



**The Board of Education of School District No. 61 (Greater Victoria)**  
**Regular Board Meeting**  
**AGENDA**  
**Via Zoom**

**Monday, April 25, 2022, 7:30 p.m.**  
**Broadcasted via YouTube**  
**<https://bit.ly/3czx8bA>**

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**A. COMMENCEMENT OF MEETING**

This meeting is being audio and video recorded. The video can be viewed on the District website.

**A.1. Acknowledgement of Traditional Territories**

*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.*

**A.2. Approval of the Agenda**

Recommended Motion:  
That the April 25, 2022 agenda be approved.

**A.3. Urban Peoples House Indigenous Advisory (UPHIA): Terms of Reference**

Recommended Motion:  
That the Board of Education of School District No. 61 (Greater Victoria) approve the Terms of Reference for the Urban Peoples House Indigenous Advisory (UPHIA), as presented.

**A.4. Approval of the Minutes**

a. Approval of the March 14, 2022 Regular Board Minutes

Recommended Motion:  
That the March 14, 2022 Regular Board minutes be approved.

- b. Approval of the April 4, 2022 Special Board Budget Minutes

Recommended Motion:

That the April 4, 2022 Special Board Budget minutes be approved.

- c. Approval of the April 7, 2022 Special Board Budget Minutes

Recommended Motion:

That the April 7, 2022 Special Board Budget minutes be approved.

**A.5. Business Arising from the Minutes**

**A.6. Student Achievement**

**A.7. District Presentations**

**A.8. Community Presentations** (5 minutes per presentation)

**B. CORRESPONDENCE**

**B.1. March 8, 2022, SD5 to Premier Horgan et al, Student Services Funding**

**B.2. March 8, 2022, Canadian Humane Society to Trustees, Dissection Policy**

**B.3. March 11, 2022, SD69 to Federal & Provincial Gov't, Climate Action**

**B.4. March 11, 2022, SD69 to Minister of Education, K-12 Food Program**

**B.5. March 11, 2022, SD69 to Federal & Provincial Gov't, K-12 Food Program**

**B.6. March 11, 2022, Ms. Bojanowski to Chair Painter, Continuation of Virtual Meetings**

**B.7. March 15, 2022, Chair Painter to Minister of Education, Vic High/Caledonia Statutory Right of Way**

**B.8. March 15, 2022, Mr. Faerber to SD61 Trustees, Suspension of Trustees**

**B.9. March 17, 2022, GVTA to Minister of Education, Lansdowne South Disposal**

**B.10. March 26, 2022, SD61 to Bays United Football Club, Vic High Artificial Turf**

**B.11. March 28, 2022, BCSTA to SD93, Hybrid Meetings**

**B.12. March 31, 2022, Mr. Faerber to Minister of Education, SD61 Trustees**

## **C. TRUSTEE REPORTS**

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

- a. Chair's Report
- b. Return to In-Person Meetings
- c. Annual Workplan: May 2022

### **C.2. Trustees' Reports** (2 minutes per verbal presentation)

## **D. BOARD COMMITTEE REPORTS**

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

- a. Draft minutes from the April 4, 2022 meeting – information only
- b. Recommended motion from the April 4, 2022 meeting
  - a. Industry-Sponsored Educational Materials

#### **Recommended Motion:**

That the Board of Education of School District No. 61 (Greater Victoria) direct the Interim Superintendent to meet with members of the Greater Victoria Teachers' Association to discuss the appropriate use of fossil fuel industry-sponsored educational materials, including those produced by Fortis BC, in the Greater Victoria School District.

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

- a. Draft minutes from the April 11, 2022 meeting - Information only

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

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

- a. Monthly Report

#### **Recommended Motion:**

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

b. 2022-2023 School Calendar

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve the 2022/2023:

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 (Province wide)	October 21, 2022 (Province wide)
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

c. 2022-2023 Specialty Academy Fees

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) makes available to the public, via the District website, the schedules of fees that have been approved by the Parents' Advisory Council for the school where the Board proposes to offer specialty academies.

d. Trustee Questions

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

a. Monthly Report

Recommended Motion:

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

b. Capital Bylaw No. 2022-23-CPSD61-01 – Capital Plan 2022/23

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve Capital Bylaw No. 2022/23-CPSD61-01 Capital Plan 2022/23.

WHEREAS in accordance with Section 142 of the *School Act*, the Board of Education of School District No. 61 (Greater Victoria) (hereinafter called the "Board") has submitted a capital plan to the Minister of Education (hereinafter called the "Minister") and the Minister has approved the capital plan or has approved a capital plan with modifications,

NOW THEREFORE in accordance with Section 143 of the *School Act*, the Board has prepared this Capital Bylaw and agrees to do the following:

- (a) Authorize the Secretary-Treasurer to execute a capital project funding agreement(s) related to the capital project(s) contemplated by the capital plan or the capital plan with modifications;
- (b) Upon ministerial approval to proceed, commence the capital project(s) and proceed diligently and use its best efforts to complete each capital project substantially as directed by the Minister;
- (c) Observe and comply with any order, regulation, or policy of the Minister as may be applicable to the Board or the capital project(s); and,
- (d) Maintain proper books of account, and other information and documents with respect to the affairs of the capital project(s), as may be prescribed by the Minister.

NOW THEREFORE the Board enacts as follows:

- 1. The Capital Bylaw of the Board for the 2022/23 Capital Plan as approved by the Minister, to include the supported capital project(s) specified in the letter addressed to the Secretary-Treasurer and Superintendent, dated April 25, 2022, is hereby adopted.
- 2. This Capital Bylaw may be cited as School District No. 61 (Greater Victoria) Capital Bylaw No.2022/23-CPSD61-01.

Read a first time this 25<sup>th</sup> day of April, 2022;

Read a second time this 25<sup>th</sup> day of April, 2022;

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings of School District NO. 61 (Greater Victoria) Capital Bylaw No. 2022/23-CPSD61-01 at the April 25, 2022 Board meeting.

**(Motion must carry unanimously to continue to the 3<sup>rd</sup> reading).**

Recommended Motion:

Read a third time this 25<sup>th</sup> day of April, 2022, and finally passed and adopted the 25<sup>th</sup> day of April, 2022.

**F. QUESTION PERIOD (15 minutes total)**

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

**G.1. Record of In-Camera Board of Education Meeting** – March 14, 2022

**G.2. Record of Special In-Camera Board of Education Meeting** – March 15, 2022

**G.3. Record of Special In-Camera Board of Education Meeting** – April 12, 2022

**G.4. Record of Special In-Camera Board of Education Meeting** – April 20, 2022

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

**H.1. New Business**

- a. Trustee Watters – Reinvigorate the Greater Victoria Foundation for Learning

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) reinvigorate the Greater Victoria Foundation for Learning.

- b. Trustee Watters – Letter to Minister of Education re: 2022-2023 Funding and Budget Constraints

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to write a letter to the Minister of Education re 2022-2023 funding and budget constraints.

**H.2. Notice of Motions**

**I. ADJOURNMENT**

Recommended Motion:

That the meeting be adjourned.



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

**MINUTES**

**Via Zoom**

**March 14, 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

Sanctioned/Suspended: 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, Andy Canty, Director, Information Technology for Learning, Chuck Morris, Director, Facilities Services, Marni Vistisen-Harwood, Associate Director, Facilities Services, Lisa McPhail, Manager, Communications and Community Engagement, Vicki Hanley, Recorder

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**A. COMMENCEMENT OF MEETING**

The meeting was called to order at 7:32 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 Leonard

**Seconded by** Trustee Ferris

That the March 14, 2022 agenda be approved with the following additions:

B.6. Correspondence, March 7, 2022, CUPE 382 to SD61 Trustees, Daytime Custodial Positions

C.2.a. Trustee Reports – Trustee Whiteaker

**Motion Carried Unanimously**

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

- a. Approval of the February 22, 2022 Special Board Budget Minutes

Trustee Duncan requested the following amendment:

A.2. Approval of the Agenda – amend the wording to read: *“Add a motion to the agenda at C.1. New Business, Letter to Community regarding suspension of two Trustees”*

Trustee Whiteaker requested the following amendment:

A.2. Approval of the Agenda – amend to add the following: *“Trustee Whiteaker asked for clarification of the authority used by the Board to suspend Trustees McNally and Paynter, as announced in the media release of February 11, 2022.”*

**Moved by** Trustee Watters

**Seconded by** Trustee Leonard

That the February 22, 2022 Special Board Budget minutes be approved, as amended.

**Motion Carried Unanimously**

- b. Approval of the February 23, 2022 Special Board Minutes

**Moved by** Trustee Leonard

**Seconded by** Trustee Duncan

That the February 23, 2022 Special Board minutes be approved.

**Motion Carried Unanimously**

- c. Approval of the February 28, 2022 Regular Board Minutes

Chair Painter advised that due to the short turnaround time between Board meetings, Section F. Question Period is not complete and will be amended to include additional questions received after the meeting concluded, along with answers to questions. When updated, the amended minutes will be posted on the District website.

Trustee Duncan requested the following amendment:

C.2.a. Trustees' Reports: amend the wording to read: *“Trustee Duncan provided a verbal report relative to the current Board culture, how to resolve conflicts and rebuild trust.”*

Trustee Whiteaker requested that the following amendment:



C.2.b. Trustees' Reports: amend the wording to read: "*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.*"

**Moved by** Trustee Ferris

**Seconded by** Trustee Duncan

That the February 28, 2022 Regular Board minutes be approved,  
as amended.

**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. Timmons attended the Board meeting to speak to Trustees about the partial disposal of land at Lansdowne Middle School South Campus and urged Trustees to reconsider the sale.
- b. Mr. Haddon attended the Board meeting to speak to Trustees about the partial disposal of land at Lansdowne Middle School South Campus suggested a collaboration between community members and the District rather than the sell the land.
- c. Mr. Graeme attended the Board meeting to speak to Trustees about the partial disposal of land at Lansdowne Middle School South Campus and the sale and purchase agreement for the sale.
- d. Mr. Henrich attended the Board meeting to speak to Trustees about the budget process, values and guiding principles.
- e. Ms. Smith attended the Board meeting to speak to Trustees about equitable music education.
- f. Mr. Harder attended the Board meeting to speak to Trustees about the proposal for the new Victoria Hospice site at the Lansdowne Middle School South Campus.

## **B. CORRESPONDENCE**

- B.1. February 17, 2022, BCSTA to Member of Legislative Assembly, Thank You**
- B.2. February 17, 2022, BCSTA to Member of Legislative Assembly, Thank You**
- B.3. February 18, 2022, BCSTA to Minister of Education and Minister of Public Safety, Funding for Education in Correctional Institutions**
- B.4. February 23, 2022 – March 8, 2022, Public Correspondence re proposed land disposal at Lansdowne Middle School South Campus**
- B.5. March 7, 2022, GVTA to Minister of Education, Provincial Budget**
- B.6. March 7, 2022, CUPE Local 382 to SD61 Trustees, Daytime Custodial Positions**

## **C. TRUSTEE REPORTS**

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

- a. Chair's Report

None

- b. BCSTA Climate Change Survey

Chair Painter directed Trustees to the survey in their agenda packages and suggested that the survey be referred to the Climate Action Ad Hoc Committee to be completed and submitted.

**Moved by** Trustee Leonard

**Seconded by** Trustee Watters

That the Board of Education of School District No. 61 (Greater Victoria) refer the BCSTA Climate Action Survey to the Climate Action Committee.

**Motion Carried Unanimously**

- c. Annual Workplan: March 2022

Chair Painter presented for information, the Board work plan for March 2022. Trustee Whiteaker asked a question of clarification with regards to the appointment of the auditors. Secretary-Treasurer Morris responded and stated that she would check policy and respond in due course.

## **C.2. Trustees' Reports**

- a. Trustee Whiteaker reported that she had attended Rogers Elementary School for their Indigenous Community Education Series and expressed gratitude to the event facilitators.

## **D. BOARD COMMITTEE REPORTS**

### **D.1. Combined Education Policy and Directions Committee and Operations Policy and Planning Committee Meeting**

- a. The draft minutes from the combined meeting on March 7 2022 were presented for information.

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

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

- a. Interim Superintendent Whitten provided the report and highlighted with gratitude the return of musical theatre in secondary schools, volunteer coaches for school sports and the successful open house at Cedar Hill Middle School relative to community engagement for the seismic upgrade project.

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

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

Trustee Whiteaker requested information with respect to the Bylaw for the partial disposal of land at Lansdowne Middle School South Campus relative to the size of the parcel that is being sold. Secretary-Treasurer Morris provided an explanation as per legal advice. Further, Trustee Whiteaker made reference to the Board being under judicial review relative to the two suspended Trustees.

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

- a. Secretary-Treasurer Morris provided the report highlighting Budget 2022-2023 and the work of the Budget Advisory Committee. Secretary-Treasurer Morris shared that the Committee reviewed the student ThoughtExchange Report and that it is posted on the District website for information.

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

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

**Motion Carried Unanimously**

b. Lansdowne Middle School, South Campus

i. Partial Disposal Bylaw, 2022: 3<sup>rd</sup> Reading

Secretary-Treasurer Morris provided an overview prior to the third and final reading of the partial disposal of land located at Lansdowne Middle School South Campus. Discussion ensued amongst the Trustees with questions of clarification being asked of Secretary-Treasurer Morris.

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

Whereas a board of education may dispose of land or improvements owned or administered by the board under the authority of Section 96(3) of the School Act, subject to the Orders of the Minister of Education (the "Minister");

AND WHEREAS the Minister issued Order M193/08 effective September 3, 2008 (the "Order") requiring fee simple sales and leases of land or improvements for a term of ten years or more to be specifically approved by the Minister, unless the transferee is an independent school or another school board;

AND WHEREAS Section 65(5) of the School Act requires a board of education to exercise a power with respect to the acquisition or disposal of property only by bylaw;

AND WHEREAS:

- A. The Board of Education of School District No. 61 (Greater Victoria) (the "Board") owns lands and improvements at 2780 Richmond Road, Victoria, B.C. known as Lansdowne Middle School, South Campus (formerly Richmond Elementary School site (the "Property");
- B. The Facility Number of the Property is: 105629.
- C. The legal description of the Property is:  
Parcel Identifier: 005-170-222  
Lot 3, Section 26, Victoria District, Plan 10792;
- D. The Board proposes to subdivide and sell to the Victoria Hospice Society (the "VHS") the portion of the Property lying to the west and south of Bowker Creek and measuring approximately 1.9 acres in area as shown on Schedule A attached hereto (the "Lands"), pursuant to the terms of a conditional agreement of

purchase and sale (the "Sale Agreement") for a price of \$2,500,000, adjusted as provided in the Sale Agreement (the "Price");

- E. The Board is satisfied that it would be in the best interests of the Board to enter into the Sale Agreement and pursuant to its obligations thereunder subdivide the Property and sell the Lands to the VHS for the Price (the "Subdivision and Sale");
- F. The Board is satisfied that the Subdivision and Sale will not interfere with the use by the Board of the remainder of the Property for educational purposes.

NOW THEREFORE be it enacted as a Bylaw of the Board that the Sale Agreement and the Subdivision and Sale be and are hereby authorized, ratified and approved, subject to the Minister of Education providing a written Certificate of Disposal approving the sale of the Lands.

BE IT FURTHER enacted that the Secretary-Treasurer be and is hereby authorized on behalf of the Board to execute and deliver the Sale Agreement and, subject to the Minister's Approval, all documents required to complete the Subdivision and Sale, and all related and ancillary documents, with all such amendments thereto as the Secretary-Treasurer may, in her discretion, consider advisable.

