

MEMORANDUM TO BOARD MEMBERS

Re. Email Poll Resolution of January 5, 2025

Background

1. Prior to 2018, a School Police Liaison Officer (“SPLO”) program existed in the Greater Victoria School District with all four of the police agencies responsible for policing the areas in which the District’s schools are located. In 2018, the Victoria Police Department, by far the largest of the four police agencies, removed funding for the SPLO program and cancelled its participation in it. The other three police agencies continued to deploy Police Liaison Officers on an ad hoc basis, albeit with no consistency as between schools and with attendance largely at the discretion of the individual officers. In 2020, the Board of Education passed a motion to establish an Ad Hoc School Police Liaison Officer Program Review Committee. Police Services, Educational Partners, Indigenous Rightsholders and other interested parties were invited to participate in that review.
2. The review committee did not reach a consensus, but identified a number of serious concerns with the SPLO program including that there were no terms of reference, it was not subject to any agreement between the Board and Police Services, the Board had no oversight or input into the delivery of the program, or the goals and activities of the Police Liaison Officers, no data detailing the frequency or nature of visits by police or their interactions with students was provided or kept, and there was no reporting or complaints mechanisms. Further, there was no consistency in terms of how the program was delivered from school to school. This lack of clarity and oversight was inconsistent with the Board’s vision for programming by and with community partners in the District.
3. Following the multi-year, in-depth review process, the Board resolved in May 2023 to end the SPLO program with the other three police agencies.
4. Nevertheless, Police Services have maintained a presence in schools and remain valued partners in proactively managing safety risks, crime prevention, and crisis response. In addition to their important role as emergency responders, police continue to provide a range of services within the District, including violent threat risk assessments, hold and secure / lockdown drills, and other appropriate supports. Training and presentations on areas within the scope of Police Services’ expertise are welcome, as are police officers volunteering in schools and attending events.
5. Simply put: the District **does** have police in schools – albeit not pursuant to a formal SPLO program.

6. In or around summer 2024, the Minister of Education began raising concerns with the Board about an alleged increase in gang activity in schools. No empirical data was cited or provided to support that assessment. The Board shared with the Ministry the many protocols and policies in place to address safety issues. The Minister suggested a “lack of coordination” between the Board and Police, a suggestion which the Board did not recognize. The thrust of the Minister’s comments suggested that the genesis of the concerns was the ending of the SPLO program, and the Board is not aware of any change in the approach or policy of the District that could have instigated these concerns, other than the ending of the SPLO program.
7. On September 17, 2024, the Minister of Education issued Ministerial Order No. M339/24 directing the Board, “in collaboration” with the Victoria Police Department, the Saanich Police Department, the Oak Bay Police Department, and the West Shore RCMP, to produce a Safety Plan. Aspects of the Order appeared to remove elements of the Board’s statutory jurisdiction and assign it to the Police.
8. The Board does not concede either that a standalone Safety Plan was necessary in the District or justified on the basis of any empirical evidence, or that the Minister of Education has the jurisdiction to proceed in the manner that she has done.
9. Nevertheless, on November 15, 2024, the Board submitted a Safety Plan to the Minister of Education in response to Ministerial Order M339/24 (the “**November Safety Plan**”).
10. The Board understands that the Minister retained Safer Schools Together (“**SST**”) to review the November Safety Plan.
11. SST, in its letter of November 26, 2024¹, identified a number of areas in which SST believed the November Safety Plan fell short or otherwise failed to satisfy the requirements of Ministerial Order M339/24. SST’s letter stated that “for this review, SST assembled a panel of professionals with significant combined expertise and experience collaborating with multidisciplinary teams which includes police and community agencies”, although it did not identify who those panel members were.
12. Broadly, the concerns raised by SST were that the November Safety Plan was insufficiently detailed in a number of respects. By way of examples only:
 - a. In the “opening comments” section, it stated, “While the plan attempts to address the criteria presented in the Administrative Directive [M339], it currently does not meet expectations. It lacks specificity and detail in what would be required for a proactive and coordinated safety plan. More work

¹ Erroneously dated November 26, 2025.

is needed to ensure a plan that proactively addresses current and emerging safety concerns.”

