



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

**MINUTES**

**Via Zoom**

**February 28, 2022, 7:30 p.m.**

Trustees Present: Ryan Painter, Board Chair, Tom Ferris, Vice-Chair, Nicole Duncan, Angie Hentze, Elaine Leonard, Jordan Watters, Ann Whiteaker

Trustees Sanctioned: Diane McNally, Rob Painter

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, Julie Lutner, Director of Finance, Chuck Morris, Director, Facilities Services, Andy Canty, Director, Information Technology for Learning, Marni Vistisen-Harwood, Associate Director, Facilities Services, Vicki Hanley, Recorder

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**A. COMMENCEMENT OF MEETING**

The meeting was called to order at 7:31 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 Watters

That the February 28, 2022 agenda be approved with the following amendments:

Remove: A.7.f. Kevin Harter, CEO, Victoria Hospice Society

Remove: E.2.c. Lansdowne Middle School, Partial Disposal Bylaw 2022: 3<sup>rd</sup> Reading

Add: C.1.d. Public Apology

**Motion Carried Unanimously**

**Moved by** Trustee Watters  
**Seconded by** Trustee Leonard

That the February 28, 2022 agenda be approved with the following amendment:

Remove: H.1.d. Letter to Learning Community

**Motion Carried Unanimously**

**Moved by** Trustee Duncan  
**Seconded by** Trustee Whiteaker

That the February 28, 2022 agenda be approved with the following amendments:

Add: C.2.a. Trustee Reports: Trustee Duncan

Add: B.13. Correspondence: February 24, 2022 Open Letter from Board Chair to Partner Groups

Add: C.2.b. Trustee Reports: Trustee Whiteaker

Switch order on agenda: H.1.b. with H.1.c.

**Motion Carried Unanimously**

**A.3. Approval of the Minutes**

**Moved by** Trustee Ferris  
**Seconded by** Trustee Leonard

That the January 24, 2022 Regular Board minutes be approved.

**Motion Carried Unanimously**

**A.4. Business Arising from the Minutes**

None

**A.5. Student Achievement**

None

**A.6. District Presentations**

None

**A.7. Community Presentations**

- a. Ms. Loring-Kuhanga attended the Board meeting to speak against the suspension of Trustees McNally and Painter and urged Trustees to reverse their decision.
- b. Ms. Cordua-von Specht attended the Board meeting to speak against the partial disposal of land at Lansdowne Middle School South Campus.
- c. Ms. Currey attended the Board meeting to speak against the partial disposal of land at Lansdowne Middle School South Campus.

- d. Ms. Timmons attended the Board meeting to speak against the partial disposal of land at Lansdowne Middle School South Campus.
- e. Mr. Heinrich attended the Board meeting to speak about Board culture and learning.

**B. CORRESPONDENCE**

**B.1. January 4, 2022, SD5 to Minister of Education, K-12 Recommendations**

**B.2. January 18 – February 22, 2022, Public Correspondence re proposed land disposal at Lansdowne Middle School South Campus**

**B.3. January 28, 2022, Township of Esquimalt to SD61, Childcare in School Facilities**

Chair Painter suggested that Trustee Ferris be assigned to attend a meeting as the liaison to the Township of Esquimalt, along with a staff member.

**Moved by** Trustee Leonard  
**Seconded by** Trustee Watters

That the Board of Education of School District No. 61 (Greater Victoria) assign Trustee Ferris to attend a meeting at the Township of Esquimalt, along with a staff member, in order to hear their feedback with respect to childcare in District school facilities;

AND FURTHER

That Chair Painter respond to the January 28, 2022 letter advising that Trustee Ferris would be assigned to attend.

**Motion Carried Unanimously**

**B.4. February 2, 2022, SD61 to Minister of Education, Friends of Bowker Creek, Camosun Community Association, Purchase and Sale Agreement**

**B.5. February 8, 2022, Minister of Education and Minister of State to Education Partners, Child care transition to Ministry of Education**

**B.6. February 9, 2022, Fernwood Community Association to SD61, Daycare**

Trustee Duncan requested an update. Secretary-Treasurer Morris advised that she did not have an update, however, could prepare an update for a future meeting.