This Bylaw may be cited as "School District No. 61 (Greater Victoria) Lansdowne Middle School, South Campus (formerly Richmond Elementary School) Site Partial Disposal Bylaw 2022".

Read a first time this 24th day of January, 2022.

Read a second time this 24th day of January, 2022.

Trustees debated the 3<sup>rd</sup> reading of the Bylaw, with a suggestion being made to table the motion indefinitely.

**Moved by** Trustee Duncan

**Seconded by** Trustee Whiteaker

That the third reading of Partial Disposal Bylaw, 2022, for Lansdowne Middle School South Campus be tabled indefinitely.

**Motion Defeated**

For: Trustees Duncan, Hentze, Whiteaker

Against: Trustees Ferris, Leonard, Painter, Watters

Further discussion ensued amongst the Trustees and concluded with Chair Painter calling for the vote on the third reading of the Bylaw, as presented.

Whereas a board of education may dispose of land or improvements owned or administered by the board under the authority of Section 96(3) of the School Act, subject to the Orders of the Minister of Education (the “Minister”);

AND WHEREAS the Minister issued Order M193/08 effective September 3, 2008 (the “Order”) requiring fee simple sales and leases of land or improvements for a term of ten years or more to be specifically approved by the Minister, unless the transferee is an independent school or another school board;

AND WHEREAS Section 65(5) of the School Act requires a board of education to exercise a power with respect to the acquisition or disposal of property only by bylaw;

AND WHEREAS:

- A. The Board of Education of School District No. 61 (Greater Victoria) (the “Board”) owns lands and improvements at 2780 Richmond Road, Victoria, B.C. known as Lansdowne Middle School, South Campus (formerly Richmond Elementary School site (the “Property”);
- B. The Facility Number of the Property is:105629.
- C. The legal description of the Property is:  
Parcel Identifier: 005-170-222  
Lot 3, Section 26, Victoria District, Plan 10792;
- D. The Board proposes to subdivide and sell to the Victoria Hospice Society (the “VHS”) the portion of the Property lying to the west and south of Bowker Creek and measuring approximately 1.9 acres in area as shown on Schedule A attached hereto (the “Lands”), pursuant to the terms of a conditional agreement of purchase and sale (the “Sale Agreement”) for a price of \$2,500,000, adjusted as provided in the Sale Agreement (the “Price”);
- E. The Board is satisfied that it would be in the best interests of the Board to enter into the Sale Agreement and pursuant to its obligations thereunder subdivide the Property and sell the Lands to the VHS for the Price (the “Subdivision and Sale”);
- F. The Board is satisfied that the Subdivision and Sale will not interfere with the use by the Board of the remainder of the Property for educational purposes.

NOW THEREFORE be it enacted as a Bylaw of the Board that the Sale Agreement and the Subdivision and Sale be and are hereby authorized, ratified and approved, subject to the Minister of Education providing a written Certificate of Disposal approving the sale of the Lands.

BE IT FURTHER enacted that the Secretary-Treasurer be and is hereby authorized on behalf of the Board to execute and deliver the

Sale Agreement and, subject to the Minister's Approval, all documents required to complete the Subdivision and Sale, and all related and ancillary documents, with all such amendments thereto as the Secretary-Treasurer may, in her discretion, consider advisable.

This Bylaw may be cited as "School District No. 61 (Greater Victoria) Lansdowne Middle School, South Campus (formerly Richmond Elementary School) Site Partial Disposal Bylaw 2022".

Read a first time this 24th day of January, 2022.

Read a second time this 24th day of January, 2022.

Read a third time this 14<sup>th</sup> day of March, 2022., and finally passed and adopted this 14<sup>th</sup> day of March, 2022.

**Motion Carried**

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

## **F. QUESTION PERIOD**

**Q:** In cases where the Board is no longer comprised of the required number of active Trustees set out in *Section 30* of the *School Act* and is therefore no longer able to act as a whole, where does the Board derive its authority? Can the Board Chair please explain why a Board's ability to act as whole does not depend on the ability of each of its trustees to exercise their core statutory duties as elected trustees (including but not limited to attendance and participation in public meetings of the board)? In this explanation, please provide the specific section(s) of legislation or Board policy that specify the circumstances in which a quorum of a board has an inherent or implied power to remove or suspend trustees by a majority vote.

**A:** In cases where the Board is no longer comprised of the required number of active Trustees set out in *Section 30* of the *School Act* and is therefore no longer able to act as a whole, where does the Board derive its authority? Can the Board Chair please explain why a Board's ability to act as whole does not depend on the ability of each of its trustees to exercise their core statutory duties as elected trustees (including but not limited to attendance and participation in public meetings of the board)? In this explanation, please provide the specific section(s) of legislation or Board policy that specify the circumstances in which a quorum of a board has an inherent or implied power to remove or suspend trustees by a majority vote.

**Q:** How is it that you can vote on this bylaw tonight when we know that the Victoria Hospice Society proposal has changed from the original proposal on which this bylaw is based? The latest proposal encompasses only 1.3 acres and has changed significantly - in fact it has changed twice - since the original agreement signed on Sept. 27, 2021. This bylaw concerns an agreement on a plan that no longer exists. How can you legitimately vote on this? What parcel of land are you actually selling if you vote yes? 1.9 acres? 1.3 acres?

- A:** The purchase and sale agreement and bylaw are consistent with what is now proposed because they both describe the parcel to be created by subdivision and sold as the land "lying to the west and south of Bowker Creek", which was estimated in the agreement to be "approximately 1.9 acres". The parties have agreed that the lot boundary for the area to be sold would be along the top of the southwest bank of Bowker Creek, which would result in a parcel 1.28 acres in area, without any change to the purchase price. The approximation of area in the agreement was inaccurate, apparently because it was based on a measurement from the midpoint of the creek, despite the wording in the agreement. The parties have also agreed to widen Bowker Creek and change its alignment slightly, but those minor changes to the Creek should not invalidate the description of the land to be sold that appears in the agreement and the bylaw.

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

- G.1. Record of Special In-Camera Board of Education Meeting** – February 22, 2022
- G.2. Record In-Camera Board of Education Meeting** – February 28, 2022
- G.3. Record of Special In-Camera Board of Education Meeting** – March 1, 2022

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

**H.1. New Business**

None

**H.2. Notice of Motions**

None

**I. ADJOURNMENT**

The meeting adjourned at 9:41 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





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

**Special Board Budget Meeting**

**MINUTES**

**Monday, April 4, 2022, 7:00 p.m.**

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

Trustees Suspended: Diane McNally, Rob Paynter

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, Budgets & Financial Reporting, Chuck Morris, Director, Facilities Services, Andy Canty, Director, Information Technology for Learning, Lisa McPhail, Manager, Communications and Community Engagement, Vicki Hanley, Recorder

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**A. COMMENCEMENT OF MEETING**

The meeting was called to order at 7:01 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**

By Board consensus, Option #6 was added to the April 4, 2022 agenda for discussion under C.3. Balancing Options.

**Moved by** Trustee Ferris

**Seconded by** Trustee Leonard

That the April 4, 2022 Special Board Budget agenda be approved.

**B. CORRESPONDENCE**

**B.1. March 8 to April 2, 2022 – Public Correspondence re: Budget**

Chair Painter expressed gratitude to staff for the agenda package and to the public for the many pieces of correspondence received. Trustee Whiteaker expressed gratitude to the public for providing feedback with regards to the budget.

**C. 2022-2023 ANNUAL BUDGET**

**C.1. Budget Engagement Report**

Secretary-Treasurer Morris directed Trustees to the Budget Engagement Report within the agenda package and expressed gratitude to staff and Budget Advisory Committee members for their efforts throughout the budget cycle. Secretary-Treasurer Morris provided an overview of the report and responded to a question with respect to a debrief meeting after the process has been completed.

Trustee Duncan, Chair of the Budget Advisory Committee, highlighted the first year of the committee, balance of enough time to engage and deliberate and the hope that next year all members would be together.

**C.2. Presentation**

Interim Superintendent Whitten and Secretary-Treasurer Morris provided a presentation which included alignment to the strategic direction for learning in the District and the financial overview of 2022-2023.

**C.3. Balancing Options**

By consensus, Trustees decided upon a Committee of the Whole approach when discussing balancing options. Discussion ensued amongst the Trustees with questions being asked of Secretary-Treasurer Morris. Trustees Whiteaker and Duncan provided an overview of their proposed Option #6.

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

That the Board of Education of School District No. 61 (Greater Victoria) move Option #4 of the proposed balancing options for the 2022-2023 draft budget, for consideration and discussion.

Secretary-Treasurer Morris provided Trustees with an overview of Option #4 and answered questions of clarification. Trustees discussed this option and suggested amendments.

**Moved by** Trustee Watters  
**Seconded by** Trustee Whiteaker

That Option #4 of the draft 2022-2023 budget be amended by reducing spending of 1.0 FTE PVP at the Tolmie Board Office for \$150,174.

**Motion Carried Unanimously**

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

That Option #4 of the 2022-2023 draft budget be amended by adding District Team Indigenous Collaboration for \$25,000.

Discussion ensued amongst Trustees with Trustees deciding by consensus to table the amendment and go through reductions first, prior to adding specific items back in.

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

That Option #4 of the 2022-2023 draft budget be amended by reducing District Team - Literacy for \$37,000.

**Motion Carried**

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

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

That 1.0 FTE Manager at the Board Office be eliminated.

Discussion ensued with regards to the implications of a reduction of a Manager at the Board Office with questions being asked of Secretary-Treasurer Morris, as this option was not part of Option #4. Trustee Duncan withdrew the motion.

Further discussion ensued amongst the Trustees with discussion moving to proposed Risks that the Board could take to use enrolment and surplus greater than projected to balance the budget.

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

That the Board of Education of School District No. 61 (Greater Victoria) increase the use of 2021-2022 surplus excess of the \$800,000 projected, by \$1.5m.

**Motion Carried**

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

**Moved by** Trustee Whiteaker

That the Board of Education of School District No. 61 (Greater Victoria) take a recess break at 9:09 p.m..

**Motion Carried Unanimously**

Chair Painter called the meeting back to order at 9:19 p.m.

Discussion continued amongst Trustees with questions being asked of Secretary-Treasurer Morris as to what the balance is after making the previous changes.

**Moved by** Trustee Watters  
**Seconded by** Trustees Hentze

That Option #4 of the 2022-2023 draft budget be amended by adding District Team Indigenous Collaboration for \$25,000.

**Motion Carried Unanimously**

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

That Option #4 of the 2022-2023 draft budget be amended by removing all YFC's and 2 Outreach workers for \$623,110 from the savings list.

Further Discussion ensued amongst Trustees with questions being asked of Secretary-Treasurer Morris on where the funding would be moved from. A suggestion was made to amend the motion.

**Moved by** Trustee Watter  
**Seconded by** Trustee Ferris

That the motion "*That Option #4 of the 2022-2023 draft budget be amended by removing all YFC's and 2 Outreach workers for \$623,110 from the savings list*" be amended to remove the reference to 'Outreach workers' and reduce the amount by \$180,000 to \$443,110.

**Motion Carried**

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

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

That Option #4 of the 2022-2023 draft budget be amended by removing all YFC counsellors for the amount of \$443,110 from the savings list.

**Motion Carried**

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

Chair Painter provided the current balance for Trustees. Trustee Whiteaker sought clarification with respect to the Parent Education Fund and specifically what the calculation was for the amount. Secretary-Treasurer was unable to provide an answer and stated that she would provide one at the Board Budget meeting on April 7, 2022. Trustee Whiteaker also requested rationale for removing the line item from the budget. Secretary-Treasurer Morris advised the amount for the service would be provided from the Superintendent's discretionary budget.

**Moved by** Trustee Watters  
**Seconded by** Trustee Duncan

That Option #4 of the 2022-2023 draft budget be amended by removing District ukulele for \$16,525 from the savings list.

**Motion Carried Unanimously**

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

That Option #4 of the 2022-2023 draft budget be amended by removing the Clerical Staff from 12/11 month to 11/10.5 month for \$94,496 from the savings list.

**Motion Carried Unanimously**

**Moved by** Trustee Painter  
**Seconded by** Trustee Hentze

That Option #4 of the 2022-2023 draft budget be amended by adding a Communications Assistant for \$68,000.

**Motion Carried**

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

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

That Option #4 of the 2022-2023 draft budget be amended by reducing the 2.0 FTE Carpenter spend to 1.0 FTE Carpenter at Facilities Services and use the difference of \$84,004 for Collaboration Time.

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

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

That the motion "*That Option #4 of the 2022-2023 draft budget be amended by reducing the 2.0 FTE Carpenter spend to 1.0 FTE Carpenter at Facilities Services and use the difference of \$84,004 for Collaboration Time*" be amended by striking "*and use the difference for Collaboration Time.*"

**Motion Defeated**

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

Chair Painter called for the vote on the main recommended motion.

That Option #4 of the 2022-2023 draft budget be amended by reducing the 2.0 FTE Carpenter spend to 1.0 FTE Carpenter at Facilities Services and use the difference of \$84,004 for Collaboration Time.

**Motion Defeated**

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

Further discussion ensued amongst the Trustees with a decision being made by consensus to park the remaining balance of \$40,043 in the risk column and revisit its allocation at the April 7, 2022 Board Budget meeting.

**C.4. Budget Bylaw Readings: 1<sup>st</sup> and 2<sup>nd</sup> Reading**

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

That the Board of Education of School District No. 61 (Greater Victoria) 2022-2023 Annual Budget Bylaw in the amount of \$268,416,946 be:

Read a first time the 4<sup>th</sup> day of April, 2022.

**Motion Carried**

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

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

That the Board of Education of School District No. 61 (Greater Victoria) 2022-2023 Annual Budget Bylaw in the amount of \$268,416,946 be:

Read a second time the 04 day of April, 2022.

**Motion Carried**

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

**D. ADJOURNMENT**

The meeting adjourned at 10:37 p.m.

**Moved By** Trustee Leonard  
**Seconded By** Trustee Watters

That the meeting be adjourned.

**Motion Carried Unanimously**

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Chair

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Secretary-Treasurer



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

**Special Board Budget Meeting**

**MINUTES**

**Thursday, April 7, 2022, 5:00 p.m.**

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

Trustees Suspended: Diane McNally, Rob Paynter

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, Budgets & Financial Reporting, Chuck Morris, Director, Facilities Services, Andy Canty, Director, Information Technology for Learning, Lisa McPhail, Manager, Communications and Community Engagement, Vicki Hanley, Recorder

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**A. COMMENCEMENT OF MEETING**

The meeting was called to order at 5:04 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 Duncan

**Seconded by** Trustee Whiteaker

That the April 7, 2022 agenda be amended to add the following motion under C.2. Balancing Options: *"That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to allocate \$40,043 to the elementary strings program budget for 2022-2023. Further; the Superintendent shall work to explore a possible donation to fund the remaining elementary strings program budget required for the 2022-*

2023 school year. The allocation of \$40,043 will revert to the surplus available in 2022-2023 if a donation is not confirmed by 30 April 2022.”

**Motion Carried**

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

**Moved by** Trustee Duncan

**Seconded by** Trustee Whiteaker

That the April 7, 2022 agenda be amended to add the following motion under C.2. Balancing Options; *“That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to carry out a music program review during the 2022-2023 school year in consultation with the GVTA, music teachers and appropriate members of our learning community to identify options and make recommendations to the Board of Education regarding the provision of music programs in the school district with a special focus on access and funding.”*

**Moved by** Trustee Watters

**Seconded by** Trustee Hentze

That the April 7, 2022 agenda be amended to add the following motion under C.2. Balancing Options: *“That the Board of Education of School District No. 61 (Greater Victoria) reinvigorate the Greater Victoria Foundation for Learning.”*

**Moved by** Trustee Watters

**Seconded by** Trustee Hentze

That the April 7, 2022 agenda be amended to add the following motion under C.2. Balancing Options: *“That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to write a letter to the Ministry of Education re a needs budget.”*

**Motion Carried Unanimously**

Chair Painter called for the vote on the April 7, 2022 agenda, as amended.

