

**Policy Committee of the Whole**  
**Agenda**  
**October 15, 2019**  
**1:00 – Forum of the PCTC**

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**Mandate:** To Discuss and make Recommendations to the Board on all matters related to Policy and By-laws.

**Acknowledgment:** We live, play and work on the unceded lands of the Coast Salish Peoples. We thank the Nanoose and Qualicum Bands for sharing their territory with us.

**Present at the Meeting**

1. Items potentially going to First Reading (Intent and philosophy and edits)
  - Policy 3000 – Foundational Principles (attachment)
  - Provision of Menstrual Products (attachment)
2. Items potentially going to Second Reading (Line by Line content and edits)
  - Policy and AP 9000 – Information Management and Access (attachment)
  - Bylaw 3 – Meetings of the Board (attachment)
  - Bylaw 6 – Indemnification (attachment)
3. Items potentially going to Third Reading (Final review)
  - None
4. Other Business
  - What is a Bylaw/Policy/Administrative Procedure (Table) (attachment)
  - Considerations in the review of all policies (Memo) (attachment)
  - Trustee Handbook (Report and Recommendations) (attachments)
  - Continued review of bylaws (Report) (attachment)
  - Update on the Impairment in the Workplace Policy (Memo) (attachment)
5. Future Topics
  - Policy and AP 5020 – Field Experiences
6. Next meeting: November 18, 2019 at 1:00 pm  
**NOTE:** Meeting will be held in Room 200 at the PCTC as the Forum is not available that day.

**Policy Related Questions to Consider  
From Board Bylaw 7**

1. What is the intent or rationale?
2. What is the impact on students and their families?
3. Is there consistency with Board philosophy, Mission Statement, goals and objectives?
4. Are there contradictions with other policies, administrative procedures, bylaws or legislation?
5. Is the issue of significance or of general public concern?
6. Is the policy or administrative procedure written in concise and easily understood language?
7. Are there financial considerations?
8. What are the legal implications?



**Our Mandate:**

Through the School Act, the Minister of Education has vested in the Board of Education the power and authority to govern the School District. Accordingly, the mandate of the Board of Education is to provide appropriate learning opportunities within the context of the Board of Education's Mission, Vision, Values and Strategic Priorities.

**Vision:**

*Preparing today's learners for tomorrow's world.*  
**Intruisons nos jeunes pour la monde demain.**

**Mission:**

The Qualicum School District is a dynamic, flexible learning community that:

- provides personalized educational experiences that complement traditional disciplines and structures to honour the unique needs, strengths, interests and learning styles of our students;
- maintains a learning environment that fosters the development of empathy, respect and social responsibility in our learners through strong partnerships between home, school and the broader community;
- embraces a spirit of curiosity and a passion for lifelong learning that prepares our students **to become educated citizens** and challenges them to become informed, confident, and creative designers of their own future;
- **is committed to weaving Indigenous learning throughout the educational experiences of all learners; and,**
- **brings a trauma-informed lens to the work that we do with learners.**

**Values:**

In the Qualicum School District, we value:

- ~~Diversity, choice and flexibility in educational programming and structures~~
- ~~Experiential learning that builds relevant skills, knowledge and competencies~~
- ~~Personalization of learning based on an understanding of the unique needs, strengths and passions of each student~~
- **student voice, choice and partnerships;**
- **support for students' engagement in their learning;**
- **hands on learning that builds skills, knowledge and competencies;**
- **inclusion of all learners and system wide support for diversity;**
- **community partnerships in support of learning**
- **choice and flexibility in educational programming and structures;**



- **experiential learning that builds relevant skills, knowledge and competencies;**
- **personalization of learning based on an understanding of the unique needs, strengths and passions of each student;**
- educating the whole child – heart, body and mind
- social responsibility and environmental sustainability
- a collaborative mindset and the time for meaningful, focused collaboration
- innovation as a means of ensuring that we respond and adapt to a changing world and new understandings;
- use of technology to ~~empower teaching and~~ **enhance** learning;
- our connections with ~~a supportive community~~ **place and community;**
- recognition and celebration of success, effort and accomplishment; and,
- recognition and celebration of success, effort and accomplishment; and,
- experiences that bring joy in the pursuit of learning.

