



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

Monday, November 27, 2023, 7:30 p.m.
Broadcasted via YouTube
<https://bit.ly/3czx8bA>

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 November 27, 2023 agenda be approved.

A.3. Trustee Elections

- a. Election of Chair
- b. Election of Vice-Chair
- c. Election of British Columbia Public School Employers' Association Representative
- d. Election of British Columbia Trustees' Association Provincial Councilor
- e. Motion to Destroy Election Ballots/Text Messages

Recommended Motion:
That the election ballots/text messages be destroyed.

A.4. Approval of the Minutes

Approval of the October 30, 2023 Regular Board Minutes

Recommended Motion:
That the October 30, 2023 Regular Board 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. November 22, 2023, GVTA to SD61 Trustees, In Person Meetings

C. TRUSTEE REPORTS

C.1. Chair's Report

a. Chair's Report

Recommended Motion:
That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to incorporate provincial and local reporting data releases into the corresponding month of the Board Work Plan including but not limited to the HAWD report in December and the EDI or MDI in February-March.

b. December District Annual Work Plan

c. 2024-2025 Budget Process and Information

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 November 6, 2023 meeting – information only

- b. Recommended motions from the November 6, 2023 meeting.

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve the recommended motions from the November 6, 2023 Education Policy and Directions Committee meeting.

1. Draft Regulation 5128 International Student Enrollment

a. Amendments to Draft Regulation 5128 International Student Enrollment

1. Amendment #1

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) amend Draft Regulation 5128 International Student Enrollment by removing “~~Students who are neither Canadian citizens nor have a permanent residence status are considered international students and may be enrolled in the District International Programs subject to the policies and regulations under Immigration, Refugees and Citizenship Canada (IRCC).~~” and replacing it with “**The following regulation applies to International students who are students from outside Canada who does not meet the Ministry of Education’s funding eligibility requirements and/or has to obtain authorization from the Canadian government to enter Canada with the intention of pursuing studies.**”

2. Amendment #2

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve amended Draft Regulation 5128 International Student Enrollment as appended.

b. Draft Regulation 5128 International Student Enrollment

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) accept Draft Regulation 5128 International Student Enrollment.

D.2. Operations Policy and Planning Committee

- a. Draft minutes from the November 20, 2023 meeting - Information only
- b. Recommended motions from the November 20, 2023 meeting:

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve the recommended motions from the November 20, 2023 Operations Policy and Planning Committee meeting.

1. Privacy Management Program – Administrative Regulations

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach as presented on November 27, 2023.

AND FURTHER,

Direct the Superintendent to bring the Administrative Regulations to the Board of Education for review within one year at the Operations Policy and Planning meeting in November 2024.

2. Draft Policy 1450 Scent Sensitive Workplace

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve draft Policy 1450 Scent Sensitive Workplace.

E. DISTRICT LEADERSHIP TEAM REPORTS

E.1. Superintendent's Report

- a. Monthly Report

Recommended Motion:

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

- b. International Student Program Bi-Annual Report
- c. 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. 1211 Gladstone – Statutory Right-of-Way for BC Hydro and TELUS

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) of Real Property Bylaw 24-01, being a bylaw to grant a Statutory Right-of-Way to BC Hydro and TELUS on the Caledonia Redevelopment property beside Victoria High School legally described as PID: 031-731-848, Lot A, Sections 50 and 53 Spring Ridge, Victoria City, District Plan EPP88786 in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS and related works:

Read a first time the 14th day of November, 2023;

Read a second time the 14th day of November, 2023;

Read a third time, passed and adopted this 27th day of November, 2023;

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

c. Section 72 Report

F. QUESTION PERIOD (15 minutes total)

G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

G.1. Record of In-Camera Board of Education Meeting – October 30, 2023

H. NEW BUSINESS/NOTICE OF MOTIONS

H.1. New Business

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)

REGULAR MINUTES

Via Zoom

Monday, October 30, 2023, 7:30 p.m.

Trustees Present: Nicole Duncan, Board Chair, Karin Kwan, Vice-Chair, Derek Gagnon, Emily Mahbobi, Natalie Baillaut, Rob Paynter, Mavis David

Trustee Regrets: Diane McNally

Administration: Deb Whitten, Superintendent of Schools, Katrina Stride, Secretary-Treasurer, Harold Caldwell, Deputy Superintendent, Tom Aerts, Associate Superintendent, Julie Lutner, Associate Secretary-Treasurer, Josh Barks, District Vice-Principal of Information Technology, Jeff Davis, Director of International Education, Sean Powell, District Principal Languages and Multicultural

Partners: Ilda Turcotte, GVTA, Sarah Winkler, VPVPA, Jane Massy, CUPE 947

A. COMMENCEMENT OF MEETING

The meeting began at 7:30 p.m.

A.1. Acknowledgement of Traditional Territories

Chair Duncan 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 Gagnon

Seconded by Trustee Kwan

That the October 30, 2023 agenda be approved.

Motion Carried Unanimously

A.3. Approval of the Minutes

- a. Approval of the September 25, 2023 Regular Board Minutes

Moved by Trustee Mahbobi

Seconded by Trustee Gagnon

That the September 25, 2023 Regular Board minutes be approved.

Motion Carried Unanimously

A.4. Business Arising from the Minutes

None.

A.5. Student Achievement

None.

A.6. District Presentations

None.

A.7. Community Presentations

None.

B. CORRESPONDENCE

B.1. September 26, 2023, Greater Victoria Teachers Association to SD61, Variance of Certification

C. TRUSTEE REPORTS

C.1. Chair's Report

- a. Chair's Report

Chair Duncan presented her report for information.

- b. November District Annual Work Plan

The District Annual Work Plans for November were provided for information.

C.2. Trustees' Reports

- a. Trustee Kwan

Trustee Kwan presented a verbal report for information.

D. BOARD COMMITTEE REPORTS

D.1. Education Policy and Directions Committee

- a. Draft minutes from the October 16, 2023 meeting – information only
- b. Recommended motions from the October 16, 2023 meeting.

Trustees and Stakeholders had questions of clarification about the International Student Enrollment motions.

Moved by Trustee Gagnon

Seconded by Trustee Kwan

That the Board of Education of School District No. 61 (Greater Victoria) approve recommended motions 1 and 2 from the October 16, 2023 Education Policy and Directions Committee meeting.

Motion Carried Unanimously

1. Policy 6163.1 Learning Resources

That the Board of Education of School District No. 61 (Greater Victoria) send Draft Policy 6163.1 Learning Resources to stakeholders and partners for feedback and bring back to the December 4, 2023 Education Policy and Directions committee meeting.

2. New Policy XXXX International Student Enrollment

a. Amendment to New Policy XXXX International Student Enrollment

That the Board of Education of School District No. 61 (Greater Victoria) amend New Policy XXXX International Student Enrollment.

3.9 The total annual international student enrollment, and the allocation of international student enrollment as a percentage of a school's population will be reviewed by the Board of Education. **The Superintendent will provide the Board with a bi-annual report in November and April on the International Student Program including the current student enrollment and any recommendations for future enrollment levels which will be based on the availability of space in the immediate and projected future (at least three years).** ~~during the International Student Program annual reporting process.~~

b. Approve New Policy XXXX International Student Enrollment

That the Board of Education of School District No. 61 (Greater Victoria) approve New Policy XXXX International Student Enrollment as amended.

c. Draft Regulation XXXX International Student Enrollment

That the Board of Education of School District No. 61 (Greater Victoria) refer Draft Regulation XXXX International Student Enrollment to the Policy Sub-Committee for further development be brought back

to the Education Policy and Directions committee meeting November 6, 2023.

d. Report on International Student Program

That the Board of Education of School District No. 61 (Greater Victoria) direct the Superintendent to provide the Board with a report at the November 6, 2023 Education Policy and Directions committee meeting on the International Student Program including the current student enrollment levels which will be based on the availability of space in the immediate and projected future (at least three years), And FURTHER

Include the capacity of each school (Elementary, Middle and Secondary), and at least three years of transfer data broken down by each of the Board of Education's Student Enrollment Priorities.

D.2. Operations Policy and Planning Committee

- a. Draft minutes from the October 23, 2023 meeting - Information only
- b. Recommended motions from the October 23, 2023 meeting:

Moved by Trustee Kwan
Seconded by Trustee Mahbobi

That the Board of Education of School District No. 61 (Greater Victoria) approve recommended motions 1 to 5 from the October 23, 2023 Operations Policy and Planning Committee meeting.

Motion Carried Unanimously

1. Revised Policy 3170 Operating Surplus

That the Board of Education of School District No. 61 (Greater Victoria) approve revised Policy 3170 Operating Surplus.

2. Audit Sub-Committee Report

That the Board of Education of School District No. 61 (Greater Victoria) accept the September 2023 Quarterly Financial Report as presented to the Audit Sub-Committee.

3. Spectrum Turf and Rink (STAR) Project

That the Board of Education of School District No. 61 (Greater Victoria) extend its support in principle until October 2025 for the proposed artificial turf field project at Spectrum Community School, at no cost to the Board; AND FURTHER THAT

Staff be directed to update the Board once funding has been secured by the STAR Committee.

4. Long Range Facilities Plan Process

a. Recommended Motion

That the Board of Education of School District No. 61 (Greater Victoria) direct the Facilities Ad Hoc Committee to provide the Board of Education with an update on progress in relation to implementation of the current Long Range Facilities Plan, and any recommendations for review to the Operations Policy and Planning Standing Committee;

AND FURTHER THAT

The Facilities Plan Ad Hoc Committee provide an update at the Operations Policy and Planning Standing Committee in February 2024.

5. Review Policy 5145 Police Questioning of Students in School

That the Board of Education of School District No. 61 (Greater Victoria) direct the Policy Sub Committee to review Policy 5145 Police Questioning of Students in School and bring recommendations for the Board's consideration to the December 2023 Education Policy and Directions Standing Committee meeting.

D.3. Policy Sub-Committee

a. Policy 8400 Whistleblower Protection

Trustees had questions of clarification.

Moved by Trustee Duncan
Seconded by Trustee Paynter

That the Board of Education of School District No. 61 (Greater Victoria) approve revised Policy 8400 Whistleblower Protection and accept Administrative Regulation 8400 Whistleblower Protection.

Motion Carried Unanimously

E. DISTRICT LEADERSHIP TEAM REPORTS

E.1. Superintendent's Report

a. Monthly Report

Superintendent Whitten provided the report for information.

Trustees and stakeholders had questions of clarification.

Moved by Trustee Gagnon

Seconded by Trustee David

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

Motion Carried Unanimously

b. Trustee Questions

E.2. Secretary-Treasurer's Report

a. Monthly Report

Secretary-Treasurer Stride provided the report for information.

Moved by Trustee Mahbobi

Seconded by Trustee Kwan

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

Motion Carried Unanimously

F. QUESTION PERIOD

Q: Regarding the parking safety at Marigold Elementary in the October 23 Ops meeting, Director of Facilities Ms. Vistisen-Harwood stated a number of community consultations were completed on this project. Is it the position of District Administration that the safety of projects proposed by the district relies on the school community itself to ensure proposals are safe? Further, does the district believe the responsibility to ensure projects are safe falls on the shoulders of the school community or the district itself?

A: Trustee Duncan referred to staff to provide an answer. Superintendent Whitten provided a response to the question.

G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

G.1. Record of Special In-Camera Board of Education Meeting – June 29, 2023

G.2. Record of Special In-Camera Board of Education Meeting – July 27, 2023

G.3. Record of Special In-Camera Board of Education Meeting – September 11, 2023

G.4. Record of In-Camera Board of Education Meeting – September 25, 2023

G.5. Record of Special In-Camera Board of Education Meeting – October 3, 2023

G.6. Record of Special In-Camera Board of Education Meeting – October 23, 2023

H. NEW BUSINESS/NOTICE OF MOTIONS

H.1. New Business

None.

H.2. Notice of Motions

None.

I. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Moved by Trustee Mahbobi

Seconded by Trustee Gagnon

That the meeting be adjourned.

Motion Carried Unanimously

Chair

Secretary-Treasurer



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

November 22, 2023

Trustees

Greater Victoria School District No. 61
556 Boleskine Road
Victoria BC V8Z 1E8

Dear Trustees,

RE: In Person Meetings

The Greater Victoria Teachers' Association requests that the Board of Education return to holding in person meetings, inclusive of the Operations Policy and Planning Committee Meetings, the Education Policy and Directions Committee Meetings, any Special Public Board Meetings, and the Board of Education Meeting.

We feel that the continuation of online meetings has stifled debate at the table and prohibited the authentic participation of the public, stakeholders, and rightsholders. At the November OPPS meeting, for example, Trustee Duncan placed wording for a motion in the Zoom chat. There have been many instances where Trustees have made amendments to motions, typing them into the chat for all to see the wording. Unfortunately, those of us watching on the YouTube live-stream are not able to access the chat feature of Zoom. This disenfranchises those of us not in the Zoom call.

Furthermore, although many Board Meetings around the province are live-streamed, the Greater Victoria School Board is one of the very few, if not the only, that continues to meet online.

Thank you for your attention in this matter.

Yours sincerely,

Ilda Turcotte

President

Greater Victoria Teachers' Association

cc: GVTA Executive Committee
Deb Whitten, Superintendent of Schools

Board of Education

Chair: Nicole Duncan Vice-Chair: Karin Kwan

*Trustees: Natalie Baillaut, Angela Carmichael, Mavis David,
Derek Gagnon, Emily Mahbobi,
Diane McNally, Rob Paynter*

TO: Board of Education
FROM: Trustee Duncan
RE: Chair's Report
DATE: November 27, 2023

Activities on behalf of the Board:

1. Weekly Chair/Superintendent agenda planning meetings to set the agendas for our meetings. Bi-weekly check in/signing meeting with Superintendent and Secretary Treasurer.
2. Budget planning meetings with Vice Chair, Superintendent and Secretary-Treasurer
3. Board of Education and Police Board meetings regarding our shared responsibility for student and staff safety.
4. BCSTA Board Chair's Call- BCSTA service provision presentation to Board Chairs.
5. Township of Esquimalt and SD61 growth projections- Thank you to Mayor Desjardins, Trustee Paynter, SD61 staff and Township of Esquimalt staff for participating in this important discussion.
6. Communications on behalf of the Board- Thank you to Trustee Gagnon for his assistance with the Climate Action Plan communication to school communities.
7. Cedar Hill Middle School Ministry of Education and Child Care capital project event.

Acknowledgement: This month we had the honour of commemorating Indigenous Veterans Day on 8 November, Remembrance Day on 11 November, and Transgender Day of Remembrance on 20 November 2023.

National Child Day on 20 November is an excellent opportunity for educators, parents and caregivers to teach children about their rights. We celebrate children as active participants in

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One *Learning* Community

their communities and as individuals who can and should have voice and be heard in respect to decisions that affect their lives. Canada joined the United Nations Convention on the Rights of the Child on November 20, 1989, making a commitment to ensure all children are treated with respect, dignity and that children have access to opportunities that allow them to reach their full potential.

Reminders: The Public Interest Disclosure Act (PIDA) will come into force for all school districts on **December 1, 2023**. You can access our school district's Policy 8400 Whistleblower Protection via the following url: <https://www.sd61.bc.ca/our-district/documents/name/policy-8400-whistleblower/>.

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



December 2023

December 25, 2023 to January 7, 2024 – Winter Break

Strategic Direction and Learning

- Trustee Committee Assignments
- 2024-2025 Budget Update
- International Education Update – Operational Plan

System Planning and Performance Monitoring

- Enhancing Student Learning Report and Indigenous Education
- Annual review of Appeal Process Bylaw 9330.1 and Attachments
- Monthly Capital Projects Update
- Monthly Facilities Report
- Monthly Financial Report and Budget Change Report

External Compliance and Accountability

- Ombudsperson Quarterly Report

Engagement with Stakeholders and Public Recognition Events

- Attend December Social Events as Invited
- Invitations to Municipalities – Board & Councils to Meet (February, March, April)



- Education Policy and Directions Committee Meeting
- Operations Policy and Planning Committee Meeting
- Board of Education Meeting
- 1 Ed/Opps Combined Meeting = Green Box with Orange Number
- PROD Day
- Stat Holiday
- Winter Break / Spring Break

- Administrators Meeting
- DLT Meeting
- Level Meeting
- District Leadership Development Program P Year 1-3
- District Leadership Development Program VP Year 1-3
- 1 Emergent Meeting = Bright Green Box with Blue Number
- JCCI Meeting (SBO or GVTA)
- Team Meeting SLT/District Team
- Joint Committee Meetings Tom
- Professional Relations Committee (PRC)

School-Based Budgets Working Group – Terms of Reference

November 27, 2023

Purpose

The School-Based Budgets Working Group is a group consisting of members of the Board of Education, Senior Leadership staff, Financial Services staff, Rightsholders, students and members of CUPE 382, CUPE 947, GVTA, VCPAC, VPVPA. The purpose of the budget working group is to examine specific areas of the School District's budget, make recommendations to the Board of Education and provide reports to the Board of Education with a focus on alignment to the District's Strategic Plan and Enhancing Student Learning Report, in consideration of the Multi-Year Financial Plan, and in compliance with contractual obligations.

Composition

The School-Based Budgets Working Group shall be comprised of:

- Representative Trustees of the Board
- Superintendent and/ or designate
- Secretary Treasurer and/or designate
- Member of CUPE 382
- Member of CUPE 947
- Member of GVTA
- Member of VCPAC
- Member of VPVPA
- Representative from each of the Songhees Nation, Esquimalt Nation, Metis Nation and Urban Peoples' House Indigenous Advisory
- Member of the Representative Advisory Council of Students
- Student voice will also be heard through the Representative Advisory Council of Students meetings, Student Symposium and Student Connection events

All working group members share a commitment to ethical conduct, decorum and professional conduct.

All working group members will promote and uphold cultural safety as set out in the Board's Values and Guiding Principles where the budget will be culturally respectful and responsive to the needs of Indigenous peoples.

Trustees will select a chair to help facilitate the dialogue and discussion at the working group meetings.

A member of the Financial Services team or Senior Leadership Team will be responsible for being the note taker at each meeting.

The working group is advisory in nature and reports to the Board through Public Board meetings.

The working group does not make decisions. The working group will strive to make recommendations by consensus; failing consensus, working group discussions encompassing all views will be communicated to the Board.

Confidential matters such as property, personnel, and litigation will not be discussed by the working group.

Duties and Responsibilities

The School-Based Budgets Working Group will make recommendations to the Board for Board consideration relative to School Budgets at Elementary, Middle and Secondary Schools no later than February 29, 2024.