**Moved by** Trustee Leonard

**Seconded by** Trustee Watters

That the April 7, 2022 Special Board Budget agenda be approved, as amended.

**Motion Carried Unanimously**

## **B. CORRESPONDENCE**

### **B.1. April 1 to April 6, 2022 – Public Correspondence re: Budget**

Public correspondence received between April 1 and April 6, 2022 was received for information.



## C. 2022-2023 ANNUAL BUDGET

### C.1. Budget Engagement Feedback

Secretary-Treasurer Morris advised that feedback received in the Community Engagement mailbox regarding the 2022-2023 budget since the last meeting is attached for information.

### C.2. Balancing Options

Secretary-Treasurer Morris advised Trustees that after the meeting of April 4, 2022 a retirement was announced in Human Resource Services, which will now allow for a reduction of 1.0 FTE in that department in the 2022-2023 fiscal year, rather than previously planned 2023-2024 in the amount of \$66,045.

**Moved by** Trustee Duncan

**Seconded by** Trustee Whiteaker

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to allocate \$40,043 to the elementary strings program budget for 2022-2023.

FURTHER;

The Superintendent shall work to explore a possible donation to fund the remaining elementary strings program budget required for the 2022-2023 school year. The allocation of \$40,043 will revert to the surplus available in 2022-2023 if a donation is not confirmed by 30 April 2022.

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

**Moved by** Trustee Painter

**Seconded by** Trustee Watters

*That the motion "That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to allocate \$40,043 to the elementary strings program budget for 2022-2023. FURTHER; The Superintendent shall work to explore a possible donation to fund the remaining elementary strings program budget required for the 2022-2023 school year. The allocation of \$40,043 will revert to the surplus available in 2022-2023 if a donation is not confirmed by 30 April 2022" be amended to insert "to work to explore a possible donation" after the word "Superintendent" in the first sentence.*

**Motion Defeated**

For: Trustee Painter

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

Further discussion ensued amongst the Trustees with a suggestion being made to table the original motion.

**Moved by** Trustee Whiteaker

**Seconded by** Trustee Watters

That the motion "That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to allocate \$40,043 to the elementary strings program budget for 2022-2023. FURTHER; The Superintendent shall work to explore a possible donation to fund the remaining elementary strings program budget required for the 2022-2023 school year. The allocation of \$40,043 will revert to the surplus available in 2022-2023 if a donation is not confirmed by 30 April 2022" be tabled indefinitely.

**Motion Carried**

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

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

Be it resolved that the Board of Education of School District No. 61 (Greater Victoria) amend the 2022-2023 'draft' budget by removing Elementary Vice-Principal Administration time in Elementary at \$326,340 from the spend list and applying \$273,544 to Education Assistant hours in the spend list for the purpose of creating 30 hour/week positions

**Motion Carried**

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

Trustee Ferris recused himself from the vote as he was in conflict.

**Moved by** Trustee Watters  
**Seconded by** Trustee Whiteaker

That the Board of Education of School District No. 61 (Greater Victoria) take a recess break at 6:45 p.m.

**Motion Carried Unanimously**

Chair Painter called the meeting back to order at 6:55 p.m.

**Moved by** Trustee Watters  
**Seconded by** Trustee Whiteaker

That Option #4 of the 2022-2023 draft budget be amended by reducing 1.0 FTE position in Human Resource Services for \$66,945 and applying the same amount to the Indigenous Education Department Teacher and CUPE staffing for \$136,349.

**Motion Carried Unanimously**

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

That Option #4 of the 2022-2023 draft budget be amended by reducing cuts to daytime custodial at Elementary and Middle from 50% to 25% and reduce Secondary School daytime Custodial by 50%.

**Motion Defeated**

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

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

That Option #4 of the 2022-2023 draft budget be amended by reducing Secondary School daytime custodians by \$210,883 and adding this amount to the budget for Elementary and Middle School daytime custodians.

**Motion Defeated**

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

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

That Option #4 of the 2022-2023 draft budget be amended by removing the Student and Parent Education Fund from the savings/reductions list for \$11,000.

**Motion Defeated**

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

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

That Option #4 of the 2022-2023 draft budget be amended by adding \$23,434 to Vice Principal Administration time to Elementary Schools.

**Motion Carried**

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

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

That the Board of Education of School District No. 61 (Greater Victoria) allocate \$40,000 of District reserve for Elementary strings until April 30, 2022 in anticipation of a donation to fully fund the balance of 2022-2023 Elementary strings program;

And further:

If the donation does not materialize by April 30, 2022 the reserve be restored.

**Motion Defeated**

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

### **C.3. Budget Bylaw Readings: 3<sup>rd</sup> Reading**

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

That the Board of Education of School District No. 61 (Greater Victoria) 2022-2023 Annual Budget Bylaw in the amount of \$268,456,989 be:

Read a third time, passed and adopted the 7<sup>th</sup> day of April, 2022.

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

**Motion Carried**

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

#### **C.4. Business Arising from the Budget Bylaw**

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

That the Board of Education of School District No. 61 (Greater Victoria) allocate Local Capital reserve for the purpose of:

1. 2022-2023 Network Infrastructure Year 2 of 5 - \$502,850
2. 2022-2023 Capital Asset Purchases from Operating - \$886,005
3. 2022-2023 Sundance-Bank Re-Opening Classroom 2 Capital Costs - \$230,000
4. 2022-2023 Purchase of 1219 North Park as part of the Caledonia Master Agreement - \$1,089,000

**Motion Carried**

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

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

That the Board of Education of School District No. 61 (Greater Victoria) reduce 1.0 FTE Assistant Manager at Facilities Services in the 2023-2024 or 2024-2025 fiscal year, dependent on attrition/retirement of existing staff.

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

**Moved by** Trustee Whiteaker

That the motion *"That the Board of Education of School District No. 61 (Greater Victoria) reduce 1.0 FTE Assistant Manager at Facilities Services in the 2023-2024 or 2024-2025 fiscal year, dependent on attrition/retirement of existing staff"* be amended to *"2.0 full time management positions at Facilities Services."*

Chair Painter ruled the motion out of order, stating that it substantially altered the intention of the motion.

Trustee Whiteaker challenged the ruling of the Chair and provided rationale.

Chair Painter called for the vote on sustaining the ruling of the Chair.

That the Board of Education of School District No. 61 (Greater Victoria) uphold the ruling of Chair Painter with respect to ruling Trustee Whiteaker's proposed amendment out of order.

**Motion Carried**

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

Against: Trustee Whiteaker  
Abstain: Trustee Duncan

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

That the Board of Education of School District No. 61 (Greater Victoria) reduce 1.0 FTE Assistant Manager at Facilities Services in the 2023-2024 or 2024-2025 fiscal year, dependent on attrition/retirement of existing staff.

**Motion Carried**

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

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

That the Board of Education of School District No. 61 (Greater Victoria) approve \$2,300,000 of the June 30, 2022 unrestricted operating surplus to be carried forward and applied towards the 2022-2023 projected deficit.

**Motion Carried Unanimously**

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

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to carry out a music program review during the 2022-2023 school year in consultation with the GVTA, music teachers and appropriate members of our learning community to identify options and make recommendations to the Board of Education regarding the provision of music programs in the school district with a special focus on access and funding.

**Motion Defeated**

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

**Moved by** Trustee Watters  
**Seconded by** Trustee Duncan

That the motions “*That the Board of Education of School District No. 61 (Greater Victoria) reinvigorate the Greater Victoria Foundation for Learning*” and “*That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to write a letter to the Ministry of Education re a needs budget*” be referred to the April 25, 2022 Board of Education meeting agenda.

**Motion Carried Unanimously**

**D. ADJOURNMENT**

The meeting adjourned at 8:56 p.m.

**Moved By** Trustee Duncan

**Seconded By** Trustee Hentze

That the meeting be adjourned.

**Motion Carried Unanimously**

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Chair

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Secretary-Treasurer



# SCHOOL DISTRICT 5

## S O U T H E A S T K O O T E N A Y

March 8, 2022

The Honourable John Horgan  
Premier  
PO Box 9041, Stn Prov Govt  
Victoria, BC V8W 9E1

The Honourable Jennifer Whiteside  
Minister of Education  
PO Box 9045, Stn Prov Govt  
Victoria, BC V8W 9E2

The Honourable Selina Robinson  
Minister of Finance  
PO Box 9048, Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Premier Horgan, Minister Whiteside and Minister Robinson:

### **RE: STUDENT SERVICES FUNDING IN SCHOOL DISTRICT 5 (SOUTHEAST KOOTENAY)**

School District 5 (Southeast Kootenay) notes that there are several services that are required to be provided for all students in addition to their education in a regular classroom. These services include things such as access to counselling, occupational therapy, physiotherapy, school psychology, and speech-language therapy. In addition to these services, students with special needs require case management by student services teachers, supports by education assistants, and youth care workers. Our Indigenous population is also served by our Aboriginal Education Support workers.

The current Ministry of Education funding model is insufficient to provide for the varying needs of our diverse and different ability students in School District 5 (Southeast Kootenay). We are provided with targeted level 1, 2, 3 funding for special education (high cost/low incidence) but this is insufficient to meet the needs of all students and classrooms. We are also aware that some funding sources were moved out of the high incidence/low funding categories to the Basic Allocation with deregulation of funding in 2003. The needs of all students in our district have significantly outpaced the funding provided.

In province-wide research, the BC Teacher's Federation indicates "only 65.35% of the actual special education operating expenses were covered by special education operating grant funds" in 2019/2020.

Frank Lento (Chair) • Trina Ayling • Bev Bellina • Krista Damstrom  
Chris Johns • Kathryn Kitt • Doug McPhee • Wendy Turner • Patricia Whalen

1 | Page

In 2019/2020, our district received \$8,182,750 in targeted special education funding and expended \$13,396,202. Therefore, **only 61.1% of the actual special education operating expenses were covered by targeted special education operating grant funds.**

In 2020/2021, our district received \$9,679,230 in targeted special education funding and expended \$16,006,348. Therefore, **only 60.5% of the actual special education operating expenses were covered by special education operating grant funds.**

We also wanted to bring your attention to the following 2021 facts about our district:

- The number of students being claimed in Level 1 and 2 are the **highest** they have historically been, totalling 343.
  - Category A = 12
    - The funding provided does not cover the cost of a 1-1 education assistant for these physically dependent students.
  - Category G = 205
    - A high percentage of these students need significantly more support than is provided with current funding.
- The number of students being claimed in Level 3, Category H are the **highest** they have historically been, totalling 215.
  - Approximately 57% of these students require support through most of the school day and all have connections to additional services in our communities.
  - Our district has always been viewed under a microscope over the number of students we have in Category H according to provincial standards.
  - It's becoming more common to make sure that we have enough support staff in schools that understand how to work with students while coping through trauma. The community services that used to support these students are only serving students who have a life-threatening mental illness.
  - Mental illness is becoming the next crisis, caused by financial and social strain. Targeted grant funding for mental health is \$50,000 annually. For 2021/22 \$74,000 more was provided. This has not been identified in the funding for 2022/2023.
- The number of students not in level 1, 2, 3, and whom have diverse learning needs and different abilities are the **highest** they have historically been.
- We have not been able to provide learning assistance to students who require a minor amount of support to make a difference in their educational journey.

Approximately 15.4% of the School District 5 (Southeast Kootenay) student population (899/5836) require additional support to meet their needs and graduate with dignity and purpose. Our district requests that the Ministry of Education adequately fund all our students

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and schools. **Targeted funding for all students with needs would work best for our District.**

More support services funding is required to properly consider the needed support and to increase the Southeast Kootenay School District 89% graduation completion rates. We can not ignore the remaining 11%. Lastly, adequate funding is the moral and ethical thing to do.

We look forward to hearing your collective responses.

Sincerely,



Frank Lento, Board Chair

cc: BCSTA for distribution to members Boards of Education  
Shelley Balfour & Chris Kielpinski, CFTA Co-Chairs  
CUPE Local 4165  
Stephanie Higginson, President, BCSTA  
Teri Mooring, President BC Teachers' Federation  
Tara McKee, DPAC Chair  
Tom Shypitka, MLA Kootenay East BC

\*This correspondence is public and transparent. Please feel free to share and/or respond with comment.



Canadian Society for Humane Science  
300-225 West 8th Avenue  
Vancouver, BC  
V5Y 1N3

March 8, 2022

Dear School Board Trustees for

GREATER VICTORIA SCHOOL BOARD (SD 61)

As you may be aware, some school districts in BC have student choice policies on dissection. This policy means that students can freely opt out of doing dissection and should be provided with suitable alternatives. Unfortunately, your school district has no such policy.

I am writing to ask that your school board considers following the lead of Abbotsford (sd34), Burnaby (sd41), Central Okanagan (sd23; pending), North Vancouver (sd44), Vancouver (sd39), and West Vancouver (sd 45), by adopting a similar student choice policy. I have enclosed some existing policies so that you do not need to start from scratch.

I have enclosed two informational brochures, one about the benefits of using non-animal teaching methods, and one detailing the different packages we offer to support teachers. You can also find more details online at: <https://www.forhumanescience.org/hsesubscriptionpackages/>

If you have any questions or would like more information, please feel free to reach me via email at: [elisabeth@forhumanescience.org](mailto:elisabeth@forhumanescience.org)

I look forward to supporting you and the science teachers in your district.

Dr. Elisabeth Ormandy  
*Executive Director*

## AP 212 – Options for the Dissection of Animals

### Background

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One instructional strategy implemented as a means for students to meet the learning outcomes around animal systems is animal dissection. The district acknowledges the right of students to choose not to participate in or observe animal dissections for cultural, religious or ethical reasons.

### Procedures

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1. Schools will provide, within the resources available to them, alternative strategies and activities which meet the science curriculum learning outcomes.
2. In any class where animal dissection is part of the curriculum, teachers will inform students that they have a choice to opt out of animal dissection and that an alternative activity will be made available.
3. Students who choose to opt out of animal dissection will require a parent/guardian signature prior to commencement of a dissection activity.
4. Information about this option will be provided at the beginning of each course during which the dissection is scheduled and just prior to the dissection. Information will also be included in all course outlines where animal dissection is included as a part of the curricular program.
5. An alternative activity (not just observing) that meets the curricular learning outcomes must be provided, and must offer an equal learning experience.
6. All student assessments will be based on the science curriculum outcomes. For students who choose an alternative activity, assessment of their progress will be similar to assessment processes used for dissection activities.
7. Alternatives to animal dissection will be available in all schools, and the principal is responsible for ensuring that comparable alternatives including books, models, film, computer simulations and/or interactive CD's are available for use.

Reference      For activities on alternative animal dissections:  
<http://www.frogsarecool.com/choices.htm>  
<http://biology.about.com/od/onlineDissections/a/aa112805a.htm>

Last Revised: May 2013

## INH: Alternatives to Dissection

**Classification:** I: Instruction

**Code:** INH

The Board of Trustees acknowledges that learning about animal systems is among the learning outcomes of several years of the Provincial science curriculum and that animal dissection is one valuable and effective teaching strategy for learning about animal systems. At the same time, the Board affirms the right of students to choose not to participate in animal dissections because of religious or ethical objections to animal dissections.

The Board further directs schools, within the resources available to them, to provide alternatives to dissection when students exercise this choice.