#### Guiding Principles for Organizational Decision-making:

- ~~Meeting the needs of the learners must be our primary focus.~~ **Our primary focus is to meet the needs of all learners where they are, and planning for the next steps in their journey.**
- The foundation of organizational health and success is trust relationships – we commit to clear, open communication that builds personal and public confidence in the work we do with and for our learners.
- Parents and the broader community are our partners in education - we must ensure that they are given meaningful roles in helping to shape the educational experience provided to students.
- People are the most valuable asset in our organization - we invest in this asset when we provide opportunities for them **for employees and volunteers** to further their own knowledge, skills and competencies in deep, purposeful and relevant ways.
- Stewardship of the public investment in education in our community is crucial – this requires an unwavering commitment to fiscal responsibility and allocation of resources based on identified needs and strategic priorities.
- Leadership is most powerful when responsibility and accountability are spread across the system at all levels – we expect everyone in our district to demonstrate a commitment to system change and improvement.
- We care deeply about the ~~results-~~ **impacts** of our work – that is evident when we ~~seek to~~ access and use credible information to develop plans, ~~to~~ measure progress and ~~to~~ inform decision-making.
- **Public education has a key role to play in creating an understanding of the harm caused by colonialism and residential schools, as well as an obligation to move forward on a path toward reconciliation.**



**Strategic Priorities:**

Strategic Priority 1	Components
<p><b>Student-Centered Learning (Learner Focused)</b></p>	<ul style="list-style-type: none"> <li>• Student choice in their learning</li> <li>• Student choice in their assessment methods</li> <li>• Student voice in the design of learning</li> <li>• Indigenous understandings at the forefront</li> <li>• Recognition of and support for unique needs</li> <li>• Flexible and responsive structures and programs</li> <li>• Varied and differentiated learning environments</li> <li>• Multiple pathways to success for learners</li> <li>• Inter-disciplinary approaches to teaching and learning</li> <li>• Co-curricular (complementary) learning opportunities</li> <li>• Technology as an embedded component of learning</li> </ul>
Strategic Priority 2	Components
<p><b>Quality Teaching and Leadership</b></p>	<ul style="list-style-type: none"> <li>• Learner-focused instruction and support</li> <li>• Multiple points of entry to learning for students</li> <li>• Differentiated instruction</li> <li>• Competency-based focus for teaching and learning</li> <li>• Commitment to the new curriculum</li> <li>• Improved assessment and evaluation practices</li> <li>• Continuous communication of student learning</li> <li>• Instruction oriented to “next steps” in learning</li> <li>• Support for experiential learning experiences</li> <li>• Commitment to self-reflection as part of learning</li> <li>• Use of technology as a support for learning</li> <li>• Collaboration with colleagues</li> </ul>
Strategic Priority 3	Components
<p><b>Social/Emotional Learning</b></p>	<ul style="list-style-type: none"> <li>• All learners “bringing themselves fully” to learning</li> <li>• Use of a trauma-informed lens in service to children</li> <li>• Focus on belonging, inclusion and connection</li> <li>• Commitment to health and well-being of all</li> <li>• Focus on supports for self-regulation of learners</li> <li>• Support for learners developing resiliency</li> <li>• Taking a growth-oriented approach to all learning</li> <li>• Ensuring optimal supports for vulnerable learners</li> <li>• Accessing all available resources in our communities</li> </ul>



**PROVISION OF MENSTRUAL PRODUCTS TO STUDENTS**

(Page 1 of 1)

The Board of Education of School District 69 is committed to providing menstrual products to students who may require them.

The Board will:

- a. Ensure menstrual products are made available to students of all gender identities or expressions in a manner that protects student privacy;
- b. Provide for barrier free, easily accessible menstrual products at no cost to students;
- c. Provide menstrual products in school washrooms; and,
- d. Consider student feedback with respect to the provision of menstrual products.

This suggested policy is in response to the Ministry of Education's amendment of the Support Services for Schools Order and is the work of Audrey Ackah, Legal Counsel, BCSTA.



**FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS**

**Policy**

The Board of Education is committed to meeting its obligations **to protect personal information from unauthorized access, use and disclosure in accordance with** of the protection of personal information as well as the disclosure of appropriate information under the *Freedom of Information and Protection of Privacy Act (FOIPPA)* **and the School Act**.

The District recognizes that all procedures for the collection and storing of information by District staff in the course of affairs and procedures regulating the release of information to other parties must follow provisions of *FOIPPA*.

**It is the intent of this policy and related administrative procedure (collectively recognized as this policy) to:**

~~The purposes of *FOIPPA* and this Policy and attendant **related administrative procedure (collectively recognized as this policy)** are is to:~~

- a. ~~control the manner in which a public body may collect~~ **the School District collects, retains, uses, accesses, discloses and disposes of** ~~protects, retains, uses and discloses~~ employee and student personal information from individuals;
- b. allow any person a right of access to the records in the custody or under the control of the School District subject to limited and specific exceptions as set out in *FOIPPA*;
- c. ~~Control the manner in which a public body may collect~~ **the District collects, uses, stores, disposes and discloses** personal information from individuals
- d. ~~to Control the use that the District may make of that information and to control the disclosure by the District of that information;~~
- e. allow individuals, subject to limited and specific exceptions as set out in *FOIPPA*, a right of access to personal information about themselves that is held by the School District;
- f. allow individuals a right to request corrections to personal information about themselves that is held by the School District; and
- g. Provide for independent reviews of decisions made by the School District under *FOIPPA* and the resolution of complaints under the *FOIPPA*.

~~The Superintendent is the *FOIPPA* Officer for the School District and may delegate this authority.~~

**References:**

- Administrative Procedure I to Board Policy 9000: *Information Management and Access*
- Administrative Procedure II to Board Policy 9000: *Information Management and Access*
- Board Policy 5056: *Acceptable Use of Technology* and its attendant Administrative Procedure
- Board Policy 7144: *Student Records* and its attendant Administrative Procedure
- School District 69 Personal Information Directory
- SD69 File Management Handbook
- *Freedom of Information and Protection of Privacy Act*
- *The School Act*

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS

Page 1 of 13

1. The purpose of this administrative procedure is to set out how the School District will handle employee and student personal information. This Administrative Procedure should be read in conjunction with the policy. See appendix 1 for definitions.

ROLES AND RESPONSIBILITIES

2. The Superintendent ~~Secretary Treasurer~~ is recognized as the Privacy Officer for the School District and is responsible for:
- a. conducting a privacy audit and self-assessment;
  - b. developing a privacy policy;
  - c. implementing and maintaining a privacy policy
  - d. managing privacy training;
  - e. responding to requests for access to and correction of personal information;
  - f. working with the Information and Privacy Commissioner in the event of an investigation.

3. The Executive Assistant to the Secretary-Treasurer will provide appropriate supports to the Privacy Officer.

~~(or designate), as Privacy Officer, will designate a coordinator for the purposes of the Freedom of Information and Protection of Privacy Act (FOIPPA). The Coordinator is hereby empowered to fulfill the duties described in the FOIPPA which include the establishing of procedures and practices to ensure appropriate management of the legislation.~~

~~Routine requests will be handled at the point of contact. Formal written requests will be handled by the Coordinator through the office of the Superintendent of Schools.~~

4. Employees must:
- a. participate in privacy and information management training as required;
  - b. not alter, copy, interfere with or destroy personal information, except as required;
  - c. not disseminate personal information to anyone not covered by a confidentiality agreement;
  - d. practice safeguarding measures to ensure personal information held by the School District is protected from unauthorized access, use and disclosure;
  - e. ensure that disclosures of information are made only to those entitled to that information;
  - f. ensure that confidential or personal matters relating to students or staff are not divulged or discussed unnecessarily with other staff members;
  - g. report possible breaches of confidentiality to the School District Privacy Officer.



SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS

Page 2 of 13

COLLECTING PERSONAL INFORMATION

- 5. The School District has the legal authority to collect personal information that relates directly to and is necessary for its operating programs or activities or as otherwise authorized by statute. Personal information will be collected directly from the individual to whom it pertains, unless another method of collection is authorized by the individual or the statute.**
- 6. When the School District collects personal information about students or families, parents / guardians should be informed of the purpose for which the information is being collected. The parents / guardians of a student must authorize the disclosure of personal information for purposes ancilliary to educational programs, such as:**
- a. newsletter publications**
  - b. website postings**
  - c. video conferencing**
  - d. social media applications**
  - e. web-based educational tools**
  - f. honour roll lists**
  - g. team rosters**
  - h. yearbooks**
- 7. Upon their child's initial enrollment, parents/guardians will complete and submit the form entitled Student FOIPPA/Personal Information Consent.**
- 8. Where a parent or guardian provides consent, the School District will allow the school to publish student personal information for purposes such as:**
- a. recognition of achievement**
  - b. promotion of events**
  - c. commemoration of school events**
- This authorization is deemed in effect until the student changes or transitions to another school.**
- 9. Parents / guardians will have the ability to opt out of providing information that is not directly related to a student's educational program or necessary for the School District's operational activities.**

USE OF PERSONAL INFORMATION

- 10. Personal information will be used for the purpose for which it was collected or for a use consistent with that purpose. Employees should seek clarification from the School District Privacy Officer if there is uncertainty as to the confidentiality of the**

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 3 of 13

information or they need to access information for a purpose other than why it was collected.

RETENTION AND DISPOSAL OF PERSONAL INFORMATION

11. Personal information must be retained for specific periods of time. See Appendix 2 for the records retention and disposal schedule.
12. Information management must be dealt with in a responsible, efficient, ethical and legal manner. The following safeguards, though not an exhaustive list, will assist in protecting the privacy of employee and student personal information:
  - a. security measures, such as encryption or passwords, must be in place for personal information that is electronically stored, printed, or transferred;
  - b. all mobile devices, including personal devices, that access or store School District data must be secured by a password login and have the highest available encryption options;
  - c. passwords must not be shared nor should anyone login to a system using a username and password that has not been specifically assigned to them;
  - d. computer screens should be located in such a way that they cannot be read by visitors or people passing by;
  - e. computer screens should be locked when the user is away from their work station;
  - f. paper files should be held in locked storage;
  - g. personal information should be removed from work areas when not in use; and,
  - h. paper files, including notes, reports, letters and emails, containing personal information should be protectively marked as private and confidential.
13. Any personal information that is held electronically and is no longer required for administrative, financial or legal purposes must be deleted in their entirety and data storage devices must be fully erased prior to disposal.
14. Paper files containing employee and student personal information that are due for disposal must be securely shredded.

DISCLOSING PERSONAL INFORMATION

15. Personal information may be disclosed to an external or third party if the individual who is the subject of the information has provided written consent. In the case of a student under the age of thirteen, consent is required from the student's parent or guardian.

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 4 of 13

16. Disclosure of personal information is permitted if the information is immediately necessary for the protection of the health and safety of an employee.
17. Consent is not required from a student or parent when information is being disclosed for worker or student safety. If a plan is developed to protect the health and safety of a worker or a student, which also affects the health and safety of any student, the parent of that student will be informed, as per the requirements of the School Act.
18. Managers and Principals are required to investigate incidents that caused or could have caused injury to an employee, in conjunction with the members of the school or work site's Joint Health and Safety Committee.
19. Incident report forms contain employee personal information and therefore cannot be disclosed to employees outside of the Joint Health and Safety Committee, except for the purpose of reporting an incident to WorkSafe BC, or in keeping with Collective Agreements.
20. If student information is used to complete an incident investigation or report, personal identifiers must be removed so that the student is not able to be identified.

ACCESS TO PERSONAL INFORMATION

21. Access to any personal information is based on employment duties requiring such access. Unauthorised access to information about colleagues, friends, or family is not permitted.
22. The School District governs the right of access by an individual to their own personal information and by the public to any information or records in its custody or control.
23. Other school districts, government ministries or law enforcement agencies may have access to personal information where obtaining this information is necessary for the provision of their services.
24. Requests for access to information, including access to personal information, must be made in writing and must provide sufficient detail to enable the School District, with reasonable effort, to identify the records sought. A record of all such transactions must be kept on file.