Recommendations will identify and address the following:

- Service gaps
- Equity issues, e.g., between schools and/or levels as a result of District support allocations
- Opportunities to realign resources
- Other issues that surface during discussion

The School-Based Budgets Working Group will make recommendations that have clear linkages to:

1. The District's Strategic Plan goals and strategies and the annual Enhancing Student Learning Report
2. The Board's Values and Guiding Principles set out in the fiscal year's budget process
3. Sustainability

Information

Information provided to the School-Based Budgets Working Group will include:

- Formula allocation from Operating Grant, e.g. admin time, clerical, supplies
- Special Purpose Fund allocations to each school in receipt of funds, e.g., CommunityLink, Federal French
- Staffing ratios and staffing in excess of ratios for each school, e.g., counsellors
- Carryforwards, e.g., reserve amounts, special projects
- Other school-based allocations to each school in receipt of funds, e.g., literacy program
- Other information as requested by the working group

Accountability

Working group meetings will not be open to the public. The working group shall report its discussions to the Board by maintaining minutes of the meetings.

Special Purpose Fund Budgets Working Group – Terms of Reference

November 27, 2023

Purpose

The Special Purpose Fund Budgets Working Group is a group consisting of members of the Board of Education, Senior Leadership staff, Financial Services staff, Rightsholders, students and members of CUPE 382, CUPE 947, GVTA, VCPAC, VPVPA. The purpose of the budget working group is to examine specific areas of the School District's budget, make recommendations to the Board of Education and provide reports to the Board of Education with a focus on alignment to the District's Strategic Plan and Enhancing Student Learning Report, in consideration of the Multi-Year Financial Plan, and in compliance with contractual obligations.

Composition

The Special Purpose Fund Budgets Working Group shall be comprised of:

- Representative Trustees of the Board
- Superintendent and/ or designate
- Secretary Treasurer and/or designate
- Member of CUPE 382
- Member of CUPE 947
- Member of GVTA
- Member of VCPAC
- Member of VPVPA
- Representative from each of the Songhees Nation, Esquimalt Nation, Metis Nation and Urban Peoples' House Indigenous Advisory
- Member of the Representative Advisory Council of Students
- Student voice will also be heard through the Representative Advisory Council of Students meetings, Student Symposium and Student Connection events

All working group members share a commitment to ethical conduct, decorum and professional conduct.

All working group members will promote and uphold cultural safety as set out in the Board's Values and Guiding Principles where the budget will be culturally respectful and responsive to the needs of Indigenous peoples.

Trustees will select a chair to help facilitate the dialogue and discussion at the working group meetings.

A member of the Financial Services team or Senior Leadership Team will be responsible for being the note taker at each meeting.

The working group is advisory in nature and reports to the Board through Public Board meetings.

The working group does not make decisions. The working group will strive to make recommendations by consensus; failing consensus, working group discussions encompassing all views will be communicated to the Board.

Confidential matters such as property, personnel, and litigation will not be discussed by the working group.

Duties and Responsibilities

The Special Purpose Fund Budgets Working Group will make recommendations to the Board for Board consideration relative to Special Purpose Funds at Elementary, Middle and Secondary Schools no later than February 29, 2024.

Recommendations will identify and address the following:

- Service gaps
- Equity issues, e.g., between schools and/or levels as a result of District support allocations
- Opportunities to realign resources
- Other issues that surface during discussion

The Special Purpose Fund Budgets Working Group will make recommendations that have clear linkages to:

1. The District's Strategic Plan goals and strategies and the annual Enhancing Student Learning Report
2. The Board's Values and Guiding Principles set out in the fiscal year's budget process
3. Sustainability

Information

Information provided to the Special Purpose Fund Budgets Working Group will include:

- List of all Special Purpose Funds and their Purpose
- Allocations from Special Purpose Funds to each school in receipt of funds, e.g. staffing, supplies
- Rules or restrictions on use of special purpose funds
- Carryforwards, e.g., unspent from prior year
- Other information as requested by the working group

Accountability

Working group meetings will not be open to the public. The working group shall report its discussions to the Board by maintaining minutes of the meetings.

Department Budgets Working Group – Terms of Reference

November 27, 2023

Purpose

The Department Budgets Working Group is a group consisting of members of the Board of Education, Senior Leadership staff, Financial Services staff, Rightsholders, students and members of CUPE 382, CUPE 947, GVTA, VCPAC, VPVPA. The purpose of the budget working group is to examine specific areas of the School District's budget, make recommendations to the Board of Education and provide reports to the Board of Education with a focus on alignment to the District's Strategic Plan and Enhancing Student Learning Report, in consideration of the Multi-Year Financial Plan, and in compliance with contractual obligations.

Composition

The Department Budgets Working Group shall be comprised of:

- Representative Trustees of the Board
- Superintendent and/ or designate
- Secretary Treasurer and/or designate
- Member of CUPE 382
- Member of CUPE 947
- Member of GVTA
- Member of VCPAC
- Member of VPVPA
- Representative from each of the Songhees Nation, Esquimalt Nation, Metis Nation and Urban Peoples' House Indigenous Advisory
- Member of the Representative Advisory Council of Students
- Student voice will also be heard through the Representative Advisory Council of Students meetings, Student Symposium and Student Connection events

All working group members share a commitment to ethical conduct, decorum and professional conduct.

All working group members will promote and uphold cultural safety as set out in the Board's Values and Guiding Principles where the budget will be culturally respectful and responsive to the needs of Indigenous peoples.

Trustees will select a chair to help facilitate the dialogue and discussion at the working group meetings.

A member of the Financial Services team or Senior Leadership Team will be responsible for being the note taker at each meeting.

The working group is advisory in nature and reports to the Board through Public Board meetings.

The working group does not make decisions. The working group will strive to make recommendations by consensus; failing consensus, working group discussions encompassing all views will be communicated to the Board.

Confidential matters such as property, personnel, and litigation will not be discussed by the working group.

Duties and Responsibilities

The Department Budgets Working Group will make recommendations to the Board for Board consideration relative to Departments, prioritizing English Language Learners, Inclusive Learning, Indigenous Education, and International Education no later than February 29, 2024.

Recommendations will identify and address the following:

- Service gaps
- Equity issues, e.g., between schools and/or levels as a result of District support allocations
- Opportunities to realign resources
- Other issues that surface during discussion

The Department Budgets Working Group will make recommendations that have clear linkages to:

1. The District's Strategic Plan goals and strategies and the annual Enhancing Student Learning Report
2. The Board's Values and Guiding Principles set out in the fiscal year's budget process
3. Sustainability

Information

Information provided to the Department Budgets Working Group will include:

- List of priority schools and what additional supports are allocated
- Allocations, including formulas, from Departments, e.g., staffing, collaboration time, supplies, etc. to each school in receipt of funds
- District-level allocations in Departments
- Rules or restrictions on use of departmental funds
- Carryforwards, e.g., unspent from prior year
- Relevant cost estimates
- Other information as requested by the working group

Accountability

Working group meetings will not be open to the public. The working group shall report its discussions to the Board by maintaining minutes of the meetings.

2024-2025 BUDGET DEVELOPMENT PROCESS

Date	Day of Week	Time of Day	Event Description	Attendees	Meeting Type	Location	Agenda Deadline
November 14	Tuesday	Evening	Budget Process Feedback	Open Invite	Special Open Board	Zoom	November 8
November 20	Monday	Evening	Representative Advisory Council of Students Meeting	Student Reps (Sec), SLT	Regular Monthly	In-person	
November 27	Monday	Evening	Approval of Budget Development Process	Open Invite	Regular Open Board	Zoom	November 22
November 28	Tuesday	Daytime	District Leadership Team Meeting	SLT, Dept Heads, PVP Reps	Regular Monthly	In-person	
Before January 11		Daytime	Student Connections - Esquimalt	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Lambrick Park	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Mt. Doug	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Oak Bay	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Reynolds	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Spectrum	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
Before January 11		Daytime	Student Connections - Vic High	Board Chair, Trustee, PVP, SLT	Small Group	In-person	
ASAP		Evening?	Partner Connections - CUPE 382	Trustees, CUPE 382 Reps, SLT, F/S	Small Group	In-person	
ASAP		Evening?	Partner Connections - CUPE 947	Trustees, CUPE 947 Reps, SLT, F/S	Small Group	In-person	
ASAP		Evening?	Partner Connections - GVTA	Trustees, GVTA Reps, SLT, F/S	Small Group	In-person	
ASAP		Evening?	Partner Connections - VCPAC	Trustees, VCPAC Reps, SLT, F/S	Small Group	In-person	
ASAP		Evening?	Partner Connections - VPVPA	Trustees, VPVPA Reps, SLT, F/S	Small Group	In-person	
December 7	Thursday		Information Packages to Working Groups				
December 11	Monday		Information Sharing to/from Board		Regular Open Board	Zoom	December 6
December 12	Tuesday		Communication - Board Budget Highlights				
December 13	Wednesday	Evening	Working Group Meeting #1	Trustees, Partners, SLT, F/S	Small Group	In-person	December 11
December 23 - January 7			Winter Break				
January 11	Thursday	Daytime	Student Symposium	Students (Middle/Sec)	Large Group/Lunch	In-person	
January 18	Thursday	Evening	Working Group Meeting #2	Trustees, Partners, SLT, F/S	Small Group	In-person	January 16
January 25	Thursday	Evening	Working Group Meeting #3	Trustees, Partners, SLT, F/S	Small Group	In-person	January 23
January 29	Monday	Evening	Working Group Update to Board	Open Invite	Regular Open Board	Zoom	January 24
January 30	Tuesday		Communication - Board Budget Highlights				
February 8	Thursday	Evening	Working Group Meeting #4	Trustees, Partners, SLT, F/S	Small Group	In-person	February 6
February 15	Thursday	Evening	Working Group Meeting #5	Trustees, Partners, SLT, F/S	Small Group	In-person	February 13
February 26	Monday	Evening	Information Sharing to/from Board		Regular Open Board	Zoom	February 21
February 27	Tuesday		Communication - Board Budget Highlights				
February 29	Thursday	Evening	Working Group Recommendations to Board	Open Invite	Special Open Board	Zoom	February 27
March 7	Thursday	Evening	Talking Tables	Rightsholders, Education Partners, Trustees, SLT, Staff	Large Group/Dinner	In-person	
March 11	Monday	Evening	Information Sharing to/from Board		Regular Open Board	Zoom	March 6
March 12	Tuesday		Communication - Board Budget Highlights				
March 15	Friday		Ministry Funding Announcement				
March 18 - April 2			Spring Break / Easter				
April 4	Thursday	Evening	Public Meeting	Open Invite	Special Open Board	In-person	April 2
April 5	Friday		Communication - Board Budget Highlights				
April 9	Tuesday	Evening	1st or 1st and 2nd Bylaw Reading	Open Invite	Special Open Board	Zoom	April 7
April 11	Thursday	Evening	3rd or 2nd and 3rd Bylaw Reading/BUDGET PASSED	Open Invite	Special Open Board	Zoom	April 9
April 12	Friday		Communication - Board Budget Highlights				
April 15	Monday		Staffing Packages to Schools				
April 18	Thursday		Budget Development Process Feedback Request		Survey		
April 29	Monday	Evening	Summary of Budget Development Process Feedback	Open Invite	Regular Open Board	Zoom	April 24



The Board of Education of School District No. 61 (Greater Victoria)
Education Policy and Directions Committee Meeting
REGULAR MINUTES
Monday, November 6, 2023, 7:00 p.m.

Trustees Present: **Education Policy and Directions members:** Emily Mahbobi (Chair), Natalie Baillaut, Mavis David, Nicole Duncan, Diane McNally

Operations Policy and Planning members: Rob Paynter

Trustee Regrets: Angela Carmichael, Karin Kwan, Derek Gagnon

Administration: Deb Whitten, Superintendent of Schools, Katrina Stride, Secretary-Treasurer, Tom Aerts, Associate Superintendent, Andy Canty, Director, Information Technology for Learning, Dr. Jeff Davis, Director of International Student Program

Partners: Jane Massy, CUPE 947, Lena Palermo, GVTA, Nyssa Temmel, VCPAC, Tina Pierik, VPVPA

A. COMMENCEMENT OF MEETING

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

A.1. Acknowledgement of Traditional Territories

Chair Mahbobi 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 David

That the November 6, 2023 agenda be approved.

Motion Carried Unanimously

A.3. Approval of the Minutes

Moved by Trustee Baillaut

That the October 16, 2023 Education Policy and Directions Committee meeting minutes, be approved.

Motion Carried Unanimously

A.4. Business Arising from Minutes

None.

B. PRESENTATIONS TO THE COMMITTEE

C. NEW BUSINESS

- C.1.** Associate Superintendent Aerts provided the memo and introduced District Principal Sean Powell and Teacher (.7 District Language Coordinator) Rosie Geuer who presented on French Immersion oral language development in the district. French immersion program represents approximately 19% of our overall population. Central Middle School Principal, Gillian Braun presented the 2023-2024 school goal for Central which is to have “Students feel safe, seen and supported”. Central Middle school is proud to have a diverse learning community with 37 different home languages spoken by students.

Trustees provided thanks and questions of clarification were asked.

- C.2.** Draft Regulation XXXX International Student Enrollment

Trustee Duncan provided suggested amendments to the regulation.

Amendment

Moved by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) amend Draft Regulation XXXX International Student Enrollment by removing “ ~~Students who are neither Canadian citizens nor have a permanent residence status are considered international students and may be enrolled in the District International Programs subject to the policies and regulations under Immigration, Refugees and Citizenship~~”

Canada (IRCC).” and replacing it with “The following regulation applies to International students who are students from outside Canada who does not meet the Ministry of Education’s funding eligibility requirements and/or has to obtain authorization from the Canadian government to enter Canada with the intention of pursuing studies.”

Motion Carried Unanimously

Moved by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) approve amended Draft Regulation XXXX International Student Enrollment as appended.

Motion Carried Unanimously

- C.3.** Superintendent Whitten presented a report on International Student Program.

Questions of clarification were asked.

D. NOTICE OF MOTION

None.

E. GENERAL ANNOUNCEMENTS

None.

F. ADJOURNMENT

Moved by Trustee Baillaut

That the meeting adjourn.

Motion Carried Unanimously

The meeting adjourned at 8:30 p.m.

REGULATION xxxx (New)

INTERNATIONAL STUDENT ENROLLMENT

Adopted:
Revised:
Frequency of Review:

BACKGROUND

Students who are neither Canadian citizens nor have a permanent residence status are considered international students and may be enrolled in the District International Programs subject to the policies and regulations of the Board of Education and the rules established by Immigration, Refugees and Citizenship Canada (IRCC). The British Columbia Ministry of Education does not provide funding for international students. Fees are charged to cover the costs of education.

PROCEDURES

Subject to applicable Board of Education policy and regulations, international students may be enrolled in the International Programs as full-time students at the elementary, middle and secondary levels for a fee if they are accepted following an application process and are prepared to meet the following conditions:

- 2.1 Demonstrations of functional literacy in English.
- 2.2 Indication of acceptable academic ability.
- 2.3 Live in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period. Elementary school students will only be enrolled if they are living with a parent or have the approval of the Superintendent or designate.
- 2.4 Payment of the appropriate fees for the program which includes the application fee, medical insurance fees, program fees and homestay placement fees as required.
- 2.5 If they have been accepted to specialty programs within the District such as AP or Academies, and other specific school-based programs, payment of additional fees to cover the costs associated with these kinds of programs. These fees are determined by the Board.

3.0 Subject to applicable Board of Education policy and regulations, international students may be enrolled in the International Programs as short-term students at the elementary, middle and secondary levels for a fee if they are accepted following an application process and are prepared to meet the following conditions:

- 3.1 If they pay the appropriate fees for the program offered.

- 3.2 If they live in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period.
- 3.3 If they have adequate medical insurance or pay for the coverage through a private insurer managed by the International Student Program staff.

4.0 Administration and Funding of the International Programs

- 4.1 The Director will submit a budget for review each year as part of the annual District budget process.
- 4.2 Sufficient funding as determined by the Superintendent or as directed by the Board of Education will be provided annually from the revenue generated from this program for the maintenance of the Victoria International Education (VIE) program infrastructure and ongoing marketing activities as well as for the development of new markets and programs.
- 4.3 The Director, in consultation with the Superintendent or designate, and the Secretary-Treasurer, or as directed by the Board of Education will determine the FTE of international students desired for each school year. The total number of international students enrolled in any given year will be reviewed and restricted in alignment with Board of Education's policy, and through the annual review process.
- 4.4 The Director will work closely with the Superintendent or designate, and the school-based administrators at elementary, middle, and secondary levels to facilitate the placement of appropriate students into the schools of the District in accordance with the Board of Education's student enrollment priorities.
- 4.5 The Victoria International Education staff will prepare all legal documentation required for the students to study in Canada.
- The VIE staff will ensure adult supervision of each international student during their study program in the District is maintained through the student's parent(s) or homestay arrangements.
- 4.6 The VIE staff will maintain communications with school personnel and the families abroad.

REFERENCES

Board of Education Policy xxxx International Student Enrollment

School Act s.75 Provision of education program

School Act s.82 Fees and deposits

School Regulation s.16 Deemed Residence

Ministry of Education eligibility for operating grant funding

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/eligibility-of-students-for-operating-grant-funding> (2. Tuition fees exemption)

REGULATION xxxx (New) INTERNATIONAL STUDENT ENROLLMENT

Adopted:

Revised:

Frequency of Review:

BACKGROUND

~~Students who are neither Canadian citizens nor have a permanent residence status are considered international students and may be enrolled in the District International Programs subject to the policies and regulations of the Board of Education and the rules established by under Immigration, Refugees and Citizenship Canada (IRCC). The following regulation applies to International students who are students from outside Canada who do does not meet the Ministry of Education's funding eligibility requirements and/or has have to obtain authorization from the Canadian government to enter Canada with the intention of pursuing studies.~~ The British Columbia Ministry of Education does not provide funding for international students. Fees are charged to cover the costs of education.