### PROCEDURES

All science teachers must be informed by the Superintendent of Schools of the policy regarding alternatives to animal dissection.

Science teachers will inform students of their right to choose an alternative to animal dissection in advance of the activity.

The teacher, along with the principal, is responsible for providing comparable and viable alternatives when a student chooses not to participate in a dissection for religious or ethical reasons. Alternatives may include the use of books, videotapes, models, films, and computers.

### Agreement References:

Based on Board action of 2005 April 18 and current practice.

### Adopted Date:

Monday April 18, 2005

[◀ INH-R: Alternatives to Dissection](#)

[UP](#)

[INIDB-R: Flag Displays ▶](#)

## **ANIMAL DISSECTION – STUDENT OPTIONS**

### **Background**

The Ministry of Education Science curriculum outlines a number of learning outcomes requiring students to learn about animal systems. These are present in several courses including Science 8, Science 9, Biology 11 and Biology 12. In particular, the Biology 11 course has a strong animal systems component and may use dissection as a common instructional strategy. Students and their parents/guardians should consider this when selecting senior science course(s).

This administrative procedure recognizes that the Science curriculum addresses topics in which dissection may be used as a teaching tool, and which may be sensitive for some students. The School District acknowledges that students, with parent/guardian consent, can choose not to participate in, or observe animal dissections for cultural, religious or ethical reasons.

### **Procedures**

1. In any class or course where animal dissection is part of the curricular program, schools will accommodate students who choose not to participate in animal dissection.
  - 1.1. Students who choose not to participate in animal dissection will require written parent/guardian permission prior to commencement of the dissection activity.
  - 1.2. An alternative instructional activity will be made available for the student.
  - 1.3. This activity must meet the curricular learning outcomes and offer a similar learning experience.
  - 1.4. The activity may include computer simulations, paper exercises, personal research, or other activity as determined by the classroom teacher.
  - 1.5. The time and effort required is to be similar to that provided through regular classroom instruction.
  - 1.6. For students who choose an alternative activity, assessment of their progress will be similar to the assessment processes used for dissection activities.
2. Information about an alternative delivery option to animal dissection will be in the course outline as well as discussed in class just prior to the dissection.

**Legal Reference:** School Act - Sections 7, 17, 75, 85, 168  
Civil Rights Protection Act  
Human Rights Code  
Canadian Charter of Rights and Freedoms





## SCHOOL DISTRICT No.69 (QUALICUM)

March 11, 2022

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

Honourable Steven Guilbeault,  
Minister of Environment and Climate Change  
House of Commons  
Ottawa, ON K1A 0A6

Honorable George Heyman  
Minister of Environment and Climate Change  
Strategy and CleanBC  
642 West Broadway  
Vancouver, BC V5Z 1G1

Dear Prime Minister Trudeau and Ministers Guilbeault and Heyman:

We are addressing this letter to both our provincial and federal levels of government as we feel the climate crisis depends on cooperation and collaboration from all administrations. The effects of the climate crisis will fall on the already overburdened shoulders of our younger generation. School districts will need any resources available to help students grow and adapt in a proactive environment.

At its recent Regular Board Meeting of February 22, 2022, the Board of Education of School District 69 (Qualicum) passed the following motion:

***THAT the Board of Education of School District 69 (Qualicum) SD69 write letters to provincial and federal bodies reminding them of their commitments to climate action and requesting that resources be made available to help move all school districts in BC to zero carbon facilities. Though targets at both levels of government are to be in place by 2050, the letter would request an expedited process and a target of much sooner than 2050. The federal-provincial Pan Canadian Framework on Clean Growth Climate Change (PCF) calls for all new buildings to be Net-Zero Energy Ready (NZER) by 2030. This concept could be expanded to include all buildings.***

Though both our federal and provincial governments have set targets for climate reduction by 2050, the recently released Intergovernmental Panel on Climate Change report is a glaring condemnation of our collective lack of action. U.N. Secretary-General Antonio Guterres said, "As climate impacts worsen – and they will – scaling up investments will be essential for survival..."

delay means death." Continuing on this theme he remarked "Unchecked carbon pollution is forcing the world's most vulnerable on a frog march to destruction," "The facts are undeniable. This abdication of leadership is criminal."

The Pan-Canadian Framework on Clean Growth and Climate Change has called for all new buildings to be net-zero ready by 2030. As climate change is happening even faster than science originally calculated, it is essential that all levels of government invest in, not only new buildings, but help existing infrastructure to be net zero ready by 2030. The framework states, "The cost of inaction is greater than the cost of action" and "recognizing the commitment of the federal government to work with provinces and territories to complement and support their actions without duplicating them, including by promoting innovation and enabling clean growth across all sectors and "Clean growth opportunities will benefit all sectors and regions."

Provincially, the Minister of Education's Mandate Letter also states that she will make progress to "Continue to invest in new and modernized schools, including focusing on meeting seismic requirements and climate change and energy efficiency standards as set out in our CleanBC plan."

Our school district is presently pursuing a net-zero carbon site in our district and hopes all our sites to be net-zero ready by 2030. These are the sites of our future innovators and creators who will move us to a cleaner future. This will require resources and commitments from our provincial and federal partners. It will require deliberate dedication to ensure all school districts have the means to help reach the aggressive goals to be carbon-zero ready by 2030, in all our buildings.

We are asking our federal and provincial jurisdictions to keep us informed and advised on programs and financial opportunities that we can access to move our goals forward. We are asking that you reach out to us to see how you can help us achieve net-zero ready goals in all our buildings by 2030.

As educators we are adept at meeting the challenges of local and global critical circumstances. We are foundational to the success of meeting the global climate crisis through our youth. We just need the right supports, now rather than later.

Sincerely,



Eve Flynn, Board Chair

Copy to: Honourable Jennifer Whiteside, Minister of Education  
Honourable Lana Popham, Minister of Agriculture  
Honourable Jonathon Wilkinson, Minister of Natural Resources  
Honourable John Horgan, Premier of British Columbia  
Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities  
Honourable Nathan Cullen, Minister of Municipal Affairs  
MLA Josie Osborne, Mid-Island-Pacific Rim  
MLA Adam Walker, Parksville-Qualicum  
MP Gord Johns, Courtenay-Alberni  
SD69 Trustees  
Peter Jory, Superintendent of Schools, SD69  
Ron Amos, Secretary Treasurer, SD69  
Allison Watson, Chair, BCSTA Climate Working Group  
BC Boards of Education (via BCSTA)





## SCHOOL DISTRICT No.69 (QUALICUM)

March 11, 2022

Honourable Jennifer Whiteside  
Minister of Education  
335 6th St.  
New Westminster, BC V3L 3A9

Honourable Lana Popham  
Minister of Agriculture  
4243 Glanford Ave #260  
Victoria, BC V8Z 4B9

Dear Ministers Whiteside and Popham:

This letter is in response to the following motion approved by the Board of Education of School District 69 (Qualicum) at its February board meeting:

*THAT the Board of Education of School District 69 (Qualicum) call on the provincial government to invest in a universal, cost-shared, healthy school food program for all K-12 students in the province, as per the BC-CHSF's 2022 Pre-Budget Consultation Submission.*

This motion is in line with Minister Whiteside's mandate letter which states that she will make progress to help make sure students are properly fed for learning, work with school districts to create more local school meal programs based on district data and priorities; and, work with the Minister of Agriculture to integrate Feed BC into this plan so that district can include locally grown food.

The District has also endorsed the Coalition for Healthy School Food. The support and investment from the provincial government would further the goal to provide students daily access to healthy food at school so they can better focus on their learning.

Please feel free to contact me if you would like to discuss this further.

Sincerely,

Eve Flynn, Board Chair

Copy to: MLA Josie Osborne, Mid-Island-Pacific Rim  
MLA Adam Walker, Parksville-Qualicum  
SD69 Trustees  
Peter Jory, Superintendent of Schools, SD69  
BC Boards of Education (via BCSTA)





## SCHOOL DISTRICT No.69 (QUALICUM)

March 11, 2022

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

Honourable Marie-Claude Bibeau  
Minister of Agriculture and Agri-Food in Canada  
Suite 204 - 175 Queen Street (Main Office)  
Sherbrooke, QU J1M 1K1

Honourable Karina Gould  
Minister of Families, Children and Social Development of Canada  
Suite 209 - 777 Guelph Line  
Burlington, ON L7R 3N2

Dear Prime Minister Trudeau and Ministers Bibeau and Gould:

At its February 22, 2022 Regular Board Meeting, the Board of Education of School District 69 (Qualicum) approved the following motion:

THAT the Board of Education of School District 69 (Qualicum) call on the federal government to begin to implement a universal, cost-shared, healthy school food program for all K-12 students in the country and to sign onto the global School Meals Coalition Declaration, as per the Coalition's 2022 Pre-Budget Consultation Submission.

With income and food insecurity increasing among Canadians, a school food program on a national scale is essential to address inequality and ensure all Canadian children learn basic food skills and have access to healthy meals that support classroom learning. This type of program will also support Canada's national economic recovery from COVID-19 through the expansion of the agricultural sector, as well as increasing local food security and the resilience of local communities to respond to future emergencies.

We look forward to your support.

Sincerely,

Eve Flynn, Board Chair

Copy to: SD69 Trustees  
Peter Jory, Superintendent of Schools, SD69  
Ron Amos, Secretary Treasurer  
MLA Josie Osborne, Mid Island – Pacific Rim  
MLA Adam Walker, Parksville-Qualicum  
Gord Johns, MP, Courtenay-Alberni  
BC Boards of Education (via BCSTA)

March 11/2022

Mr Ryan Painter (Board Chair)  
Board of Education  
School District #61 (Greater Victoria)

Re: Meetings by Zoom

Dear Mr. Painter,

I have written to the board in the past thanking them for holding all your meeting through zoom. I wanted to take this opportunity to once again thank you for continuing this practice.

As I had stated in my last letter, being a single mom and wanting to be a part of the board meetings this has been very helpful. As a working mom of school age children and not being able to attend the meetings but wanting to be kept informed of what is happening in my children's school district this has been a big bonus.

I hope you are able to continue this method of sharing the meeting via zoom. Not only is this so helpful to the parents who cannot attend, this method also drastically reduces greenhouse gas emission, as per the board declaring a climate emergency a couple of years ago.

Once again thank you and the board for your continued struggle to fight climate change.

A handwritten signature in cursive script that reads "Lesia Bojanowski". The signature is written in dark ink and is positioned at the end of the letter.

# Board of Education

School District No. 61 (Greater Victoria)  
556 Boleskine Road, Victoria, BC V8Z 1E8  
Phone (250) 475-4106 Fax (250) 475-4112

*Chair: Ryan Painter, Vice-Chair: Tom Ferris*  
*Trustees: Nicole Duncan, Angie Hentze, Elaine Leonard*  
*Diane McNally, Rob Paynter, Jordan Watters, Ann Whiteaker*

March 15, 2022

Minister of Education  
PO Box 9045, STN PROV GOVT  
Victoria BC V8W 9E2  
**ATTENTION:** Honourable Jennifer Whiteside

Dear Minister Whiteside:

RE: Letter dated March 9, 2022 (the "**Letter**") to the Minister of Education (the "**Minister**") from Mulroney Siver Law, solicitors for the Friends of Vic High ("**FVH**") regarding the granting by The Board of Education of School District No. 61 (Greater Victoria) (the "**Board**") of a Statutory Right of Way (the "**Greenway SRW**") over a portion of the Victoria High School site

The Board is in receipt of a copy of the above mentioned Letter. The Board refutes the allegation in the Letter that the granting of the SRW to the City of Victoria at the Victoria High School site is a *de facto* disposition in fee simple.

## The Status of the Greenway SRW

The Letter incorrectly states that the Board has not formally approved the Greenway SRW. The Greenway SRW was approved by three readings of a Board bylaw on June 24, 2021 and was registered on October 15, 2021 under registration number CA9436387. A copy of the fully executed Greenway SRW is enclosed with this letter.

*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.*

### The Area Affected by the Greenway SRW

The area encumbered by the Greenway SRW is shown on Plan EPP103223, a copy of which is attached as the last page of the Greenway SRW. A copy of Plan EPP103223 was also attached as Exhibit 3 to the Approval Bylaw when it received three readings. We also enclose a copy of a color-coded diagram showing the ownership of the parcels encumbered by the Greenway SRW. The City of Victoria (the "**City**") is the registered owner of most of the encumbered parcels. The narrow strip of land owned by the Board that runs from Gladstone Avenue to Vining Street is between four feet four inches and five feet three inches wide. That land could not be built on by the Board due to applicable set back requirements.

### Requirements for Consultation and Ministry Approval

There is no requirement in the British Columbia *School Act*, the orders of the Minister or the Board's land disposal regulations, policies and procedures for public consultation or the Minister's approval prior to the granting of a statutory right of way.

However, the Letter alleges that the Greenway SRW is actually a fee simple transfer that requires consultation and Ministry approval, because the Greenway SRW grants possession or control of the land to an extent inconsistent with the ownership rights of the Board.

### The Terms of the Greenway SRW

The Greenway SRW does not grant possession or control of the land to an extent inconsistent with the ownership rights of the Board. Section 5.2 of the Greenway SRW reads as follows:

- 5.2 No part of the fee simple to the Lands of an Owner shall pass to or be vested in the City under or by virtue of this Agreement, and each Owner may fully use and enjoy all the Lands of such Owner subject only to the rights and restrictions in this Agreement.

The Greenway SRW was granted to the City so the City can access and maintain a public pedestrian greenway that is to be constructed by Capital Regional Housing Corporation.

*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.*

### Legal Cases Referred to in the Letter

The Letter refers to several court cases. Each of the cases involved a private easement that was held to be invalid on principles that do not apply to the Greenway SRW. A right of way is a form of easement, but it benefits the public, and not just one owner.

In each of the cases cited in the Letter, there were rights granted by one or more owners to a single neighbouring owner for gardening or cultivating crops, activities that necessarily involve the exclusion of all others, including the grantor. A public right of way does not exclude continued use by the grantor. By its very nature, a public right of way meets the legal requirement that an easement provide for a non-exclusive right of use.

Furthermore, each of the cited cases resulted in a finding that the easement was invalid, not that it amounted to a fee simple transfer.

The Greenway SRW is a valid easement and does not constitute a fee simple transfer. Accordingly, public consultation and approval of the Minister was not required prior to the Board granting the Greenway SRW.

Yours sincerely,



Ryan Painter  
Chair, Board of Education

Cc: Board of Education, School District No. 61  
Deb Whitten, Interim Superintendent, School District No. 61  
Kim Morris, Secretary-Treasurer, School District No. 61  
Chuck Morris, Director of Facilities Services, School District No. 61  
Francois Bertrand, Executive Director, Capital Management Br, Ministry of Education

*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.*

One *Learning* Community



March 15, 2022

Chair Ryan Painter and Board of Trustees  
Greater Victoria School District No. 61  
556 Boleskine Road  
Victoria, BC, V8Z 1E8

Dear Trustees Painter, Ferris, Leonard, Watters, Hentze, Whiteaker, and Duncan,

I am writing in response to the board's open letter to Rightsholders and Stakeholders dated February 24, 2022. I am phrasing my response in the form of my questions because I am aware that the Minister of Education's "expectation is that the board is listening to the voices of First Nations and community members, and taking steps to answer the questions they have raised about the steps that have been taken" [1]. As such, I am also copying Minister Whiteside on this letter to apprise her of some of the many remaining questions in the community regarding the recent suspension of two trustees. I also would like you to make sure the Minister is aware of your response to the questions I and other community members are asking about this process.