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS~~

Page 5 of 13

- ~~25. Copies of any personal information shall be provided only to the employee/individual or his/her the employee's/individual's agent on the specific written request of the employee/individual. A record of all such transactions must be kept on file.~~

**STUDENT PERSONAL INFORMATION**

25. Access to student records will be in accordance with Board Policy 7144: Student Records and its attendant Administrative Procedure.
26. Routine requests will be handled at the point-of-contact. Formal written requests will be handled by the School District Privacy Officer through the office of the Superintendent of Schools.

**EMPLOYEE PERSONAL INFORMATION**

27. Access to personal information may be gained during normal business hours, upon appointment and is available to:
- the employee, in the presence of a supervisory officer, or the appropriate personnel officer;
  - other parties (e.g. legal counsel of the employee) with the specific written consent of the employee;
  - appropriate Board employees and/or the Board's legal counsel, subject to the approval of the Superintendent or designate, or the appropriate personnel officer.
  - the individual, in the presence of the appropriate manager or a designate; and/or,
  - other parties (e.g. legal counsel for the individual) with the specific written consent of the individual.

**FEES**

28. When fees are to be levied under the *Freedom of Information and Protection of Privacy Act (FOIPPA)* the rates adopted by the Government of British Columbia, as specified in Schedule 1 (*attached*) of the Regulation 155/2012 under the *FOIPPA*, shall be confirmed as the rates used by the School District. Fees shall not be charged to individuals who are accessing their own personal information. See appendix 2 for the fee schedule.

**Confidentiality**

~~The Board of Education acknowledges its responsibility to safeguard and ensure the confidentiality of personal information pertaining to students, employees and individuals in accordance with the *School Act* and the *Freedom of Information and Protection of Privacy Act*.~~

~~Personal information may only be obtained as authorized by the *School Act* and the *FOIPPA* and used for the specific purposes for which it is gathered.~~

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS~~

Page 6 of 13

~~Any personal information of an employee/individual that is no longer required for either administrative, financial, legal, or historical purposes, and its retention is not regulated by any statute, may be destroyed.~~

**Retention of Records**

~~Retention of records will be managed in accordance with the Board's *File Management Handbook*.~~

**ERRORS OR OMISSIONS**

30. An applicant who believes there is an error or omission in their personal information may request correction of the information in writing to the department responsible for the information. The Manager responsible for collecting and retaining the particular type of record will be responsible for the correction or annotation of the information, in consultation with the School District Privacy Officer.
31. Notification of the correction or annotation must be given to any other public body or third party to whom that information has been disclosed during the one year period before the correction was requested.
32. Any correction, annotation or notification must be documented.

**INVESTIGATION OF COMPLAINTS**

33. Anyone suspecting or aware of the unauthorized collection, use, access, or disclosure of student or employee information or other protocol set out in this administrative procedure must notify the School District Privacy Officer.
34. All employees, volunteers and third parties are expected to adhere to the confidentiality requirements of the School District. Those found to be in violation of this procedure may be subject to disciplinary action.

**References:**

- Board Policy 9000: *Information Management and Access and its attendant Administrative Procedure II*
- Board Policy 5003: *Acceptable Use of Technology and its attendant Administrative Procedure*
- Board Policy 7144: *Student Records and its attendant Administrative Procedure*
- School District 69 Personal Information Directory
- ~~SD69 File Management Handbook~~
- *Freedom of Information and Protection of Privacy Act*
- *The School Act (Sections 22, 65, 85)*

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY  
INFORMATION MANAGEMENT AND ACCESS

Appendix 1 – Definitions

<u>Personal information</u>	<u>Any information that is about an identifiable individual. Personal information may include data such as unique identifiers (e.g. social insurance number, school records, contact numbers, gender, medical history, education, employment, personnel evaluations, audio/video recordings, digital images, and categories identified in the Human Rights Code).</u>
<u>Contact information</u>	<u>Information that allows an employee to be contacted at work and includes the name, position, business contact number, business address and business email.</u>
<u>Employee personal information</u>	<u>Any recorded information about an identifiable employee (see personal information above) other than contact information.</u>
<u>Student personal information</u>	<u>This includes personal information (defined above) plus any information that identifies a student include a student's name, address, contact number, personal education number (PEN), assessments, results, and educational records.</u>
<u>Record</u>	<u>A record is defined as all recorded information in the custody or control of the School District regardless of physical format, which is collected, created, deposited or held by or in the School District. Records include books, documents, maps, drawings, photographs, letters, paper or any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means.</u>