- b. “The plan does not clearly state how the Board plans to build capacity among educators.” (p.3)
 - c. “Crisis response measures cited included lockdown drills, hold and secure procedures and support for students with mental health needs. The plan does not clearly state if more comprehensive procedures exist beyond the scope of the summary included in this plan.” (p.4)
 - d. The statement “*the district takes a proactive approach to safety by developing, training and preparing collaborative multi-disciplinary teams with expertise in culturally responsive, trauma-informed practices to support all students*” is presented in many different iterations throughout the report. It does not outline the membership of these teams to ensure safe, caring, inclusive schools. The identification of specific and universal strategies was not clearly identified. (p.4)
 - e. “The safety plan seeks to ensure that police officers are trained and will interact with school communities through a trauma-informed DEI lens, however, it does not describe how this will occur.” (p.5)
 - f. The detailed communication protocol included in the November Safety Plan was criticized for having allegedly been created “in isolation without police involvement.” (p. 5)
 - g. “The roles and responsibilities of the Board and the Police for *implementing preventative approaches and responses to safety concerns related to students and the school community* were not clearly articulated and did not provide any detail regarding how they would collaboratively support the work of prevention.” (p. 5)
 - h. “The plan lacks a clearly stated process for amending the safety plan.” (p.5)
13. In addition, SST criticized what it felt was a lack of consultation with identified educational partners, including CUPE382, CUPE947, Greater Victoria Teachers Association (GVTA), the Victoria Confederation of Parent Advisory Councils (VCPAC), and the Victoria Principals & Vice Principals Association (VPVPA).
14. The Minister did not advise whether she agreed with or adopted SST’s views, but simply provided the SST’s report to the Board on a purportedly confidential basis (although there was nothing in the SST report that indicated it warranted confidentiality). No other substantive feedback was received from the Minister or her office.

15. On December 5, 2024, the new Minister of Education issued Ministerial Order M406/24, appointing Kevin Godden as Special Advisor to assist the Board in revising the November Safety Plan in preparation for the Board's submission of the revised Safety Plan for the Minister's approval, and developing an Implementation Plan.
16. Ministerial Order M406/24 provided that the Special Advisor would assist the Board, **including by:**
- (a) convening a working group (...)
 - (b) revising the Safety Plan to
 - (i) incorporate feedback received by the working group (...);
 - (ii) address proactive safety, crime prevention, and crisis response;
 - (iii) incorporate trauma-informed practice;
 - (c) specifying the roles and responsibilities of the Board and the Police in the Safety Plan and the Implementation Plan.
17. The Minister of Education was quoted as follows:
- "There are 60 districts in this province, and I am not having this conversation with 59 other districts," [Minister] Beare said. "There is a version of police presence in every other school district in this province, and it is uniquely tailored to each district; it does not have to be an SLPO."
18. As noted above, there is a police presence in schools in the District, under a number of continuing protocols and initiatives. It is therefore difficult to understand the Minister's objection as reflecting anything other than a desire to see, and an intent to order, the kind of unfettered, unsupervised, unaccountable access police previously enjoyed in District Schools.²
19. The Board does not agree that the Minister has the jurisdiction to order that kind of broad and undefined access to schools and existing school programming by another community agency, or to remove the Board's statutory responsibility to exercise ultimate oversight over such a program.
20. The Minister of Education was further quoted as providing the following justification for the Order:
- "When we see increased violence in schools student to student, when we see increased gang activity, when we see a decrease in reports of sexualized violence, when we see students as young as grade 5 bringing weapons to

² <https://www.vicnews.com/local-news/beare-demands-immediate-action-on-safety-plan-from-greater-victoria-school-board-7692301>

school," Beare continued. "You know, these are key indicators that we have a safety problem in the school that is not being proactively met."³

21. No data or other evidence supporting those statements has been provided to the Board.

22. In the Government's news release following the Order, the CEO of SST was quoted as follows:

"While the school district's safety plan provides some support for high-risk vulnerable youth and staff training, the plan is deficient in addressing key aspects of a comprehensive safety plan," said Theresa Campbell, Safer Schools Together founder and chief executive officer. "Proactive safety plans must include strong relationships and collaboration with law enforcement, First Nations and other community partners. There is also a need for more specificity regarding safety strategies, protocols and processes."⁴

23. In public statements following the issuance of Ministerial Order M406/24, the Minister threatened that she would replace the Board of Education with an appointed trustee if a satisfactory safety plan was not received by January 6, 2025.⁵

24. On December 17, 2024, a working group was convened by the Special Advisor. There were 19 attendees, including representatives from Esquimalt Nation, Songhees Nation, Metis Nation, Victoria Native Friendship Centre, West Shore RCMP, Oak Bay Police, Saanich Police, Victoria Police, the Board of Education Chair and Vice-Chair, the Special Advisor, and District staff.