PROCEDURES

- ~~1.0 — Subject to applicable Board of Education policy and regulations, International students may be enrolled in School District 61 schools without having to pay international student fees if they fall into one (1) of the following categories:~~
- ~~1.1. — Is attending school on a reciprocal and equal exchange. This exchange must be on a "one in/one out" ratio with the same District for the same length of time, with the exchange completed within two (2) years.~~
- ~~1.2. — Is a refugee claimant with an acknowledgement letter from IRCC and whose parent(s) are ordinarily resident in British Columbia.~~
- ~~1.3. — A child of a parent(s) who has been admitted to Canada for permanent residence and can substantiate this with documentation from IRCC, and whose parent(s) is ordinarily resident in British Columbia.~~
- ~~1.4. — A child of parent(s) who has been admitted for temporary residence in Canada, who holds a Study Permit valid for a term of one (1) year or more, who is attending an accredited public post-secondary institution in a degree program or diploma program, and who is ordinarily resident in British Columbia.~~

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1.5. — A child of a parent who has been admitted for temporary residence in Canada, who holds a Work Permit valid for a term of one (1) year or more, and who is ordinarily resident in British Columbia. The Work Permit must specify an employer and the request for enrollment of the child must be accompanied by the Letter of Employment and pay receipts issued by the employer. In addition, the authorized work identified on the Work Permit must be a salaried/paid position of at least minimum wage as defined in British Columbia. The Work Permit holder must meet residency requirements as outlined by the Ministry of Education and Child Care for funding purposes which means the parent must provide evidence of residency in BC and must maintain an ongoing presence (ordinarily resident status) in BC. Open Work Permits may be accepted in support of enrollment of a student as a non-fee paying student in the Greater Victoria School District provided the student's guardian demonstrates proof of residency (as outlined in our Proof of Residency requirements), provides the requested documentation of employment in the Capital Regional District (Greater Victoria), and submits documentation of ongoing employment as required.

1.6. — A child of a parent(s) who has been admitted as a temporary resident in Canada under a teacher exchange program.

1.7. — A child of a parent(s) who is carrying out official duties as diplomatic or consular official and is able to substantiate this with a Foreign Representative Acceptance Counterfoil or Diplomatic Visa in the parent(s) passport. An appointment letter from the embassy or consulate stating the position and length of term must also be submitted.

1.8. — Children who have a legal guardian as defined by the Ministry of Education and Child Care through the Divorce Act, the Family Relations Act, the Infants Act, and the Child, Family and Community Service Act.

2.0 International students may be enrolled in [Victoria International Education \(VIE\)](#) the International Programs as full-time students at the elementary, middle and secondary levels for a fee if they are accepted following an application process and are prepared to meet the following conditions:

- 2.1 Demonstrations of functional literacy in English.
- 2.2 Indication of acceptable academic ability.
- 2.3 Live in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period. Elementary school students will only be enrolled if they are living with a parent or have the approval of the Superintendent or designate.

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2.4 Payment of the appropriate fees for the program which includes the application fee, medical insurance fees, program fees and homestay placement fees as required.

2.4.2.5 Acknowledges the refund policy and adheres to the student participation agreement

2.5.2.6 If they have been accepted to specialty programs within the District such as AP or Academies, and other specific school-based programs, payment of additional fees to cover the costs associated with these kinds of programs. These fees are determined by the Board.

3.0 Subject to applicable Board of Education policy and regulations, international students may be enrolled in Victoria International Education (VIE) the International Programs as short-term students at the elementary, middle and secondary levels for a fee if they are accepted following an application process and are prepared to meet the following conditions:

3.1 ~~If they pay the appropriate fees for the program offered.~~ Payment of the appropriate fees for the program which includes the application fee, medical insurance fees, program fees and homestay placement fees as required.

3.2 ~~If they live~~ in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period. Elementary school students will only be enrolled if they are living with a parent or have the approval of the Superintendent or designate.

3.3 ~~If they have adequate medical insurance or pay for the coverage through a private insurer managed by the International Student Program staff.~~

4.0 Administration and Funding of the Victoria International Education (VIE) International Programs

4.1 The Director will submit a budget for review each year as part of the annual District budget process.

4.2 Sufficient ~~f~~unding as determined by the Superintendent or as directed by the Board of Education will be provided annually from the revenue generated from this program for the maintenance of the Victoria International Education (VIE) program infrastructure and ongoing marketing activities as well as for the development of new markets and programs ~~to ensure the future viability of the program.~~

4.3 The Director, in consultation with the Superintendent or designate, and the Secretary-Treasurer, or as directed by the Board of Education will determine

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the FTE of international students desired for each school year. The total number of international students enrolled in any given year will be reviewed and restricted in alignment with Board of Education's District policy, and through the annual review process. Policy and to ensure the highest quality program possible for all students in the District.

- 4.4 The Director will work closely with the Superintendent or designate, senior management and the school-based administrators at elementary, middle, and secondary levels to facilitate the placement of appropriate students into the schools of the District in accordance with the Board of Education's student enrollment priorities.
- 4.5 The Victoria International Education staff will prepare all legal documentation required for the students to study in Canada.
The VIE staff will ensure adult supervision of each international student during their study program in the District is maintained through the student's parent(s) or homestay arrangements.
- 4.6 The VIE staff will maintain communications with school personnel and the families abroad.

REFERENCES

Board of Education Policy xxxx International Student Enrollment

School Act s.75 Provision of education program

School Act s.82 Fees and deposits

School Regulation s.16 Deemed Residence

Ministry of Education eligibility for operating grant funding

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/eligibility-of-students-for-operating-grant-funding> (2. Tuition fees exemption)

Refund Policy <https://www.studyinvictoria.com/future-students/application-information/refund-policy>

Student Participation Agreement <https://www.studyinvictoria.com/current-students/student-participation-agreement>

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REGULATION 5128

INTERNATIONAL STUDENT ENROLLMENT

Adopted:

Revised:

Frequency of Review:

BACKGROUND

The following regulation applies to International students who are students from outside Canada who does not meet the Ministry of Education's funding eligibility requirements and/or has to obtain authorization from the Canadian government to enter Canada with the intention of pursuing studies. The British Columbia Ministry of Education does not provide funding for international students. Fees are charged to cover the costs of education.

PROCEDURES

- 1.0 Subject to applicable Board of Education policy and regulations, international students may be enrolled in the International Programs as full-time students at the elementary, middle and secondary levels for a fee if they are accepted following an application process and are prepared to meet the following conditions:
 - 1.1. Demonstrations of functional literacy in English.
 - 1.2. Indication of acceptable academic ability.
 - 1.3. Live in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period. Elementary school students will only be enrolled if they are living with a parent or have the approval of the Superintendent or designate.
 - 1.4. Payment of the appropriate fees for the program which includes the application fee, medical insurance fees, program fees and homestay placement fees as required.
 - 1.5. Acknowledges the refund policy and adheres to the student participation agreement
 - 1.6. If they have been accepted to specialty programs within the District such as AP or Academies, and other specific school-based programs, payment of additional fees to cover the costs associated with these kinds of programs. These fees are determined by the Board.
- 2.0 Subject to applicable Board of Education policy and regulations, international students may be enrolled in the International Programs as short-term students at the elementary, middle and secondary levels for a fee if they are accepted

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following an application process and are prepared to meet the following conditions:

- 2.1 If they pay the appropriate fees for the program offered.
- 2.2 If they live in an approved homestay, or with their parent(s) or legal custodian who will maintain adult (over twenty-five (25) years of age) supervision throughout the study period.
- 2.3 If they pay for medical insurance coverage through a private insurer managed by the International Student Program.

3.0 Administration and Funding of the International Programs

- 3.1 The Director will submit a budget for review each year as part of the annual District budget process.
- 3.2 Sufficient funding as determined by the Superintendent or as directed by the Board of Education will be provided annually from the revenue generated from this program for the maintenance of the Victoria International Education (VIE) program infrastructure and ongoing marketing activities as well as for the development of new markets and programs.
- 3.3 The Director, in consultation with the Superintendent or designate, and the Secretary-Treasurer, or as directed by the Board of Education will determine the FTE of international students desired for each school year. The total number of international students enrolled in any given year will be reviewed and restricted in alignment with Board of Education's policy, and through the annual review process.
- 3.4 The Director will work closely with the Superintendent or designate, and the school-based administrators at elementary, middle, and secondary levels to facilitate the placement of appropriate students into the schools of the District in accordance with the Board of Education's student enrollment priorities.

REFERENCES

Board of Education Policy 5128 International Student Enrollment

School Act s.75 Provision of education program

School Act s.82 Fees and deposits

School Regulation s.16 Deemed Residence

Ministry of Education eligibility for operating grant funding

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/eligibility-of-students-for-operating-grant-funding> (2. Tuition fees exemption)

Refund Policy <https://www.studyinvictoria.com/future-students/application-information/refund-policy>

Student Participation Agreement <https://www.studyinvictoria.com/current-students/student-participation-agreement>

DRAFT

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

Operations Policy and Planning Committee Meeting

REGULAR MINUTES

Monday, November 20, 2023, 7:00 p.m.

Trustees Present: **Operations Policy and Planning members:** Rob Paynter (Chair), Karin Kwan, Derek Gagnon, Nicole Duncan (ex officio)

Education Policy and Directions members: Diane McNally

Trustee Regrets: Natalie Baillaut, Mavis David, Emily Mahbobi

Administration: Deb Whitten, Superintendent of Schools, Katrina Stride, Secretary-Treasurer, Harold Caldwell, Deputy Superintendent, Tom Aerts, Associate Superintendent, Marni Vistisen-Harwood, Director of Facilities Services, Andy Canty, Director of Information Technology for Learning, Julie Lutner, Associate Secretary-Treasurer, Mike Knudson, Director of Human Resource Services

Partners: Cindy Romphf, GVTA, Connor McCoy, VPVPA, Shawna Abbott, CUPE 947

A. COMMENCEMENT OF MEETING

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

A.1. Acknowledgement of Traditional Territories

Chair Paynter 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 Gagnon

That the November 20, 2023 agenda be approved.

Motion Carried Unanimously

A.3. Approval of the Minutes

Moved by Trustee Kwan

The date for the meeting was incorrect in the minutes and will be amended to the correct date.

That the October 23, 2023 Operations Policy and Planning Committee meeting minutes be approved, as amended.

Motion Carried Unanimously

A.4. Business Arising from Minutes

Trustee Paynter provided an update from the October 23, 2023 Operations Policy and Planning committee meeting stating that his suggested revision to the Whistle Blower policy will not be presented in the meeting tonight.

B. PRESENTATIONS TO THE COMMITTEE

Public Presentation

Denyse Zumach, Educational Assistant General (EAG) Mentor, presented on the benefits of the EAG Mentor position and requested an increase in the number of EAG Mentors in the District.

C. SUPERINTENDENT'S REPORT

C.1. Director of Information Technology for Learning Canty presented the draft Administrative Regulations for the Privacy Management Program.

Trustees provided feedback on the draft administrative regulations.

- a. Draft Administrative Regulation 1161.2 Privacy Management Program
- b. Draft Administrative Regulation 1161.3 Privacy Impact Assessments
- c. Draft Administrative Regulation 1161.4 Critical Incident and Privacy Breach

Moved by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach.

Amendment

Moved by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach.

And Further

Direct the Superintendent to bring the Administrative Regulations to the Board of Education for review within one year at the Operations Policy and Planning meeting in November 2024.

Motion Carried Unanimously

Moved by Trustee Duncan

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach

And Further

Direct the Superintendent to bring the Administrative Regulations to the Board of Education for review within one year at the Operations Policy and Planning meeting in November 2024.

Motion Carried Unanimously

- C.2.** Director of Human Resource Services Knudson presented draft Policy XXXX Scent Sensitive Workplace.

Moved by Trustee Kwan

That the Board of Education of School District No. 61 (Greater Victoria) approve draft Policy XXXX Scent Sensitive Workplace.

Motion Carried Unanimously

D. PERSONNEL ITEMS

None.

E. FINANCE AND LEGAL AFFAIRS

E.1. Monthly Financial Report: October 2023

Secretary-Treasurer Stride provided the report for information.

Trustees had questions of clarification.

E.2. Budget Change Report: October 2023

Secretary-Treasurer Stride provided the report for information.

Trustees had questions of clarification.

F. FACILITIES PLANNING

F.1. Operations Update: October 2023

Director of Facilities Services Vistisen-Harwood provided the Operations Update for October 2023.

Trustees had questions of clarification.

F.2. Victoria High School Seismic Project Update

Director of Facilities Services Vistisen-Harwood provided the Victoria High School Seismic Project Update for November 2023.

Trustees had questions of clarification.

F.3. Cedar Hill Middle School Seismic Project Update

Director of Facilities Services Vistisen-Harwood provided the Cedar Hill Middle School Seismic Project Update for November 2023.

Trustees had questions of clarification.

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 Gagnon

That the meeting adjourn.

Motion Carried Unanimously

The meeting adjourned at 8:30 p.m.

Office of the Secretary-Treasurer

Katrina Stride – Secretary-Treasurer

TO: Operations Policy and Planning Committee

FROM: Katrina Stride, Secretary-Treasurer

DATE: November 20, 2023

RE: **Privacy Management Program – Administrative Regulations**

Background

Section 36.2 of the Freedom of Information and Protection of Privacy Act (FOIPPA) requires B.C. public bodies to develop a Privacy Management Program (PMP). A PMP is an evolving set of policies, procedures and tools developed by a public body to enable systematic privacy protection throughout the personal information lifecycle.

At the May 8, 2023 Operations Policy and Planning Committee meeting Director of Information Technology Canty presented a progress report on the implementation of the Privacy Management Program. A revised Policy 1161 Freedom of Information and Protection of Privacy and supporting Administrative Regulations were presented for review.

At the May 8, 2023 Operations Policy and Planning Committee meeting and the May 29, 2023 Regular Board meeting, the Board carried the following motion:

That the Board of Education of School District No. 61 (Greater Victoria) refer revised Policy 1161 to the Policy Sub Committee and provide an update at the June 12, 2023 Operations Policy and Planning Committee meeting.

At the June 8, 2023 Policy Sub-Committee meeting Director of Information Technology Canty presented revised Policy 1161 Freedom of Information and Protection of Privacy and supporting Administrative Regulations.

At the June 12, 2023 Operations Policy and Planning Committee meeting and the June 19, 2023 Regular Board meeting, the Board carried the following motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve revised Policy 1161 Freedom of Information and Protection of Privacy, as amended.

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.

At the September 18, 2023 Operations Policy and Planning Committee meeting and the September 25, 2023 Regular Board meeting the following motion carried unanimously:

That the Board of Education of School District No. 61 (Greater Victoria) direct the Policy Sub-Committee to review draft Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach.

At the October 18, 2023 Policy Sub-Committee meeting Director of Information Technology Canty presented revised Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach for review.

Administrative Regulations

Director of Information Technology Canty has updated Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach based on the feedback received at the October 18, 2023 Policy Sub-Committee meeting. The Administrative Regulations marked up with the changes made since the September 25, 2023 Regular Board meeting are attached.

Recommended Motion

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach.

Supporting Documents

Revised Administrative Regulation 1161.2 Privacy Management Program
 Revised Administrative Regulation 1161.3 Privacy Impact Assessments
 Revised Administrative Regulation 1161.4 Critical Incident and Privacy Breach
 Bylaw 9220 Administrative Regulations

PRIVACY MANAGEMENT PROGRAM

PURPOSE

As a public body that is subject to the British Columbia Freedom of Information and Protection of Privacy Act (the “Act” or FIPPA), the Board of Education of School District No. 61 (Greater Victoria School District) (“School District”) is committed to upholding the principles of privacy, transparency and accountability. This means that the School District recognizes the fundamental importance of maintaining the privacy and security of the personal information that it collects, uses, and discloses in the course of its operations and programs. The School District also acknowledges and supports transparency with the community by facilitating access to School District records and information in accordance with the requirements of the Act.

This Privacy Management Program document serves as an Administrative Regulation to Policy 1161: Freedom of Information and Protection of Privacy. It aims to provide School District Staff, Contractors, and Volunteers with the guidelines and regulations to ensure the effective implementation of the Policy.

Public information relating to the Privacy Management Program will be updated on the Greater Victoria School District website here: <https://www.sd61.bc.ca/parent-student-resources/privacy-management-program/>

DEFINITIONS

Where used in this ~~Procedure~~Administrative Regulation, the following terms have the following meanings:

1. “Consent” means express written consent to the collection, use or disclosure of personal information; unless otherwise authorized or required by law.
2. “FIPPA” means the BC Freedom of Information and Protection of Privacy Act, and regulations thereto;
3. “Head” means the Superintendent, and includes any person to whom the Head has delegated (in writing) their powers to act as Head;
4. “Personal Information” means recorded information about an identifiable individual, but excludes a person’s business contact information. Personal information may also be identifiable through the ‘mosaic effect’. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
5. “Administrative Regulations” means regulations enacted by the School District under its Freedom of Information and Protection of Privacy Policy;

6. "Records" include any paper or electronic media used to store or record information, including all paper and electronic records, books, documents, photographs, audio or visual recordings, computer files, email and correspondence;
7. "Staff" refers to all employees of the School District. Under FIPPA, staff also refers to contractors and volunteers who are expected to adhere to all relevant School District Policies and Aministrative Regulations

PRINCIPLES

School District Staff are responsible for:

1. making reasonable efforts to familiarize themselves with this Administrative Regulation and the requirements of FIPPA, including by participating in privacy training initiatives offered by the School District such as FOIPPA: Protecting Information Training; as FIPPA: Protecting Information Training
2. following responsible information management practices to ensure that the School District collects, uses and discloses Personal Information in compliance with FIPPA and other applicable laws; see <https://techforlearning.sd61.bc.ca/> for updates and information.
3. seeking at all times to protect Personal Information against unauthorized collection, use and disclosure, including by limiting the sharing of sensitive Personal Information on a need-to-know basis, and use the information only for the purpose for which it was collected. Example: Medical information collected for emergency protocols should not be used for any other purpose;
4. cooperating with School District procedures to facilitate the appropriate release of Records within its custody or control in response to access requests received from members of the community under FIPPA. See <https://www.sd61.bc.ca/our-district/about-us/request-for-access-to-information/>;
5. cooperating with School District procedures for enabling informed consent (see the Greater Victoria School District online portals Parent Connect and Student Connect), -
- 5-6. the completion of Pprivacy impact Aassessments; and
- 6-7. reporting privacy breaches to the School District in accordance with the School District's Administrative ProceduresRegulations (see Administrative Regulation 1161.4 Critical Incident and Privacy Breach-)

ACCOUNTABILITY

The Superintendent is the "head" of the School District, including for the purposes of FIPPA, and is responsible for the implementation of this Administrative ProcedureRegulation.

The Head is responsible to appoint, oversee and, if appropriate, delegate responsibility to Privacy Officers for the School District to supervise its Privacy Management Program.

The Secretary Treasurer and the Director of IT for Learning have been designated, by the head, as the Privacy Officers responsible for:

1. being the points of contact for privacy-related matters such as privacy questions or concerns;
2. the development, implementation, and maintenance of privacy policies and/or procedures; and
3. supporting the public body's compliance with ~~FOIPPA~~FIPPA.