I am all too aware that the letter I am responding to does not represent or speak for inactive trustees, and I also understand that these trustees have been deprived of their ability to correspond with their constituents. However, it is critical that Trustees McNally and Paynter continue to be aware of public correspondence to the board, so I ask that you include this letter as an agenda item and share the letter publicly in its entirety at the earliest opportunity.

I would also like to receive Trustee Paynter's and McNally's response and their perspective on many of my questions, so I ask that you either provide both trustees with an opportunity to forward their correspondence to me, or provide them with the means to respond to the many questions members of the public have for them as individual trustees and members of the board.

I assume that the Chair's statements from his February 24<sup>th</sup> letter reflect the view of the majority remaining on this board, and I therefore expect that the view of the majority is also reflected in the board's answer to each question below:

- The Chair begins his February 24<sup>th</sup> letter by recognizing that "the authority of the school board is derived from its ability to act as a whole" but ultimately concludes by suggesting that nearly *any* number of *active* trustees on any board is sufficient for the board to act as a whole in any circumstances, so long as quorum is met [2].
  - On what legal basis does this dismembered board derive its authority to act on the behalf of members who are deprived of their basic capacity to fulfill any of the functions attached to their role as elected members of the board?
  - In the Board's view, are there any cases in which suspending multiple school trustees from attendance and participation in public meetings would illegally



- deprive voters of the sufficient number of active trustees required on this board of education by the *School Act*?
- Put differently, does a quorum of five trustees possess the same authority as an entire board of education in cases where there is no legislation or case law enabling members of the board to deprive each other of their ability to carry out the duties of the board “as a whole”?
  - Does the board’s ability to act as a whole depend on the ability of every member of the board to act *as trustees*, or is the number of active members on a board irrelevant to the board’s “ability to act as a whole”?
  - What is the minimum number of votes required on a board illegally deprived of two voting members to successfully pass a motion?
  - In cases where the number of active trustees on a board of education does not equal the combined total of all trustees legally entitled to membership of the board, how many votes are required to pass motions and conduct board business?
- The case referenced in the Chair’s letter (*Barnett v Cariboo Regional District*, 2009 BCSC 471) suggests that a public body’s “inherent power” to regulate the conduct of elected members are limited by principles of natural justice as well as relevant legislation, where applicable [3].
    - Does the board have an inherent power to prematurely end the term of any trustee on the board of education for any other reason other than those described in the applicable legislation (the *School Act*, in this case)?
    - Please provide the specific section(s) of legislation or board policy that specify the circumstances in which a quorum of a board has an inherent or implied power to remove or suspend trustees by a majority vote.
  - Is the Board aware of any concerns or allegations of harassment against trustees other than those named in the February 24<sup>th</sup> open letter from the Chair? Specifically, how many trustees is the Chair referring to in the following statement?
    - “...concerns were raised the continued use of public forums by trustees [...] to disparage employees” (p. 4)
  - According to the letter, “the Board issued a public apology to affected members of staff who were publicly criticized by trustees on social media” following an investigation in Spring 2019.
    - Is there a record of this public apology? When did it take place?
    - Where did the “public criticism” in question take place, and who brought it to the Board’s attention? Is there a record of a formal complaint connected to the incidents referred to in the letter?
  - In his letter, the Chair cites a March 2, 2020 resolution to “formally censure Trustee Diane McNally for her unauthorized disclosure of a confidential report, contrary to [...] Regulation #4304”.

- Regulation 4304 governs the conduct of “all employees employed by the Board of Education” and provides the Superintendent with authority to ultimately adjudicate appeals [4]. Where does the regulation set out the process by which Trustee McNally was investigated and sanctioned for her behaviour?
- Did Trustee McNally identify any complainant(s) in her disclosure of the report in question? In the event that this disclosure did not jeopardize the confidentiality of district staff, in what way was McNally’s disclosure of a confidential report “contrary to Regulation #4304”?
- Although the date on which the Board previously voted to formally censure Trustee Diane McNally is disclosed in the letter, the Chair does not substantiate his claim of the other “multiple previous attempts to educate, correct, and address the concerning conduct” of any other trustee.
  - What “concerning conduct” is the Chair referring to in this statement? Please provide detail history of misconduct for all currently sanctioned trustees prior to the date at which the board became aware of the present case (May 2021).
- Similarly, although the Chair alleges that the former Superintendent ended her employment with the district as a result of unspecified public comments disparaging her performance, there does not seem to be a formal record of such a complaint.
  - Did McNeil substantiate the former Superintendent’s concerns regarding alleged inappropriate comments made by trustees in public meetings or social media?
  - What “statements impugning [the Superintendent’s] competence and integrity [...] in public meetings of the board” is the board referring to in their October 2021 letter of apology to the Superintendent? Since the conduct in question is not confidential, there is no reason to withhold the specific details of misconduct referenced in the letter from the public.
- The Chair provides the date at which “a complaint was brought forward by the Secretary Treasurer” but the circumstances under which the board recognizes and adjudicates such complaints are entirely mysterious and unexplained in the letter.
  - What constitutes “a complaint” against trustees of the Greater Victoria School District Board of Education?
  - Has the board ever responded to a complaint against trustees from members of the public or partner groups, or do they only acknowledge correspondence from school district staff as “a complaint”?
  - What board bylaw, regulation, or policy sets out the criteria and accompanying process, if any, under which a board is required to investigate and oversee complaints against members of the board (rather than board employees)?
- McNeil observed in her investigation that “the majority of inappropriate comments occurred not in public meetings” and yet the Chair alleged in his letter that “so much of the conduct in issue took place in public, during the performance of public duties” (p. 2).



- What examples of misconduct is the Chair referring to in the statement? As noted in his letter, since the conduct in question is not confidential, there is no reason to withhold the specific details of misconduct referenced in the letter from the public.
- McNeil's statements also suggest that her report may not have taken into account the extent to which trustees communicated their concerns directly to staff, and indeed, in at least one case, the report seems incomplete in the sense that McNeil "was not aware of whether the trustee made any further effort to correct [an] earlier misstatement" (p. 4). This is a genuinely astonishing observation in the context of a purported "fair process" or investigation into complaints of bullying and harassment against any trustee as set out by the principles alluded to in Justice McKinnon's 2009 decision in *Barnett vs Cariboo Regional District*. Instead, McNeil's admission—or rather, omission— of insufficient details relating to the complaint(s) raises a number of pressing questions:
  - Did McNeil's investigation include interviews with both the complainants and the trustees accused of misconduct?
  - Did either complainant named in McNeil's report make an effort to "address their concern with" the trustees in question, and provide them with "an opportunity to respond"? If so, how did the trustees respond?
  - Were the trustees accused of misconduct (including Trustees Paynter and McNally) provided an opportunity to respond to the substance of either complaint from staff either verbally or in writing before the conclusion of the report?
  - Were Trustees McNally and Paynter (among any other trustees named in the complaints) aware of all complaints brought against them prior to the conclusion of McNeil's investigation?
  - Did either Trustee McNally or Trustee Paynter make any effort to address or resolve the complaints and apologize to the complainants after they became aware of the complaint?
- Further to the above, the Chair continued his letter by claiming that both Trustee McNally and Trustee Paynter were "provided with an un-redacted copy of Mrs. McNeil's report and given an opportunity to respond to it and speak to the proposed sanction before the Board's decision was made". Unbelievably, according to this statement, it appears that Trustee McNally and Paynter were unable to speak to the investigator or address complaints against them until the Board had already proposed the specific sanction they were to decide upon!
  - On what date were Trustees McNally and Paynter "provided with an un-redacted copy of McNeil's report"?
  - Did McNeil's report recommend or propose a specific sanction, and were all such recommendations or proposed sanctions included in the report provided to Trustees McNally and Paynter?
  - On what date were Trustees McNally and Paynter provided with an opportunity to respond to the report and speak to the proposed sanction(s) in question?

- Did Trustees McNally and Paynter in fact accept this opportunity, and if so, on what date did they respond to the report and speak to the proposed sanction(s)?
- What other correspondence or response from the accused trustees did the rest of the board consider before reaching the decision to sanction each trustee?
- Did the sanction initially proposed or considered against Trustees McNally and Paynter differ in substance from the decision the Board eventually reached?
- Finally, in what is perhaps the most inexplicable statement in his letter, the Chair claims to have had “little choice other than to exercise its inherent powers to deprive the suspended trustees, *to the fullest extent possible*” of what essentially amounts to their capacity to act as trustees. Nonetheless, the Chair neglects to specify the “fullest extent” of the disciplinary action that is in fact possible in this case.
  - In the event that it is **not** possible for a majority of the board to end the term of any trustee nor prevent them from exercising their core statutory duties as trustees, what other methods of sanctioning trustees for misconduct are available to the board?
  - Before deciding to deprive Trustees McNally and Paynter of their capacity to act as trustees, did the trustees voting to suspend both Trustees McNally and Paynter consider any other choice or pursue alternative mechanisms to address each trustees misconduct? Why was every other possible choice considered insufficient, inadequate, or disproportionate to the alleged misconduct?

As suggested above, the Chair’s February 24<sup>th</sup> open letter to Rightsholders and Stakeholder invites far more questions than it has answered to date. Contrary to the Chair’s initial statement on February 11<sup>th</sup>, it appears that the resolution to “censure” two trustees has in fact exceeded the board’s authority to misconduct as it has prevented both trustees from “attendance and participation” in all meetings of the board as described by applicable legislation. Crucially, given that applicable legislation clearly describes a process by which trustees may be disqualified or removed from the board [5], *Barnett v Cariboo Regional District*, 2009 BCSC 471 does not provide the legal precedent required under case law to expel two trustees from *all* their duties as board members throughout the remainder of their elected term.

Furthermore, rather than describing the process by which “a thorough investigation and subsequent report substantiated the claims of misconduct”, it appears that the board’s investigation of trustees did not in fact apply the principles of natural justice required by case law. Instead, I am left with concerns that the board did not:

- Provide each trustee with adequate notice of each complaint against them
- Allow each trustee to speak with the investigator directly in her attempts to substantiate accusations against them
- Consider and address the response of each trustee prior to concluding the investigation and considering an appropriate outcome
- Honour each trustees’ right to a fair and unbiased hearing

Until or unless the board releases the McNeil report in full and overturns the illegal suspension of two of its members, I anticipate answers to all of my questions regarding your attempts to silence and remove elected members from the Board of Education.

Sincerely,

Jonathan Faerber

[1] Bell, J. (2022, February 25). Trustees made inappropriate comments on Twitter, board chairman's letter says. *Times Colonist*. <https://www.timescolonist.com/local-news/trustees-made-inappropriate-comments-on-twitter-board-chairmans-letter-says-5098437>

[2] Painter, R. (2022, February 24). *Open Letter from Board Chair: Censure and Suspension of Two Trustees*. <https://www.sd61.bc.ca/wp-content/uploads/sites/91/2022/02/Open-Letter-re-Censure-Suspension-of-Two-Trustees-220224.pdf>

[3] *Barnett v Cariboo Regional District*, 2009 BCSC 471 at paras. 56 to 58

[4] Greater Victoria School District. (2014, January). *Regulation 4304*. <https://www.sd61.bc.ca/our-district/documents/name/regulation-4304-bullying-and-harassment/>

[5] *School Act*, RSBC 1996, c 412 s 33, 34, 53, 54, 58 & 63

cc: Honourable Jennifer Whiteside, Minister of Education  
Honourable Murray Rankin, MLA, OAK Bay-Gordon Head  
Honourable Rob Fleming, MLA, Victoria-Hillside  
Honourable Grace Lore, MLA, Victoria-Beacon Hill  
Honourable Lana Popham, MLA, Saanich South  
Rob Paynter, School District No. 61 Trustee  
Diane McNally, School District No. 61 Trustee



## Greater Victoria Teachers' Association

5-515 Dupplin Road Victoria BC V8Z 1C2  
t. 250.595.0181 f. 250.595.0189 info@gvta.net gvta.net

March 17, 2022

The Honourable Jennifer Whiteside  
Minister of Education  
Room 306 Parliament Building  
Victoria BC V8V 1X4

Dear Minister Whiteside,

### **Re: Lansdowne South Land Disposal**

I am writing on behalf of the Greater Victoria Teachers' Association (GVTA) to urge you to reject the Greater Victoria School District's sale of the 1.28 acres adjacent to the Lansdowne South Campus to the Victoria Hospice Society. Using land sales to fund necessary building upgrades is short-sighted and suggesting that this will advance the Board's climate action plan is shameful.

This land is not surplus to the needs of the School District and is required for educational purposes. Schools in the Greater Victoria School District are at capacity. This land not only serves an educational purpose as a green space but could be a potential site for a much-needed new elementary school. With the integration of Early Childhood Education into the purview of the Ministry of Education, the Greater Victoria School District also needs to consider sites for childcare centers.

The Board was required to engage in broad consultation, and this has not been done, nor has the position of the community, stakeholders, and rightsholders been acknowledged. The community opposes this land sale. Both VCPAC and the GVTA spoke against the sale before boycotting future meetings because of the dysfunction of this Board. It should also be noted that this sale was approved by a four to three vote while two publicly elected trustees are perhaps unlawfully suspended. If those trustees had been present, the GVTA has every confidence the vote to dispose of this land would have failed.

We urge you to stop this sale.

Sincerely,

Winona Waldron  
President  
Greater Victoria Teachers' Association

Cc: Deb Whitten, GVSD Interim Superintendent  
GVSD Trustees  
GVTA Executive

# Office of the Secretary-Treasurer

*Kim Morris – Secretary Treasurer*

---

March 26, 2022

Patrick Allen, President  
Bays United Football Club  
PO Box 8358, Unit B  
Victoria, BC V8R 6S4

Dear Patrick:

RE: **Artificial Turf Field at Victoria High School**

The Board of Education of School District No. 61 (Greater Victoria) acknowledges the receipt of \$50,000 from Bays United Football Club (FC). These monies will be held in trust in a non-interest bearing account in the Capital Fund to be used for the building of an artificial turf soccer/rugby field at Victoria High School.

In the event that the building of an artificial turf soccer/rugby field at Victoria High School does not proceed, all monies held in trust shall be returned in full to Bays United FC within 30 days of the School District receiving such a request from Bays United FC.

A copy of this correspondence will be included on the agenda and recorded in the minutes of a regular meeting of the Board of Education of School District No. 61 (Greater Victoria) prior to April 30, 2022.

Your truly,

**BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 61 (GREATER VICTORIA)**

Kim Morris  
Secretary-Treasurer

cc: Ryan Painter, Board Chair  
Deb Whitten, Interim Superintendent of Schools  
Katrina Stride, Associate Secretary-Treasurer  
Chuck Morris, Director, Facilities Services

*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.*



March 28, 2022

**Patrick Gatien**

*Board Chair*

School District No. 93 (Conseil scolaire francophone de la C.-B.)  
100 – 13511 Commerce Parkway  
Richmond, B.C. V6V 2J8

Dear Mr. Gatien,

**RE: Request for meetings to be held in hybrid mode**

Thank you for sharing your thoughts regarding your board's vision for events hosted by the British Columbia School Trustees Association (BCSTA). As you are well aware, BCSTA's actions are driven by member feedback and needs. Your concerns resonate with the association's recent work. We have just enacted a Climate Action Working Group, and the board has recently put in work evaluating the association's carbon footprint. BCSTA also remains at the forefront of provincial conversations regarding COVID-19. These are concerns that touch us all at provincial and local levels.

