our daughter or son to publish their work and/or photos online, without full name identifiers. (first name or initials may be used as an identifier). | | |

** I understand that it is the responsibility of my child to avoid accessing the Internet or computers while at school as described above, until receipt of an Acceptable Use Agreement signed by both student/child and parent or guardian.*

Parent/Guardian's Name: _____ Signature _____

PLEASE PRINT

Address: _____ Phone: _____ Date: _____

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| |
|---|
| Student Use Agreement – (Grades K-5) |
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“My Rules for Online Safety”

Using a computer at school can be very good. There are stories, pictures, sounds, music, games and lots of other useful information on many topics that can be downloaded right to your classroom. You are lucky to be able to use a computer at your school. Being able to use a computer comes with accepting responsibility. There are rules for being able to use a computer at school. These rules help you use the computer in the best and safest possible ways.

Here are the rules for using a computer at your school:

School rules apply: As a student, I understand that there are school rules related to expected conduct, the use of appropriate language including making fair and respectful comments, and guidelines for responsible behaviour.

More specifically, without limiting the above, I agree that:

- ☐ I will not give out personal information such as my name, address, telephone number or the location of my school without my teacher’s permission.
- ☐ I will never send a person my picture or anything else without first checking with my teacher.
- ☐ I will tell my teacher right away if I come across any upsetting words, nasty pictures or something scary on the Internet that makes me feel uncomfortable.
- ☐ I will never agree to get together with someone I “meet” online without first checking with my teacher and parent.
- ☐ I will not answer any messages that are mean or in any way make me feel uncomfortable. It is not my fault if I get a message like that.
- ☐ I will not send mean messages to anyone, even friends, even as a joke.
- ☐ I will talk with my teacher and parents so that they can set up rules for going online either at school or home. We will decide upon appropriate areas for me to visit.

I understand that if I break any of the rules I may be told that I cannot use the computers at school anymore. This agreement will remain in my school file for as long as I am enrolled at this school. It can be removed by either my parents or the school Principal if either decides to remove my privileges.

Student's Name: _____ Date: _____

PLEASE PRINT

School Name _____ Teacher Name: _____ Div. _____

I have read “**My Rules for Online Safety**” and agree to those rules for being a responsible computer user.

Student Signature: _____ Student ID# _____

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Parent/Guardian Permission Form – (Students in Grades K-5)

I **personally** have read the attached “*Expectations for Students Using School or District Electronic Communication Systems*”, so that I am aware of the expectations of my child for using technology at the Middle and Secondary school levels. (The “*Expectations for Students Using School or District Electronic Communications Systems*” document **does not have to be shared with students in Grades K-5. This is for parental information only.**)

I have read and discussed with my child, “My Rules for Online Safety”.

I understand that our daughter or son may access School or District electronic communications systems which allow them to access resources and communicate with others. I understand that filtering or blocking software which may be applied to the electronic communications systems to prevent gaining access to inappropriate material is not foolproof and cannot guarantee 100% effectiveness.

| | YES | NO |
|---|-----|----|
| We grant permission for our daughter or son to access electronic communications systems at school. | | |
| We grant permission for our daughter or son to publish their work and/or photos online, including full name identifiers. | | |
| We grant permission for our daughter or son to publish their work and/or photos online, without full name identifiers. (first name or initials may be used as an identifier). | | |

** I understand that it is the responsibility of my child to avoid accessing the Internet or computers while at school as described above until receipt of an Acceptable Use Agreement signed by both student/child and parent or guardian.*

Parent/Guardian's Name: _____ Signature: _____
PLEASE PRINT

Address: _____ Phone: _____ Date: _____

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OFFICE OF THE SECRETARY-TREASURER

556 BOLESKINE ROAD, VICTORIA, BRITISH COLUMBIA V8Z 1E8
PHONE: (250) 475-4108 FAX: (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **SUBMISSION TO THE EXPERT PANEL ON THE FUNDING FORMULA**

Background:

On February 26, 2018, trustees and stakeholders attended consultation sessions to review the current funding formula and discuss the potential impacts of a funding formula change. The feedback received during these sessions was used to draft a letter to the expert panel on the funding formula.