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

**Appendix 2 – Records Retention and Disposal Schedule**

The principal of the school or the supervisor of the department responsible for the records is authorized to destroy the records in accordance with the following schedule. Records may be maintained beyond the scheduled time if the principal or supervisor believes that they have a further use or historical or archival value.

The following retention schedule outlines the minimum amount of time that School District 69 records must be retained.

**Board Records**

Board policy	Permanent
Agendas of regular, in-camera and special board meetings	Permanent
List of electors	2 years after the year of creation
Minutes	Permanent
Notice of meetings	1 year
Oaths and declaration of trustees	Selected Retention
School trustees list	While current
Debenture and bylaw register	Permanent
Debenture and coupons redeemed	6 years after year redeemed
Annual Report as required by the School Act	Permanent
School District publications and newsletters	Selected Retention

**Information and Privacy**

Freedom of Information requests	2 years after the calendar year of creation
Requests to review Freedom of Information decisions	5 years after investigation, review, inquiry or adjudication is complete and order has been issued
Freedom of Information requests to correct personal information	2 years after the personal information has been updated, annotated, or request has been transferred to another public body

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 9 of 13

**Financial Records**

Annual budget and summary supporting documents	Permanent
Auditor's reports	Permanent
Cancelled cheques	6 years after year of creation
Cheque duplicates, invoices, requisitions	6 years after year of creation
Purchase orders	2 years after year of creation
Employee travel claims	6 years after year of creation
Ministry of Education financial information reports	Permanent
General ledger	Permanent
Invoices billed	6 years after year of creation
Subsidiary ledgers and journals	6 years after year of creation
Receipts issued	6 years after year issued
Bank statements, debit and credit notes	6 years after year of creation
Deposit books	6 years after year of creation
Loans, authorization	6 years or term of loan, if longer
Loans, cancelled notes	6 years after year of creation
Stop payment orders	1 year after year of creation

**Facilities Records**

Rental of facilities	1 year after year of rental
Appraisal and inventory records	6 years after year of asset disposal
Authorization for expenditure of capital funds	6 years after year capital plan completed
Building plans and specifications (with related change, guarantees, bonds liens and valuable correspondence)	6 years after year of asset disposal
Land titles, deeds and plans	Permanent



SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 10 of 13

Leases 6 years after expiration of term

**General Records**

General correspondence 2 years after year of creation

**Health and Safety Records**

First aid treatment records, including Form 7 and 7a 3 years

Investigation of overexposure to hazardous substances 10 years

Incident investigation reports six months

Risk assessments, where a regulatory requirement, including violence in the workplace first aid, ergonomics, working alone 10 years

Asbestos materials on site, including inventories, risk assessments inspections and monitoring 10 years

Inventory of hazaroud substances – MSDS while current

Asbestos release, training and written procedures, and Notification to WCB 3 years

Workers exposure to biohazardous material length of employment plus 10 years

Worker exposure to biohazardous material 3 years

Lead exposure, including risk assessments, worker Exposures, training and health monitoring length of employment

Pesticide application monitoring, including health monitoring records for workers length of employment

Pesticide use while current

Hearing tests length of employment

Noise exposure measurements as long as equipment is in use

Radiation surveys 10 years

Radiation exposure monitoring and personal dosimetry 10 years

PPE fit test results, worker instruction while current

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 11 of 13

Workplace inspection reports 1 year

Automotive lifts / hoists, maintenance and inspection while current  
Cranes and hoists, inspection, maintenance records while current