COMMITMENT TO PRIVACY PROTECTION

The School District protects the privacy of students, staff and individuals whose Personal Information it collects, uses, shares and retains, and expects all Staff to follow responsible information management practices to ensure that the School District fully complies with its obligations under FIPPA and other applicable laws.

The School District and Staff respect the privacy and confidentiality of Personal Information entrusted to them in the course of their duties, and collects, uses and discloses Personal Information only where authorized by FIPPA.

PURPOSES FOR COLLECTING PERSONAL INFORMATION

The School District communicates the purposes for which Personal Information is collected at or before the time the information is collected, unless otherwise permitted or required by FIPPA.

In the ordinary course of carrying out its programs and activities, the School District collects Personal Information of its students for purposes including:

1. registration, enrollment and transfer of students;
2. to provide and deliver educational programs and services;
3. to accommodate students with ~~special needs~~disabilities and diverse learning needs;
4. to communicate with students and respond to inquiries or complaints;
5. to prepare and provide assessments of student performance;
6. supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. ensure compliance with applicable School District bylaws, policies and other laws;
9. to make all required reports and filings to the Ministry of Advanced Education; and
10. other purposes set out in the ~~Procedures~~Administrative Regulations or required under applicable laws.

In the ordinary course of carrying out its employment programs and activities, the School District collects the Personal Information of prospective, current and former Staff for purposes including:

1. hiring and recruitment;
2. to manage and administer the employment relationship;
3. to communicate with authorized union representatives;
4. to administer employment compensation and benefits;
5. to evaluate performance and manage disciplinary incidents;

6. to supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. to ensure compliance with applicable School District policies and other applicable laws; and
9. for other purposes set out in the Procedures or required under applicable laws.

COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

The School District limits the Personal Information it collects to information to what is related to and necessary in order to carry out its programs and activities or for other purposes authorized by FIPPA.

The School District seeks to collect Personal Information by fair, lawful and transparent means, including by collecting Personal Information directly from the individual, except where otherwise authorized by FIPPA.

The School District seeks to inform individuals from whom it collects Personal Information the purposes for which the information is being collected, the legal authority for collecting it and the name and contact information of someone at the School District who can answer questions about the collection and use of the information;

The School District limits the internal and external use and sharing of Personal Information to what is required and authorized by FIPPA or consented to by the individual.

The School District only uses or discloses Personal Information for the purpose for which it was collected, except with the individual's consent or as otherwise required or permitted by FIPPA or other laws.

SECURING PERSONAL INFORMATION

The School District protects Personal Information by ensuring it has reasonable security safeguards in place which are appropriate to the sensitivity of the information. Such security safeguards shall include consideration of physical security, organizational security and electronic security.

All Staff have a duty to protect the privacy and security of Personal Information collected and used by them as part of their ongoing employment responsibilities, including by complying with the terms of this [Procedure Administrative Regulation](#), and all related [Procedures Regulations](#).

The School District provides training to all Staff to ensure they have the requisite knowledge to ensure compliance with the terms of this Administrative Regulation and the FIPPA.

RETENTION AND DISPOSAL

The School District does not seek to retain Personal Information longer than necessary to satisfy the School District's applicable operational, instructional, financial, and legal needs.

Personal information that is no longer required for either administrative, operational, financial, legal, or historical purposes shall be securely destroyed in a confidential manner in accordance with School

Administrative Regulation

District policies and approved record retention protocols.

The Greater Victoria School Districts records retention guidelines are currently being reviewed as part of the Privacy Management Program.

ACCURACY AND CORRECTION

The School District shall make reasonable efforts to ensure the accuracy of the Personal Information that they collect and use in the course of performing their duties.

Individuals have the right to request the correction of their Personal Information, and the School District will receive and respond to such requests in accordance with the FIPPA and School District Administrative Regulations.

ACCESS TO INFORMATION

The School District supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under FIPPA.

The Head shall, on at least an annual basis, consider and designate categories of Records that will be made available to the public without the need to make a request in accordance with FIPPA.

The School District recognizes that individuals may make requests for access to Records within the custody and control of the School District, and the School District will respond to such requests in accordance with FIPPA and the Regulations.

The School District recognizes that individuals have a right to access their own Personal Information within the custody and control of the School District, and will facilitate such access in accordance with the requirements of FIPPA.

COMPLAINTS AND INQUIRIES

Questions or complaints about the School District's information management practices should be directed to the Privacy Officers at privacy@sd61.bc.ca

The School District will respond to all complaints in writing.

REVIEW

~~This Administrative Regulation relates to new legislation for public bodies and will therefore be reviewed annually until further notice.~~ This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

RELATED ACTS AND REGULATIONS

School Act [and Regulations](#)

Freedom of Information and Protection of Privacy Act (FIPPA) [and Regulations](#)

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy

Administrative Regulation 1161.1 Fees for Access to Information

Administrative Regulation 1161.3 Privacy Impact Assessments

Administrative Regulation 1161.4 Critical Incident and Privacy Breach

DRAFT

PRIVACY IMPACT ASSESSMENTS

PURPOSE

The Board of Education of School District No. 61 (Greater Victoria School District) ("School District") is responsible for ensuring that it protects the Personal Information within its custody and control, including by complying with the provisions of the Freedom of Information and Protection of Privacy Act ("FIPPA"). FIPPA requires that the School District conduct a Privacy Impact Assessment ("PIA") to ensure that all collection, use, disclosure, protection, and processing of Personal Information by the School District is compliant with FIPPA.

A Privacy Impact Assessment (PIA) is an in-depth review of any new or significantly revised initiative, project, activity, or program to ensure that it is compliant with the provisions of FIPPA, to identify and mitigate risks arising from the initiative and to ensure that the initiative appropriately protects the privacy of individuals. A PIA often takes the form of a checklist or questionnaire that requires consideration of the collection, use, and disclosure of personal information in connection with a particular initiative. It also addresses the ways in which personal information is protected, and the existence and mitigation of any privacy-related risks.

Preparing a PIA is a mandatory legal obligation for school districts under FIPPA. However, even before PIAs were legally required they represented a privacy best practice. A PIA serves as evidence that the school district conducted appropriate due diligence before implementing new initiatives involving personal information, and that they took appropriate steps to mitigate risk. PIAs can be useful in protecting the school district from liability in the event of a privacy breach, and they also provide a valuable source of institutional memory about how and why certain decisions were made.

The PIA document should be written clearly and in plain language. In the future, it may be reviewed or considered by privacy regulators, the courts, members of the public or the next generation of school district management; therefore, it is important that the initiative and the school district's decisions about privacy risks are clearly described and articulated

The purpose of this Regulation is to set out the School District's process for conducting PIAs in accordance with the provisions of FIPPA.

SCOPE & RESPONSIBILITY

This Administrative Regulation applies to all new and significantly revised Initiatives of the School District.

All employees of the School District are expected to be aware of and follow this Administrative Regulation in the event that they are involved in a new or significantly revised Initiative.

Departments and management employees are responsible to plan and implement new or significantly revised Initiatives in accordance with the requirements of this Administrative Regulation.

DEFINITIONS

1. “Employees” means the employees, ~~as well as contractors and volunteers~~ of the School District. “Employees” also refers to contractors and volunteers who are expected to adhere to all relevant School District Policies and Administrative Regulations
2. “Head” means the Superintendent of the School District or any person to whom the Superintendent has delegated their powers under this Administrative Regulation.
3. “Initiative” means any enactment, system, project, program, or activity of the School District;
4. “Personal Information” means any recorded information about an identifiable individual that is within the control of the School District and includes information about any student or any Employee of the School District. Personal Information does not include business contact information, such as email address and telephone number, that would allow a person to be contacted at work. Personal information may also be identifiable through the 'mosaic effect'. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
5. “PIA” means a Privacy Impact Assessment performed in accordance with the requirements of FIPPA;
6. “Privacy Officers” mean the Secretary Treasurer and Director, IT for Learning, who have been designated by the Head as the Privacy Officers for the School District.
7. “Responsible Employee” means the Department Head or other Employee who is responsible for overseeing an Initiative, and in the event of doubt, means the Employee designated in the PIA as the Responsible Employee;
8. “Supplemental Review” means an enhanced process for reviewing the privacy and data security measures in place to protect sensitive Personal Information in connection with an Initiative involving the storage of Personal Information outside of Canada.

DESIGNATE ACCOUNTABILITY

School districts must designate the appropriate level of position that holds accountability for each PIA. The level of responsibility should vary in proportion to the sensitivity of the personal information involved and the risks of the initiative. The person responsible for the initiative must ensure that they have read, agreed with and accepted the risks and mitigation strategies. The PIA must finally be reviewed, approved and ‘signed off’ by the Privacy Officer and/or Head of the public body

RESPONSIBILITIES OF THE HEAD

The implementation of this Administrative Regulation is the responsibility of the Superintendent, who is the “head” of the School District, including for all purposes under FIPPA. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written

delegation.

RESPONSIBILITIES OF THE PRIVACY OFFICERS

The Privacy Officers are responsible, in consultation with the Head, to ensure that all PIAs and Supplemental Reviews are completed in accordance with the requirements of FIPPA and this Regulation.

RESPONSIBILITIES OF ALL EMPLOYEES

All Employees are responsible for:

1. As per the Greater Victoria School District Purchasing Regulation (<https://www.sd61.bc.ca/our-district/documents/name/regulation-3323-purchasing-services/>) Employees should understand that all purchases of software must be pre-approved by the Information Technology for Learning Department to ensure the completion of a Privacy Impact Assessment and compliance with the Freedom of Information and Protection of Privacy Act.
- 1.2. Any Employees responsible for developing or introducing a new or significantly revised Initiative that involve or may involve the collection, use, disclosure or processing of Personal Information by the School District must report that Initiative to the Privacy Officer at an early stage in its development.
- 2.3. All Employees involved in a new or significantly revised Initiative will cooperate with the Privacy Officer and provide all requested information needed to complete the PIA.
- 3.4. All Employees will, at the request of the Privacy Officer, cooperate with the Privacy Officer in the preparation of any other PIA that the Privacy Officer decides to perform.

THE ROLE OF THE RESPONSIBLE EMPLOYEE

Responsible Employees are responsible for:

1. ensuring that new and significantly revised Initiatives for which they are the Responsible Employee are referred to the Privacy Officers for completion of a PIA;
2. supporting all required work necessary for the completion and approval of the PIA;
3. being familiar with and ensuring that the Initiative is carried out in compliance with the PIA; and
4. requesting that the Privacy Officer make amendments to the PIA when needed and when significant changes to the initiative are made.

INITIATIVES INVOLVING THE STORAGE OF PERSONAL INFORMATION

Administrative Regulation

3

1. Employees may not engage in any new or significantly revised Initiative that involves the storage of Personal Information until the Privacy Officers have completed and the Head has approved a PIA and any required Supplemental Review.
2. The Responsible Employee or Department may not enter into a binding commitment to participate in any Initiative that involves the storage of Personal Information outside of Canada unless any required Supplemental Review has been completed and approved by the Head.
3. It is the responsibility of the Privacy Officers to determine whether a Supplemental Review is required in relation to any Initiative, and to ensure that the Supplemental Review is completed in accordance with the requirements of FIPPA.
4. The Head is responsible for reviewing and, if appropriate, approving all Supplemental Reviews and in doing so must consider risk factors including:
 - a. the likelihood that the Initiative will give rise to an unauthorized, collection, use, disclosure or storage of Personal Information;
 - b. the impact to an individual of an unauthorized collection, use, disclosure or storage of Personal Information;
 - c. whether the Personal Information is stored by a service provider;
 - d. where the Personal Information is stored;
 - e. whether the Supplemental Review sets out mitigation strategies proportionate to the level of risk posted by the Initiative.
5. Approval of a Supplemental Review by the Head shall be documented in writing.

CONTACT INFORMATION

Questions or comments about this Policy may be addressed to the Privacy Officers via email: privacy@sd61.bc.ca

REVIEW

This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

RELATED ACTS AND REGULATION

School Act and Regulations
Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy
Administrative Regulation 1161.1 Fees for Access to Information
Administrative Regulation 1161.2 Privacy Management Program
Administrative Regulation 1161.4 Critical Incident and Privacy Breach

DRAFT

CRITICAL INCIDENT AND PRIVACY BREACH

PURPOSE

The Board of Education of School District No. 61 (Greater Victoria School District) (“School District”) is committed to ensuring the protection and security of all personal information within its control. That commitment includes responding effectively and efficiently to privacy breach incidents that may occur.

The purpose of this Administrative Regulation is to set out the School District’s process for responding to significant privacy breaches and to complying with its notice and other obligations under the Freedom of Information and Protection of Privacy Act (FIPPA).

If a school district experiences a breach incident, it is important that it acts quickly to assess the nature and extent of any harm that might arise from disclosure. Understanding how affected individuals may be impacted by a privacy breach places the district in the best position to determine how to mitigate any negative consequences flowing from the breach.

“Harm” must be assessed with a view to all of the surrounding circumstances, including the nature and sensitivity of the personal information, the nature of the breach (e.g., malicious actor or inadvertent breach), and the likelihood of the information being used for unauthorized purposes.

Public bodies have a mandatory obligation to notify affected individuals and to report privacy breaches without unreasonable delay in any circumstances where the breach incident gives rise to a risk of “significant harm”. Significant harm includes financial loss, physical harm and identity theft, but it also includes other types of harm like physical harm, humiliation, damage to reputation, and loss of employment. The phrase “significant harm” is defined in section 36.3 of the Act

WHAT IS A ‘PRIVACY BREACH’

A “privacy breach” refers to the theft or loss, or the collection, use or disclosure of personal information that is not authorized under FIPPA. If a privacy breach occurs in relation to personal information within the control of the school district, then the district is responsible for responding to the breach and mitigating any harmful effects arising from the incident.

The term “privacy breach” is defined in section 36.3 of FIPPA, Privacy breaches should be responded to with urgency to ensure impacted individuals are able to take immediate action to protect themselves from potential harm.

HOW CAN STAFF REPORT A PRIVACY BREACH OR CRITICAL INCIDENT?

There are multiple ways for staff to report a privacy breach or critical incident

1. Email the Privacy Officers at privacy@sd61.bc.ca
2. Submit a Help Desk ticket to the IT for Learning Department explaining the concern. Click the orange button on the Tech For Learning website to submit a ticket (<https://techforlearning.sd61.bc.ca/>) or email helpdesk@sd61.bc.ca
3. Phone the IT For Learning Help Desk at (250) 475-4188 (working hours apply)

SCOPE & RESPONSIBILITY

All Staff of the School District are expected to be aware of and follow this Regulation in the event of a privacy breach.

DEFINITIONS

1. “Head” means the Superintendent, and includes any person to whom the Head has delegated their powers by written instrument.
2. “Personal Information” means any recorded information about an identifiable individual that is within the control of the School District, and includes information about any student or any Staff member of the School District. Personal Information does not include business contact information, such as email address and telephone number, that would allow a person to be contacted at work. Personal information may also be identifiable through the 'mosaic effect'. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
3. “Privacy Breach” means the theft or loss of or the collection, use or disclosure of Personal Information not authorized by FIPPA, and includes cyber and ransomware attacks and other situations where there are reasonable grounds to believe that any such unauthorized activities have taken place or there is a reasonable belief that they will take place.
4. “Privacy Officers” means the positions designated by the Head as Privacy Officers for the School District, which are the Secretary Treasurer and the Director of IT for Learning;
5. “Records” means books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or other mechanism that produces records;
6. “Staff” refers to all employees of the School District. Under FIPPA, staff also refers to contractors and volunteers who are expected to adhere to all relevant School District policies and regulations,

RESPONSIBILITIES OF THE HEAD

The implementation of this Administrative Regulation is the responsibility of the Superintendent of the School District, who is the “head” of the School District for all purposes under FIPPA (the “Head”). The Head may delegate any of their powers under this Regulation or FIPPA to other School District Personnel by written delegation.

RESPONSIBILITIES OF ALL EMPLOYEES

1. All Staff must without delay report all actual, suspected or expected Privacy Breach incidents of which they become aware in accordance with this Regulation. All Staff have a legal responsibility under FIPPA to report Privacy Breaches to the Head.
2. Privacy Breach reports may also be made to the Privacy Officer, who has delegated responsibility for receiving and responding to such reports.
3. If there is any question about whether an incident constitutes a Privacy Breach or whether the incident has occurred, Staff should consult with the Privacy Officer.
4. All Personnel must provide their full cooperation in any investigation or response to a Privacy Breach incident, and comply with this Regulation for responding to Privacy Breach incidents.
5. Any member of Staff who knowingly refuses or neglects to report a Privacy Breach in accordance with this Regulation may be subject to discipline, up to and including dismissal.

PRIVACY BREACH RESPONSE

1. Step One – Report and Contain

- a. Upon discovering or learning of a Privacy Breach, all Staff shall:
 - i. Immediately report the Privacy Breach to the Head or to the Privacy Officers.
 - ii. Take any immediately available actions to stop or contain the Privacy Breach, such as by:
 1. isolating or suspending the activity that led to the Privacy Breach; and
 2. taking steps to recover Personal Information, Records or affected equipment.
 3. preserve any information or evidence related to the Privacy Breach in order to support the School District's incident response.
- b. Upon being notified of a Privacy Breach the Head or the Privacy Officers in consultation with the Head, shall implement all available measures to stop or contain the Privacy Breach. Containing the Privacy Breach shall be the first priority of the Privacy Breach response, and all Staff are expected to provide their full cooperation with such initiatives.

2. Step Two – Assessment and Containment

- a. The Privacy Officers shall take steps to, in consultation with the Head, contain the Privacy Breach by making the following assessments:
 - i. the cause of the Privacy Breach;

- ii. if additional steps are required to contain the Privacy Breach, and, if so, to implement such steps as necessary;
 - iii. identify the type and sensitivity of the Personal Information involved in the Privacy Breach, and any steps that have been taken or can be taken to minimize the harm arising from the Privacy Breach;
 - iv. identify the individuals affected by the Privacy Breach, or whose Personal Information may have been involved in the Privacy Breach;
 - v. determine or estimate the number of affected individuals and compile a list of such individuals, if possible; and
 - vi. make preliminary assessments of the types of harm that may flow from the Privacy Breach.
- b. The Head, in consultation with the Privacy Officers, shall be responsible to, without delay, assess whether the Privacy Breach could reasonably be expected to result in significant harm to individuals ("Significant Harm"). That determination shall be made with consideration of the following categories of harm or potential harm:
- i. bodily harm;
 - ii. humiliation;
 - iii. damage to reputation or relationships;
 - iv. of employment, business or professional opportunities;
 - v. financial loss;
 - vi. negative impact on credit record,
 - vii. damage to, or loss of, property,
 - viii. the sensitivity of the Personal Information involved in the Privacy Breach; and
 - ix. the risk of identity theft.