At the regular meeting of the Board on March 12, 2018, the draft letter was presented for review and additional comment.

Discussion:

The draft letter being presented to the Operations Policy and Planning Committee meeting this evening has been revised to reflect comments received following the presentation of the draft letter on March 12, 2018. Most of the revisions made were minor, except for a major revision to include a specific recommendation for children in care.

Recommended Motion

| |
|---|
| That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to submit the Board's response to the Expert Panel on the Funding Formula as presented. |
|---|



BOARD OF EDUCATION

Chair: Edith Loring-Kuhanga Vice-Chair: Tom Ferris
Trustees: Elaine Leonard, Diane McNally, Deborah Nohr, Peg Orcherton
Rob Paynter, Jordan Watters, Ann Whiteaker

SCHOOL DISTRICT NO. 61 (GREATER VICTORIA)
556 BOLESKINE ROAD, VICTORIA, BC V8Z 1E8
PHONE (250) 475-4106 FAX (250) 475-4112

DATE *****

PROPER NAME AND ADDRESS FOR EXPERT PANEL

RE: Board of Education Submission to the Expert Panel on Funding

Dear Chair Trumpy,

I am writing to provide a formal submission on behalf of our Board of Education regarding the funding formula review.

Background

With the release of the timeline for feedback and the visit by the panel to our District, our Board wanted to ensure that we had sufficient information and feedback to provide a fully informed submission for your consideration.

Our process included a day set aside for senior District staff to provide an overview of the history of the funding framework, as well as the current model, its evolution and some of its challenges. One of our sessions involved our stakeholders including representation from our teachers' union, support staff unions, principals and vice-principals' association, paraprofessional association, and our District Parent Advisory Council (DPAC).

While our submission represents the voice of our Board only, the voices of our stakeholders are reflected and we have noted areas of specific disagreement. Given this process, we are confident that we are able to provide a fully informed submission that reflects the needs of our District.

Our submission is based around some broad themes that contain more specific suggestions within them. While the scope of your mandate does not include increased funding, there are a couple of areas where we simply cannot avoid including commentary on increased funding with the hope that they are worthy of consideration.

Recommendations

Recommendation 1:

That the Ministry of Education build into the funding formula a mechanism that covers the following inflationary pressures faced by school districts:

- a. all provincially negotiated settlements for unions and associations;
- b. all approved wage increases for exempt staff and administrators;
- c. all government mandated increases (e.g. increased payroll taxes, Hydro increases, etc.); and
- d. a Consumer Price Index inflation factor.

"Inflation is when you pay fifteen dollars for the ten-dollar haircut you used to get for five dollars when you had hair."

- *Sam Ewing, former professional baseball player*

Rationale:

Districts are currently paying 15 dollars for the haircut they were getting for 5 dollars in 2001 with relatively minor funding increases to cover the difference. Hydro increases, unfunded wage increases, benefit increases, operations and maintenance cost increases, etc. are currently unaccounted for in the funding formula.

Districts rely on flexibility to provide the best educational program to meet local needs; however, the current model is not sufficient enough to cover costs we have little or no control over. Furthermore, schools within our District rely on donations and PAC fundraising ~~and donations~~ to supplement their funding as there has been no funding provided for the inflationary cost of services and supplies.

The impact of such a commitment in the funding formula would be of great value and increase transparency in the system as a whole. It would allow for longer term planning in program implementation, as well as operations.

Recommendation 2:

That the Ministry of Education cease funding "Group 2" private schools.

Prime Goal of Public Schools - Supported by the Family and Community

Intellectual Development - to develop the ability of students to analyze critically, reason and think independently, and acquire basic learning skills and bodies of knowledge; to develop in students a lifelong appreciation of learning, curiosity about the world around them and a capacity for creative thought and expression.

- *Statement of Education Policy Order (Mandate for the School System)*

Rationale:

At the meeting of the Vancouver Island School Trustees Association on March 3, 2018, responding to a question from a trustee, the Ministry stated that such a recommendation was appropriate for this process and our Board is committed to this concept.

