



The Board of Education of School District No. 61 (Greater Victoria)

MINUTES

Via Zoom

December 13, 2021, 7:30 p.m.

- Trustees Present: Ryan Painter, Board Chair, Tom Ferris, Vice-Chair, Nicole Duncan, Angie Hentze, Elaine Leonard, Rob Paynter, Jordan Watters, Ann Whiteaker
- Regrets: Diane McNally
- Administration: Deb Whitten, Interim Superintendent of Schools, Kim Morris, Secretary-Treasurer, Colin Roberts, Interim Deputy Superintendent, Harold Caldwell, Associate Superintendent, Katrina Stride, Associate Secretary-Treasurer, Chuck Morris, Director, Facilities Services, Andy Canty, Director, Information Technology for Learning, Marni Vistisen-Harwood, Associate Director, Facilities Services, Sean Powell, District Principal, Learning Team, Vicki Hanley, Recorder
- Guests: Chief Rob Thomas, Esquimalt Nation, Kalie Dyer, Director of Education, Esquimalt Nation
Kate Lemon, Principal Architect, KMBR Architects Planners Inc.
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A. COMMENCEMENT OF MEETING

The meeting was called to order at 7:33 p.m.

A.1. Acknowledgement of Traditional Territories

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

A.2. Approval of the Agenda

Moved by Trustee Ferris

Seconded by Trustee Whiteaker

That the December 13, 2021 agenda be approved with the following amendments:

Add – B.5. Correspondence, First Nations Leadership Council, Nov 18, 2021 Advocacy Letter to Ministry

Remove – E.2.d.ii – Lansdowne Partial Disposal Bylaw 2021: postponed to January 2022

Add – G.2. District Vaccine Mandate Decision

Motion Carried Unanimously

A.3. Local Education Agreement: Esquimalt Nation

Interim Superintendent Whitten welcomed Chief Rob Thomas and Kalie Dyer of the Esquimalt Nation and shared that she'd recently met with them to discuss and finalize the Local Education Agreement between the Board of Education and the Esquimalt Nation. Interim Superintendent Whitten stated the importance of this essential agreement for all parties involved, as it describes the process of building on the relationship between the District and the Esquimalt Nation to improve the outcomes of the students of the Nation. Interim Superintendent Whitten expressed her gratitude and appreciation to the writing team for their many hours of commitment to the agreement.

Chief Rob Thomas congratulated Chair Painter, Interim Superintendent Whitten and Vice-Chair Ferris on a fresh start.

Chief Rob Thomas expressed his appreciation to all parties involved in creating the LEA and stated what a huge step forward it is for the Esquimalt Nation and the Nation's children. Chief Thomas stated that he was looking forward to building on the relationship between the Nation and the District, for the greater good of the success of students.

Ms. Dyer expressed her appreciation in working with Chief Thomas and the Council of Esquimalt Nation, along with staff of School District 61, on collaborating and creating this important agreement.

Chair Painter thanked Chief Rob Thomas and Ms. Dyer.

Lastly, Interim Superintendent Whitten stated that she looked forward to bringing everyone together in the spring, in person, in the community, with the hopes of celebrating this milestone and the signing of the LEA.

Moved by: Trustee Watters
Seconded by: Trustee Ferris

That the Board of Education of School District No. 61 (Greater Victoria) approve the Local Education Agreement with the Esquimalt Nation, as presented.

Motion Carried Unanimously

A.4. Approval of the Minutes

Moved by Trustee Leonard
Seconded by Trustee Watters

That the November 22, 2021 Regular Board minutes be approved.

Motion Carried Unanimously

A.5. Business Arising from the Minutes

None

A.6. Student Achievement

None

A.7. District Presentations

None

A.8. Community Presentations

- a. Paul Pallin, Board Chair, Victoria Hospice Society, attended the Board meeting to speak to Trustees about the history of Victoria Hospice and the need to expand their facility. Mr. Pallin stated that the Society is looking forward to collaborating with the community and moving forward on the purchase of a portion of land located at Lansdowne Middle School South.
- b. Soren Henrich attended the Board meeting on behalf of the Friends of Bowker Creek Society, to urge Trustees not to sell a portion of land located at Lansdowne Middle School South, as it would disrupt and negatively impact the restoration of Bowker Creek.
- c. Susan Haddon attended the Board meeting on behalf of the Friends of Bowker Creek Society, to urge Trustees not to sell a portion of land located at Lansdowne Middle School South, as it would disrupt and negatively impact the restoration of Bowker Creek.