3. Step Three – Notification

- a. If the Head determines that the Privacy Breach could reasonably be expected to result in Significant Harm to individuals, then the Head shall make arrangements to:
- i. report the Privacy Breach to the Office of the Information and Privacy Commissioner; and
 - ii. provide notice of the Privacy Breach to affected individuals, unless the Head determines that providing such notice could reasonably be expected to result in grave or immediate harm to an individual's safety or physical or mental health or threaten another individual's safety or physical or mental health.
- b. If the Head determines that the Privacy Breach does not give rise to a reasonable expectation of Significant Harm, then the Head may still proceed with notification to affected individual if the Head determines that notification would be in the public interest or if a failure to notify would be inconsistent with the School District's obligations or undermine public confidence in the School District.

- c. Determinations about notification of a Privacy Breach shall be made without delay following the Privacy Breach, and notification shall be undertaken as soon as reasonably possible. If any law enforcement agencies are involved in the Privacy Breach incident, then notification may also be undertaken in consultation with such agencies.

4. Step 4 – Prevention

- a. The Head, or the Privacy Officers in consultation with the Head, shall complete an investigation into the causes of each Breach Incident reported under this Administrative Regulation, and shall implement measures to prevent recurrences of similar incidents. These measures shall be incorporated into the regular Privacy Management Program review.

CONTACT INFORMATION

Questions or comments about this Policy may be addressed to the Privacy Officers via email: privacy@sd61.bc.ca

REVIEW

This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

RELATED ACTS AND REGULATION

School Act and Regulations

Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy
Administrative Regulation 1161.1 Fees for Access to Information
Administrative Regulation 1161.2 Privacy Management Program
Administrative Regulation 1161.3 Privacy Impact Assessments

Office of the Secretary-Treasurer

Katrina Stride – Secretary-Treasurer

TO: The Board of Education

FROM: Katrina Stride, Secretary-Treasurer

DATE: November 27, 2023

RE: **Privacy Management Program – Administrative Regulations**

Background

At the November 20, 2023 Operations Policy and Planning Committee meeting the following motion carried unanimously:

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach,

AND FURTHER,

Direct the Superintendent to bring the Administrative Regulations to the Board of Education for review within one year at the Operations Policy and Planning meeting in November 2024.

Revisions to Administrative Regulations

Director of Information Technology for Learning, Andy Canty, has further revised Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach based on suggestions received at the November 20, 2023 Operations Policy and Planning Committee meeting. The Administrative Regulations marked up with all recommended changes are attached.

Recommended Motion

That the Board of Education of School District No. 61 (Greater Victoria) accept Administrative Regulations 1161.2 Privacy Management Program, 1161.3 Privacy Impact Assessments and 1161.4 Critical Incident and Privacy Breach as presented on November 27, 2023,

AND FURTHER,

Direct the Superintendent to bring the Administrative Regulations to the Board of Education for review within one year at the Operations Policy and Planning meeting in November 2024.

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.

Supporting Documents

Final Revised Administrative Regulation 1161.2 Privacy Management Program
Final Revised Administrative Regulation 1161.3 Privacy Impact Assessments
Final Revised Administrative Regulation 1161.4 Critical Incident and Privacy Breach

PRIVACY MANAGEMENT PROGRAM

PURPOSE

As a public body that is subject to the British Columbia Freedom of Information and Protection of Privacy Act (the “Act” or FIPPA), the Board of Education of School District No. 61 (Greater Victoria School District) (“School District”) is committed to upholding the principles of privacy, transparency and accountability. This means that the School District recognizes the fundamental importance of maintaining the privacy and security of the personal information that it collects, uses, and discloses in the course of its operations and programs. The School District also acknowledges and supports transparency with the community by facilitating access to School District records and information in accordance with the requirements of the Act.

This Privacy Management Program document serves as an Administrative Regulation to Policy 1161: Freedom of Information and Protection of Privacy. It aims to provide School District Staff, Contractors, and Volunteers with the guidelines and regulations to ensure the effective implementation of the Policy.

Public information relating to the Privacy Management Program will be updated on the Greater Victoria School District website here: <https://www.sd61.bc.ca/parent-student-resources/privacy-management-program/> GVSD Privacy Management Program

DEFINITIONS

Where used in this ProcedureAdministrative Regulation, the following terms have the following meanings:

1. “Consent” means express written consent to the collection, use or disclosure of personal information; unless otherwise authorized or required by law.
2. “FIPPA” means the BC Freedom of Information and Protection of Privacy Act, and regulations thereto;
3. “Head” means the Superintendent, and includes any person to whom the Head has delegated (in writing) their powers to act as Head;
4. “Personal Information” means recorded information about an identifiable individual, but excludes a person’s business contact information. Personal information may also be identifiable through the ‘mosaic effect’. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
5. “Administrative Regulations” means regulations enacted by the School District under its Freedom of Information and Protection of Privacy Policy;

6. "Records" include any paper or electronic media used to store or record information, including all paper and electronic records, books, documents, photographs, audio or visual recordings, computer files, email and correspondence;
7. "Staff" refers to all employees of the School District who are required to comply with FIPPA and all relevant School District policies and regulations;
8. "Contractors" refers to a service provider retained under a contract to perform services for the School District. Contractors are required to comply with FIPPA and all relevant School District policies and regulations;
9. "Volunteers" refers to community members carrying out volunteer activities on behalf of the School District. Volunteers are required to comply with FIPPA and all relevant School District policies and regulations.
7. ~~"Staff" refers to all employees of the School District who are required to comply with Under FIPPA, staff also refers to contractors and volunteers who are expected to adhere to and all relevant School District pPolicies and Administrative Rregulations.~~

PRINCIPLES

School District Staff are responsible for:

1. making reasonable efforts to familiarize themselves with this Administrative Regulation and the requirements of FIPPA, including by participating in privacy training initiatives offered by the School District such ~~as FOIPPA: Protecting Information Training;~~ as FIPPA: Protecting Information Training
2. following responsible information management practices to ensure that the School District collects, uses and discloses Personal Information in compliance with FIPPA and other applicable laws; see <https://techforlearning.sd61.bc.ca/> for updates and information.
3. seeking at all times to protect Personal Information against unauthorized collection, use and disclosure, including by limiting the sharing of sensitive Personal Information on a need-to-know basis, and use the information only for the purpose for which it was collected.
Example: Medical information collected for emergency protocols should not be used for any other purpose;
4. cooperating with School District procedures to facilitate the appropriate release of Records within its custody or control in response to access requests received from members of the community under FIPPA. See <https://www.sd61.bc.ca/our-district/about-us/request-for-access-to-information/>;
5. cooperating with School District procedures for enabling informed consent (see the Greater Victoria School District online portals Parent Connect and Student Connect). -

~~5.6.~~ the completion of Pprivacy Iimpact Aassessments; and

~~6.7.~~ reporting privacy breaches to the School District in accordance with the School District's Administrative ProceduresRegulations (see Administrative Regulation 1161.4 Critical

Incident and Privacy Breach.

ACCOUNTABILITY RESPONSIBILITIES OF THE HEAD

The Superintendent is the “head” of the School District, including for the purposes of FIPPA, and is responsible for the implementation of this Administrative Procedure Regulation is the responsibility of the Superintendent, who is the “Head” of the School District, including for all purposes under FIPPA. The Head is also responsible for ensuring there is a process for completing and documenting Privacy Impact Assessments and, as required, Information Sharing Agreements. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written delegation. The Head is responsible to appoint, oversee and, if appropriate, delegate responsibility to Privacy Officers for the School District to supervise its Privacy Management Program.

The Secretary Treasurer and the Director of IT for Learning have been designated, by the head, as the Privacy Officers responsible for:

1. being the points of contact for privacy-related matters such as privacy questions or concerns;
2. the development, implementation, and maintenance of privacy policies and/or procedures; and
3. supporting the public body’s compliance with FOIPPA/FIPPA.

RESPONSIBILITIES OF THE PRIVACY OFFICERS

The Privacy Officers are responsible, in consultation with the Head, to ensure that all PIAs and Supplemental Reviews are completed in accordance with the requirements of FIPPA and this Regulation.

The Privacy Officers are also responsible for:

1. being the points of contact for privacy-related matters such as privacy questions or concerns;
2. the development, implementation, and maintenance of privacy policies and/or procedures; and
3. supporting the public body’s compliance with FIPPA.

COMMITMENT TO PRIVACY PROTECTION

The School District protects the privacy of students, staff and individuals whose Personal Information it collects, uses, shares and retains, and expects all Staff to follow responsible information management practices to ensure that the School District fully complies with its obligations under FIPPA and other applicable laws.

The School District and Staff respect the privacy and confidentiality of Personal Information entrusted to them in the course of their duties, and collects, uses and discloses Personal Information only where authorized by FIPPA.

PURPOSES FOR COLLECTING PERSONAL INFORMATION

The School District communicates the purposes for which Personal Information is collected at or before the time the information is collected, unless otherwise permitted or required by FIPPA.

In the ordinary course of carrying out its programs and activities, the School District collects Personal Information of its students for purposes including:

1. registration, enrollment and transfer of students;
2. to provide and deliver educational programs and services;
3. to accommodate students with special needs, disabilities and diverse learning needs;
4. to communicate with students and respond to inquiries or complaints;
5. to prepare and provide assessments of student performance;
6. supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. ensure compliance with applicable School District bylaws, policies and other laws;
9. to make all required reports and filings to the Ministry of Advanced Education; and
10. other purposes set out in the Procedures-Administrative Regulations or required under applicable laws.

In the ordinary course of carrying out its employment programs and activities, the School District collects the Personal Information of prospective, current and former Staff for purposes including:

1. hiring and recruitment;
2. to manage and administer the employment relationship;
3. to communicate with authorized union representatives;
4. to administer employment compensation and benefits;
5. to evaluate performance and manage disciplinary incidents;
6. to supervise and ensure the safety and security of the School District (such as through the use of video surveillance);
7. to investigate and respond to accidents, safety events, misconduct and similar incidents;
8. to ensure compliance with applicable School District policies and other applicable laws; and
9. for other purposes set out in the Procedures or required under applicable laws.

COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

The School District limits the Personal Information it collects to information to what is related to and necessary in order to carry out its programs and activities or for other purposes authorized by FIPPA.

The School District seeks to collect Personal Information by fair, lawful and transparent means, including by collecting Personal Information directly from the individual, except where otherwise authorized by FIPPA.

The School District seeks to inform individuals from whom it collects Personal Information the purposes for which the information is being collected, the legal authority for collecting it and the name and contact information of someone at the School District who can answer questions about the collection and use of the information;

The School District limits the internal and external use and sharing of Personal Information to what is required and authorized by FIPPA or consented to by the individual.

The School District only uses or discloses Personal Information for the purpose for which it was collected, except with the individual's consent or as otherwise required or permitted by FIPPA or other laws.

SECURING PERSONAL INFORMATION

The School District protects Personal Information by ensuring it has reasonable security safeguards in place which are appropriate to the sensitivity of the information. Such security safeguards shall include consideration of physical security, organizational security and electronic security.

All Staff have a duty to protect the privacy and security of Personal Information collected and used by them as part of their ongoing employment responsibilities, including by complying with the terms of this ProcedureAdministrative Regulation, and all related ProceduresRegulations.

The School District provides training to all Staff to ensure they have the requisite knowledge to ensure compliance with the terms of this Administrative Regulation and the FIPPA.

RETENTION AND DISPOSAL

The School District does not seek to retain Personal Information longer than necessary to satisfy the School District's applicable operational, instructional, financial, and legal needs.

Personal information that is no longer required for either administrative, operational, financial, legal, or historical purposes shall be securely destroyed in a confidential manner in accordance with School District policies and approved record retention protocols.

The Greater Victoria School Districts records retention guidelines are currently being reviewed as part of the Privacy Management Program.

ACCURACY AND CORRECTION

The School District shall make reasonable efforts to ensure the accuracy of the Personal Information that they collect and use in the course of performing their duties.

Individuals have the right to request the correction of their Personal Information, and the School District will receive and respond to such requests in accordance with the FIPPA and School District Administrative Regulations.

ACCESS TO INFORMATION

The School District supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under FIPPA.

The Head shall, on at least an annual basis, consider and designate categories of Records that will be made available to the public without the need to make a request in accordance with FIPPA.

The School District recognizes that individuals may make requests for access to Records within the custody and control of the School District, and the School District will respond to such requests in accordance with FIPPA and the Regulations.

The School District recognizes that individuals have a right to access their own Personal Information within the custody and control of the School District, and will facilitate such access in accordance with

the requirements of FIPPA.

COMPLAINTS AND INQUIRIES

Questions or complaints about the School District's information management practices should be directed to the Privacy Officers at privacy@sd61.bc.ca

The School District will respond to all complaints in writing.

REVIEW

~~This Administrative Regulation relates to new legislation for public bodies and will therefore be reviewed annually until further notice. This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.~~

RELATED ACTS AND REGULATIONS

School Act and Regulations

Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

Ministerial Order 462: Personal Information Disclosure For Storage Outside of Canada Regulation

Ministerial Order 411: Education and Advanced Education

Ministerial Order 450: Finance and Advanced Education

Ministerial Order 351: Education

Ministerial Order 030: Citizen's Services

Ministerial Order 276: Environment

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy

Administrative Regulation 1161.1 Fees for Access to Information

Administrative Regulation 1161.3 Privacy Impact Assessments

Administrative Regulation 1161.4 Critical Incident and Privacy Breach

PRIVACY IMPACT ASSESSMENTS

PURPOSE

The Board of Education of School District No. 61 (Greater Victoria School District) ("School District") is responsible for ensuring that it protects the Personal Information within its custody and control, including by complying with the provisions of the Freedom of Information and Protection of Privacy Act ("FIPPA"). FIPPA requires that the School District conduct a Privacy Impact Assessment ("PIA") to ensure that all collection, use, disclosure, protection, and processing of Personal Information by the School District is compliant with FIPPA.

A Privacy Impact Assessment (PIA) is an in-depth review of any new or significantly revised initiative, project, activity, or program to ensure that it is compliant with the provisions of FIPPA, to identify and mitigate risks arising from the initiative and to ensure that the initiative appropriately protects the privacy of individuals. A PIA often takes the form of a checklist or questionnaire that requires consideration of the collection, use, and disclosure of personal information in connection with a particular initiative. It also addresses the ways in which personal information is protected, and the existence and mitigation of any privacy-related risks.

Preparing a PIA is a mandatory legal obligation for school districts under FIPPA. However, even before PIAs were legally required they represented a privacy best practice. A PIA serves as evidence that the school district conducted appropriate due diligence before implementing new initiatives involving personal information, and that they took appropriate steps to mitigate risk. PIAs can be useful in protecting the school district from liability in the event of a privacy breach, and they also provide a valuable source of institutional memory about how and why certain decisions were made.

The PIA document should be written clearly and in plain language. In the future, it may be reviewed or considered by privacy regulators, the courts, members of the public or the next generation of school district management; therefore, it is important that the initiative and the school district's decisions about privacy risks are clearly described and articulated

The purpose of this Regulation is to set out the School District's process for conducting PIAs in accordance with the provisions of FIPPA.

SCOPE & RESPONSIBILITY

This Administrative Regulation applies to all new and significantly revised Initiatives of the School District.

All employees of the School District are expected to be aware of and follow this Administrative Regulation in the event that they are involved in a new or significantly revised Initiative.

Departments and management employees are responsible to plan and implement new or significantly revised Initiatives in accordance with the requirements of this Administrative Regulation.

DEFINITIONS

1. "Staff" or "Employees" refers to all employees of the School District who are required to comply with FIPPA and all relevant School District policies and regulations;
2. "Contractors" refers to a service provider retained under a contract to perform services for the School District. Contractors are required to comply with FIPPA and all relevant School District policies and regulations;
3. "Volunteers" refers to community members carrying out volunteer activities on behalf of the School District. Volunteers are required to comply with FIPPA and all relevant School District policies and regulations.
 4. "Employees" means the employees, as well as contractors and volunteers of the School District. "Employees" also refers to contractors and volunteers who are expected to adhere to all relevant School District Policies and Administrative Regulations
- 2.4. "Head" means the Superintendent of the School District or any person to whom the Superintendent has delegated their powers under this Administrative Regulation.
- 3.5. "Initiative" means any enactment, system, project, program, or activity of the School District;
- 4.6. "Personal Information" means any recorded information about an identifiable individual that is within the control of the School District and includes information about any student or any Employee of the School District. Personal Information does not include business contact information, such as email address and telephone number, that would allow a person to be contacted at work. Personal information may also be identifiable through the 'mosaic effect'. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
- 5.7. "PIA" means a Privacy Impact Assessment performed in accordance with the requirements of FIPPA;
- 6.8. "Privacy Officers" mean the Secretary Treasurer and Director, IT for Learning, who have been designated by the Head as the Privacy Officers for the School District.
- 7.9. "Responsible Employee" means the Department Head or other Employee who is responsible for overseeing an Initiative, and in the event of doubt, means the Employee designated in the PIA as the Responsible Employee;
- 8.10. "Supplemental Review" means an enhanced process for reviewing the privacy and data security measures in place to protect sensitive Personal Information in connection with an Initiative involving the storage of Personal Information outside of Canada.

DESIGNATE ACCOUNTABILITY

School districts must designate the appropriate person responsible for new or substantially changed programs or activities that require a Privacy Impact Assessment. The level of responsibility should vary in proportion to the sensitivity of the personal information involved and the risks of the initiative. The person responsible for the initiative must ensure that they have read, agreed with and accepted the risks and mitigation strategies. The PIA must finally be reviewed, approved and 'signed off' by the Privacy Officer and/or Head of the public body. School districts must designate the appropriate level of position that holds accountability for each PIA. The level of responsibility should vary in proportion to the sensitivity of the personal information involved and the risks of the initiative. The person responsible for the initiative must ensure that they have read, agreed with and accepted the risks and mitigation strategies. The PIA must finally be reviewed, approved and 'signed off' by the Privacy Officer and/or Head of the public body

RESPONSIBILITIES OF THE HEAD

The implementation of this Administrative Regulation is the responsibility of the Superintendent, who is the "Head" of the School District, including for all purposes under FIPPA. The Head is also responsible for ensuring there is a process for completing and documenting Privacy Impact Assessments and, as required, Information Sharing Agreements. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written delegation. The implementation of this Administrative Regulation is the responsibility of the Superintendent, who is the "head" of the School District, including for all purposes under FIPPA. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written

delegation.