While we successfully hosted our 2021 AGM online, it came at the cost of lost connections and an inability to share authentically and freely with one another. Time spent travelling is an investment of resources and time, and our board firmly believes that the benefits garnered from attending our annual general meeting pay dividends in districts across the province. Our AGM provides members many opportunities outside of the official program to share, collaborate and find support within the membership. These connections and pathways are simply impossible to emulate in a virtual setting. Time spent travelling is always a concern, but as trustees, we have committed ourselves to many tasks that require investment to see through. It is not lost on the board of directors that our province is vast, and travel can be difficult for rural communities. We keep this in mind when locating our gatherings in Vancouver to limit extra transfers and connections when travelling. We sincerely appreciate the commitment trustees from rural and remote communities have when attending our events, and we value their presence and perspectives.

These actions require an investment, but they lead us to connect with our peers in ways we cannot accomplish in a virtual setting. An example of this can be seen in our current AGM program. We are thrilled to be devoting an entire day to Indigenous learning at this year's AGM, with elders from across the province converging to share wisdom and insights in ways many trustees have likely not experienced before. For many, this will be a life-changing occasion.

The impact COVID-19 has on our day-to-day lives remains, but we have learned that we have many ways in which we can meet safely and effectively. Under the guidance of the Office of the Provincial Health Officer, BCSTA staff have worked diligently to ensure that our meetings are safe for those in attendance.



Association staff are also working closely with venue operators and hotel management to adhere to safety protocols. B.C. continues to make strides forward in its re-opening strategy, but we understand that there is no one-size-fits-all solution, especially for those with increased risk. As individuals, we all have unique tolerances when considering appropriate levels of risk, and I respect these personal decisions are difficult to make. On behalf of BCSTA's board of directors, I wish to emphasise that these concerns are heard. Our decision to proceed with an in-person AGM is driven by a desire to support the association's members in the best possible way while considering 60 unique points of view.

Finding balance amongst these perspectives is challenging, and BCSTA's board of directors and staff continue to evaluate and consider our options for every event. Currently, providing virtual options requires significant resources and staff to administer and run, and our association cannot offer hybrid options for our events. Some of the considerations BCSTA has made leading to our decision to have our AGM in Vancouver include:

- Full staff engagement is required to support in-person events, and the same levels of commitment are needed to support our virtual events. Providing both options in tandem is not logistically possible with our current staffing.
- The cost of outsourcing the assistance required to run two events (in-person and virtually) is prohibitively high, leading to significantly higher registration fees if pursued.
- Contracts with speakers may limit streaming and recording options or increase related costs if added, raising registration fees.
- Hotels room blocks and gathering spaces are contracted years in advance to lock in low rates. BCSTA is subject to guarantees for room occupancy, meals, and more. Failing to meet these expectations leads to financial penalties against the association.

It remains our goal to provide our members with high-quality events that support development and opportunities to collaborate. It is the board's shared desire that all trustees attend AGM. Still, we must balance that aspiration against the program's quality, overall costs and our staff's ability to administrate the event, as our resources are limited.

Know that we plan to share materials on the BCSTA HUB where permission to do so is provided for those unable to attend. Our goal is to support those who cannot join us as best as possible. BCSTA will continue to assess the viability of virtual options during every planning cycle, and we thank you for providing feedback that will be considered during those discussions.

Sincerely,

**Stephanie Higginson**

*President*

British Columbia School Trustees Association

CC: BCSTA member boards of education  
Suzanne Hoffman, CEO, BCSTA  
Michel St-Amant, Superintendent, CSF

By email: [educ.minister@gov.bc.ca](mailto:educ.minister@gov.bc.ca)

March 31, 2022

Honourable Jennifer Whiteside  
Minister of Education  
PO Box 9045, Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Minister Whiteside,

I am writing to request your direct intervention in the ongoing internal dispute between trustees in School District No. 61. In particular, I call upon you to inform the public and board in School District 61 of your view on whether this province's boards of education under your leadership may vary the elected membership of the board without your consent. Until or unless you have explicitly and publicly cleared the majority of this board of wrongdoing in their attempts to prematurely end the terms of two trustees, I also ask that you take whatever means necessary to restore members Diane McNally and Rob Paynter to their elected positions on the board.

I urge you to address this request with the urgency and attention it deserves. The Greater Victoria School District Board of Education is in crisis. In the space of less than a year, staff have been accused of racist conduct, and multiple trustees have in turn been accused by staff of bullying and harassment. In this time, the leadership of the board has changed hands three times, and the most recent change in leadership has been accompanied by increasingly aggressive tactics to intimidate and silence a minority of trustees on the board. In his February 24<sup>th</sup> open letter to the community, the chair attempted to justify this cynical abuse of the board's "inherent power" to regulate "interactions between elected officials and staff" by incorrectly describing the sanctions against each trustee as a culmination of "multiple previous attempts to educate, correct, and address the concerning conflict".<sup>1</sup> Contrary to the statements in this letter, no such record of previous misconduct existed for all suspended trustees nor were either of the suspended trustees provided with the opportunities that they would have been entitled to under a "fair process".<sup>2</sup> For example, neither Trustee Paynter nor McNally had the opportunity to address the allegations against them during the course of the district's investigation into allegations against them nor were they given adequate opportunity to inform themselves of the recommendations of sanction resulting from that investigation once investigator Marcia McNeil had concluded her report and provided her recommendations to the board.<sup>3</sup> More importantly, the letter neglected to explain the extent to which the board's inherent power to regulate the behaviour of its members includes the authority to expel a minority of trustees from the board.

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<sup>1</sup> See pages 1 and 5 of Painter, R. (2022, February 24). *Open Letter from Board Chair: Censure and Suspension of Two Trustees*. <https://www.sd61.bc.ca/wp-content/uploads/sites/91/2022/02/Open-Letter-re-Censure-Suspension-of-Two-Trustees-220224.pdf>

<sup>2</sup> See paras. 29-32, 90-91 of the petition for judicial review submitted by Nicholas Vaartnou under *Paynter v. The Board of Education of School District No. 61* (Court file number [VIC-S-S-220689](#))

<sup>3</sup> *Ibid.* paras. 18-20 and paras. 8 and 32 of the petition for judicial review in *McNally v. Board of Education of School District No. 61* (Court file number [VIC-S-S-220692](#))



I am not alone in these concerns. The Victoria Confederation of Parent Advisory Councils,<sup>4</sup> the Greater Victoria Teachers' Association,<sup>5</sup> and the Songhees Nation<sup>6</sup> have objected to the attempted removal or suspension of two trustees from the board and have rejected the authority of the remaining seven trustees to effectively represent the interests of the voting public and make decisions on our behalf. Allowing a dismembered board to proceed with board business and make decisions on our behalf will negatively impact the educational welfare of students in the district. Indeed, these impacts are not merely hypothetical: in the enforced absence of trustees from the board, the board has claimed to have passed motions merely by a "majority" of quorum, when in all likelihood, the presence of an additional two trustees would fundamentally change the future of education in this district. To name just the most recent example, the board attempted an illegitimate third reading of a land disposal bylaw for property at the Lansdowne Middle School south campus. Despite opposition from the majority of the board over the course of all three bylaw readings, the district recently released a statement in which they inaccurately described their board of approving a sale of 1.28 acres of land to the Victoria Hospice Society.<sup>7</sup> I am concerned that the board intends to follow this undemocratic precedent as they decide how to balance a budget that will inevitably harm students without adequate representation of all trustees and partner associations as well as First Nations at the board table.

As expressed in both Trustee Paynter's and Trustee McNally's petition to the Supreme Court, and indeed, as implied by several sections of the *School Act* itself, a public body does not have the inherent power under law to overrule the will of the electorate and remove members from elected positions.<sup>8</sup> The two trustees in question, Diane McNally and Rob Paynter, were elected to serve a term of four years on the school board in 2018 by a combined total of 67,278 votes—or 30% of the 226,006 votes cast in the election. Although Paynter and McNally comprise 22% of a board of education of nine trustees, they represent the 36% of the voters who elected them to a board among seven other colleagues. Unfortunately, by failing to recognize the right of all nine trustees to attend meetings as voting members of the board, the board's response to alleged trustee misconduct has broadly overruled and disregarded not only the 67,278 constituents who voted for both Trustees Paynter and McNally, but the many more for whom they speak. A majority of a board should not have the authority to deprive the public of full representation on the board as a result of its internal disciplinary proceedings. If and when you address trustee misconduct on this board of education, I ask that the eventual sanctions for any trustees target the responsible parties directly, rather than the public who voted for and are represented collectively by all trustees on the board.

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<sup>4</sup> See Angela Carmichael's February 22<sup>nd</sup> letter at:

<https://www.facebook.com/photo/?fbid=438265611217730&set=a.212964007081226>

<sup>5</sup> See the February 17<sup>th</sup> statement from the Greater Victoria Teachers' Association at:

<https://www.facebook.com/victoriateachers/posts/373753928085921>

<sup>6</sup> Chief Ron Sam and Council wrote the board on February 17<sup>th</sup>. A copy of this letter is online at: [shorturl.at/mqLOX](https://shorturl.at/mqLOX)

<sup>7</sup> Greater Victoria School District. (2022, March 15). *Greater Victoria School District Approves Sale of 1.28 Acres to Victoria Hospice Society*. <https://www.sd61.bc.ca/news-events/news/title/greater-victoria-school-district-approves-sale-of-1-28-acres-to-victoria-hospice-society/>

<sup>8</sup> See paras. 61-63, 68, 78 and 82 as well as paras. 18 and 25, respectively, of the above referenced petitions from *Paynter v. The Board of Education of School District No. 61* and *McNally v. Board of Education of School District No. 61*. See also *School Act*, RSBC 1996, c 412 ss 33-35, 49, 53, 54, 58 & 63

In conclusion, according to the facts set out above, the board's recent decision to suspend its own members is nothing less than an attack on the integrity of the board as a democratic institution and an inexcusable assault on the democratic process itself. I therefore ask that you make every effort to intervene in this matter without further disadvantaging our students and negatively impacting their educational welfare. In particular, I request that any outcome ultimately brings together all nine trustees to resolve their internal disputes without further financial expense to the school community, and in the interim, I demand that you restore the composition of this district's board of education at the earliest opportunity.

Finally, in the absence of your intervention, I also ask that you also respond to the following questions regarding the legal outcome of the pending judicial review submitted by Trustees Paynter and McNally:

- In the event that either Trustee McNally's or Trustee Paynter's petition for judicial review is successful during your term in office, will the Ministry of Education cover the legal expenses resulting from the Greater Victoria School District Board of Education's unlawful and unauthorized attempt to intimidate, silence, and ultimately remove these two trustees?<sup>9</sup>
- In the event that either Trustee McNally's or Trustee Paynter's petition for judicial review is successful during your term in office, will the Ministry of Education recognize the motions passed by the dismembered Board of Education during the illegal suspension of two trustees?
  - In particular, since Trustees McNally and Paynter had already voted against and vocally opposed the Lansdowne Middle School South Campus land sale to Victoria Hospice Society, will your Ministry recognize the majority of the board opposed to the proposed sale and uphold their decision as the will of the board, instead of the decision "approved" by a minority of trustees in the March 14<sup>th</sup> open board meeting?
- Similarly, to the extent that any of the motions passed since February 8, 2022 may be recognized as valid, what is the minimum number of votes required on a board illegally deprived of two voting members to successfully pass any one of these motions during this time?

Thank you for considering these questions; I look forward to your response.

Sincerely,

Jonathan Faerber, parent of children in School District No. 61

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<sup>9</sup> As noted in a recent Times Colonist op-ed authored by former teachers and trustees, "a court challenge is likely to be both time-consuming and costly"; tragically, it is entirely possible that "the five trustees who voted to suspend [Trustees Paynter and McNally] will have their legal counsel paid for by the district's taxpayer-funded budget" (paras. 14-15). In other words, if the board insists on litigating alleged trustee misconduct rather than settling their internal dispute with Trustees Paynter and McNally outside of court, these legal costs will be incurred at the indirect expense of student well-being and achievement in the district. To read more about what is at stake for students, please read Anderson, S., Nohr, D., and Pickup, C. (2022, March 22). Comment: School board crisis needs minister's intervention. *Times Colonist*. <https://www.timescolonist.com/opinion/comment-school-board-crisis-needs-ministers-intervention-5184002>

cc: Board of Education, School District No. 61  
Honourable Murray Rankin, MLA, OAK Bay-Gordon Head  
Honourable Rob Fleming, MLA, Victoria-Hillside  
Honourable Grace Lore, MLA, Victoria-Beacon Hill  
Honourable Lana Popham, MLA, Saanich South  
Honourable Jackie Tegart, MLA, Fraser-Nicola

## May

May 23, 2022: Non-Instructional Day (MOE Indigenous Focus)

### **Strategic Direction and Context**

- Approve the 2022-2023 Board of Education and Standing Committee Dates
- Approve the 2022-2023 Academy Fees

### **System Planning and Performance Monitoring**

- Monthly Financial Summary
- FESL
- Review the Draft Annual Five-Year Capital Plan

### **External Compliance and Accountability**

- Receive Carbon Neutral Action Report for Submission to Climate Action Secretariat by May 31<sup>st</sup> and Receive Energy Manager Report

### **Engagement with Stakeholders and Public Recognition Events**

- Budget Process Debrief



**The Board of Education of School District No. 61 (Greater Victoria)  
Education Policy and Directions Committee Meeting  
REGULAR MINUTES**

Monday, April 4, 2022, 5:00 p.m.

Trustees Present: Tom Ferris (Chair), Elaine Leonard, Angie Hentze, Nicole Duncan, Jordan Watters, Ryan Painter, Ann Whiteaker

Trustees Suspended: Diane McNally, Rob Paynter

Administration: Deb Whitten, Interim Superintendent of Schools, Kim Morris, Secretary-Treasurer, Colin Roberts, Interim Deputy Superintendent, Harold Caldwell, Associate Superintendent, Mark Baggott, Manager Building Operations Facilities Services, Andy Canty, Director, Information Technology for Learning, Kelly Gorman, Recorder

Stakeholders: Connor McCoy, President, VPVPA

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**A. COMMENCEMENT OF MEETING**

The meeting was called to order at 5:03 p.m.

**A.1. Acknowledgement of Traditional Territories**

Chair Ferris 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 Watters

That the April 4, 2022 agenda be approved.

**Motion Carried Unanimously**

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

**Moved by** Trustee Painter

That the March 7, 2022 Combined Education Policy and Directions Committee and Operations Policy and Planning Committee meeting minutes as they pertain to Education Policy and Directions Committee, be approved.

**Motion Carried Unanimously**

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

Trustee Duncan requested an update from staff on C.2. Fortis BC Curriculum.

Interim Superintendent Whitten provided an update and referred to the April 4, 2022 Education Policy and Directions Committee meeting agenda C.1. motion that refers to the Fortis BC Curriculum.

**B. PRESENTATIONS TO THE COMMITTEE**

**Community Presentations**

- B.1.** Stephanie Dawson, Career Centre Coordinator with the Greater Victoria School District presented on proposed budget cuts to Career Center Coordinators.
- B.2.** Aisha Choumou Bokhit, a grade 12 student in the Greater Victoria School District presented on the positive impact that a Career Centre Coordinator had in their life.
- B.3.** Nicola Priestley, Director, South Island Partnerships Camosun College, presented on proposed budget cuts to Career Coordinators in the Greater Victoria School District.
- B.4.** Blanche Philip, Greater Victoria School District Administrative Assistant, presented on the importance of the 12 clerical support positions at middle schools.
- B.5.** Dr. Robert Oppenheimer, presented on the proposed -22-23 budget and the potential impact of counselling reductions on student mental health.

