



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

Regular MINUTES

Via Zoom

Monday, November 27, 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, Diane McNally

Trustee Regrets: Angela Carmichael

Administration: Deb Whitten, Superintendent of Schools, Katrina Stride, Secretary-Treasurer, Harold Caldwell, Deputy Superintendent, Tom Aerts, Associate Superintendent, Julie Lutner, Associate Secretary-Treasurer, Andy Canty, Director of Information Technology for Learning, Jeff Davis, Director of International Education, Sean Powell, District Principal of FRIM, FSL, Middle Schools and Registration, Marni Vistisen-Harwood, Director of Facilities Services, Brenna O'Connor, VPVA

Partners: Ilda Turcotte, GVTA

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 David

Seconded by Trustee Mahbobi

That the November 27, 2023 agenda be approved.

Amendment

Moved by Trustee Kwan

Seconded by Trustee McNally

Add B.2.

B.2. November 23, 2023, Friends of Bowker Creek to SD61, Withdrawal of Victoria Hospice's Offer to Purchase Lansdowne South Property

Motion Carried Unanimously

Trustees voted on the main motion as amended.

That the November 27, 2023 agenda be approved, as amended.

Motion Carried Unanimously

Chair Duncan passed the gavel to Secretary-Treasurer Stride.

A.3. Trustee Elections

a. Election of Chair

Secretary-Treasurer Stride called for nominations for the position of Chair of the Board of Education for a one-year term ending November 2024.

Nominations were received for Trustees Duncan and Gagnon.

Trustee Duncan accepted the nomination and Trustee Gagnon declined.

Secretary-Treasurer Stride declared Trustee Duncan the Chair of the Board of Education by acclamation.

Secretary-Treasurer Stride passed the gavel to Chair Duncan.

b. Election of Vice-Chair

Chair Duncan called for nominations for the position of Vice-Chair of the Board of Education for a one-year term ending November 2024.

A nomination was received for Trustee Kwan. Trustee Kwan accepted the nomination.

Chair Duncan declared Trustee Kwan the Vice-Chair of the Board of Education by acclamation.

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

Chair Duncan called for nominations for the position of British Columbia School Employers' Association (BCPSEA) Representative for a one-year term ending November 2024.

Nominations were received for Trustees Baillaut, Gagnon, Kwan and Mahbobi. Trustees Baillaut, Gagnon, and Mahbobi declined the nomination and Trustee Kwan accepted.

Chair Duncan declared Trustee Kwan the representative to BCPSEA by acclamation.

d. Election of British Columbia Trustees' Association Provincial Councilor

Chair Duncan called for nominations for the position of British Columbia School Trustees' Association (BCSTA) representative for a one-year term ending November 2024.

Nominations were received for Trustees David, Duncan, Gagnon and Mahbobi. Trustees David, Gagnon, Mahbobi declined the nomination and Trustee Duncan accepted.

Chair Duncan declared Trustee Duncan the representative to BCSTA by acclamation.

e. Motion to Destroy Election Ballots/Text Messages

Moved by Trustee Gagnon

Seconded by Trustee David

That the election ballots/text messages be destroyed.

Motion Carried Unanimously

A.4. Approval of the Minutes

Approval of the October 30, 2023 Regular Board Minutes

Moved by Trustee McNally

Seconded by Trustee Kwan

That the October 30, 2023 Regular Board minutes be approved.

Amendment

Moved by Trustee Kwan

Seconded by Trustee McNally

Add the answer to the question asked at F. Question Period, and refer the October 30, 2023 minutes to the December 11, 2023 Board of Education meeting for approval.

Motion Carried Unanimously

Trustee McNally left the meeting at 7:52 p.m.

A.5. Business Arising from the Minutes

None.

A.6. Student Achievement

None.

A.7. District Presentations

None.

A.8. Community Presentations

None.

B. CORRESPONDENCE

B.1. November 22, 2023, GVTA to SD61 Trustees, In Person Meetings

Chair Duncan and Trustee Kwan provided a response to the letter.

B.2. November 23, 2023, Friends of Bowker Creek to SD61, Withdrawal of Victoria Hospice's Offer to Purchase Lansdowne South Property

Moved by Trustee Paynter

Seconded by Trustee Kwan

That the Board of Education of School District No. 61 (Greater Victoria) direct the Board Chair to reach out to the Friends of Bowker Creek to set up a mutual time to meet to discuss the letter.

Motion Carried Unanimously

C. TRUSTEE REPORTS

C.1. Chair's Report

a. Chair's Report

Chair Duncan provided the report for information.

Moved by Trustee Duncan

Seconded by Trustee Kwan

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.

Motion Carried Unanimously

b. December District Annual Work Plan

The District Annual Work Plan for December was provided for information.

c. 2024-2025 Budget Process and Information

Chair Duncan presented the 2024-2025 Budget Process for information.