RESPONSIBILITIES OF THE PRIVACY OFFICERS

The Privacy Officers are responsible, in consultation with the Head, to ensure that all PIAs and Supplemental Reviews are completed in accordance with the requirements of FIPPA and this Regulation.

RESPONSIBILITIES OF ALL EMPLOYEES

All Employees are responsible for:

1. understanding that all purchases of software must be pre-approved by the Information Technology for Learning Department to ensure the completion of a Privacy Impact Assessment and compliance with the Freedom of Information and Protection of Privacy Act, as per the Greater Victoria School District Purchasing Regulation;
2. understanding that any Employees responsible for developing or introducing a new or significantly revised Initiative that involve or may involve the collection, use, disclosure or processing of Personal Information by the School District must report that Initiative to the Privacy Officer at an early stage in its development;
3. cooperating with the Privacy Officers and providing all requested information needed to complete the PIA when involved in a new or significantly revised Initiative;
4. cooperating with the Privacy Officers, at the request of the Privacy Officers, in the preparation of any other PIA that the Privacy Officer decides to perform;
1. As per the Greater Victoria School District Purchasing Regulation (<https://www.sd61.bc.ca/our-district/documents/name/regulation-3323-purchasing-services/>) Employees should understand that all purchases of software must be pre-approved by the Information Technology for Learning Department to ensure the completion of a Privacy Impact Assessment and compliance with the Freedom of Information and Protection of Privacy Act.
- 1.2. Any Employees responsible for developing or introducing a new or significantly revised Initiative that involve or may involve the collection, use, disclosure or processing of Personal Information by the School District must report that Initiative to the Privacy Officer at an early stage in its development.
- 2.3. All Employees involved in a new or significantly revised Initiative will cooperate with the Privacy Officer and provide all requested information needed to complete the PIA.
- 3.4. All Employees will, at the request of the Privacy Officer, cooperate with the Privacy Officer in the preparation of any other PIA that the Privacy Officer decides to perform.

THE ROLE OF THE RESPONSIBLE EMPLOYEE

Responsible Employees are responsible for:

1. ensuring that new and significantly revised Initiatives for which they are the Responsible Employee are referred to the Privacy Officers for completion of a PIA;
2. supporting all required work necessary for the completion and approval of the PIA;
3. being familiar with and ensuring that the Initiative is carried out in compliance with the PIA; and
4. requesting that the Privacy Officer make amendments to the PIA when needed and when significant changes to the initiative are made.

INITIATIVES INVOLVING THE STORAGE OF PERSONAL INFORMATION

1. Employees may not engage in any new or significantly revised Initiative that involves the storage of Personal Information until the Privacy Officers have completed and the Head has approved a PIA and any required Supplemental Review.
2. The Responsible Employee or Department may not enter into a binding commitment to participate in any Initiative that involves the storage of Personal Information outside of Canada unless any required Supplemental Review has been completed and approved by the Head.
3. It is the responsibility of the Privacy Officers to determine whether a Supplemental Review is required in relation to any Initiative, and to ensure that the Supplemental Review is completed in accordance with the requirements of FIPPA.
4. The Head is responsible for reviewing and, if appropriate, approving all Supplemental Reviews and in doing so must consider risk factors including:
 - a. the likelihood that the Initiative will give rise to an unauthorized, collection, use, disclosure or storage of Personal Information;
 - b. the impact to an individual of an unauthorized collection, use, disclosure or storage of Personal Information;
 - c. whether the Personal Information is stored by a service provider;
 - d. where the Personal Information is stored;
 - e. whether the Supplemental Review sets out mitigation strategies proportionate to the level of risk posted by the Initiative.
5. Approval of a Supplemental Review by the Head shall be documented in writing.

CONTACT INFORMATION

Questions or comments about this Policy may be addressed to the Privacy Officers via email: privacy@sd61.bc.ca

REVIEW

This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

RELATED ACTS AND REGULATION

School Act and Regulations
Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy
Administrative Regulation 1161.1 Fees for Access to Information
Administrative Regulation 1161.2 Privacy Management Program
Administrative Regulation 1161.4 Critical Incident and Privacy Breach

CRITICAL INCIDENT AND PRIVACY BREACH

PURPOSE

The Board of Education of School District No. 61 (Greater Victoria School District) ("School District") is committed to ensuring the protection and security of all personal information within its control. That commitment includes responding effectively and efficiently to privacy breach incidents that may occur.

The purpose of this Administrative Regulation is to set out the School District's process for responding to significant privacy breaches and to complying with its notice and other obligations under the Freedom of Information and Protection of Privacy Act (FIPPA).

If a school district experiences a breach incident, it is important that it acts quickly to assess the nature and extent of any harm that might arise from disclosure. Understanding how affected individuals may be impacted by a privacy breach places the district in the best position to determine how to mitigate any negative consequences flowing from the breach.

"Harm" must be assessed with a view to all of the surrounding circumstances, including the nature and sensitivity of the personal information, the nature of the breach (e.g., malicious actor or inadvertent breach), and the likelihood of the information being used for unauthorized purposes.

Public bodies have a mandatory obligation to notify affected individuals and to report privacy breaches without unreasonable delay in any circumstances where the breach incident gives rise to a risk of "significant harm". Significant harm includes financial loss, physical harm and identity theft, but it also includes other types of harm like physical harm, humiliation, damage to reputation, and loss of employment. The phrase "significant harm" is defined in section 36.3 of the Act

WHAT IS A 'PRIVACY BREACH'

A "privacy breach" refers to the theft or loss, or the collection, use or disclosure of personal information that is not authorized under FIPPA. If a privacy breach occurs in relation to personal information within the control of the school district, then the district is responsible for responding to the breach and mitigating any harmful effects arising from the incident.

The term "privacy breach" is defined in section 36.3 of FIPPA, Privacy breaches should be responded to with urgency to ensure impacted individuals are able to take immediate action to protect themselves from potential harm.

HOW CAN STAFF REPORT A PRIVACY BREACH OR CRITICAL INCIDENT?

There are multiple ways for staff to report a privacy breach or critical incident

1. Email the Privacy Officers at privacy@sd61.bc.ca
2. Submit a Help Desk ticket to the IT for Learning Department explaining the concern. Click the orange button on the Tech For Learning website to submit a ticket or email helpdesk@sd61.bc.ca
3. Phone the IT For Learning Help Desk at (250) 475-4188 (working hours apply)

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1. Email the Privacy Officers at privacy@sd61.bc.ca
2. Submit a Help Desk ticket to the IT for Learning Department explaining the concern. Click the orange button on the Tech For Learning website to submit a ticket (<https://techforlearning.sd61.bc.ca/>) or email helpdesk@sd61.bc.ca
3. Phone the IT For Learning Help Desk at (250) 475-4188 (working hours apply)

SCOPE & RESPONSIBILITY

All Staff of the School District are expected to be aware of and follow this Regulation in the event of a privacy breach.

DEFINITIONS

1. "Head" means the Superintendent, and includes any person to whom the Head has delegated their powers by written instrument.
2. "Personal Information" means any recorded information about an identifiable individual that is within the control of the School District, and includes information about any student or any Staff member of the School District. Personal Information does not include business contact information, such as email address and telephone number, that would allow a person to be contacted at work. Personal information may also be identifiable through the 'mosaic effect'. The mosaic effect is a concept that illustrates how elements of information may be non-identifiable on their own but when combined could become personally identifiable. For example, a male in his 20s who lives in Vancouver and drives a black Honda would not be identifiable. However, a male in his 60s who lives in Smithers and drives a yellow Lamborghini would be identifiable.
3. "Privacy Breach" means the theft or loss of or the collection, use or disclosure of Personal Information not authorized by FIPPA, and includes cyber and ransomware attacks and other situations where there are reasonable grounds to believe that any such unauthorized activities have taken place or there is a reasonable belief that they will take place.
4. "Significant Harm" means significant harm to the individual, including identity theft or significant
 - a. bodily harm
 - b. humiliation
 - c. damage to reputation or relationships
 - d. loss of employment, business or professional opportunities
 - e. financial loss
 - f. negative impact on a credit record, or
 - 3- damage to, or loss of, property
- 4.5. "Privacy Officers" means the positions designated by the Head as Privacy Officers for the School District, which are the Secretary Treasurer and the Director of IT for Learning;
- 5.6. "Records" means books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or other mechanism that produces records;

7. "Staff" or "Employees" refers to all employees of the School District who are required to comply with FIPPA and all relevant School District policies and regulations;
8. "Contractors" refers to a service provider retained under a contract to perform services for the School District. Contractors are required to comply with FIPPA and all relevant School District policies and regulations;
9. "Volunteers" refers to community members carrying out volunteer activities on behalf of the School District. Volunteers are required to comply with FIPPA and all relevant School District policies and regulations.
- ~~6. "Staff" refers to all employees of the School District. Under FIPPA, staff also refers to contractors and volunteers who are expected to adhere to all relevant School District policies and regulations;~~

RESPONSIBILITIES OF THE HEAD

The implementation of this Administrative Regulation is the responsibility of the Superintendent, who is the "Head" of the School District, including for all purposes under FIPPA. The Head is also responsible for ensuring there is a process for completing and documenting Privacy Impact Assessments and, as required, Information Sharing Agreements. The Head may delegate any of their powers under this Regulation or FIPPA to other School District Employees by written delegation. The implementation of this Administrative Regulation is the responsibility of the Superintendent of the School District, who is the "head" of the School District for all purposes under FIPPA (the "Head"). The Head may delegate any of their powers under this Regulation or FIPPA to other School District Personnel by written delegation.

RESPONSIBILITIES OF ALL EMPLOYEES

1. All Staff must without delay report all actual, suspected or expected Privacy Breach incidents of which they become aware in accordance with this Regulation. All Staff have a legal responsibility under FIPPA to report Privacy Breaches to the Head.
2. Privacy Breach reports may also be made to the Privacy Officer, who has delegated responsibility for receiving and responding to such reports.
3. If there is any question about whether an incident constitutes a Privacy Breach or whether the incident has occurred, Staff should consult with the Privacy Officer.
4. All Personnel must provide their full cooperation in any investigation or response to a Privacy Breach incident, and comply with this Regulation for responding to Privacy Breach incidents.
5. Any member of Staff who knowingly refuses or neglects to report a Privacy Breach in accordance with this Regulation may be subject to discipline, up to and including dismissal.

PRIVACY BREACH RESPONSE

1. Step One – Report and Contain

- a. Upon discovering or learning of a Privacy Breach, all Staff shall:
 - i. Immediately report the Privacy Breach to the Head or to the Privacy Officers.
 - ii. Take any immediately available actions to stop or contain the Privacy Breach, such as by:
 1. isolating or suspending the activity that led to the Privacy Breach; and
 2. taking steps to recover Personal Information, Records or affected equipment.
 3. preserve any information or evidence related to the Privacy Breach in order to support the School District's incident response.
- b. Upon being notified of a Privacy Breach the Head or the Privacy Officers in consultation with the Head, shall implement all available measures to stop or contain the Privacy Breach. Containing the Privacy Breach shall be the first priority of the Privacy Breach response, and all Staff are expected to provide their full cooperation with such initiatives.

2. Step Two – Assessment and Containment

- a. The Privacy Officers shall take steps to, in consultation with the Head, contain the Privacy Breach by making the following assessments:
 - i. the cause of the Privacy Breach;

- ii. if additional steps are required to contain the Privacy Breach, and, if so, to implement such steps as necessary;
 - iii. identify the type and sensitivity of the Personal Information involved in the Privacy Breach, and any steps that have been taken or can be taken to minimize the harm arising from the Privacy Breach;
 - iv. identify the individuals affected by the Privacy Breach, or whose Personal Information may have been involved in the Privacy Breach;
 - v. determine or estimate the number of affected individuals and compile a list of such individuals, if possible; and
 - vi. make preliminary assessments of the types of harm that may flow from the Privacy Breach.
- b. The Head, in consultation with the Privacy Officers, shall be responsible to, without delay, assess whether the Privacy Breach could reasonably be expected to result in significant harm to individuals ("Significant Harm"). That determination shall be made with consideration of the following categories of harm or potential harm:
- i. bodily harm;
 - ii. humiliation;
 - iii. damage to reputation or relationships;
 - iv. of employment, business or professional opportunities;
 - v. financial loss;
 - vi. negative impact on credit record,
 - vii. damage to, or loss of, property,
 - viii. the sensitivity of the Personal Information involved in the Privacy Breach; and
 - ix. the risk of identity theft.

3. Step Three – Notification

- a. If the Head determines that the Privacy Breach could reasonably be expected to result in Significant Harm to individuals, then the Head shall make arrangements to:
 - i. report the Privacy Breach to the Office of the Information and Privacy Commissioner; and
 - ii. provide notice of the Privacy Breach to affected individuals, unless the Head determines that providing such notice could reasonably be expected to result in grave or immediate harm to an individual's safety or physical or mental health or threaten another individual's safety or physical or mental health.
- b. If the Head determines that the Privacy Breach does not give rise to a reasonable expectation of Significant Harm, then the Head may still proceed with notification to affected individual if the Head determines that notification would be in the public interest or if a failure to notify would be inconsistent with the School District's obligations or undermine public confidence in the School District.

- c. Determinations about notification of a Privacy Breach shall be made without delay following the Privacy Breach, and notification shall be undertaken as soon as reasonably possible. If any law enforcement agencies are involved in the Privacy Breach incident, then notification may also be undertaken in consultation with such agencies.

4. Step 4 – Prevention

- a. The Head, or the Privacy Officers in consultation with the Head, shall complete an investigation into the causes of each Breach Incident reported under this Administrative Regulation, and shall implement measures to prevent recurrences of similar incidents. These measures shall be incorporated into the regular Privacy Management Program review.

CONTACT INFORMATION

Questions or comments about this Policy may be addressed to the Privacy Officers via email:
privacy@sd61.bc.ca

REVIEW

This Administrative Regulation relates to newly amended legislation for public bodies and will therefore be reviewed annually until further notice.

RELATED ACTS AND REGULATION

School Act and Regulations
Freedom of Information and Protection of Privacy Act (FIPPA) and Regulations

SUPPORTING REFERENCES, POLICIES, REGULATIONS AND FORMS

Policy 1161 Freedom of Information and Protection of Privacy
Administrative Regulation 1161.1 Fees for Access to Information
Administrative Regulation 1161.2 Privacy Management Program
Administrative Regulation 1161.3 Privacy Impact Assessments

School District No. 61 (Greater Victoria)
556 Boleskine Road, Victoria, BC V8Z 1E8
Phone (250) 475-4162 Fax (250) 475-4112

Mike Knudson – Director, Human Resource Services

To: Board of Education Meeting

From: Mike Knudson, Director, Human Resource Services

Date: November 27, 2023

RE: Scent Sensitive Workplace Policy

Background:

It is the policy of Greater Victoria School District (GVSD) to provide a safe and healthy work environment for all employees, students, volunteers, contractors, and others who regularly carry out activities within GVSD worksites. This includes all buildings and schools, owned, or leased by GVSD. This will be accomplished by eliminating or minimizing as much as possible, the use of products and fragrances whose scent or other properties, are known to trigger allergic or other hazardous reactions.

Context:

The GVSD is respectful of health concerns arising from exposure to scents on District sites. GVSD, as an employer, has a duty to support employees who may be affected and suffer a medical reaction when exposed to a fragrance or scented product. Exposure to fragrances/scents can cause significant health problems in susceptible individuals.

Principals/Managers/Supervisors have a responsibility to ensure that all reasonable steps are taken to make the working environment safe for those with chemical sensitivities in the same manner that any other health issue or safety hazard is addressed.

Currently it is left up to individual schools as to whether the school has a “scent-free” or a “scent-aware” policy/procedure. The need for this policy was initiated by the District Occupational Health and Safety (DOHS) Committee. The Committee has reviewed the draft of this policy and strongly supports this policy.

Information regarding this policy shall be posted on the District Website for staff and provided in written materials for students and parents prior to the start of the school year and periodically throughout the school year as reminders. The policy will also be identified on all GVSD job postings and made a part of all new hire orientations. All GVSD staff are responsible to administer this policy, and are expected to communicate it in a respectful, positive and polite manner to individuals who are not in compliance.

Strategies/initiatives re a Scent Sensitive Workplace:

In the interest of creating and maintaining a consistent safe and healthy working environment across all of the GVSD schools and sites, this policy will assist all Principals/Managers/Supervisors with implementing a scent sensitive workplace.

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve draft Policy 1450 Scent Sensitive Workplace.

POLICY 1450

SCENT SENSITIVE WORKPLACE

Drafted: Nove 11, 2023

Adopted: _____

Revised: Pending

Frequency of Review: Annual

1.0 RATIONALE

- 1.1 To ensure that everyone has a safe place to work and that the Greater Victoria School District (GVSD) is in accordance with the Workers Compensation Act and its requirements under the law.
- 1.2 It is the policy of Greater Victoria School District (GVSD) to provide a safe and healthy work environment for all employees, students, volunteers, contractors, and others who regularly carry out activities within GVSD worksites. This includes all buildings and schools, owned, or leased by GVSD. This will be accomplished by eliminating or minimizing as much as possible, the use of products and fragrances whose scent or other properties, are known to trigger allergic or other hazardous reactions.

2.0 DEFINITIONS

- 2.1 "Scents" often mean the smells or odours from ingredients and chemicals in cosmetics, personal hygiene products (including, but not limited to, perfume, make-up, shampoo, deodorant, etc.) or from other products such as air fresheners, cleaners, etc.
- 2.2 There is no exact definition for "scent-free", "fragrance-free" or "unscented". Products labelled as "unscented" may contain ingredients that are used to mask or hide the smell of other ingredients.