**B.7. February 9, 2022, BCSTA to Minister of Education, Response to FNLC Letter re FSA testing data**

**B.8. February 10, 2022, BC Hydro to SD61, Response re Net Metering**

Trustee Duncan requested information with respect to the process of installing more solar panels and requested to know if the District has reached out to BC Hydro. Secretary-Treasurer responded.

**B.9. February 14, 2022, Ms. Cordua-von Specht to SD61 Trustees, Land Disposal**

Trustee Whiteaker suggested that an FAQ be added to the District website with this information. Secretary-Treasurer Morris responded and agreed.

**B.10. February 14, 2022, Ms. Tolgyesi to SD61 Chair, Support of CF Games**

**B.11. February 15, 2022, Premier of BC to SD61 Chair, response re \$10 a day child care**

**B.12. February 18, 2022, Victoria Hospice Society to Board Chair, Potential Land Purchase at Lansdowne Middle School South Campus**

**B.13. February 24, 2022, Open Letter from Board Chair to Partner Groups, Suspension of Trustees**

This letter was added to the agenda at the beginning of the meeting and will be posted to the District website as a supplemental document.

**C. TRUSTEE REPORTS**

**C.1. Chair's Report**

a. Chair's Report

None

b. Annual Workplan: March 2022

Chair Painter presented for information, the Board work plan for March 2022.

c. Election of British Columbia Public School Employers' Association (BCPSEA) Representative

Chair Painter advised that the position of Representative for the BC Public School Employers' Association was currently vacant and called for nominations for this position.

Chair Painter advised that nominations were received for Trustee Ferris. Trustee Ferris accepted the nomination and was acclaimed as the new BCPSEA Representative.

d. Public Apology

Chair Painter read the following formal apology to Secretary-Treasurer Morris:

*On behalf of the Board, I would like to formally apologize for the bullying and harassment you have experienced as a result of the public statements made by some trustees which impugned your competence and integrity. These comments were unfair, were not reflective of the views of the Board, and should not have been made. The Board has full confidence in your ability and performance as Secretary-Treasurer.*

*As an employer, our goal is to ensure that all Board employees are treated with dignity and respect. We regret that this has not been your experience, and acknowledge the impact this has had on you professionally and personally. We very much regret that this has occurred.*

**C.2. Trustees' Reports**

- a. Trustee Duncan provided a verbal report relative the current Board culture, how to resolve conflicts and rebuild trust.
- b. Trustee Whiteaker asked questions in relation to the case cited in the Chair's letter dated February 24, 2022 and provided information on free parent resources at familysmart.ca.

**D. BOARD COMMITTEE REPORTS**

**D.1. Education Policy and Directions Committee**

- a. The draft minutes from the February 7, 2022 meeting were presented for information.

**D.2. Operations Policy and Planning Committee**

- a. The draft minutes from the February 14, 2022 meeting were presented for information.
- b. Recommended motion from the February 14, 2022 meeting:

- a. Draft 2022-2023 School Calendar

Associate Superintendent Roberts presented the 'draft' 2022-2023 School Calendar, to be posted on the District website for thirty days for community feedback.

**Moved by** Trustee Ferris  
**Seconded by** Trustee Leonard

That the Board of Education of School District No. 61 (Greater Victoria) approve the posting of the following 2022/2023 school calendar on the School District's website for a period of one month:  
2022/2023 School Calendar\*

School Opening	September 6, 2022
First non-instructional day	September 23, 2022
National Day for Truth and Reconciliation	September 30, 2022
Thanksgiving	October 10, 2022
Second non-instructional day wide)	October 21, 2022 (Province)
Remembrance Day	November 11, 2022
Third non-instructional day	November 14, 2022
Schools close for Winter vacation	December 19, 2022
Schools re-open after Winter vacation	January 3, 2023
Fourth non-instructional day	February 17, 2023
Family Day	February 20, 2023
Schools close for Spring vacation	March 20, 2023
Schools re-open after Spring vacation	April 3, 2023
Good Friday	April 7, 2023
Easter Monday	April 10, 2023
Fifth non-instructional day	May 19, 2023
Victoria Day	May 22, 2023
Administrative Day and School Closing	June 30, 2023

- Sixth non-instructional day to be chosen by each school.

**Motion Carried Unanimously**

### **D.3 Audit Committee**

- a. Audit Committee Report – February 14, 2022 Meeting

The Audit Committee Report was received for information.