While we understand that parents make choices for a variety of reasons, we know the power of public education to society writ large. Given the mandate of the school system as set out in the Order in Council, we feel that students from diverse socio-economic backgrounds will contribute to this success.

We understand that "Group 2" independent schools are typically the "elite" private schools that fund their students in excess of the average per student cost in the public system. We feel that eliminating this funding is appropriate given the resources available to these schools while ensuring that this would not have an impact on other types of more modest private schools. While the Board ultimately believes that all students should be in the public system, this short term step should be taken while the broader issue is addressed.

Recommendation 3:

That the Ministry of Education provide nominal three-year funding allocations to school districts.

“In addition, while the budget submitted to the ministry is a one-year budget, we recommend that in the near term, the District begin the process of establishing a rolling three-year budget that is aligned with the strategic plan.”

- School District No. 83 - Special Advisor Report June 3, 2016 (page 30)

Rationale:

More districts are moving towards strategic planning, and rightly so. The Ministry ~~also~~ is increasingly critical of board reserves, conservative enrolment estimates, etc. If we move towards multiple-year ~~notional~~ allocations, boards could plan for multiple years at a time, make more targeted strategic ~~plan~~ resource reallocations and reduce the need to have significant reserves.

A three-year model would increase funding predictability for districts, but would still need to address increased enrolment and have built-in inflation protection (note Recommendation 1). If funding allocations are enrolment based, enrolment projections should be provided by the Ministry and applied consistently across all districts within the province. The current funding model drives conservatism and results in the growth of reserves.

A model with notional allocations would serve the interests of accountability. Both the District and the Ministry would be able to specifically track results from these multi-year targeted resources.

Recommendation 4:

That the Ministry of Education immediately review the compliance model currently in place.

“We are from the Ministry and we are here to help”

- Unattributed quote

Rationale:

Boards of education are responsible for putting the appropriate structures in place to ensure fiscal accountability. Boards are audited on a yearly basis and the vast majority of audits illustrate that there is competent staff and appropriate oversight.

The Ministry, however, has a variety of additional reporting and compliance requirements that create an administrative burden for school districts. Inclusive learning audits, enrolment audits, Classroom Enhancement Fund (CEF) reporting, Special Purpose Fund reporting, etc. all require a significant amount of administrative work while having no appreciable impact on the learning outcomes of students.

The time spent meeting compliance requirements instead of providing service to students is significant. While our Board does not wish to suggest that compliance is not important, ~~and~~ we would also point out our respect for the skills and competence of our provincial partners, looking at historical results should illustrate competence in this area.

Recommendation 5:

That the Ministry of Education move to a Profile Funding Model for Inclusive Education.

"The fundamental principle of inclusive education is the valuing of diversity within the human community.... When inclusive education is fully embraced, we abandon the idea that children have to become "normal" in order to contribute to the world.... We begin to look beyond typical ways of becoming valued members of the community, and in doing so, begin to realize the achievable goal of providing all children with an authentic sense of belonging."

- Norman Kunc

Rationale:

As our District moves to a more inclusive model for providing services, we focus on all students regardless of whether they receive additional funding. The current model is based on a "medical model" of diagnosing weaknesses followed by lagging funding for supports to help fill the gaps.

The current model is flawed for a number of reasons. First, the staff time needed to diagnose students in our District is approximately 18 hours per student. That means that each student being diagnosed loses out on 18 hours of direct responsive support services. Moreover, the requirement to substantiate designations through this rigorous process effectively caps the number of students who may be designated in a given school year, and introduces a systemic bias towards prioritising assessments which will result in the greatest amount of funding.

Professionals should have the flexibility to assess student needs and classroom conditions and respond with appropriate supports rather than focus on redundant administrative tasks. Further, some parents do not want to go through the rigorous process required to designate a student, even though their child requires significant supports. This makes early intervention a challenge.

Second, the current model drives behaviours that do not necessarily support an inclusive model, such as parents and others in the system demanding that funding received for a student be targeted to that specific student, even where additional funding could actually assist multiple students. Furthermore, some parents or guardians feel that designating a child places a label on them which may present as limitations in their future. Therefore, no additional funding is received for that child.