- d. Ian Graeme attended the Board meeting on behalf of the Friends of Bowker Creek Society, to urge Trustees not to sell a portion of land located at Lansdowne Middle School South, as it would disrupt and negatively impact the restoration of Bowker Creek.
- e. Mary Ann Watson attended the Board meeting to request that Trustees uphold their obligation to investigate, address, resolve and remove racism in the school district.

B. CORRESPONDENCE

- B.1. November 18, 2021, Greater Victoria Teachers' Association to SD61 Trustees, Bill 22 and Student Data Privacy.**
- B.2. November 21, 2021, South Jubilee Neighbourhood Association to SD61 Trustees, Bank Street and Sundance Schools**
- B.3. November 23, 2021, Ruth Currey to SD61 Trustees, Proposed Sale of School Property at Lansdowne South Campus to Victoria Hospice**
- B.4. November 30, 2021, BCSTA to CSBA, Declaration of national Opiate Death Crisis**
- B.5. November 18, 2021, First Nations Leadership Council to Minister of Education, Foundations Skills Assessment**

Trustee Watters highlighted the FNLC's support of FSA's and the importance of upholding agreements.

C. TRUSTEE REPORTS

C.1. Chair's Report

- a. Chair Painter provided a report on his activities over the past month and highlighted his attendance at the BCSTA Trustee Academy.
- b. Annual Workplan: January 2022

Chair Painter presented for information the Board work plan for January 2022.
- c. Standing Committee Chair Elections
 - a. Chair Painter called for nominations for the position of Chair of the Education Policy and Directions Committee for the period of January 2022 to December 2022. Nominations were received for Trustee Paynter and Trustee Watters.

Trustees Paynter and Watters both declined the nomination. Chair Painter called for nominations a second time. Nominations were received for Trustees Whiteaker, Ferris and Hentze. Trustees Whiteaker and Hentze declined the nomination and Trustee Ferris accepted. Trustee Ferris was declared the Chair of the Education Policy and Directions Committee by acclamation.

- b. Chair Painter called for nominations for the position of Chair of the Operations Policy and Planning Committee for the period of January 2022 to December 2022. Nominations were received for Trustees Paynter and Leonard. Trustees Paynter and Leonard both accepted the nomination. Chair Painter called for the vote. Chair Painter declared Trustee Leonard the Chair of the Operations Policy and Planning Committee.

C.2. Trustees' Reports

- a. Trustee Hentze provided a written report and highlights with regards to her attendance at the BCSTA Trustee Academy.

D. BOARD COMMITTEE REPORTS

D.1. Combined Education Policy and Directions Committee and Operations Policy and Planning Committee

- a. The draft combined minutes from the December 6, 2021 meeting were presented for information.
- b. Recommended motions from the December 6, 2021 meeting:
 - a. Cedar Hill Middle School Project: Net Zero Energy Ready
Secretary-Treasurer Morris and Associate Director Vistisen-Harwood from Facilities Services, provided answers and clarification to questions that were asked by Trustees at the December 6, 2021 Committee meeting.

Moved by: Trustee Leonard
Seconded by: Trustee Ferris

That the Board of Education of School District No. 61 (Greater Victoria) promote Bundle 2 - Net Zero Energy

Ready with a 100kW PV array at a cost of \$538,375 for the following reasons:

- Bundle 3 – NZER with 272kW PV Solar Array is not feasible with BC Hydro’s current net metering regulatory constraint of 100kW.
- Less capital costs than Bundle 3 – NZER with a 272kW PV Solar Array
- Achievable now without relying on changes from BC Hydro which are not guaranteed.

Motion Carried Unanimously

b. BC Hydro: Net Metering Cap

Recommended motion:

That the Board of Education of School District No. 61 (Greater Victoria) advocate for BC Hydro to lift the 100kW net metering cap by advocating directly with BC Hydro and through BCSTA to BC Hydro, Minister of Education, Minister of Finance, Minister of Environment and Clean BC.

Discussion ensued amongst the Trustees with a suggestion being made to amend the motion.