**Moved by** Trustee Ferris  
**Seconded by** Trustee Watters

That the Board of Education of School District No. 61 (Greater Victoria) accept the December 2021 Quarterly Financial Report as presented to the Audit Committee.

**Motion Carried Unanimously**

## **E. DISTRICT LEADERSHIP TEAM REPORTS**

### **E.1. Interim Superintendent's Report**

- a. Interim Superintendent Whitten provided the report and highlighted the GVTA Tapestry Conference and expressed gratitude to the organizing committee of GVTA conference, the Budget Advisory Committee, Lynn

Yearwood for the District T4's, and Julie Lutner for her work on the Amended Annual Budget.

**Moved by** Trustee Leonard  
**Seconded by** Trustee Duncan

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

**Motion Carried Unanimously**

b. Trustee Questions

Secretary-Treasurer Morris responded to questions from Trustees Whiteaker and Duncan relative to motions carried in June 2019 to re-allocate local capital, clarifying any local capital allocations are made by Board motion.

**E.2. Secretary-Treasurer's Report**

a. Secretary-Treasurer Morris provided the report.

**Moved by** Trustee Ferris  
**Seconded by** Trustee Duncan

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

**Motion Carried Unanimously**

b. 2021-2022 Amended Annual Budget Bylaw: 3<sup>rd</sup> Reading

Secretary-Treasurer Morris reminded Trustees that the Amended Annual Budget must be submitted to the Ministry of Education each year by February 28<sup>th</sup> and that the first two readings of the Bylaw occurred at a Special Board meeting on February 22, 2022.

**Moved by** Trustee Leonard  
**Seconded by** Trustee Ferris

That the Board of Education of School District No. 61 (Greater Victoria) 2021-2022 Amended Annual Budget Bylaw in the amount of \$272,964,571 be:

Read a third time, passed and adopted the 28<sup>th</sup> day of February, 2022.

And that the Secretary-Treasurer and Board Chair be authorized to sign, seal and execute the bylaw on behalf of the Board.

**Motion Carried Unanimously**

## F. QUESTION PERIOD

Chair Painter read the follow two questions into the record.

**Q:** Please provide all documents and records pertaining to the analysis of Lansdowne South Campus lands that substantiate the decision to declare 1.9 acres as surplus to educational needs. Please provide all documents and records pertaining to the appraisal of Lansdowne Campus lands, specifically the 1.9 acres identified in the proposed disposal.

**A:** Documents cannot be provided in a Q&A, however, the Board declared the land surplus as stated in its February 21, 2022 response to the Minister of Education, Friends of Bowker Creek and Camosun Community Association as follows:

- Future enrolment needs are met with the opening of Lansdowne Middle School South Campus (formerly Richmond Elementary School) housing the middle school's grade 6 students. **Even if enrolment increased in the catchment, the school at its current enrolment of 721 students is felt to be at capacity relative to a middle school philosophy.** A middle school larger than 750 students is undesirable for learning and any residual enrolment would be attended to at another site.
- Lansdowne Middle School, North Campus, remains the District's largest piece of land and therefore could be utilized if absolutely necessary.
- South Campus and the property are separated by a creek and not easily nor safely accessible by students. The creek portion is currently surrounded by a fence and access to and from the South Campus and the property is through a roughly 2.5m wide walkway.
- Not used by school district for curriculum delivery nor extra-curricular activities.
- The Lansdowne Middle School Principal confirms the lands are not required for educational programming.

**Q:** Can the Board Chair confirm or deny that the Board's legal authority includes the inherent power to effectively reduce the number of active Trustees on a Board of Education without a ministerial order under the *School Act*?

**A:** The Board can initiate a process to vary the number of elected Trustees but application to the Minister of Education must be made the December before an election year and the Minister makes the decision.



**Q:** Did the Board and District conduct an appraisal of the property at Lansdowne South immediately prior to entering into a purchase and sale agreement with Victoria Hospice Society? If so, can you provide the date of this appraisal as well as the appraised value of this property? If not, will an appraisal of the property be arranged prior to selling it?

**A:** The Board's appraisal of the 1.9 acres was conducted in July 2020. The proceeds of disposition of \$2.5m is greater than appraisal value. A further appraisal will not be conducted.