Third, the current funding categories do not capture all student needs. For example, students with significant communication disorders and severe deficits in skills such as memory, language, cognition, etc. do not fit the current categories despite their significant needs.

Finally, while our staff do an excellent job under the current model, we feel that a shift in the funding model would be more supportive of an inclusive learning environment. the current model fails to take into account modern pedagogy and an inclusive model. If the basis for our supports for diverse learners is highlighting their weaknesses, how do we support their strengths? This model also does not ensure accountability, it assures compliance. We can prove *what* we are doing but not *how* we are doing in our service of students.

We know that the profile funding model works, as Other jurisdictions have successfully adopted the profile funding model.

We note that our stakeholders hold diverse opinions on this particular issue with some supporting the continuance of the diagnosis model and others in favour of the profile funding model.

Recommendation 6:

That the Ministry of Education provide flexibility in resource allocation.

What do Trustees Do?

British Columbia is a large province with many communities, each having different priorities, needs and unique educational requirements. British Columbians elect their Boards of Education to improve student achievement according to the diverse needs of these communities. As locally elected representatives, the trustees on these boards best understand their respective communities' particular strengths, challenges and demands.

Trustees engage their communities in building and maintaining a school system that reflects local priorities, values and expectations. School trustees listen to their communities; guide the work of their school district; and set plans, policies and the annual budget. Reflecting the strength of local representation, boards report back to their communities on how students are doing; boards are directly accountable to the people they serve.

BCSTA Website

Rationale:

The purpose of a locally elected board of education is to reflect the needs and wants of local communities. Targeted allocations limit the ability to respond to those needs. They often also create additional reporting requirements and limit the ability to plan for the longer term.

Additionally, as stated in Recommendation 3, more boards are moving towards strategic planning. Flexibility in resource allocation allows boards to align resources with strategic goals in order to achieve learning outcomes and ensure student success.

The current funding model has become more and more piece-meal over time as a result of incremental efforts to address emerging shortfalls of the funding model. Stakeholders analogized the current model to a house with many separate additions and patches. The ideal funding model would address the whole house and all of its needs.

We note that some of our stakeholders were not supportive of this aspect of our submission and felt increased targeting would be beneficial as it would ensure transparency and accountability, as well as assurance that cost pressures and new initiatives are not downloaded onto school districts.

Recommendation 7:

That the Ministry of Education ensure that changes to the funding formula do not negatively impact any school district.

primum non nocere - do no harm

Rationale:

The opportunity to review the funding formula is an amazing opportunity to which our Board is excited to play a part. However, this opportunity also presents risks. While our District respects the opportunity for change, we believe that any new model must take the current levels of provincial funding (leaving aside local revenue) as the new floor.

An obvious example would be support for the restored collective agreement languages. Some districts have received more funding per capita than others due to their 1991 collective agreement language and the Provincial/BCTF agreement.

If the collective agreement language remains and the formula is standard across the province, a district like ours would be negatively impacted. It simply would not serve the Government to implement a model that would start off by harming districts.

Recommendation 8:

That the Ministry of Education engage school districts to review the Distributed Learning Model.

“Human behaviour flows from three main sources: desire, emotion, and knowledge”

- Plato

Rationale:

Our Board disagrees with Plato on this one. We know that human behaviour also flows from the funding formula. For instance, funding for schools means more schools; no funding for schools means fewer schools; compliance requirements create paperwork, etc.

On the issue of Distributed Learning (DL), we are proud of the services we provide. Nevertheless, the current model rewards competition between school districts to attract students. Shrinking programs do not enable school districts to provide a broad range of classes and the DL program requires subsidy from other priority areas due to the small class sizes.

While we do not have a specific recommendation, we would like to see the Ministry of Education come up with a solution that will enable the province to better serve the DL community.

Recommendation 9:

That the Ministry of Education review the Annual Facilities Grant.

*When the walls come tumblin' down
When the walls come crumblin' crumblin'
When the walls come tumblin' tumblin' down*

- John Mellancamp

Rationale:

While not specifically addressed by the funding formula review process, it is imperative that the funding of the annual facilities grant (AFG) be reviewed.