Elevated work platform inspections, maintenance while current  
Repair

Firefighting equipment tests, inspections while current  
and records

Competency of equipment operators length of employment

**Human Resource Records**

Applications 1 year after position is filled

Job Competitions Selected Retention

Collective Agreements with unions Permanent

Contracts with individual employees 20 years after the year employment ceases

Teacher-on-Call files 5 years after the year employee  
leaves district

Individual grievance files Permanent

Letters of discipline 20 years after the year employment ceases

Personnel file 20 years after the year employment  
ceases

Seniority lists Permanent

Unsolicited resumes 6 months

Violence incident reports 6 years after year of creation

Employee medical information While Current - Minimum of 1 year

**Information Systems**

User ID's When user is removed from the system

**Insurance Records**

Incident Reports 2 years or until finalized

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE I

~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS

Page 12 of 13

Claims 6 years after claim settled for adults; 2 years after age of majority is reached for individuals under 19 years

Insurance policies While current

**Payroll Records**

Employee payroll files 20 years after the year employee leaves district

Employee payroll register 20 years after the year employee leaves district

Employee attendance records 6 years after the year employment ceases

**Purchasing Records**

Quotations and relative correspondence 6 years after year of creation

Purchasing contracts 6 years after year of creation

Requisitions and purchase orders 6 years after year of creation

**Student Records**

Student Information Data Permanent

Permanent Record Cards 55 years after graduation or withdrawal

Attendance reports and registers Permanent

Out-of-boundary attendance requests 2 years after decision is made

Provincial scholarships and district awards Permanent

Transcript of Marks Permanent

Teachers' student files While current

Other student records Useful life of record

**Transportation Data**

Student bus registration forms 1 year after year of creation

**SCHOOL DISTRICT No. 69 (QUALICUM)**

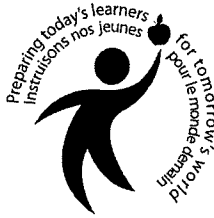
**ADMINISTRATIVE PROCEDURE I**

**~~FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY~~  
INFORMATION MANAGEMENT AND ACCESS**

Page 13 of 13

Transportation assistance forms	1 year after year of creation
School bus behaviour report	1 year after year of creation
School bus video tapes	1 year after year of creation as needed
Vehicle maintenance forms	life of bus
Pre-trip forms	3 months
Driver time logs	6 months

DRAFT



**PURPOSE:**

To set out the **structure of meetings and** rules for the conduct of meetings that will allow each Trustee to be heard and make informed decisions

**I. RULES OF ORDER**

1. Where these rules are silent and where not inconsistent with these Rules, *Robert's Rules of Order* shall apply to the conduct of meetings.
2. The Board may adopt a procedural Rule for one or more meetings by resolution of a simple majority of the Trustees present at the meeting. A Rule other than the requirement for notice of meetings may be suspended by unanimous consent of the Trustees present.
3. The Rules may be amended by Bylaw only, at a meeting of which notice of intention to propose the amendment has been given at the previous meeting.
4. The presiding officer's ruling on a point of order shall be based upon Rules of Order as stated in paragraph (1) above.
5. An appeal of a ruling of the presiding officer shall be decided without debate by a majority vote of Trustees present. When an appeal is successful it does not necessarily set a precedent.
6. All questions shall be decided by a vote on the motion.
7. These Rules shall be applicable to all regular, special and in-camera meetings of the Board.

**II. MOTIONS**

1. Motions shall be phrased in a clear concise manner so as to express an opinion or achieve a result. All motions shall be stated in the positive. The preamble does not form part of a resolution when passed.
2. The presiding officer may divide a motion containing more than one subject if the presiding officer feels this would produce a fairer or clearer result and the same shall be voted on in the form in which it is divided.
3. No motion, other than to postpone consideration of a question, or a procedural motion, shall be repeated during the calendar year except by the reconsideration process. (See Item 7 below.)
4. All motions must be seconded in order that they may be recognized by the Board Chair and allow debate to proceed.



5. All motions shall be subject to amendment except the following:
  - a. Motion that the question be now put.
  - b. Motion for adjournment of debate or adjournment of a meeting.
  - c. Motion to table unless such a motion contains a date for further consideration of the matter tabled.
  - d. Motion to refer to Committee.
  - e. Motion to proceed to next business.