- B.6.** Robert Shirley, Bree Anne Bartle-Clar, and Vrai Price-Miskelly, grade 12 Oak Bay Secondary students, presented on proposed budget cuts to music education.
- B.7.** Keelin McNeil, Reynolds Secondary student, presented on proposed budget cuts to music education.
- B.8.** Dexter Gilbert, grade 12 Reynolds Secondary student, presented on proposed budget cuts to music education.
- B.9.** Gilles Larose, SD61 Cartage/Custodial Foremen, presented on proposed budget cuts to CUPE Local 382 positions.
- B.10.** Glen Ruttan, SD61 Custodian, presented on proposed budget cuts to daytime custodians.

### **Staff Presentation**

- B.11.** District Vice-Principal Roberts, Shortreed and Barks presented on the Framework for Enhanced Student Learning (FESL). An overview was provided on the following:

Principals of Assessment

Proficiency Scale Pilots and initiatives- K-9

Updates on assessment and reporting tools K-12

Curation and sharing of resources on the District website.

## **C. NEW BUSINESS**

Trustee Watters provided rationale for the motion.

Questions of clarification were asked.

Interim Superintendent Whitten offered to discuss the motion with the Greater Victoria Teachers Association at the upcoming Joint Committee on Curriculum Implementation meeting.

### **C.1. Industry-Sponsored Educational Materials – Trustee Watters**

**Moved by** Trustee Watters

That the Board of Education of School District No. 61 (Greater Victoria) direct the Interim Superintendent to meet with members of the Greater Victoria Teachers Association to discuss the appropriate use of fossil fuel

industry-sponsored educational materials, including those produced by Fortis BC, in the Greater Victoria School District.

**Motion Carried Unanimously**

**D. NOTICE OF MOTION**

None

**E. GENERAL ANNOUNCEMENTS**

None

**F. ADJOURNMENT**

**Moved by** Trustee Painter

That the meeting adjourn.

**Motion Carried Unanimously**

The meeting adjourned at 6:52 p.m.

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Chair

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Secretary-Treasurer



**TO: Education Policy and Directions Committee**

**FROM: Trustee Jordan Watters**

**RE: Fortis BC Curriculum**

**DATE: March 18, 2022**

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**Background:**

Fortis BC is a fossil fuel corporation operating to provide natural gas and renewable natural gas to customers in the province of BC. Fortis BC provides curriculum to BC schools through its “Energy Leaders” program. This Fortis BC branded curriculum includes numerous statements minimizing the harmful impacts of natural gas on the climate and environment. The lessons also fail to discuss viable options for clean energy, instead solely focusing on natural gas, normalizing its use and falsely touting it as a clean and renewable energy source.

**Rationale (Issue):**

At the February 7<sup>th</sup> 2022 Education Policy and Direction Committee, meeting we received presentations about curriculum developed by Fortis BC and provided to educators for implementation in our district. We heard significant concerns about 1) the quality of the curriculum and its evident bias in favour of fossil fuels; and 2) a private for-profit corporation’s industry promoting curriculum being taught in public schools.

On March 2, 2022 the B.C. committee of the Canadian Association of Physicians for the Environment (CAPE) is releasing its open letter to Minister of Education Jennifer Whiteside, backed by close to 100 health, education, student, environment and community organizations, to end fossil fuel promotion in the province’s schools. This open letter is backed by the BC Teachers Federation, whose president Teri Mooring notes, “The fossil fuel industry has no place in BC classrooms, especially as we face an unprecedented climate crisis. We will continue to expect the BC government to work with teachers and invest in developing unbiased, science-based climate education resources, including training for educators to support this curriculum.”

**Alignment to Strategic Plan:**

This motion aligns with Goal 1, Strategy 1.

*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.*

## Goal 1

Create an inclusive and culturally responsive learning environment that will support and improve all learners' personal and academic success.

### Strategy 1:

Develop and support high quality learning opportunities through the implementation of curriculum in order to improve student achievement.

### Strategy 2:

Engage and collaborate with students, families and staff to provide an inclusive learning environment that will enhance and support student learning, identities and well-being.

### Strategy 3:

Address the inequity of outcomes for diverse learners in literacy, numeracy, engagement and completion rates.

## Goal 2

Create a culturally responsive learning environment that will support Indigenous learners' personal and academic success.

### Strategy 1:

Critically examine personal and systemic biases, attitudes, beliefs, values and practices to increase student and staff understanding and appreciation of Indigenous worldviews, histories and perspectives.

### Strategy 2:

Engage and collaborate with local Nations, Indigenous educators, Indigenous community leaders, Elders and families to enhance Indigenous student learning and well-being and identity.

### Strategy 3:

Address the inequity of outcomes for Indigenous learners in literacy, numeracy, attendance and graduation rates.

## Goal 3

Create an inclusive and culturally responsive learning environment that will support all learners' physical and mental well-being.

### Strategy 1:

Continue to provide professional learning opportunities to all staff in K-12 to further support implementation of social emotional learning, physical literacy and mental health literacy that improves outcomes for students and classrooms.

### Strategy 2:

Work in collaboration with Ministry of Children & Family Development to provide joint educational planning and support for children and youth in care that helps develop the child's personality, talents and mental and physical abilities to the fullest for current and future success.

### Strategy 3:

Engage and collaborate with families to encourage awareness of and engagement in physical literacy and mental health literacy that improves outcomes for students in classrooms and at home.

### Strategy 4:

Address the inequity of opportunity for all learners to maximize physical health and mental well-being.

and under what category:

- Advocacy

### References:

- Open Letter: [https://cape.ca/press\\_release/ban-fossil-fuel-promotion-in-bc-schools](https://cape.ca/press_release/ban-fossil-fuel-promotion-in-bc-schools)

### Recommendation:

*That the Board of Education of Greater Victoria (SD61) direct the Interim Superintendent to meet with members of the Greater Victoria Teachers Association to discuss the appropriate use of fossil fuel industry-sponsored educational materials, including those produced by Fortis BC, in the Greater Victoria School District.*

*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.*



The Board of Education of School District No. 61 (Greater Victoria)  
Operations Policy and Planning Committee Meeting

**Regular Minutes**

Monday, April 11, 2022, 7:00 p.m.

Broadcasted via YouTube <https://bit.ly/3czx8bA>

Trustees Present: Elaine Leonard (Chair), Ryan Painter, Angie Hentze, Jordan Watters, Tom Ferris, Nicole Duncan, Anne Whiteaker

Trustees Suspended: Diane McNally, Rob Paynter

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 of Facilities Services, Marni Vistisen-Harwood, Associate Director Facilities Services, District Principal, Sean McCartney Andy Canty, Director, Information Technology for Learning, Kelly Gorman, Recorder

Stakeholders: Connor McCoy, President, VPVPA

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**A. COMMENCEMENT OF MEETING**

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

**A.1. Acknowledgement of Traditional Territories**

Chair Leonard 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 Painter

That the April 11, 2022 agenda be approved.

**Motion Carried Unanimously**

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

**Moved By** Trustee Watters

That the March 7, 2022 Combined Education Policy and Directions Committee and Operations Policy and Planning Committee meeting minutes as they pertain to Operations Policy and Planning Committee be approved, as amended.

Trustee Duncan requested answers to her questions relative to shop remediations under L.1. The answers will be posted on the District website under the April 11, 2022 Operations Policy and Planning Committee meeting as supplemental information.

**Motion Carried Unanimously**

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

Trustee Duncan I.1.b. requested Enrollment data for Middle and Secondary schools. Interim Deputy Superintendent Roberts will provide an update at a future meeting.

Trustee Whiteaker reminded the Board of the Board approved motion to create a Waste Policy Committee.

**B. PRESENTATIONS TO THE COMMITTEE**

None.

**C. SUPERINTENDENT'S REPORT**

**C.1. Administrative Regulations**

Interim Superintendent Whitten provided an update.

Trustees had questions of clarification.

## **D. PERSONNEL ITEMS**

None.

## **E. FINANCE AND LEGAL AFFAIRS**

### **E.1. Monthly Financial Report: March 2022**

Secretary-Treasurer Morris provided the report for information.

Trustees had questions of clarification.

**Moved By** Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) table E.2. to E.5. to a future Operations Policy and Planning Committee meeting.

Trustees discussed the motion.

For: Duncan, Whiteaker

Against: Painter, Leonard, Hentze, Ferris, Watters

**Motion Defeated (2 to 5)**

### **E.2. Policy XXXX Whistleblower**

Secretary-Treasurer Morris presented the policy.

**Moved By** Trustee Watters

That the Board of Education of School District No. 61 (Greater Victoria) approve new Whistleblower policy.

Trustees debated the Policy with a suggestion being made to refer the motion in order to make further edits discussed by Trustees.

**Moved By** Trustee Painter

That the motion "*That the Board of Education of School District No. 61 (Greater Victoria) approve new Whistleblower policy*" be referred to the May 9, 2022 Operations Policy and Planning Committee meeting.

Trustees debated the motion.

For: Painter, Whiteaker, Hentze, Duncan, Ferris

Operations Policy and Planning Committee Meeting April 11, 2022

3

Against: Watters, Leonard

**Motion Carried (5 to 2)**

**E.3. Policy XXXX Social Media Use**

**Moved By** Trustee Painter

That the Board of Education of School District No. 61 (Greater Victoria) approve new Social Media Use policy.

Trustees debated the motion with a suggestion being made to refer the motion in order to make edits discussed by Trustees.

**Moved By** Trustee Painter

That the motion "*That the Board of Education of School District No. 61 (Greater Victoria) approve new Social Media Use policy*" be referred to the May 9, 2022 Operations Policy and Planning Committee meeting.

**Motion Carried Unanimously**

**E.4. Policy 4304 Revision - Bullying & Harassment**

**Moved By** Trustee Painter

That the Board of Education of School District No. 61 (Greater Victoria) approve revised 4304 Bullying and Harassment policy.

Trustees debated the motion with a suggestion being made to refer the motion in order to make edits discussed by Trustees.

**Moved By** Trustee Whiteaker

That the motion "*That the Board of Education of School District No. 61 (Greater Victoria) approve revised 4304 Bullying and Harassment policy*" be referred to the May 2, 2022 Education Policy and Directions Committee meeting.

For: Whiteaker, Duncan, Painter, Watters, Hentze, Ferris.

Against: Leonard

**Motion Carried (6 to 1)**

**E.5. Policy 8251 Revision – Trustees' Code of Conduct**

Operations Policy and Planning Committee Meeting April 11, 2022

4

Trustees debated the Policy with a suggestion being made to bring a revised Policy, and the suite of associated policies, to the May 9, 2022 Operations Policy and Planning Committee meeting.

**F. FACILITIES PLANNING**

**F.1. Operations Update: April 2022**

Director of Facilities Morris presented the April Operations update.

Trustees had questions of clarification.

**F.2. Victoria High School Seismic Project Update**

Associate Director of Facilities Services Vistisen-Harwood provide an update.

**F.3. Lead in Water Report**

Director of Facilities Morris presented the report and let the Committee know the District is in compliance and that the report had been submitted to the Ministry of Education and the health authority, as well as posted to the District website.

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

None.

**H. NEW BUSINESS**

None.

**I. NOTICE OF MOTION**

None.

**J. GENERAL ANNOUNCEMENTS**

None.

**K. ADJOURNMENT**

**Moved By** Trustee Whiteaker

That the meeting adjourn.

**Motion Carried Unanimously**

The meeting adjourned at 9:58 p.m.

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Chair

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Secretary-Treasurer



# Office of the Superintendent

*Deb Whitten – Interim Superintendent*

TO: The Board of Education  
FROM: Deb Whitten, Interim Superintendent of Schools  
RE: Superintendent's Report  
DATE: April 25, 2022

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Please see below the opportunities the Interim Superintendent has been involved with during the month of April aligned to the Strategic Plan:

Goal 1: Create an inclusive and culturally responsive learning environment that will support and improve all learners' personal and academic success.

- Climate Action Planning meeting (ongoing).
- Administrators' meeting – April 7, 2022.

Goal 2: Create a culturally responsive learning environment that will support Indigenous learners' personal and academic success.

- Regular individual meetings with Esquimalt Nation; Songhees Nation; Urban Indigenous Peoples' House Advisory (UPHIA); and the Métis Nations of Greater Victoria.
- Regular meetings with the Four Houses.
- Meet bi-weekly with the Director of Indigenous Education.

Goal 3: Create an inclusive and culturally responsive learning environment that will support learners' physical and mental well-being.

- Zoom meetings with the Ministry of Education.
- Monthly meetings with VPVPA President and Vice President.
- Island Health re Shoreline Wellness Hub.

Gratitude: The Interim Superintendent would like to thank the following:

- Budget Advisory Committee, Kim Morris, Secretary-Treasurer, Katrina Stride, Associate Secretary-Treasurer, and the Finance Department for their hard work to successfully complete the 2022-23 Budget.
- Shelly Niemi, Director of Indigenous Education, and a member of the BCSSA Indigenous Advisory Table, contributed to the article [\*Indigenous Leadership as Ceremony\*](#) article in the Inspir(ED) Spring 2022 issue.
- Urban Peoples House Indigenous Advisory (UPHIA) Writing Team for their work in drafting the UPHIA Terms of Reference.

**Recommended Motion:** *That the Board of Education of School District No. 61 (Greater Victoria) accept the Superintendent's Report, as presented.*

*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.*

# Office of the Interim Deputy Superintendent

School District No. 61 (Greater Victoria)  
556 Boleskine Road, Victoria, BC V8Z 1E8  
Phone (250) 475-4220 Fax (250) 475-4112

*Colin Roberts – Interim Deputy Superintendent*

**To:** Board of Education Meeting

**From:** Colin Roberts, Interim Deputy Superintendent

**Date:** April 25, 2022

**RE:** Specialty Academy Fees for 2022-2023

## **Background:**

In accordance with Section 82.1 of the School Act, a Board may charge a student enrolled in a specialty academy fees relating to the direct costs incurred by the Board in providing the specialty academy that are in addition to the costs of providing a standard educational program. The Parent Advisory Council where the specialty academy is offered must be consulted and approval of the schedule of fees must be obtained by the Parent's Advisory Council, after which a Board that offers specialty academy must establish a schedule of fees to be charged and make the schedule of fees available to the public. This must be completed by July 1<sup>st</sup>.

In accordance with Policy 6159, the Greater Victoria Board of Education is committed to ensuring that no student will be denied educational opportunities due to financial hardship.

## **Discussion:**

Attached to this memorandum is the Academy Schedule of Fees, approved and signed by their Parent Advisory Councils, for:

- Esquimalt High School Rugby Academy
- Lambrick Park Diamond for Excellence Baseball and Softball Academy
- Reynolds Secondary Centre for Soccer Excellence Academy
- Spectrum Hockey Skills Academy

## **Recommended Motion:**

That the Board of Education of School District No. 61 (Greater Victoria) makes available to the public, via the District website, the schedules of fees that have been approved by the Parents' Advisory Council for the school where the Board proposes to offer specialty academies.

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# ESQUIMALT HIGH SCHOOL

847 Colville Road, Victoria, B.C. V9A 4N9

phone 382-9226 fax 361-1263 esquimalt@sd61.bc.ca

## The Esquimalt High School Rugby Academy

Section 82.1 (2) of the School Act states: "A board may offer a specialty academy if..."

- (a) The board has consulted with the parents' advisory council for the school where the board proposes to offer the specialty academy, and


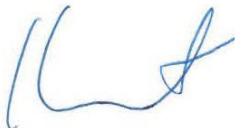
Section 82.1 (6) Before establishing a schedule of fees... a board must:

- (a) Consult with the parents' advisory council for the school where the specialty academy is offered, and  
(b) Obtain the approval of the parents' advisory council for the schedule of fees.