25. In a December 23, 2024 email to Board Chair Nicole Duncan, the Special Advisor stated that a "School Liaison Officer" (or "**SLO**") program – which the Board understands to refer to a framework equivalent to the previous SPLO program, namely whereby one or more designated police officer(s) assigned to a particular school have the liberty to attend on school premises at their discretion with oversight and accountability under the auspices of the *Police Act* and not subject to the oversight of the Board under the *School Act* – was not necessarily a requirement of a future safety plan.

26. On December 24, 2024, Chair Duncan requested by email that the Special Advisor and staff, pursuant to Ministerial Order M406, prepare two draft safety plans which would comply with Ministerial Order 339 and the SST review's

³ <https://www.vicnews.com/local-news/beare-demands-immediate-action-on-safety-plan-from-greater-victoria-school-board-7692301>

⁴ <https://news.gov.bc.ca/releases/2024ECC0135-001638>

⁵ For example, see <https://www.cbc.ca/news/canada/british-columbia/victoria-school-board-police-1.7403876>

recommendations: one which did include an SLO program, and one which did not.

27. In her email of December 24, 2024, Chair Duncan provided direction to the Special Advisor and staff as to the principles which the Board wished to have included in the revised safety plan; specifically, the requirements of Ministerial Order M339; the recommendations of the SST review, and the principles arising from the December 17, 2024 working group.
28. No substantive response to that email was received.
29. On December 31, 2024, the Board understands that the Special Advisor convened an “Implementation Table” comprised of himself, District staff, SST’s CEO, and representatives of police, potentially among others.
30. On January 2, 2024 at 1:29 PM, District staff provided a single draft revised safety plan (the “**January 2 Draft Safety Plan**”) to the Board for consideration in advance of a meeting of the Board scheduled for 5:30 PM that evening. The January 2 Draft Safety Plan is understood to have been drafted with the assistance and advice of the Special Advisor.
31. The Board considered that the January 2 Draft Safety Plan was problematic in a number of respects. In addition to overlooking Chair Duncan’s request to provide two alternate drafts for consideration, the January 2 Draft Safety Plan:
 - a. failed to elaborate upon or clarify multiple areas identified by SST as being insufficiently particularized;
 - b. was in fact **less** detailed in a number of important respects than the November Safety Plan, and removed material which had been included in the November Safety Plan without explanation;
 - c. had been drafted without input from the same educational partners which SST had criticized the Board for omitting from its consultation process prior to the drafting of the November Safety Plan;
 - d. failed to meet certain requirements of Ministerial Order M339. In particular, the January 2 Draft Safety Plan deleted the Communication Protocol which had been included in the November Safety Plan. M339 included a term that the Safety Plan will:
 - (f) include a protocol for communication and coordination between the Board and the Police.

- e. failed to distinguish between “roles” and “responsibilities” of the Board, District Staff, Principals and Vice-Principals, Police Departments, and Police Members, in relation to the safety plan; and
- f. abrogated the Board’s statutory duty to have ultimate oversight of all educational programs delivered at schools within the District.

32. Consequently, at the January 2nd meeting, the Board passed the following resolution:

(...) that the Superintendent, working as appropriate with the Special Advisor, is directed to produce, by no later than January 3, 2025 a revised version of the safety plan that complies with Ministerial Order M339 and the recommendations of the Safer Schools Together review and that:

- (a) ensures any non-emergency police presence at schools is either pursuant to existing policies (e.g., relating to volunteers participating in educational programs; or where officers are invited to give school-wide presentations on relevant topics) or pursuant to a specific other program with defined goals, consistently applied across the District, designed by Police Services for review and approval in advance by the Board;
- (b) incorporates the accountability and reporting mechanisms contemplated in the Communications Protocol attached as Appendix “A” to the previous safety plan of November 15, 2024; and
- (c) reflects the Board’s statutory role under s.85 of the *School Act* to determine local policy for the efficient and effective operation of schools, by ensuring that delivery of all programs under the safety plan are subject to the ultimate oversight of the Board.