Currently, there is no connection between growing enrolment and the amount of AFG each district receives. Aging facility infrastructure currently requires school districts to redirect operating funds otherwise intended for educational purposes. The use of technology and the creation of unique learning environments tied specifically to supporting positive outcomes for students could also be addressed with improved AFG funding.

Recommendation 10:

That the Ministry of Education seek to create a Common Provincial Agreement for Teachers for provincial issues.

7(1) The collective agreement entered into under this Act with respect to teachers must include all Provincial matters and local matters that have been agreed on by the parties.

(2) Subject to subsection (3), the employers' association and the Provincial union must designate the Provincial matters and local matters to be determined by collective bargaining.

(3) All cost provisions, within the meaning set out in subsection (4), are deemed to be Provincial matters.

(4) In subsection (3), "cost provisions" includes all provisions relating to

(a) salaries and benefits,

(b) workload, including, without limitation, class size restrictions, and

(c) time worked and paid leave, that affect the cost of the collective agreement.

(4.1) In addition to the matters referred to in subsection (3), matters referred to in section 28 (1) (a) and (b) of the [School Act](#) respecting workload, including, without limitation, class size restrictions, are deemed to be Provincial matters.

(5) If the employers' association and the Provincial union are unable to agree on a designation under subsection (2) in the negotiations for the first Provincial agreement only, on the request of both parties or on his or her own motion, the minister responsible for the administration of the [Labour Relations Code](#) may appoint a person to arbitrate a dispute with respect to the designation.

- PELRA

Rationale:

The *Public Education Labour Relations Act* identifies matters that are strictly for provincial bargaining and matters that are locally bargained. The issue, however, is that much of the provincial contract language is ironically locally bargained language from the early 1990s. Everything from class composition to leaves of absence falls in this category.

The implication of not having a common agreement is that local school districts cannot modernize language and large inequities between districts are created. For instance, our District has relatively restrictive class composition language; therefore, we get more funding than some districts. While increased supports are welcomed, the model should reflect consistent contract language across all districts.

There are also administrative burdens that may be relieved by a common agreement. Currently, the variety of local contract languages across the province limits shared services initiatives between districts, including labour relations, payroll and HR services, and software efficiencies. By creating a common provincial agreement, these costs could be shared between districts, creating efficiencies and savings.

Recommendation 11:

That the Ministry of Education provide funding support for Children in Care.

"Of B.C. students in continuing care who began Grade 8 in 2009/10, only about 51 per cent graduated within six years. This compares to a nearly 89 per cent graduation rate for all other students in the province."

- Room for Improvement: Toward Better Education Outcomes For Children in Care. Representative for Children and Youth, October 2017

The Greater Victoria School District currently has approximately 200 children and youth in care. Outcomes for these students are in keeping with the provincial graduation rates identified by the Representative for Children and Youth.

There are a number of factors that contribute to lower graduation rates for children and youth in care. These factors include the quality of data that is shared between ministries, the caseloads of social workers that restrict their ability to liaise with schools, and the mobility of children and youth in care. These factors are clearly beyond the scope of the Funding Framework Review.

Nevertheless, the first recommendation of the Representative for Children and Youth in the *Room for Improvement* report is, "That the Ministry of Education allocate specific funding to each school district based on the number of children and youth in care, funding that would be dedicated to support the learning of these students. This should be a priority of the ministry as it undertakes a review of the K to 12 education system's current funding formulas."

A funding framework that takes into consideration the unique needs of children and youth in care is the first step in designing a comprehensive approach to supporting this population of students who require additional resources and support in order to be successful.

Conclusion

The Board would like to thank the panel for the opportunity to provide recommendations for consideration. Our District is a-Districtone that suffered greatly at the time of the change to the per pupil amount. We had declining enrollment and excess capacities in our schools. We cut and cut and cut and cut. We attempted to keep the impacts away from the classroom. This, of course, impacted operations and, central supports, schools were closed, and, ultimately, the classroom was impacted. The long term impact of a lack of investment in our facilities is now apparent.