The following is the 2022-23 fee structure for the Esquimalt High School Rugby Academy as approved by our Parent Advisory Council:

The cost to students for participating in the Rugby Academy is \$100.00 per month for a yearly fee (10 months) of \$1000.00. The above fee includes a non-refundable deposit of \$100.00 to be applied to the first months fees due.  
Consistent with district policy, no student will be excluded due to financial hardship.

Signatures:

Christine Sullivan		February 11, 2022
PAC Member Name	PAC Member Signature	DATE
Kimberley Hamilton		February 13, 2022
PAC Member Name	PAC Member Signature	DATE
PAC Member Name	PAC Member Signature	DATE



## Lambrick Park Secondary School

4139 Torquay Drive, Victoria, B.C. V8N 3L1  
Phone: 250-477-0181 Fax #: 250-477-0143

Website: [www.lambrickpark.sd61.bc.ca](http://www.lambrickpark.sd61.bc.ca)

Email: [lambrickpark@sd61.bc.ca](mailto:lambrickpark@sd61.bc.ca)

*Gord Mitchell, Principal*

*Geoffrey Macdonald, Vice Principal*

*Barry Janzen, Vice Principal*

### The Lambrick Park Baseball/Softball Academy

Section 82.1 (2) of the School Act states: "A board may offer a specialty academy if..."

- (a) The board has consulted with the parents' advisory council for the school where the board proposes to offer the specialty academy, and

Section 82.1 (6) Before establishing a schedule of fees... a board must:

- (a) Consult with the parents' advisory council for the school where the specialty academy is offered, and  
(b) Obtain the approval of the parents' advisory council for the schedule of fees.

The following is the 2022-23 fee structure for the Lambrick Park Baseball/Softball Academy as approved by our Parent Advisory Council:

The cost to students for participating in the Lambrick Park Baseball/Softball Academy is \$1500.

The above fee includes a non-refundable deposit of \$150

\$150 per month for a yearly fee (10 months) of \$1500.

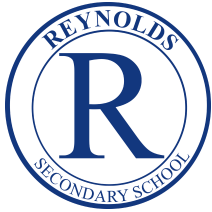
Consistent with district policy, no student will be excluded due to financial hardship.

Signatures:

<u>LARISA HUTCHESON</u>	<u>[Signature]</u>	<u>Mar 11/22</u>
PAC Member Name	PAC Member Signature	DATE

<u>Dawn McLean</u>	<u>DMcLean</u>	<u>14 Mar /22</u>
PAC Member Name	PAC Member Signature	DATE

<u>Sheri Yager</u>	<u>[Signature]</u>	<u>16 March /22</u>
PAC Member Name	PAC Member Signature	DATE



# École Reynolds Secondary School

3963 Borden St. Victoria, BC V8P 3H9

Telephone: (250) 479-1696

www.reynolds.sd61.ca

reynolds@sd61.bc.ca

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## The Reynolds Secondary Centre for Soccer Excellence

Section 82.1 (2) of the School Act states: “A board may offer a specialty academy if...”

- (a) The board has consulted with the parents’ advisory council for the school where the board proposes to offer the specialty academy, and

Section 82.1 (6) Before establishing a schedule of fees... a board must:

- (a) Consult with the parents’ advisory council for the school where the specialty academy is offered, and
- (b) Obtain the approval of the parents’ advisory council for the schedule of fees.

The following is the 2022-23 fee structure for the 2022-2023 fee structure as approved by our Parent Advisory Council:

The cost to students (Grades 9-11) for participating in the Centre for Soccer Excellence is \$100 per month for a yearly fee (10 months) of \$1000. Consistent with district policy, no student will be excluded due to financial hardship.

The cost to students (Grades 12) for participating in the Centre for Soccer Excellence is a yearly fee (10 months) of \$600. Consistent with district policy, no student will be excluded due to financial hardship.

Signatures:

Willow Minaker

March 17, 2022

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PAC Member Name

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PAC Chair Member Signature

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DATE







# SPECTRUM COMMUNITY SCHOOL

957 Burnside Road W  
Victoria, BC V8Z 6E9  
Tel: (250)479-8271  
Fax: (250)479-8204

## The Spectrum Hockey Academy

Section 82.1 (2) of the School Act states: "A board may offer a specialty academy if..."

- (a) The board has consulted with the parents' advisory council for the school where the board proposes to offer the specialty academy, and

Section 82.1 (6) Before establishing a schedule of fees... a board must:

- (a) Consult with the parents' advisory council for the school where the specialty academy is offered, and  
(b) Obtain the approval of the parents' advisory council for the schedule of fees.

The following is the 2022-23 fee structure for the [Click here to enter text.](#) as approved by our Parent Advisory Council:

The cost to students for participating in the The Spectrum Hockey Academy is  
\$1500.00

The above fee includes a non-refundable deposit of \$200.00

\$\$150.00 per month for a yearly fee (10 months) of

\$\$1500.00. Consistent with district policy, no student  
will be excluded due to financial hardship.

Signatures:

Christine Surridge Christine Surridge Mar. 1/22  
PAC Member Name PAC Member Signature DATE

Norah Nyvall [Signature] March 1/22  
PAC Member Name PAC Member Signature DATE

# Office of the Superintendent

*Deb Whitten – Interim Superintendent*

TO: The Board of Education

FROM: Deb Whitten, Interim Superintendent of Schools

RE: Superintendent Report

DATE: April 25, 2022

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During this portion of the Board 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.

*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.*

# Office of the Secretary-Treasurer

*Kim Morris - Secretary Treasurer*

**TO: Board of Education**

**FROM: Kim Morris**

**RE: Monthly Report**

**DATE: April 25, 2022**

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The purpose of this memo is to update the Board on some of the activities of the Secretary-Treasurer's office since March's report.

➤ **Budget 2022-2023:**

The Board successfully gave three readings to its budget between April 4 and April 7, 2022.

The Budget Advisory Committee will meet one final time as per the Board approved budget process, to debrief the 2022-2023 process and suggest improvements for the 2023-2024 process.

➤ **Framework in Learning Action Series**

University of Winnipeg faculty member Kevin Lamoureux spoke on a session called Healing the Wound with the Weapon: Schools as a Place of Healing and Wellness.

➤ **VFA Facility Web-Based Training**

Attended two training sessions relative to the Capital Asset Management software/database: introduction and reporting. The Long-Range Facilities Plan was last revised in 2018. Staff is preparing for the next update. VFA is the database in which Ministry facility audit data is input and tracked. Access to the database and the analysis of the information informs capital planning and long-range forecasting.

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In addition to the initiatives above:

- Continue to serve as BCASBO representative on provincial Ministry Funding Equity Committee and K-12 SOGI Collaborative Committees
- Monthly Budget Advisory Committee meetings
- Bi-weekly Vic High construction project meetings with Facilities staff and the Principal
- Bi-weekly Facilities and Superintendent meetings
- Weekly Finance Team budget meetings
- Weekly Senior Leadership Team meetings
- Monthly Student Representative Council meetings
- Ministry meetings as requested
- Weekly Chair Superintendent meetings for agenda setting
- Cedar Hill Middle School Replacement Project Core Committee meeting
- Policy Sub-Committee meeting
- Climate Action Committee meeting
- Various media requests relative to 2022-2023 budget

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**CAPITAL BYLAW NO. 2022-23-CPSD61-01**  
**CAPITAL PLAN 2022/23**

WHEREAS in accordance with section 142 of the *School Act*, the Board of Education of School District No. 61 (Greater Victoria) (hereinafter called the "Board") has submitted a capital plan to the Minister of Education (hereinafter called the "Minister") and the Minister has approved the capital plan or has approved a capital plan with modifications,

NOW THEREFORE in accordance with section 143 of the *School Act*, the Board has prepared this Capital Bylaw and agrees to do the following:

- (a) Authorize the Secretary-Treasurer to execute a capital project funding agreement(s) related to the capital project(s) contemplated by the capital plan or the capital plan with modifications;
- (b) Upon ministerial approval to proceed, commence the capital project(s) and proceed diligently and use its best efforts to complete each capital project substantially as directed by the Minister;
- (c) Observe and comply with any order, regulation, or policy of the Minister as may be applicable to the Board or the capital project(s); and,
- (d) Maintain proper books of account, and other information and documents with respect to the affairs of the capital project(s), as may be prescribed by the Minister.

NOW THEREFORE the Board enacts as follows:

- 1. The Capital Bylaw of the Board for the 2022/23 Capital Plan as approved by the Minister, to include the supported capital project(s) specified in the letter addressed to the Secretary-Treasurer and Superintendent, dated April 25, 2022 is hereby adopted.
- 2. This Capital Bylaw may be cited as School District No. 61 (Greater Victoria) Capital Bylaw No.2022-23-CPSD61-01.

READ A FIRST TIME THE 25<sup>TH</sup> DAY OF April, 2022;  
READ A SECOND TIME THE 25<sup>th</sup> DAY OF April, 2022;  
READ A THIRD TIME, PASSED THE 25<sup>th</sup> DAY OF April, 2022.

***CORPORATE SEAL***

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Board Chair

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Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original School District No. 61 (Greater Victoria) Capital Bylaw No. 2022-23-CPSD61-01 adopted by the Board the 25<sup>th</sup> day of April 2022.

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Secretary-Treasurer



March 15, 2022

Ref: 218161

To: Secretary-Treasurer and Superintendent  
School District No. 61 (Greater Victoria)

**Capital Plan Bylaw No. 2022/23-CPSD61-01**

Re: Ministry Response to the Annual Five-Year Capital Plan Submission for 2022/23

This letter is in response to your School District's 2022/23 Annual Five-Year Capital Plan submissions for Major Capital Programs and Minor Capital Programs, and provides direction for advancing supported and approved capital projects. **Please see all bolded sections below for information.**

The Ministry has reviewed all 60 school districts' Annual Five-Year Capital Plan submissions for Major Capital Programs and Minor Capital Programs to determine priorities for available capital funding in the following programs:

- Seismic Mitigation Program (SMP)
- Expansion Program (EXP)
- Replacement Program (REP)
- Site Acquisition Program (SAP)
- Rural District Program (RDP)
- School Enhancement Program (SEP)
- Carbon Neutral Capital Program (CNCP)
- Building Envelope Program (BEP)
- Playground Equipment Program (PEP)
- Bus Acquisition Program (BUS)

The following tables identify major capital projects that are supported to proceed to the next stage, if applicable, as well as minor capital projects that are approved for funding and are able to proceed to procurement.

## **MAJOR CAPITAL PROJECTS (SMP, EXP, REP, RDP)**

### **New Projects**

Project #	Project Name	Project Type	Comments
150466	Sundance Elementary	Seismic	Project has been supported. Your Regional Director will contact you regarding next steps.

### **Projects in Development from Previous Years**

Project #	Project Name	Project Type	Comments
127932	Shoreline Community Middle	Seismic	Project has been temporarily deferred to enable additional community consultation on a shared vision. Your Regional Director will contact you regarding next steps.

## **MINOR CAPITAL PROJECTS (SEP, CNCP, BEP, PEP, BUS)**

Below are tables for the minor capital projects that are approved. The table identifies School Enhancement Program (SEP), Carbon Neutral Capital Program (CNCP), Building Envelope Program (BEP), Playground Equipment Program (PEP), as well as the Bus Acquisition Program (BUS), if applicable.

### **New projects for SEP, CNCP, BEP, PEP**

Facility Name	Program Project Description	Amount Funded by Ministry	Next Steps & Timing
Lambrick Park Secondary	BEP – Building Envelope Upgrades	TBD	BC Housing will contact you regarding next steps in project development.
Victoria High	SEP – Exterior Wall Systems	\$1,100,000	Proceed to design, tender and construction. Project is to be completed by March 31, 2023.
Spectrum Community School	CNCP – Energy Upgrades	\$350,000	Proceed to design, tender and construction. Project is to be completed by March 31, 2023.

**An Annual Programs Funding Agreement (APFA) accompanies this Capital Plan Response Letter which outlines specific Ministry and Board related obligations associated with the approved Minor Capital Projects for the 2022/23 fiscal year as listed above.**

**In accordance with Section 143 of the *School Act*, Boards of Education are required to adopt a single Capital Bylaw (using the Capital Bylaw Number provided at the beginning of this document) for its approved 2022/23 Five-Year Capital Plan as identified in this Capital Plan Response Letter. For additional information, please visit the Capital Bylaw website at:**

**<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/capital/planning/capital-bylaws>**

**The Capital Bylaw and the APFA must be signed, dated, and emailed to Ministry Planning Officer Mary-Anne North at [mary-anne.north@gov.bc.ca](mailto:mary-anne.north@gov.bc.ca) as soon as possible. Upon receipt the Ministry will issue Certificates of Approvals as defined in the APFA.**

With the 2022/23 Capital Plan process now complete, the Capital Plan Instructions for the upcoming 2023/24 Annual Five-Year Capital Plan submission process (using the Ministry's Capital Asset Planning System (CAPS) online platform) are available at the Ministry's [Capital Planning](#) webpage.

NOTE: School districts' Capital Plan submission deadlines for the 2023/24 fiscal year, using the CAPS online platform, will be as follows:

- Major Capital Programs (SMP, EXP, REP, RDP, BEP) – June 30, 2022
- Minor Capital Programs (SEP, CNCP, PEP, BUS) – September 30, 2022

The staggered deadlines are intended to provide the Ministry with input required to initiate planning for the next budget cycle, while enabling school districts additional time and flexibility to plan over the summer. School districts may wish to provide Major and Minor Capital submissions by the June 30, 2022 deadline.

Please refrain from proactively reaching out to media regarding approved projects until the Province has made public announcements regarding minor capital approvals and playgrounds. Procurement and operational disclosure can continue.

When preparing public announcements pertaining to these approvals after the provincial announcements, please have District communications staff contact Meghan McRae, Communications Director, Government Communications and Public Engagement, at (250) 952-0622

Additionally, the Annual Facility Grant (AFG) project requests for the 2022/23 fiscal year are to be submitted using the CAPS online platform, on or before May 31, 2022.

Please contact your respective Regional Director or Planning Officer as per the [Capital Management Branch Contact List](#) with any questions regarding this Capital Plan Response Letter or the Ministry's capital plan process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Francois Bertrand', is written over a faint, larger version of the same signature.

Francois Bertrand, Executive Director  
Capital Management Branch

cc: Rob Drew, Director, Major Capital Projects, Capital Management Branch  
Damien Crowell, A/Director, Minor Capital Programs and Finance Unit, Capital  
Management Branch

## SECTION 72 REPORT

**Present:**

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

**Sanctioned/Suspended:**

Trustees Diane McNally, Rob Paynter

**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, Marni Vistisen-Harwood, Associate Director, Facilities Services, Lisa McPhail, Manager, Communications and Community Engagement, Vicki Hanley, Recorder

The Board of Education discussed the following matters:

- Property
- Legal

## SECTION 72 REPORT

**Present:**

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

**Sanctioned/Suspended:**

Trustees Diane McNally, Rob Paynter

**Administration:**

Kim Morris, Secretary-Treasurer, Vicki Hanley, Recorder

The Board of Education discussed the following matter:

- Personnel



## SECTION 72 REPORT

**Present:**

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

**Sanctioned/Suspended:**

Trustees Diane McNally, Rob Paynter

**Administration:**

Kim Morris, Secretary-Treasurer

The Board of Education discussed the following matter:

- Personnel

## SECTION 72 REPORT

**Present:**

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

**Sanctioned/Suspended:**

Trustees Diane McNally, Rob Paynter

**Administration:**

Deb Whitten, Interim Superintendent of Schools, Kim Morris, Secretary-Treasurer, Colin Roberts, Interim Deputy Superintendent, Harold Caldwell, Associate Superintendent, Sean Powell, District Principal, Languages and Multiculturalism

The Board of Education discussed the following matter:

- Appeals