3.0 POLICY

- 3.1 GVSD is respectful of health concerns arising from exposure to scents on District sites. GVSD, as an employer, has a duty to support employees who may be affected and suffer a medical reaction when exposed to a fragrance or scented product. Exposure to fragrances/scents can cause significant health problems in susceptible individuals.
- 3.2 GVSD expects that all staff, students, parents and visitors refrain from using personal products containing fragrances which are known to trigger adverse physical reactions such as respiratory distress and/or headaches. This includes, but is not limited to, cosmetics, hair styling products, antiperspirants, deodorants, cologne, hair spray, perfume, after shave, and

- body washes. Other environmental products in the workplace that may trigger reactions include, but are not limited to, diffusers and essential oils, deodorizers, and soaps with fragrance. All staff, students, parents, and visitors are asked to refrain from using these and similar products in the workplace. In addition, certain types of flowers are not permitted within the workplace. They include freesia, lilacs, lavenders, lilies, hyacinth, narcissus, chrysanthemum, helianthus, and peonies.
- 3.3 Information regarding this Policy shall be posted on the District Website for staff and provided in written materials for students and parents prior to the start of the school year and periodically throughout the school year as reminders. The policy will also be identified on all GVSD job postings and made a part of all new hire orientations. All GVSD staff are responsible to administer this policy, and are expected to communicate it in a respectful, positive and polite manner to individuals who are not in compliance.
 - 3.4 Where specific products are necessary for proper cleaning/disinfecting, and for the proper maintenance and upkeep of the facility, the District will make every effort possible to select unscented products where available. Where that is not possible, the District will endeavour to select products that use the lowest possible levels of scent and/or that contain scents that are least likely to have irritant properties. In all cases, choices will be made in a manner that continues to achieve the intended purpose.
 - 3.5 Maintenance or Custodial Services staff who plan to utilize a known scented product due to the unavailability of an alternate scent free/reduced product (e.g., painting, stripping, burnishing, or polishing floors, etc.) shall provide advance notice to school administration of affected areas in order to inform staff, in advance, of the potential for exposure to scented products. Those who are susceptible to an adverse reaction related to such products are expected to take appropriate precautions not to place themselves in jeopardy, with assistance from her/his **their** administrative team, as needed.
 - 3.6 This Policy does not apply to scents, smells or odours resulting from or associated with culturally responsive activities/ceremonies.

4.0 RESPONSIBILITIES

- 4.1 Principals/Managers/Supervisors have a responsibility to ensure that all reasonable steps are taken to make the working environment safe for those with chemical sensitivities in the same manner that any other health issue or safety hazard is addressed (**including consideration of ventilation options**). In the interest of creating and maintaining a safe and healthy working environment, this policy will assist Principals/Managers/Supervisors with implementing a scent sensitive workplace.

- 4.2 Section 21(1)(a) of the Workers Compensation Act requires that every employer must ensure the health and safety of all workers working for that employer. Section 22(1)(a) of the Workers Compensation Act requires that every employer must remedy any workplace conditions that are hazardous to the health or safety of the employer's workers.
- 4.3 The BC Human Rights Code creates a duty or an obligation to accommodate, including under the ground of disability. The District is legally obliged to accommodate employees with a disability to the point of undue hardship.

5.0 REFERENCES

- i. Canadian Centre for Occupational Health and Safety [CCOHS]:
https://www.ccohs.ca/oshanswers/hsprograms/scnt_free.pdf

TO: The Board of Education
FROM: Deb Whitten, Superintendent of Schools
RE: Superintendent's Report
DATE: November 27, 2023

Please see below the opportunities the Superintendent has been involved with during the month of November 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.

- School Visits – Lambrick Park (November 6, 2023) and Quadra Elementary (November 21, 2023)
- Elementary P/VP Meeting – November 16, 2023
- Representative Advisory Council of Students – November 20, 2023
- Monthly Meeting with VPVPA President and Vice-President – November 23, 2023
- Ministry of Education and Child Care, and Greater Victoria School District Cedar Hill Middle School Event – November 27, 2023

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

- Songhees Living Labs Event – November 23, 2023
- Regular individual meetings with Esquimalt Nation; Songhees Nation; and the Métis Nation of Greater Victoria
- Meet bi-weekly with the Director of Indigenous Education
- Ministry of Education and Child Care Meeting re Bill 40 Legislation – November 20 & 28, 2023

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 and Child Care
- Monthly meetings with VPVPA President and Vice President
- Meeting with Educational Psychologists – November 1, 2023
- Meeting with Mayor Desjardins re Township of Esquimalt – November 1, 2023
- TTOC Orientation – November 2, 2023
- Meeting with VPVPA Executive – November 9, 2023
- Leadership Cohort P/VP Meeting – November 23, 2023

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.

Gratitude: The Superintendent would like to thank the following:

- Facilities Department for their quick action in handling the sewage incident at Central Middle School

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) receive 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 Superintendent

Deb Whitten – Superintendent

To: Board of Education
From: Deb Whitten, Superintendent of Schools
Date: November 27, 2023
RE: **Bi-Annual Report: International Student Program**

Background

Further to the November 6, 2023, Education Policy and Directions Memo *International Student Program* and as per Policy 5128 International Student Enrollment, Section 3.9 this memo provides the bi-annual report on the International Student Program including the current student enrollment and any recommendations for future enrollment levels which are based on the availability of space in the 2024-2025 school year.

Information

For the 2023-2024 school year there are 850 students enrolled in secondary schools, 53 students enrolled in middle schools and 40 students enrolled at elementary schools for a total of 943 International students enrolled in the Greater Victoria School District. Based on the multi-year contractual agreements, of the current 943 International students enrolled in the District, 418 International students are anticipated to return and 306 new students are projected to join the District for the 2024-2025 school year.

As outlined in table 2, the projected and recommended number of International students for the 2024-2025 school year is 724. This projection is based on the availability of space and historical knowledge including school placements. The 2024-2025 projections represent a reduction of 219 students compared to current year actual enrollments, which is equivalent to a decrease of 12.876 Teacher FTE in secondary schools and 0.727 Teacher FTE in middle for a total reduction of 13.603 Teacher FTE.

Table 2: 2023-2024 Annualized enrollment and the projected enrollments for the 2024-2025 school year

	2023/24 Annualized Enrollment	2023/24 Annualized Teacher FTE		2024/2025 Projected Enrollment	2024/2025 Projected Teacher FTE	Increase (Decrease) Teacher FTE
Secondary School						
Esquimalt	95.000	5.624		70.000	4.020	(1.604)
Lambrick	125.000	7.400		135.000	7.753	0.353
Mt. Doug	220.000	13.024		119.000	6.834	(6.190)
Oak Bay	130.000	7.696		75.000	4.307	(3.389)
Reynolds	115.000	6.808		28.000	1.608	(5.20)
Spectrum	125.000	7.400		135.000	7.753	0.353
Vic High	40.000	2.368		90.000	5.169	2.801
Total Secondary	850.000	50.320		652.000	37.444	(12.876)
Middle School						
Arbutus	20.000	1.184		21.000	1.206	0.022
Cedar Hill	5.000	0.296		5.000	0.287	(0.009)
Central	3.000	0.178		2.000	0.115	(0.063)
Colquitz	1.000	0.059		1.000	0.057	(0.002)
Glanford	4.000	0.237		1.000	0.057	(0.180)
Gordon Head	7.000	0.415		8.000	0.460	0.045
Lansdowne	1.000	0.059		1.000	0.057	(0.002)
Monterey	10.000	0.592		2.000	0.115	(0.477)
Rockheights	1.000	0.059		1.000	0.057	(0.002)
Shoreline	1.000	0.059		-	-	(0.059)
Total Middle	53.000	3.138		42.000	2.411	(0.727)
Elementary School						
Total Elementary	40.000	N/A*		30.000	N/A*	N/A*
Grand Total	943.000	53.458		724.000	39.855	(13.603)

*Elementary schools receive supply budgets and do not receive Teacher FTE

Office of the Secretary-Treasurer

Katrina Stride – Secretary-Treasurer

TO: The Board of Education

FROM: Katrina Stride, Secretary-Treasurer

DATE: November 27, 2023

RE: **Monthly Report**

Purpose

The purpose of this report is to update the Board on some of the activities of the Secretary-Treasurer since October 30, 2023.

Activities

- Ministry announcement at Cedar Hill Middle School
- Meetings with municipalities
- Meetings with community partners
- Meetings with legal counsel
- Daily and weekly Senior Leadership Team meetings
- Weekly Chair Superintendent agenda setting meetings
- Weekly Superintendent meetings
- Weekly Budget meetings
- Bi-weekly Vic High construction project meetings with Facilities and School Principal
- Bi-weekly Facilities meetings
- Bi-weekly Facilities and Superintendent meetings
- Bi-weekly Information Technology for Learning meetings
- Bi-weekly Privacy Management meetings
- Monthly Standing Committee and Board meetings
- Monthly Administrators' meeting
- Monthly Child Care meeting
- Monthly Cedar Hill construction project meeting with Facilities and School Principal
- Monthly Representative Advisory Council of Students meeting
- Quarterly BCASBO Zone meeting
- Professional Development:
 - Alternate Program Audit Compliance Workshop

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

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

Katrina Stride – Secretary-Treasurer

TO: The Board of Education

FROM: Katrina Stride, Secretary-Treasurer

DATE: November 27, 2023

RE: **1211 Gladstone – Statutory Right-of-Way for BC Hydro and TELUS**

Background

A statutory right-of-way (SRW) is required for the land legally described as PID: 031-731-848, Lot A Sections 50 and 53 Spring Ridge Victoria City District Plan EPP88786, otherwise known as the Caledonia Redevelopment property beside Victoria High School. The SRW is in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS and related works.

Ministerial Orders, Policies and Regulations

Policy and Regulation 7110 Disposal of Real Property has been considered. The policy and regulation state that SRWs, also referred to as easements, are not subject to this policy and regulation.

Ministerial Order M193/08 Disposal of Land or Improvements Order does not apply to situations where there is a transfer of interest in a board property, such as SRWs and easements, which may be registered as a charge on title of the property. Ministerial approval is not required.

Process

The granting of an SRW or easement is a grant of an interest in land. The Board will need to pass and adopt a disposal (right-of-way) bylaw as the granting of the SRW is considered a disposal of land.

Carried Motions

The following motion was carried at the November 14, 2023 Special Open Board meeting:

That the Board of Education of School District No. 61 (Greater Victoria) approve granting a Statutory Right-of-Way to BC Hydro and TELUS in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS and related works on the Caledonia Redevelopment property beside Victoria High School legally described as PID: 031-731-848, Lot A, Sections 50 and 53 Spring Ridge, Victoria City, District Plan EPP88786.

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 did not unanimously agree to give all three readings of the Disposal (Right-of-Way) of Real Property Bylaw 24-01.

The Disposal (Right-of-Way) of Real Property Bylaw 24-01 was read a first and second time at the November 14, 2023 Special Open Board meeting:

That the Board of Education of School District No. 61 (Greater Victoria) Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) of Real Property Bylaw 24-01, being a bylaw to grant a Statutory Right-of-Way to BC Hydro and TELUS on the Caledonia Redevelopment property beside Victoria High School legally described as PID: 031-731-848, Lot A, Sections 50 and 53 Spring Ridge, Victoria City, District Plan EPP88786 in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS and related works:

Read a first time this 14th day of November, 2023;
Read a second time this 14th day of November, 2023.

Recommended Motion

It is recommended that the Disposal (Right-of-Way) of Real Property Bylaw 24-01 be read a third time, passed and adopted, and that the Secretary-Treasurer and the Board Chair be authorized to execute and seal this bylaw on behalf of the Board.

That the Board of Education of School District No. 61 (Greater Victoria) Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) of Real Property Bylaw 24-01, being a bylaw to grant a Statutory Right-of-Way to BC Hydro and TELUS on the Caledonia Redevelopment property beside Victoria High School legally described as PID: 031-731-848, Lot A, Sections 50 and 53 Spring Ridge, Victoria City, District Plan EPP88786 in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS and related works:

Read a first time the 14th day of November, 2023;
Read a second time the 14th day of November, 2023.
Read a third time, passed and adopted this 27th day of November, 2023;

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

Supporting Documents

Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) Bylaw 24-01
ST210004 Tripartite Blanket Standard Charge Terms
Form C Land Title Act Charge
Vic High Lot Lines

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

**CALEDONIA ELECTRICAL DISTRIBUTION AND TELECOMMUNICATION TRANSMISSION
DISPOSAL (RIGHT-OF-WAY) OF REAL PROPERTY BYLAW 24-01**

WHEREAS Section 65(5) of the *School Act*, R.S.B.C. 1996, c. 412, provides that a board of education may exercise a power with respect to the acquisition or disposal of property owned or administered by the board of education only by bylaw;

AND WHEREAS:

- (a) The Board of Education of School District No. 61 (Greater Victoria) (the “**Board**”) owns the property with a civic address of 1211 Gladstone Avenue, British Columbia and legally described as PID: 031-731-848, Lot A Sections 50 and 53 Spring Ridge Victoria City District Plan EPP88786 (the “**Property**”).
- (b) British Columbia Hydro and Power Authority (“**BC Hydro**”) and Telus Communications Inc. (“**Telus**”) have asked the Board to grant to BC Hydro and Telus a statutory right of way (the “**Right of Way**”) in respect of civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by Telus and related works (collectively, the “**Works**”).

NOW THEREFORE be it resolved as a Bylaw that the Board grant the Right of Way; and

BE IT FURTHER resolved as a Bylaw that the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver all documents required to complete the granting of the Right-of-Way on such terms and conditions as the Secretary-Treasurer may consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as “School District No. 61 (Greater Victoria) Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) of Real Property Bylaw 24-01”.

Read a first time the 14th day of November, 2023

Read a second time the 14th day of November, 2023

Read a third and final time, passed and adopted this 27th day of November, 2023

Chair

Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original “School District No. 61 (Greater Victoria) Caledonia Electrical Distribution and Telecommunication Transmission Disposal (Right-of-Way) of Real Property Bylaw 24-01” adopted by the Board this 27th day of November, 2023.

Secretary-Treasurer

ST210004

STANDARD CHARGE TERMS

Filed By: British Columbia Hydro and Power Authority and TELUS Communications Inc.

BACKGROUND:

- A. Each of BC Hydro and TELUS wish to obtain from the Owner a statutory right of way for certain rights on, under, over and across the Land.
- B. The Owner has agreed to grant to each of BC Hydro and TELUS a statutory right of way in respect of the Land.
- C. A statutory right of way is necessary for the operation and maintenance of the undertakings of each of BC Hydro and TELUS.

AGREEMENTS:

In consideration of the mutual covenants and agreements contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which each party acknowledges, the parties agree as follows:

INTERPRETATION

1.1 In this Agreement:

“Agreement” means the General Instrument Part 1 and these Standard Charge Terms;

“Area of the Works” means that portion of the Land located within 6 metres of either side of the centre of the alignment of the Works;

“BC Hydro” means British Columbia Hydro and Power Authority and all Persons authorized by BC Hydro for the purposes of this Agreement;

“Contaminants” means substances, wastes or other materials present in the soil, sediment, water or groundwater of the Land, which are prohibited, controlled or regulated under applicable environmental laws, and which are present in quantities or concentrations exceeding the risk based or numerical criteria, standards or conditions prescribed under any applicable environmental law, regulation or order of any authority having jurisdiction;

“Crops” means cultivated plants intended for sale or personal use, and ornamental trees and shrubs;

“General Instrument Part 1” means Part 1 of the General Instrument, as amended or replaced from time to time, pursuant to the *Land Title Act* of British Columbia;

“Land” means the land described in Item 2 of the General Instrument Part 1;

“Merchantable Timber” means trees that have attained sufficient size, quality and volume to make them suitable for harvesting and which are deemed to be commercially valuable at the time of cutting in the particular circumstances;

“Owner” means the Person named as the registered owner in fee simple on the indefeasible title to the Land;

“Person” means any association, society, corporation, individual, joint stock company, joint venture, partnership, trust, unincorporated organization, or any federal, provincial, regional, municipal, or other government or authorized agency, department or ministry thereof;

“TELUS” means TELUS Communications Inc. and all Persons authorized by TELUS for the purposes of this Agreement;

“Underground Civil Works” means civil infrastructure associated with the underground distribution of electricity by BC Hydro and telecommunications and data transmission by TELUS, including all vaults and lids (including manholes, chambers and boxes), cabinets, transformer pads, ducts, conduits and any associated protective installations; and

“Works” means:

- (a) poles, guy wires, anchors, push braces and other pole support structures, crossarms, attachments and pole-mounted equipment, above-ground, pad-mounted or underground transformers, overhead or underground wires and cables (including associated connectors), switchgear, controlgear, kiosks, the Underground Civil Works, all related fittings and components, including any associated protective installations, in any combination and using any type of technology or means, necessary or convenient for the purposes of transmitting and distributing electricity and for the purpose of communications, all as relating to the rights and responsibilities of BC Hydro in connection with BC Hydro’s electrical distribution system; and
- (b) poles, guy wires, anchors, push braces and other pole support structures, crossarms, attachments and pole-mounted equipment, above-ground, pad-mounted or underground transformers, fibre optic cables, overhead or underground wires and cables (including associated connectors), switchgear, controlgear, kiosks, the Underground Civil Works, all related fittings and components, including any associated protective installations, in any combination and using any type of technology or means, necessary or convenient for the purpose of telecommunications and data transmission, all as relating to the rights and responsibilities of TELUS in connection with TELUS’s telecommunication and data transmission system.

- 1.2 This Agreement will be governed by, construed and enforced in accordance with the applicable laws in force in British Columbia and Canada.

- 1.3 Words in one gender include all genders, and words in the singular include the plural and *vice versa*. Statutory references include a reference to any amendments (including replacement legislation).
- 1.4 The word “including” when following any general statement, term, or matter is not to be construed to limit such general statement, term, or matter to the specific items set forth immediately following such word or to similar items but rather such general statement, term, or matter is to be construed to refer to all other items that could reasonably fall within the broadest possible scope of such general statement, term or matter.

GRANT OF STATUTORY RIGHT OF WAY

- 2.1 The Owner grants separately to each of BC Hydro and TELUS, forever, the right and statutory right of way to:
- (a) excavate for, construct, install, replace, upgrade, operate, maintain, remove and repair the Works on, under, through, over and across the Land;
 - (b) clear the Area of the Works, and to keep it cleared (including pruning and removal) of any trees or growth;
 - (c) clear the Area of the Works and to keep it cleared of all or any part of any obstruction, structure, building, improvement or other matter which, in the reasonable opinion of BC Hydro or TELUS, might:
 - (i) interfere with the exercise of its rights; or
 - (ii) create or increase any danger or hazard to the Works or to Persons or property in relation to the Works;
 - (d) enter, work, pass and repass through, on and along the Area of the Works;
 - (e) have reasonable unobstructed access through, on and over the Land to and from the Area of the Works for all purposes relating to this Agreement;
 - (f) install lines for service connections, as required for transmitting and distributing electricity, and for telecommunication and data transmission purposes, on, under, through, over and across the Land outside the Area of the Works to buildings and structures on the Land or on immediately adjacent lands or public road;
 - (g) prune and remove trees or growth on the Land that, in the reasonable opinion of BC Hydro or TELUS, might create or increase any danger or hazard to the Works or to Persons or property in relation to the Works;
 - (h) have exclusive use and occupation of the Underground Civil Works on the Land used or installed for use by BC Hydro or TELUS, respectively, whether the property of the Owner, BC Hydro or TELUS;
 - (i) conduct investigative studies and related work within the Area of the Works to ensure compliance with applicable legislative and regulatory requirements in relation to the purposes permitted in this Agreement; and

- (j) do all things necessary or incidental to the undertakings of BC Hydro or TELUS in connection with the above.