(the “**January 2 Board Resolution**”).

33. At 3:13 PM on January 3, 2025, the Special Advisor notified the Board that earlier that day he had given the Minister notice “that he could no longer fulfill the task of Special Advisor with the integrity it was intended.” While it was initially understood that the Special Advisor had resigned, he subsequently clarified that he had not resigned, but rather, was no longer willing to advise the Board, as a result of the January 2 Board Resolution.

34. At 3:40 PM on January 3, 2025, the Board received a communication from staff ostensibly responsive to the January 2 Board Resolution (the “**January 3 Draft Revised Plan**”), containing minor revisions to the November Safety Plan.

35. Mindful of the deadline for a new safety plan ordered by the Minister, and doubtful that the January 3 Draft Revised Plan sufficiently addresses the

concerns raised by the SST review and the comments made through consultation, members of the Board undertook further work aimed at revising the November Safety Plan in a way which:

- a. Complies with the requirements of Ministerial Order M339/24;
- b. Responds to feedback in the SST review, including among other things by adding clarity in certain key areas while not losing detail included in the November Safety Plan;
- c. Incorporates the principles identified in the December 17, 2024 working group, while preserving the Board's statutory duty of oversight and accountability; and
- d. Retains to the greatest extent possible language added by staff and the Special Advisor in the January 2 Draft Safety Plan.

(the "**Further Revised Draft Safety Plan**").

36. For the Board's consideration is whether the Further Revised Draft Safety Plan better complies with the Ministerial Order M339 and the omissions identified in the SST review than either the January 2 Draft Safety Plan or the January 3 Draft Revised Plan.

37. However, the Board will be mindful that:

- a. the Minister may disagree; and
- b. if the Minister considers the Board to have failed to comply with either Ministerial Order, either in substance or by failing to approve a safety plan by January 6, 2025 the Minister has publicly threatened to terminate the Board and replace it with a trustee.

38. The Board therefore is asked to consider the following resolutions.

Resolutions

WHEREAS: The Board does not agree that the Minister has the jurisdiction under the *School Act* to dictate that a Board must adopt a safety plan upon the Minister's direction or that the Minister can dictate or effectively dictate the substance of such a plan;

AND WHEREAS: while reserving its rights to seek a judicial determination of the jurisdictional questions, the Board is choosing to comply with the Ministerial Orders in order to avoid being dismissed and replaced by a trustee;

AND WHEREAS: While the Board does not agree that the January 2 Draft Safety Plan necessarily does comply with Ministerial Order M339/24, and the Board is not supportive of the substance of the January 2 Draft Safety Plan, it has been drafted by District Staff with the assistance of the Special Advisor and SST in response to the additional consultation required by Ministerial Order M406/24 and with the benefit of the

SST review, and the Board therefore understands it to, in the view of District Staff, SST and the Special Advisor, meet the requirements of both Ministerial Orders;

THEREFORE, BE IT RESOLVED THAT:

- A. The Further Revised Draft Safety Plan attached as “**Schedule A**” to this memorandum be forwarded to the Minister of Education for approval in compliance with Ministerial Order M406/24; **and**
- B. In the event that the Minister of Education is unwilling to approve the Further Revised Draft Safety Plan, that the Board concurrently submits for approval in the alternative, the January 3 Revised Safety Plan, attached as “**Schedule B**” to this memorandum; **and**
- C. In the event that the Minister of Education is unwilling to approve either the Further Revised Draft Safety Plan or the January 3 Revised Safety Plan, that the Board concurrently submits for approval in the further alternative the January 2 Draft Safety Plan, attached as “**Schedule C**” to this memorandum.
- D. The Board adopts the “Implementation Plan” drafted by the Special Advisor and District Staff and presented at the January 2 Board Meeting, attached as **Schedule “D”** to this memorandum, in relation to whichever (if any) of the three versions of the Safety Plans above is approved by the Minister.
- E. The Board reserves its rights to take any further steps it considers necessary or advisable in relation to the matters noted in this memorandum.