Trustees, partners, and staff discussed the 2024-2025 Budget Process and information.

Moved by Trustee Kwan

Seconded by Trustee Baillaut

That the Board of Education of School District No. 61 (Greater Victoria) approve the 2024-2025 Budget Process and schedule.

Motion Carried Unanimously

C.2. Trustees' Reports

None.

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.

None of the recommended motions from the November 6, 2023 meeting were moved. Trustees had questions of clarification.

Moved by Trustee Kwan

Seconded by Trustee Baillaut

That the Board of Education of School District No. 61 (Greater Victoria) direct the Board Chair and a Trustee of her choice to work with the Superintendent to further develop Draft Regulation 5128 International Student Enrollment and bring it back to the December 11, 2023 Board of Education meeting.

Motion Carried

For (5): Trustees Baillaut, David, Duncan, Kwan, Mahbobi

Against (2): Trustees Gagnon, Paynter

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:

1. Privacy Management Program – Administrative Regulations

Moved by Trustee Kwan

Seconded by Trustee Gagnon

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.

Motion Carried Unanimously

2. Draft Policy 1450 Scent Sensitive Workplace

Moved by Trustee Kwan

Seconded by Trustee Gagnon

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

Motion Carried Unanimously

E. DISTRICT LEADERSHIP TEAM REPORTS

E.1. Superintendent's Report

a. Monthly Report

Superintendent Whitten provided the report for information.

Trustees 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. International Student Program Bi-Annual Report

Superintendent Whitten provided the report for information.

Trustees had questions of clarification.

c. Trustee Questions

None.

E.2. Secretary-Treasurer's Report

a. Monthly Report

Secretary-Treasurer Stride provided the report for information.

Moved by Trustee Baillaut

Seconded by Trustee Gagnon

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

Motion Carried Unanimously

b. 1211 Gladstone – Statutory Right-of-Way for BC Hydro and TELUS

Moved by Trustee Gagnon

Seconded by Trustee Mahbobi

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.

Motion Carried

For (5): Trustees Baillaut, David, Duncan, Gagnon, Mahbobi, Paynter

Against (1): Trustee Kwan

c. Section 72 Report

Secretary-Treasurer Stride provided the memo for information.

F. QUESTION PERIOD

Q: The record shows that your Board has met in-camera 32 times since your inaugural meeting mid November. Under Section 72 of the BC School Act (3) "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."

It appears that the Board makes no minute available to the public that shows who was in attendance and what decisions were made.

Did the SD61 Board meet 32 times and not pass any motions? Which trustees and staff members were present? How does the board justify excluding the public from discussions about the strategic plan?

A: Chair Duncan stated that the Board of Education holds Board meetings as needed in order to carefully consider the Board's business. The Board does not hesitate to call additional meetings as needed in order to ensure that we have enough time to do our due diligence with respect to our business. Staff provided a Section 72 memo available under E.2. of the November agenda.

Q: In the October 30, 2023 board meeting, Superintendent Whitten stated:

"...in the case of Marigold parking there were no concerns from any of the initial community consultations nor from the principal, vice principal, architects or engineers"

In a subsequent FOI response dated November 22, 2023, Ms. Vistisen-Harwood offers:

"Facilities also works with the Principals, Vice-Principals and community members regarding any facilities' related matters at the schools, for example:

- A community member from Marigold Elementary suggested a walk way around the new parking spaces which was completed as part of the project.

- A fence was suggested, which was installed along with a chip trail for students to access the site."

Could the district kindly clarify their position as to whether parking safety concerns were communicated to the district by any member of the school community during the community consultation process.

A: Director of Facilities Services Vistisen-Harwood stated that there were no concerns shared during the initial consultations. Concerns were raised after the initial consultations, but the Director Vistisen-Harwood requested an opportunity to check the timeline to be sure.

G. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS

- G.1. Record of In-Camera Board of Education Meeting – October 30, 2023**
G.2. Special In Camera Board of Education Meeting - July 6th, 2023

Approved Motion and Voting Results

That the Board of Education of School District No. 61 (Greater Victoria) approve the proposed Five-Year Capital Plan (School Food Infrastructure Program) for 2023-2024, as provided on the Five-Year Capital Plan Summary for 2023-2024.

Motion Carried Unanimously

- G.3. Special In Camera Board of Education Meeting - November 7th, 2023**

Approved Statement

The agreement for purchase and sale with Vic Hospice for 1.28 acres on Richmond Road was mutually terminated.

H. NEW BUSINESS/NOTICE OF MOTIONS

H.1. New Business

None.

H.2. Notice of Motions

None.

I. ADJOURNMENT

The meeting adjourned at 9:20 p.m.

Moved by Trustee Gagnon

Seconded by Trustee Kwan

That the meeting be adjourned.

Motion Carried Unanimously

Chair

Secretary-Treasurer