



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

MINUTES

Via Zoom

April 25, 2022, 7:30 p.m.

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

Trustees 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, Chuck Morris, Director, Facilities Services, Andy Canty, Director, Information Technology for Learning, Shelly Niemi, Director, Indigenous Education, Marni Vistisen-Harwood, Associate Director, Facilities Services, Lisa McPhail, Manager, Communications and Community Engagement, Vicki Hanley, Recorder

A. COMMENCEMENT OF MEETING

The meeting was called to order at 7:41 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 April 25, 2022 agenda be approved with the following additions:

A.8. Community Presentations

a. Music Education, Karin Kwan, Parent

H.1. New Business

c. Elementary Strings and Advocacy for Music in Schools, Trustee Duncan

Motion Carried Unanimously

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

Chair Painter and Interim Superintendent Whitten welcomed Chair Simcoe of the Urban Peoples House Indigenous Advisory (UPHIA). Interim Superintendent Whitten shared how the Terms of Reference(TOR) were co-developed with the Indigenous Education Department and UPHIA. Interim Superintendent Whitten expressed her gratitude to the writing team for their commitment and vision to the Terms of Reference.

Chair Simcoe highlighted the values represented in the TOR: making educational and cultural contributions to Indigenous students and all students in SD61; and providing relevant, safe and joyful education for their children.

Chair Simcoe shared her appreciation for the development of the TOR and stated that she was looking forward to the future and what it brings for the educational experiences of Indigenous students in the District. Specifically, Chair Simcoe thanked Dr. Shelly Niemi and community members for the support to create the TOR.

Trustees expressed gratitude to Chair Simcoe and the writing team for the TOR.

Moved by Trustee Ferris
Seconded by Trustee Duncan

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.

Motion Carried Unanimously

A.4. Approval of the Minutes

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

Trustee Whiteaker pointed out that the first question in F. Question Period has the question and answer the same and will need to be amended.

Moved by Trustee Leonard
Seconded by Trustee Ferris

That the March 14, 2022 Regular Board minutes be approved, as amended.

Motion Carried Unanimously

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

Moved by Trustee Leonard
Seconded by Trustee Ferris

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

Motion Carried Unanimously

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

Moved by Trustee Ferris
Seconded by Trustee Whiteaker

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

Motion Carried Unanimously

A.5. Business Arising from the Minutes

None

A.6. Student Achievement

None

A.7. District Presentations

None

A.8. Community Presentations

- a. Karin Kwan, attended the Board meeting to speak to Trustees about the importance of music education and to frustration relative to the cuts to music programs during the budget season this year.

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

Trustee Duncan requested that the Chair respond to Mr. Faerber. Discussion ensued amongst the Trustees as to what the response should entail, given that the matter will now be before the courts for a judicial review.

Moved by Trustee Whiteaker
Seconded by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) direct the Chair to reply to the March 15, 2022 from Mr. Faerber, in whatever capacity that he can and that is appropriate.

Motion Carried Unanimously

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

Trustee Duncan highlighted the letter sent from the GVTA to the Minister of Education relative to the Lansdowne South Campus land 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

None

b. Return to In-Person Meetings

Chair Painter referenced the letter at B.6. in the agenda package, relative to the continuation of livestreaming virtual board and committee meetings. Discussion ensued amongst the Trustees with a decision, by consensus, to continue the virtual meeting format for the remainder of the school year and re-evaluate the situation during the summer break.

c. Annual Workplan: May 2022

Chair Painter presented for information, the Board work plan for May 2022. Trustees requested information pertaining to the Carbon Neutral Report and Energy Managers Report and were advised that these reports would be included in the May 9, 2022 Operations Policy and Planning Committee meeting agenda.

Trustee Duncan questioned the Trustee assignment to the Policy Sub-Committee and requested information as to why new Trustees were not

assigned to the Committee when Trustee membership is usually rotated on an annual basis and the current Trustees assigned are going into their third year on the Committee. Chair Painter provided the reasoning behind the decision which involved the two Trustees completing the work that they had started on policies. A suggestion was made to assign two new Trustees to start on different policies to review and allow Trustees Leonard and Watters to complete the work that they had started.

C.2. Trustees' Reports

None

D. BOARD COMMITTEE REPORTS

D.1. Education Policy and Directions Committee

- a. The draft minutes from the April 4, 2022 meeting were presented for information.
- b. Recommended motion from the April 4, 2022 meeting
 - a. Industry-Sponsored Educational materials

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.

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

Moved by Trustee Duncan

That the 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" be amended to add "AND FURTHER; That the Superintendent report back to the Board at the May 30, 2022 Board of Education meeting."

With no seconder the amendment failed.

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

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

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

D.2. Operations Policy and Planning Committee

- a. The draft minutes from the April 11, 2022 meeting were presented for information.

E. DISTRICT LEADERSHIP TEAM REPORTS

E.1. Interim Superintendent's Report

- a. Monthly Report

Interim Superintendent Whitten provided the report and highlighted her gratitude for the Budget Advisory Committee and Financial Services Department, led by Secretary-Treasurer Morris, Associate Secretary-Treasurer Stride and Director of Finance Lutner, for successfully completing the 22-23 budget, the UPHIA writing team for their work on drafting the UPHIA Terms of Reference, and Director Niemi for her article in Inspir(ED) Spring 2022 issue.