COVENANTS OF BC HYDRO AND TELUS

3.1 BC Hydro covenants with the Owner, to the extent that BC Hydro in the exercise of its rights under this Agreement:

- (a) damages the Land outside of the Area of the Works; or
- (b) damages, cuts or removes:
 - (i) any Crops, Merchantable Timber, structures, buildings or improvements, which are owned by the Owner and located outside of the Area of the Works; or
 - (ii) any of the Underground Civil Works, or structures, improvements or Crops within the Area of the Works for which the Owner has received prior written permission from BC Hydro for the placement of such structures, improvements or Crops within the Area of the Works,

and provided such damage, cutting or removal is not caused as a result of the Owner's breach of this Agreement or the act or omission of the Owner, TELUS or their respective contractors or those Persons for whom the Owner or TELUS are responsible at law, then within a reasonable period of time, BC Hydro will either compensate the Owner for such damage, cutting or removal, or repair such portion of the Land, Underground Civil Works, structures, buildings or improvements as closely as is practicable to their condition immediately prior to the damage.

3.2 TELUS covenants with the Owner, to the extent that TELUS in the exercise of its rights under this Agreement:

- (a) damages the Land outside of the Area of the Works; or
- (b) damages, cuts or removes:
 - (i) any Crops, Merchantable Timber, structures, buildings or improvements, which are owned by the Owner and located outside of the Area of the Works; or
 - (ii) any of the Underground Civil Works, or structures, improvements or Crops within the Area of the Works for which the Owner has received prior written permission from TELUS for the placement of such structures, improvements or Crops within the Area of the Works,

and provided such damage, cutting or removal is not caused as a result of the Owner's breach of this Agreement or the act or omission of the Owner, BC Hydro or their respective contractors or those Persons for whom the Owner or BC Hydro are responsible at law, then within a reasonable period of time, TELUS will either compensate the Owner for such damage, cutting or removal, or repair such portion of the Land, Underground Civil Works, structures, buildings or improvements as closely as is practicable to their condition immediately prior to the damage.

- 3.3 With respect to the exercise of BC Hydro's and TELUS's respective rights under this Agreement, BC Hydro and TELUS each covenant separately with the Owner to:
- (a) take reasonable steps not to interfere unduly with the drainage of the Land;
 - (b) comply with all applicable laws, including with respect to any Contaminants; and
 - (c) indemnify the Owner against all liability incurred by the Owner out of any claim made by any Person for injury or harm to any Person or property to the extent caused by the negligence or willful misconduct of BC Hydro or TELUS on the following conditions:
 - (i) the Owner will promptly provide written notice of the claim to BC Hydro or TELUS, as applicable;
 - (ii) BC Hydro and TELUS will not indemnify the Owner in respect of any claim for injury or harm to Persons or property to the extent caused by the Owner's breach of this Agreement or by the negligence or willful misconduct of the Owner, its contractors or those Persons for whom the Owner is responsible at law; and
 - (iii) BC Hydro and TELUS will not indemnify the Owner in respect of claims arising out of, or in connection with, the negligence or willful misconduct of the other.

COVENANTS AND AUTHORIZATIONS OF OWNER

- 4.1 The Owner covenants with each of BC Hydro and TELUS that, unless BC Hydro and TELUS both give their prior written permission (which permission may be given subject to terms and conditions), the Owner will not do or knowingly permit to be done any act or thing which, in the reasonable opinion of BC Hydro or TELUS, might:
- (a) interfere with the exercise of any rights granted to BC Hydro or TELUS;
 - (b) impair the operating efficiency of any part of the Works;
 - (c) obstruct the access of BC Hydro or TELUS to any part of the Works;
 - (d) create or increase any danger to the Works or to Persons or property in relation to the Works; or
 - (e) impair the vertical or lateral support of the Area of the Works.
- 4.2 Without limiting the generality of section 4.1 the Owner covenants with each of BC Hydro and TELUS that, unless both BC Hydro and TELUS give their prior written permission (which permission may be given subject to terms and conditions), the Owner will not:
- (a) diminish or increase the ground elevation in the Area of the Works by any method including, piling any material or creating any excavation, drain or ditch in the Area of the Works;

- (b) carry out blasting, pile driving or logging operations on or near any portion of the Area of the Works; or
- (c) make, place, erect, operate, use, maintain or permit any obstruction, structure, building or improvement on, under, through or over the Area of the Works.

MUTUAL COVENANTS

5.1 The Owner, BC Hydro and TELUS mutually covenant and agree among them that:

- (a) if either BC Hydro or TELUS elect to pay compensation pursuant to sections 3.1 or 3.2, respectively, and the Owner and whichever of BC Hydro or TELUS that made the election cannot agree on the amount of compensation to be paid, then the matter in dispute will be settled by arbitration by a single arbitrator under the *Arbitration Act* of British Columbia;
- (b) unless otherwise agreed by the parties, any Merchantable Timber on the Land which is owned by the Owner and cut by BC Hydro or TELUS in the exercise of its rights under this Agreement will remain the property of the Owner;
- (c) nothing in this Agreement will in any way abrogate from or affect any rights, powers (including any powers of expropriation), exemptions or privileges, which BC Hydro or TELUS may have under any private or public statute, law, by-law, order, regulation or tariff, or any agreement it has with the Owner, or any charge registered against title to the Land;
- (d) failure to enforce any covenant or restriction contained in this Agreement for a breach or violation of any covenant or right contained in this Agreement will not in any way constitute a waiver, in whole or in part, of any of the injured party's rights or remedies;
- (e) any waiver of an obligation under this Agreement must be in writing and only relates to the identified violation or breach without extending to any further or subsequent violation or breach, notwithstanding any rule of law or equity;
- (f) the Works installed will remain the property of BC Hydro and TELUS except to the extent specified in this Agreement;
- (g) if the Works are no longer required by BC Hydro, BC Hydro will, at its cost, remove its portion of the Works from the Land with the exception of the Underground Civil Works and the Works owned by TELUS. The Underground Civil Works (to the extent that they are not already owned by the Owner or TELUS) will then become the property of the Owner. If all of BC Hydro's Works have either been removed from the Land or become the property of TELUS or the Owner pursuant to this section, upon the written request of the Owner, BC Hydro will discharge this Agreement from the title to the Land; and
- (h) if the Works are no longer required by TELUS, TELUS will, at its cost, remove its portion of the Works from the Land with the exception of the Underground Civil Works and the Works owned by BC Hydro. The Underground Civil Works (to the extent that they are not already owned by the Owner or BC Hydro) will

then become the property of the Owner. If all of TELUS's Works have either been removed from the Land or become the property of BC Hydro or the Owner pursuant to this section, upon the written request of the Owner, TELUS will discharge this Agreement from the title to the Land.

GENERAL

- 6.1 The terms "Owner", "BC Hydro" and "TELUS" include their respective heirs, executors, administrators, successors and assigns.
- 6.2 If the Owner is more than one Person, every covenant and agreement by the Owner in this Agreement will be joint and several.
- 6.3 This Agreement will run with the Land and will run with each part into which the Land may at any time be subdivided and each parcel into which it may at any time be consolidated, and will bind all present and subsequent owners of the Land, including their respective heirs, executors, administrators, successors, and assigns.
- 6.4 If any provision of this Agreement or a portion thereof is determined by a court or arbitrator of competent jurisdiction to be:
- (a) illegal or unenforceable, that provision or portion thereof will be considered separate and severable, and the legality or enforceability of the remaining provisions will not be affected by that determination; or
 - (b) enforceable but beyond the scope of section 218 of the *Land Title Act* of British Columbia or is enforceable but does not run with the Land, that provision or portion thereof will be considered separate and severable, and the legality or enforceability of the remaining provisions will not be affected by that determination. The parties further agree that the severed provision or portion thereof will, to the extent possible under law, be enforceable as between them as a separate and stand-alone covenant, with such reference to this Agreement as may be necessary for proper interpretation and certainty, and will not fail for lack of separate consideration.
- 6.5 As this Agreement relates to the rights and responsibilities of TELUS, the provisions herein are subject to the provisions (including regulations) of the *Telecommunications Act* S.C. 1993, c.38 and the *Canadian Radio-Television and Telecommunications Act* R.S.C. 1985, c.C-22 and their successive legislation as well as any rulings, regulations, tariffs or other directives of the Canadian Radio-Television and Telecommunications Commission.

END OF SET



1. Application

**Jairah Miguel; Agent for:
British Columbia Hydro and Power Authority
12th Floor, 333 Dunsmuir Street
Vancouver BC V6B 5R3
(604) 623 4208**

31 October 2023
File No. 500-1602.0(X4850)
WT: 1228300
TRI BUE w/ dwg 6m

2. Description of Land

PID/Plan Number	Legal Description
031-731-848	LOT A SECTIONS 50 AND 53 SPRING RIDGE VICTORIA CITY DISTRICT PLAN EPP88786

3. Nature of Interest

Type	Number	Additional Information
STATUTORY RIGHT OF WAY		Transferee (BC Hydro)
STATUTORY RIGHT OF WAY		Transferee (TELUS)

4. Terms

Part 2 of this instrument consists of:

(a) Filed Standard Charge Terms D F Number: **ST210004**

Includes any additional or modified terms.

5. Transferor(s)

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

6. Transferee(s)

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
333 DUNSMUIR STREET
VANCOUVER BC V6B 5R3

TELUS COMMUNICATIONS INC.
#1 - 15079 - 64TH AVENUE
SURREY BC V3S 1X9

BC1101218

7. Additional or Modified Terms

SEE SCHEDULE



8. Execution(s)

This instrument creates, assigns, modifies, enlarges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

YYYY-MM-DD

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

By their Authorized Signatory

Print Name:

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

7. ADDITIONAL OR MODIFIED TERMS:

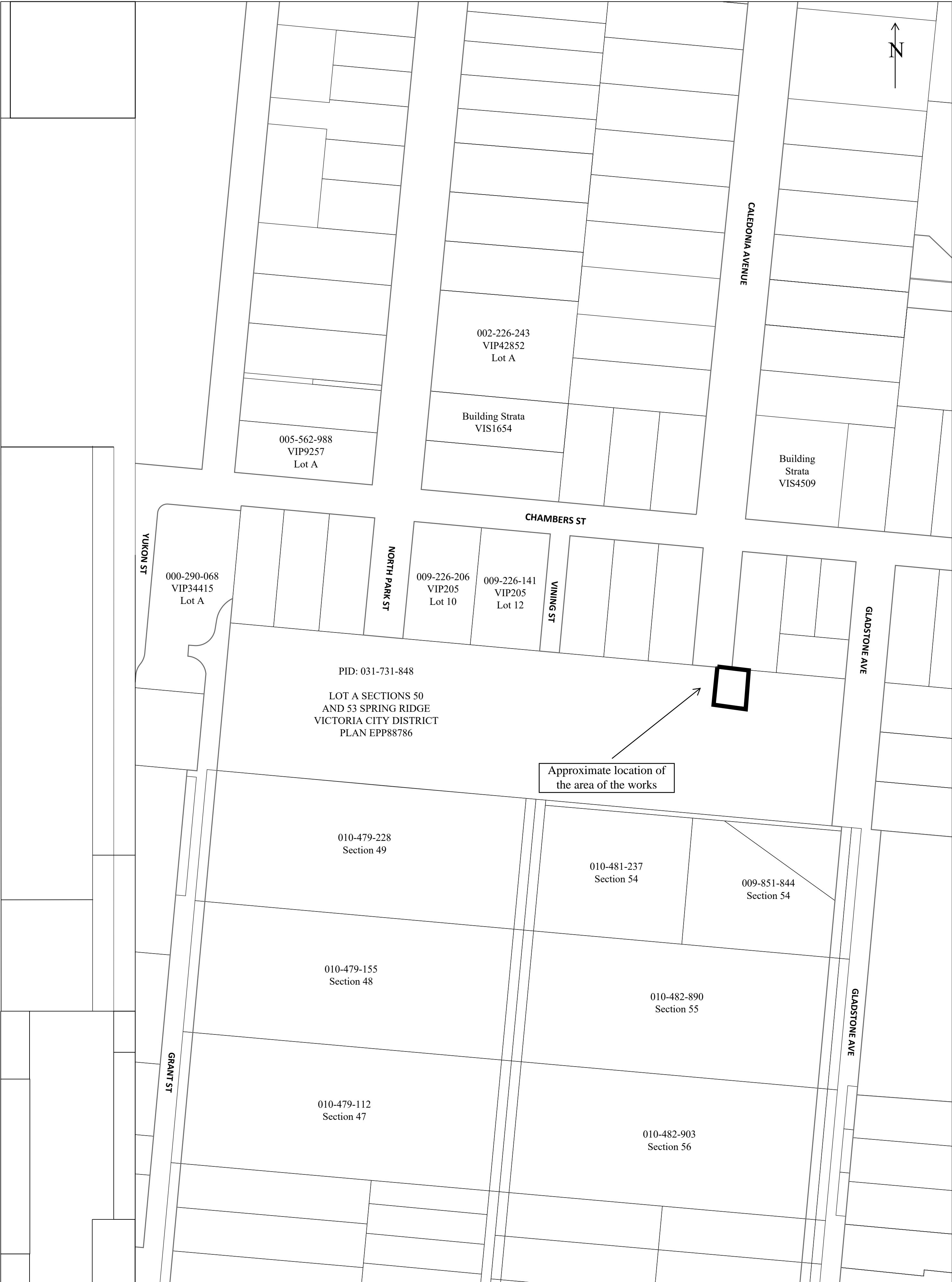
7.1 The Standard Charge Terms ST210004 are amended by deleting the definition of “Works” in section 1.1 in its entirety and inserting the following therefor:

“1.1 **“Works”** means:

- (a) above ground, pad-mounted or underground transformers (including associated pads), underground wires and cables (including associated connectors), switchgear, controlgear, kiosks, the Underground Civil Works, all related fittings and components, including any associated protective installations, in any combination and using any type of technology or means, necessary or convenient for the purposes of transmitting and distributing electricity and for the purpose of communications, all as relating to the rights and responsibilities of BC Hydro in connection with BC Hydro’s distribution system; and
- (b) above ground, pad-mounted or underground transformers (including associated pads), fibre optic cables, underground wires and cables (including associated connectors), switchgear, controlgear, kiosks, the Underground Civil Works, all related fittings and components, including any associated protective installations, in any combination and using any type of technology or means, necessary or convenient for the purposes of telecommunications and data transmission, all as relating to the rights and responsibilities of TELUS in connection with TELUS’s telecommunication and data transmission system.”

7.2 The Standard Charge Terms ST210004 are amended by adding the following section:

“3.4 Each of BC Hydro and TELUS covenant with the Owner that notwithstanding section 2.1(a) of this Agreement that neither BC Hydro nor TELUS will place Works, except for service connections pursuant to section 2.1(f), anywhere upon or within the Land other than within that portion of the Land as shown approximately in heavy black outline on Drawing No. 1228300 (a copy of which is attached hereto), unless permission has been provided by the Owner.”



CONSENT

TO: British Columbia Hydro and Power Authority (“**BC Hydro**”)

AND TO: TELUS Communications Inc. (“**TELUS**”)

AND TO: The Board of Education of School District No. 61 (Greater Victoria) (the “**Owner**”)

RECITALS:

- A. Capital Region Housing Corporation (the “**Chargeholder**”) holds a Lease registered against the title to the Land (as defined in the statutory rights of way agreements (collectively, the “**SRW Agreement**”), to which this Consent is attached) in the Land Title Office under number CB21216 (the “**Charge**”); and
- B. BC Hydro and TELUS have requested, and the Owner has agreed to grant to BC Hydro and TELUS the SRW Agreement, and BC Hydro, TELUS and the Owner have requested the consent of the Chargeholder, as holder of the Charge, for such granting of the SRW Agreement.

CONSENT:

Now therefore, for value received, the Chargeholder, as holder of the Charge, hereby provides and confirms its consent to:

- (a) the granting of the SRW Agreement by the Owner to BC Hydro and TELUS and the registration of the SRW Agreement in the Land Title Office against title to the Land; and
- (b) the respective works of BC Hydro and TELUS on the Land in accordance with the terms and conditions of the SRW Agreement.

CAPITAL REGION HOUSING CORPORATION

Per:

Print Name:

END OF DOCUMENT



Office of the Secretary-Treasurer

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

Katrina Stride – Secretary-Treasurer

TO: The Board of Education

FROM: Katrina Stride, Secretary-Treasurer

DATE: November 27, 2023

RE: **Section 72 Reports**

Background

Section 72(3) of the School Act states that, *“A Board must prepare a record containing a general statement as to the nature of the matters discussed and the general nature of the decisions reached at a meeting from which persons other than trustees or officers of the board, or both, were excluded, and the record must be open for inspection at all reasonable times by any person, who may make copies and extracts on payment of a fee set by the board.”*

The District has opted to include a Section 72 Report pertaining to each in-camera meeting in the Regular Board meeting agenda package once the in-camera meeting minutes have been approved by the Board.

In-Camera Meetings

Since the inaugural meeting of the current Board on November 9, 2022, there have been a total of 40 in-camera meetings, 11 of which were regular in-camera meetings and 29 of which were special in-camera meetings.

Month	Regular	Special
November 2022	1	1
December 2022	1	1
January 2023	1	1
February 2023	1	4
March 2023	1	7
April 2023	1	3
May 2023	1	0
June 2023	1	2
July 2023	0	5
August 2023	0	1
September 2023	1	1
October 2023	1	2
November 2023	1	1
Total	11	29

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.

Corrections to Section 72 Reports

At the April 23, 2023 Regular Board meeting, the Board amended four Section 72 Reports due to an error in the description of the matters discussed. To follow is the motion carried:

G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

Moved by Trustee Kwan

Seconded by Trustee Gagnon

That the Board of Education of School District No. 61 (Greater Victoria) amend the following Section 72 Reports:

G.2. Record of In-Camera Board of Education Meeting – March 13, 2023 Replace the item *Strategic plan* with the item *Budget*

G.7 Record of Special In-Camera Board of Education Meeting – April 4, 2023 Replace the item *Strategic plan* with the item *Budget*

G.8. Record of Special In-Camera Board of Education Meeting – April 5, 2023 Replace the item *Strategic plan* with the item *Budget*

G.9 Record of Special In-Camera Board of Education Meeting – April 17, 2023 Replace the item *Strategic plan* with the item *Property*

Motion Carried Unanimously

Recommendation

For information

SECTION 72 REPORT

The Board of Education discussed the following matter:

- Facilities
- Administration