Moved by: Trustee Whiteaker

Seconded by: Trustee Henzte

That the motion “That the Board of Education of School District No. 61 (Greater Victoria) advocate for BC Hydro to lift the 100kW net metering cap by advocating directly with BC Hydro and through BCSTA to BC Hydro, Minister of Education, Minister of Finance, Minister of Environment and Clean BC” be amended to strike the words “for BC Hydro” and add “BC Utilities Commission and Premier.”

Motion Carried Unanimously

Chair Painter called for the vote on the main motion as amended.

That the Board of Education of School District No. 61 (Greater Victoria) advocate to lift BC Hydro’s 100kW net metering cap by advocating directly with BC Hydro and the BC Utilities Commission, and through BCSTA, to BC Hydro, BC Utilities Commission, the Premier of British Columbia,

Minister of Education, Minister of Finance, Minister of Environment and Clean BC.

Motion Carried Unanimously

- c. School Shops Health and Safety Audit

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to provide monthly progress reports at the Operations, Policy and Planning Standing Committee in relation to the outstanding school shop health and safety issues identified in the school shop health and safety audits from 2016 and 2017.

Motion Carried Unanimously

- d. Letter to Ministries re Climate Action

That the Board of Education of School District No. 61 (Greater Victoria) write a letter to the Premier of British Columbia, Minister of Education, Minister of Finance and Minister of Environment and Climate Change to request that they closely collaborate to address the misalignment between provincial obligations to address the climate emergency by reducing GHG emissions in line with CleanBC and the Climate Accountability Act and the current school district capital funding gaps which result from: a) the provincial capital funding cost sharing model; and b) the difference between the actual capital costs associated with a “zero emissions” building and the current so called “net zero ready” capital funding standard applied to both building and renovating school district buildings. As noted by other school boards the decision to build to a zero emission standard resides with the local school board resulting in the local school board having to identify the additional funding.

Motion Carried Unanimously

- e. Letter to Ministries re Bus Replacement

Recommended motion:

That the Board of Education of School District No. 61 (Greater Victoria) write a letter to the Minister of Education and Minister of Finance to request that, going forward, the level of funding for bus replacement be set at the cost of the purchase price for electric buses;
AND FURTHER

That the Board understands that the Ministry sets the schedule of bus replacement based on age and mileage of the vehicle and that the funding standard is applied against the cost of a diesel or gas-driven vehicle.

Discussion ensued amongst the Trustees with a suggestion being made to amend the motion.

Moved by: Trustee Whiteaker

Seconded by: Trustee Duncan

That the motion “That the Board of Education of School District No. 61 (Greater Victoria) write a letter to the Minister of Education and Minister of Finance to request that, going forward, the level of funding for bus replacement be set at the cost of the purchase price for electric buses;

AND FURTHER

That the Board understands that the Ministry sets the schedule of bus replacement based on age and mileage of the vehicle and that the funding standard is applied against the cost of a diesel or gas-driven vehicle” be amended to strike the words “the Ministry” in the second paragraph and add the words “rather than an electric vehicle” at the end of the second paragraph.

Motion Carried Unanimously

Chair Painter called for the vote on the main motion as amended.

That the Board of Education of School District No. 61 (Greater Victoria) write a letter to the Minister of Education and Minister of Finance to request that, going forward, the level of funding for bus replacement be set at the cost of the purchase price for electric buses;

AND FURTHER

That the Board understands that the schedule of bus replacement is based on age and mileage of the vehicle and that the funding standard is applied against the cost of a diesel or gas-driven vehicle rather than an electric vehicle.

Motion Carried Unanimously

f. Re-Affirm \$10 a day Childcare Plan

That the Board of Education of School District No. 61 (Greater Victoria) write to re-affirm its endorsement of the \$10 a day Childcare Plan including the inclusion of early

learning and childcare being brought under the Ministry of Education; AND FURTHER that the Chair write a letter to the Ministry of Education and the Ministry of Children and Family Development urging this change and the necessary capital investment and on-going operating funding to create childcare space on school district property.

Motion Carried Unanimously

- g. Letter of Support to School Districts Affected by Recent Floods

That the Board of Education of School District No. 61 (Greater Victoria) direct the Board Chair to write letters of support to Chilliwack, Abbotsford, Fraser-Cascade and Nicola-Similkameen School Districts affected by the recent floods, landslides, and road closures.