Ironically, we are now a school district that does have benefits from the current model. We have increasing enrollment and are largely right sized from a facilities perspective. Nevertheless, the changes noted above would serve us well. This is assuming that the concept of creating a new floor is enshrined in your planning. It would be disheartening as a district to have suffered greatly from the original shift in funding, made changes and adapted to the model, only to be hit again once a new model is in place.

In closing, we appreciate the task of the panel and wish you the best of luck in completing your work.

All of which is respectfully submitted.



OFFICE OF THE SECRETARY-TREASURER

556 BOLESKINE ROAD, VICTORIA, BRITISH COLUMBIA V8Z 1E8
PHONE: (250) 475-4108 FAX: (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **ELECTION COSTS**

In preparation for the Local Government/General School Election scheduled for October 20, 2018, we have initiated discussions with municipalities to finalize cost-sharing agreements. We have also initiated the process to secure the District's Chief Election Officer.

To date, we have received cost estimates from all municipalities, except for the City of Victoria. The City of Victoria will be meeting early next week to finalize and approve their election budget. Almost all of the municipalities we have received estimates from have indicated that there will be cost increases from the previous election. The reasons for the cost increases include additional staffing for additional polling stations and the rental of voting tabulators to replace non-functioning units previously owned by the municipality. The District's share of the municipal costs for the 2014 election was \$139K and it is anticipated that our share of the municipal costs for the 2018 election will increase by at least \$100K.

Additional costs related to the election include the service agreement for the Chief Election Officer, advertising, and any facilities costs not covered by cost-share agreements. Total additional costs for the 2014 election were \$41K. We can provide an estimate of the anticipated additional costs for the 2018 election once the service agreement for the Chief Election Officer has been finalized.

The preliminary budget for the election in November 2014 was approved at \$100K. Actual expenditures for that election were \$180K. In preparation of the preliminary budget for 2018-2019, we set the election budget at \$180K. It now appears that our actual costs will be well in excess of what was anticipated and we will be required to increase the budget when we prepare the amended budget in February 2019.

OFFICE OF THE
SECRETARY-TREASURER

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PHONE (250) 475-4108 FAX (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **Childcare Partnership Opportunities**

Background:

Last year, the Board supported a number of providers in applying for funding from the Ministry of Children and Families to preserve and/or expand care at a number of our sites including Cloverdale, Torquay, Frank Hobbs, Braefoot and Northridge. In the case of Braefoot, Torquay and Northridge we envision that the District will be able to access the facilities during the day thus expanding amenity space at our schools.

Currently, we are in the final stages of planning for these sites and are hopeful that each build, with the exception of Cloverdale will be a Learning Studio built by us. This may not be possible depending on the flexibility of the school, provider and MCFD with Learning Studios being delivered later than September 2018. Please see the attached schedule for more information.

Discussion

We are seeking Board direction to proactively continue this planning for the next intake of funding. Specifically, we envision George Jay, James Bay, Victoria West and potentially Tillicum to be possible locations for partnership. There may be more but these four examples all would be partnerships with community associations with whom we have long term relationships. With the exception of Victoria West we envision access to daytime space for our schools in the event that they are built.

Again, the commitment from the Board would be for 10 years less a day of license and our ongoing capital maintenance of the sites with flexible access for the providers. In the event that they were successful, the builds would be placed in order per the attached building schedule.

Recommended Motion

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| <p>That the Board of Education of School District No. 61 (Greater Victoria) empower the Superintendent to negotiate partnerships with Childcare providers to apply for funding from the Ministry of Children and Families to build purpose built space on our sites with a space guarantee for 10 years less a day.</p> |
|---|



OFFICE OF THE SECRETARY-TREASURER

556 BOLESKINE ROAD, VICTORIA, BRITISH COLUMBIA V8Z 1E8
PHONE: (250) 475-4108 FAX: (250) 475-4112

TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **QUADRA WAREHOUSE AND ARTEMIS PLACE SOCIETY**

Background:

As the Board is aware, Artemis Place Society currently holds a lease to run their programming out of the Dean Heights Annex at Lansdowne Middle School. That lease expires on July 31, 2019. Last year as a result of the class size and composition language, multiple classes were added to Lansdowne which took up all available space in the school, as well as the conversion of a computer lab and basement space.