Moved by Trustee Ferris
Seconded by Trustee Watters

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

Motion Carried Unanimously

- b. 2022-2023 School Calendar

Moved by Trustee Leonard
Seconded by Trustee Ferris

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

School Opening
First non-instructional day

September 6, 2022
September 23, 2022

National Day for Truth and Reconciliation	September 20, 2022
Thanksgiving	October 10, 2022
Second non-instructional day (province wide)	October 21, 2022
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 23, 2023
Administrative Day and School Closing	June 30, 2023

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

Motion Carried Unanimously

c. 2022-2023 Specialty Academy Fees

Interim Superintendent Whitten provided background and an explanation with regards to the programs of choice at District secondary schools.

Moved by Trustee Watters
Seconded by Trustee Leonard

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.

Motion Carried Unanimously

d. Trustee Questions

Trustees asked questions with respect to Youth and Family Counsellors, the judicial review of the two suspended Trustees, the Interim Superintendent meeting with students regarding music and CRD grants for waste reduction.

E.2. Secretary-Treasurer's Report

- a. Secretary-Treasurer Morris provided the report.

Moved by Trustee Whiteaker
Seconded by Trustee Ferris

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

Motion Carried Unanimously

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

Secretary-Treasurer Morris presented the Bylaw and provided an overview of the Capital plan response letter from the Ministry of Education, approving projects put forward in June 2021.

Moved by Trustee Watters

Seconded by Trustee Whiteaker

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 March 15, 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 25th day of April, 2022;

Read a second time the 25th day of April, 2022;

Motion Carried Unanimously

Moved by Trustee Ferris
Seconded by Trustee Watters

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. 202/23-CPSD61-01 at the April 25, 2022 Board meeting.

Motion Carried Unanimously

Moved by Trustee Watters
Seconded by Trustee Leonard

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

Motion Carried Unanimously

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*, where does the board derive its ability to act as a whole? 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 aboard has an inherent or implied power to remove or suspend trustees?

A: The question of whether a Board of Education can suspend a trustee from their duties as a result of misconduct, or whether in the present case a suspension was excessive, is currently before the Supreme Court of British Columbia, so it would not be appropriate for an individual trustee to comment.

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. Reinvigorate the Greater Victoria Foundation for Learning, Trustee Watters

Trustee Watters presented the motion and provided rationale.

Moved by Trustee Watters

Seconded by Trustee Hentze

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

Discussion ensued amongst the Trustees with a suggestion being made to refer the motion to the Operations Policy and Planning Committee meeting in May.

Moved by Trustee Whiteaker

Seconded by Trustee Duncan

That the motion *“That the Board of Education of School District No. 61 (Greater Victoria) reinvigorate the Greater Victoria Foundation for Learning”* be referred to the May 9, 2022 Operations Policy and Planning Committee meeting.

Motion Carried

For: Trustees Duncan, Ferris, Hentze, Watters, Whiteaker

Against: Trustee Leonard

Abstain: Trustee Painter

- b. Letter to Minister of Education re 2002-203 Funding and Budget Constraints, Trustee Watters

Trustee Watters presented the motion and provided rationale.

Moved by Trustee Watters

Seconded by Trustee Ferris

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.

Motion Carried Unanimously

- c. Elementary Strings and Advocacy for Music in Schools, Trustee Duncane

Trustee Duncan presented the motion and provided rationale.

Moved by Trustee Duncan
Seconded by Trustee Whiteaker

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to communicate with AMIS (Advocacy for Music in Schools) Victoria who will secure donations to fund the full elementary strings program in the amount of \$208,817 required for the 2022-2023 school year. Further, that the Board of Education of School District No. 61 provide a signed letter to all donors guaranteeing that all funds donated for the specific purpose of funding elementary strings for the 2022-2023 school year, be used for the elementary strings program only. The Superintendent will report back at the May 2022 Board of Education meeting.

Discussion ensued amongst the Trustees with a suggestion being made to refer the motion to a May standing committee meeting.

Moved by Trustee Watters
Seconded by Trustee Hentze

That the motion "That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to communicate with AMIS (Advocacy for Music in Schools) Victoria who will secure donations to fund the full elementary strings program in the amount of \$208,817 required for the 2022-2023 school year. Further, that the Board of Education of School District No. 61 provide a signed letter to all donors guaranteeing that all funds donated for the specific purpose of funding elementary strings for the 2022-2023 school year, be used for the elementary strings program only. The Superintendent will report back at the May 2022 Board of Education meeting" be referred to the May 9, 2022 Operations Policy and Planning Committee meeting.

Motion Carried

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

Moved by Trustee Whiteaker
Seconded by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to communicate and/or meet with AMIS (Advocacy for Music in Schools) Victoria in regards to the possibility to secure donations to fund the full elementary strings program and report back to the May 9, 2022 Operations Policy and Planning Committee meeting.

Motion Carried

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

H.2. Notice of Motions

None

I. ADJOURNMENT

The meeting adjourned at 10:07 p.m.

Moved by Trustee Ferris

Seconded by Trustee Duncan

That the meeting be adjourned.

Motion Carried Unanimously

Chair

Secretary-Treasurer