Motion Carried Unanimously

- h. Revised Bylaw 9330.1 – *Appeal Process*

That the Board of Education of School District No. 61 (Greater Victoria) approve the revised Bylaw 9330.1 and Notice of Appeal and Feedback on the Appeal Process forms, as amended.

Motion Carried Unanimously

- c. Revised Bylaw 9330.1 *Appeal Process*: Bylaw Readings

Moved by: Trustee Leonard

Seconded by: Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings to revised Bylaw 9330.1 *Appeal Process* at the meeting of December 13, 2021.

Motion Carried Unanimously

Moved by: Trustee Leonard

Seconded by: Trustee Ferris

That revised Bylaw 9330.1 *Appeal Process* be:
Read a first time the 13th day of December, 2021;

Motion Carried Unanimously

Moved by: Trustee Leonard

Moved by: Trustee Watters

That revised Bylaw 9330.1 *Appeal Process* be:
Read a second time the 13th day of December, 2021;

Motion Carried Unanimously

Moved by: Trustee Leonard
Seconded by: Trustee Duncan

That revised Bylaw 9330.1 *Appeal Process* be:
Read a third time, passed and adopted the 13th day of December,
2021;

Motion Carried Unanimously

E. DISTRICT LEADERSHIP TEAM REPORTS

E.1. Interim Superintendent's Report

a. Monthly Report

Interim Superintendent Whitten provided the report and highlighted the Representative Advisory Committee of Students' meeting on December 6, 2021 on the topic of Unconscious Bias with the Canadian Centre for Diversity and Inclusion, which was also attended by Principal's, Vice-Principal's and Trustees. Interim Superintendent Whitten welcomed student representatives Sadie and Isabella to the Board meeting, and expressed gratitude to Dana Marchant as she retires from the District after 20+ years of service.

Moved by Trustee Ferris
Seconded by Trustee Whiteaker

That the Board of Education of School District No. 61 (Greater Victoria) receive the Superintendent's report as presented.

Motion Carried Unanimously

b. Trustee Questions

Trustee Duncan requested an update with respect to the status of discussions with the Ministry of Education on the shortfall in funding on the 2/2/2 salary increase mandate and not receiving the third year of funding. Secretary-Treasurer Morris provided a response and advised that this topic will be added to a future Budget Advisory Committee meeting agenda.

E.2. Secretary-Treasurer's Report

a. Monthly Report

Secretary-Treasurer Morris provided the report.

Moved by Trustee Leonard

Seconded by Trustee Hentze

That the Board of Education of School District No. 61 (Greater Victoria) receive the Secretary-Treasurer's reports as presented.

Motion Carried Unanimously

b. SJ Burnside Alternative School Site Disposal Bylaw, 2021: Third Reading

Chair Painter reminded Trustees that the first and second reading of this Bylaw were conducted at the October 25, 2021 Board meeting and this will be the third and final reading. Discussion ensued amongst the Trustees with questions of clarification being asked of Secretary-Treasurer Morris and Director of Facilities Services Morris.

Trustee Whiteaker added Trustees that she would be once again recusing herself from the vote for this Bylaw, as she is in a conflict of interest.

Recommended motion:

WHEREAS section 65 (5) of the School Act provides that a board of education may exercise a power with respect to the acquisition or disposal of property owned or administered by the board only by bylaw;

AND WHEREAS pursuant to Section 96 (1) of the School Act, "land" includes any interest in land, including any right, title or estate in it of any tenure;

AND WHEREAS section 96 (3) of the School Act provides that a board of education may dispose of land or improvements, or both, subject to the orders of the British Columbia Minister of Education (the "Minister");

AND WHEREAS section 3 of the Disposal of Land or Improvements Order M193/08 (the "Order") provides that boards must not dispose of land or improvements by sale and transfer in fee simple or by way of lease of 10 years or more unless such disposal is to another board or an independent school for educational purposes or is approved by the Minister in accordance with section 5 of the Order;

AND WHEREAS section 5 of the Order provides that the Minister may approve, with any terms and conditions, a disposition of land or improvements;

AND WHEREAS:

(a) The property described in this Bylaw (the "Property") is registered in the name of The Corporation of the City of Victoria (the "City") but is being used and administered by The Board of Education of School District No.61 (Greater Victoria) (the "Board") for school purposes;

(b) The Board is operating SJ Burnside Alternative School on a portion of the Property and has determined that the remainder of the Property, shown outlined in bold on Schedule A attached to this Bylaw (the "Quit Claim Area"), is no longer required for school purposes;