Currently, enrollment is creating further space issues. We anticipate that by this September we will require additional space. While we anticipate that Lansdowne can make due for the 2018-19 school year, in the long term additional space at Lansdowne will be required. This issue becomes even more acute when the issue of Central Middle School's continued space issues are put into context. We anticipate that the Dean Heights Annex will be required. We have met with representatives of Artemis to discuss the issue.

Artemis provides cross-ministry, integrated programming, including educational services to young women in our community, many of whom have young children. They also serve youth who identify other than cis-male and many of their students are First Nations, and/or face special challenges. This program was previously offered directly by the District in conjunction with Artemis. Currently, Artemis operates the program, along with associated childcare services. Artemis' desire is to stay at their current location. The District has indicated that the logistics of expanding Lansdowne are not realistic at this time due to both timelines and the economics of a new build.

The Dean Heights Annex is approximately 9000 square feet. Artemis requires the full amount of square footage to provide their integrated, educational programming as well as childcare which they would like to expand.

Discussion:

Administration and representatives from Artemis have met and determined that the site of the Quadra Warehouse building is appropriate to house the Artemis programming. There are a number of benefits including:

1. The space is comparable to Dean Heights;
2. The location is excellent for the clientele served by the program;
3. The site has sufficient space for potential childcare expansion;

4. The site is insufficient to house an active elementary school in the current K-5 environment.

However, there are challenges with the site associated with its current condition. The HVAC system, bathrooms, and general maintenance need to be addressed. We anticipate that an upgrade required for the programming envisioned by Artemis would cost between \$1.5-\$2M. If renovations were not complete by August 2019, Artemis Place would be accommodated in a temporary lease extension at Dean Heights. In addition, the site is situated on land that is technically in City title but for the provision of educational programs.

Recommendations:

Administration envisions two potential options to proceed:

1. That the District utilize its local capital funds to upgrade the facility and then charge Artemis sufficient license rates, similar to their current lease costs, to recover the funds over a 10-30 year period as appropriate;
2. That the District sign a license agreement with Artemis over a 10-30 year period structured to allow Artemis to borrow sufficient funds to cover the capital in exchange for the license period; however, the ability of a not-for-profit to finance these improvements on the security of the tenure we can grant is uncertain.

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TO: Operations Policy and Planning Committee

FROM: Mark Walsh, Secretary-Treasurer

DATE: April 16, 2018

RE: **Seismic Update (SRG3)**

In the near future, new building code standards will be put into place that will impact schools in our District. The new standards, called SRG3 (Seismic Retrofit Guidelines), will impact schools mainly on Vancouver Island and Haida Gwaii. The standards identify a greater risk for schools in these geographic areas with respect to seismic risk and, therefore, potentially higher risk ratings for schools than previously thought.

The extent of the impact on our District is unknown at this time, but it is likely that we will have schools, or portions of schools, not currently rated as “High Risk (H1)” move into this high risk category. There is even the possibility that schools previously seismically upgraded may end up with portions of the school being reassessed as high risk.

The Ministry of Education is proactively addressing this issue and has provided immediate funding to assess risk in impacted schools. Our District has received \$211,850 to complete the assessments by October 2018. We have begun discussions and set-up a series of meetings with the Consultant Team hired by the Ministry to assist us with this task. Facilities Services will bring a summary of the evaluations back to the Board as the new SRG3 assessments are made available to us.

OFFICE OF THE SUPERINTENDENT

556 Boleskine Road, Victoria, BC V8Z 1E8

Pieter Langstraat, Superintendent

Phone (250) 475-4162

Fax (250) 475-4112

TO: The Operations Policy and Planning Committee

FROM: Piet Langstraat, Superintendent of Schools

RE: **Trustee Questions**

DATE: April 9, 2018

During this portion of the Committee Meeting, Trustees will have the opportunity to raise questions. Where possible, an immediate response will be provided. In the event that research is necessary before a response is provided, the matter will be postponed until a researched response can be provided.