## **G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS**

**G.1.** Record of In-Camera Board of Education Meeting – January 24, 2022

**G.2.** Record of Special In-Camera Board of Education Meeting – January 25, 2022

**G.3.** Record of Special In-Camera Board of Education Meeting – January 31, 2022

**G.4.** Record of Special In-Camera Board of Education Meeting – February 8, 2022

**G.5.** Record of Special In-Camera Board of Education Meeting – February 14, 2022

## **H. NEW BUSINESS/NOTICE OF MOTIONS**

### **H.1. New Business**

- a. Trustee Whiteaker – Re-Affirm Motion re Working Committee for Draft Compost and Waste Policy

Trustee Whiteaker presented the motion and provided rationale.

**Moved by** Trustee Whiteaker  
**Seconded by** Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) re-affirm its motion of June 2021 *“That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to oversee the creation of a Working Committee and consultation process, as outlined in Bylaw 9210, to prepare a draft Compost and Waste policy proposal which is in alignment with our environmental values and goals.”*

Discussion ensued amongst the Trustees with a suggestion being made to rescind the original motion

**Moved by** Trustee Leonard  
**Seconded by** Trustee Ferris

That the original motion from June 2021 *“That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to oversee the creation of a Working Committee and consultation process,*

as outlined in Bylaw 9210, to prepare a draft Compost and Waste policy proposal which is in alignment with our environmental values and goals” be rescinded.

Further discussion ensued amongst the Trustees with a suggestion being made to refer 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) re-affirm its motion of June 2021 “That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to oversee the creation of a Working Committee and consultation process, as outlined in Bylaw 9210, to prepare a draft Compost and Waste policy proposal which is in alignment with our environmental values and goals”* be referred to the March 7, 2022 combined Education Policy and Directions and Operations Policy and Planning Committee meeting.

**Motion Carried**

For: Trustees Duncan, Ferris, Hentze, Painter, Watters, Whiteaker  
Against: Trustee Leonard

b. Trustee Whiteaker – Petition the Minister of Education

Trustee Whiteaker presented the motion and provided rationale.

**Moved by** Trustee Whiteaker  
**Seconded by** Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) petition the Minister of Education for an order under *Section 30* of the *School Act*, to reduce the number of Trustees for School District No. 61 from 9 to 7, to take effect in the upcoming election October 2022.

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

**Moved by** Trustee Duncan  
**Seconded by** Trustee Ferris

That the motion “*That the Board of Education of School District No. 61 (Greater Victoria) petition the Minister of Education for an order under Section 30 of the School Act, to reduce the number of Trustees for School District No. 61 from 9 to 7, to take effect in the upcoming election October 2022”* be referred to the March 7, 2022 combined Education Policy and Directions and Operations Policy and Planning Committee meeting agenda.

**Motion Carried**

For: Trustees Duncan, Ferris, Hentze, Painter, Watters, Whiteaker  
Against: Trustee Leonard

c. Trustee Whiteaker – BCSTA Membership

Trustee Whiteaker presented the motion and provided rationale.

**Moved by** Trustee Whiteaker  
**Seconded by** Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) does not renew its membership in the BC School Trustee Association for the upcoming year.

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

**Moved by** Trustee Duncan  
**Seconded by** Trustee Whiteaker

That the motion "*That the Board of Education of School District No. 61 (Greater Victoria) does not renew its membership in the BC School Trustee Association for the upcoming year*" be referred to the March 7, 2022 combined Education Policy and Directions and Operations Policy and Planning Committee meeting agenda.

**Motion Defeated**

For: Trustees Duncan, Whiteaker  
Against: Trustees Ferris, Hentze, Leonard, Painter, Watters

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

That the Board of Education of School District No. 61 (Greater Victoria) does not renew its membership in the BC School Trustee Association for the upcoming year.

**Motion Defeated**

For: Trustee Whiteaker  
Against: Trustees Ferris, Hentze, Leonard, Painter, Watters  
Abstain: Trustee Duncan

## H.2. Notice of Motions

None

## I. ADJOURNMENT

The meeting adjourned at 9:44 p.m.

**Moved by** Trustee Ferris  
**Seconded by** Trustee Duncan

That the meeting be adjourned.

**Motion Carried Unanimously**

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Chair

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Secretary-Treasurer