(c) The Board has agreed to release to the City all of its interest in the Quit Claim Area by way of a Quit Claim Deed in favour of the City (the "Quit Claim Deed") in exchange for consideration to be provided to the Board as described in an agreement (the "Framework Agreement") among the City, the Board, Pacifica Housing Advisory Association and British Columbia Housing Management Association, which will be fully executed as a precondition to the disposition of the Quit Claim Area as contemplated by this Bylaw;

(d) The Property is legally described as:

PID: 030-095-859 - Lot 1, Section 4, Victoria District, Plan EPP70074;

(e) The Board has confirmed that the Quit Claim Area will not be required for future educational purposes; and

(f) The Board is satisfied that the consideration to be provided to the Board under the Framework Agreement represents the fair market value of the Quit Claim Area;

NOW THEREFORE be it enacted as a Bylaw, that:

1. Subject to the approval of the Minister, the Board hereby authorizes the execution and delivery of the Quit Claim Deed in favour of the City on the terms and subject to the conditions in the Framework Agreement; and

2. Subject to the approval of the Minister, the Board hereby approves, ratifies and confirms the terms, covenants and conditions of the Framework Agreement and authorizes the Secretary-Treasurer of the Board, for and on behalf of the Board, to execute and deliver the Quit Claim Deed in the form provided as an attachment to the Framework Agreement, and all other documents required to complete the transactions contemplated in the Framework Agreement, with such amendments as the Secretary-

Treasurer may consider reasonable and in the best interests of the Board.

This bylaw may be cited as "School District No. 61 (Greater Victoria) SJ Burnside Alternative School Site Disposal Bylaw, 2021".

Read a first time the 25th day of October, 2021

Read a second time the 25th day of October, 2021

Read a third time this 13th day of December, 2021 and passed and adopted the 13th day of December, 2021.

Motion Carried

For: Trustees Ferris, Hentze, Leonard, Painter, Watters

Against: Trustees Duncan, Paynter

Recused: Trustee Whiteaker

- c. Cedar Hill Middle School Replacement Project: Visioning Engagement Report

Secretary-Treasurer Morris introduced Kate Lemon, Principal Architect from KMBR. KMBR Architects Planners Inc. has been hired by the Greater Victoria School District No. 61 to conduct workshops, interviews, review survey results, and public information sessions, and to provide documentation to the School District CHMS Core Committee with respect to the School's long range vision and overarching design goals. The Vision and Design Drivers will help steer the decision making and help the Design Team understand the priorities for the design of the replacement school. Ms. Lemon provided a presentation on the results from the visioning group with respect to the replacement of Cedar Hill Middle School and answered questions of clarification from Trustees. Chair Painter thanked Ms. Lemon for attending and presenting to Trustees.

- d. Lansdowne Middle School, South Campus

- i. Land Disposal Public Consultation Report

Secretary-Treasurer Morris provided the report and advised that correspondence received after the report had been produced will appear in the January 24, 2021 Board meeting agenda package.

- e. 2022-2023 Budget Update
 - i. Secretary-Treasurer Morris presented the report from the Talking Tables budget meeting, highlighting a few areas and thanked participants for their feedback.
 - ii. Budget Advisory Committee
 - a. The draft minutes from the December 7, 2021 Budget Advisory Committee meeting were presented for information.

F. QUESTION PERIOD

Q: Relative to the Cedar Hill Middle School project, all bundles specify a 'backup gas boiler'. Is this to provide backup for space heating or water heating or both? If it's for space heating too, then have alternative electricity-based options been explored?

A: The gas boiler will be used for heating of the building but only for 3% of the heating load. The use of hot water for showers etc will be electric and will most likely be an electric boiler.

G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

G.1. Record of In-Camera Board of Education Meeting – November 22, 2021

G.2. The Board of Education of School District No. 61 (Greater Victoria) will not be implementing a COVID-19 vaccine mandate at this time for employees of the District.

H. NEW BUSINESS/NOTICE OF MOTIONS

H.1. New Business

None

H.2. Notice of Motions

None

I. ADJOURNMENT

The meeting adjourned at 10:17 p.m.

Moved by Trustee Leonard
Seconded by Trustee Duncan

That the meeting be adjourned.

Motion Carried Unanimously

Chair

Secretary-Treasurer