6. **Amendment**

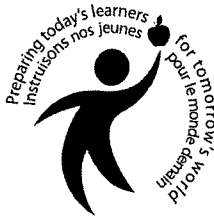
An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed and this shall be dealt with before the amendment is decided. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.

7. **Reconsideration**

A question may be reconsidered only if notice of a request for reconsideration has been given at the previous meeting and if reconsideration is approved by a two-thirds majority of the votes cast.

**III. REGULAR BOARD MEETINGS**

1. There shall be one regular meeting of the Board of Education held on the fourth Tuesday in each calendar month at 6:00 p.m. during the regular school year.
2. Due to the Winter and Spring Break periods, the Regular Board Meetings in December and March will be held on a the second Tuesday of those two months.
3. During the summer months of July and August one regular meeting of the Board of Education shall be held on the last Tuesday in August at 6:00 p.m. No regular meeting will be held in July.
4. A quorum for all regular meetings shall be a majority of trustees holding office at the time.
5. At the appointed time for commencement of a meeting the presiding officer shall ascertain that a quorum is present before proceeding to the business of the meeting. If a quorum has not been made within one-half hour after the appointed time, the meeting shall stand adjourned until the next regular meeting date or until another meeting shall have been called in accordance with these Bylaws.
6. All regular meetings of the Board shall be open to the public.
7. Improper conduct at meetings shall be dealt with as set out in *the School Act*. Any person deemed by the presiding officer to be guilty of improper conduct shall be expelled.



8. The Secretary Treasurer or another employee designated by the Board must be present at the time that a decision of the Board is rendered and must record any decision.
  
9. The order of business at all regular meetings unless varied by resolution shall be as follows:
  - 1) Call to Order and Introductions
  - 2) Acknowledgement of Traditional Territory
  - 3) Adoption of the agenda
  - 4) Approval of the Consent Agenda
  - 5) Delegations/Presentations (10 minutes each)
  - 6) Business arising from the minutes.
  - 7) Mount Arrowsmith Teachers' Association
  - 8) Canadian Union of Public Employees, Local 3570
  - 9) District Parents Advisory Council
  - 10) Public Questions and Comments (written)
  - 11) Action Items
  - 12) Information Items
  - 13) Education Committee of the Whole Report
  - 14) Finance and Operations Committee of the Whole Report**
  - ~~15~~) Policy Committee of the Whole Report
  - ~~16~~) Reports from Representatives to Outside Organizations
  - ~~17~~) Trustee items
  - ~~18~~) New or Unfinished Business
  - ~~19~~) Board Correspondence and Media
  - ~~20~~) Public Question Period
  - ~~21~~) Adjournment
  
10. A change to the prescribed order of business may be proposed by any trustee and shall require the consent of a simple majority without debate.
  
11. The agenda shall be prepared by the Secretary Treasurer and the Superintendent of Schools under the direction of the Chair and shall be available at the Board office by noon of the day preceding the Regular Board Meeting.
  
12. An addition to the agenda of any item not listed requires the consent of a simple majority without debate.
  
13. Minutes of all regular meetings shall be kept by the Secretary Treasurer in accordance with the *School Act*.
  
14. Minutes of all regular meetings shall be communicated electronically upon ratification by the Board.



#### IV. IN-CAMERA BOARD MEETINGS

1. The Board of Education may meet in-camera for the following purposes:
  - a. To discuss matters of collective negotiations between the Board and School District Staff.
  - b. To discuss acquisition, lease, sale or exchange of real property prior to completion.
  - c. To consider information regarding appointment, employment, dismissal and personnel matters.
  - d. Legal opinions and or claims respecting the liability or interest of the Board.
  - e. Matters pertaining to individual students including conduct, discipline, suspension or expulsion.
  - f. Medical examinations or examinations and medical reports.
  - g. Matters pertaining to the safety, security or protection of Board property.
  - h. Such other matters as the Board may decide.
  
2. **Attendees at the Board in-camera meetings will include all trustees, the superintendent of schools, the secretary treasurer, the associate superintendent, and, by invitation, other senior management staff in relation to specific agenda items, including operations, human resources, labour relations and legal matters.**
  
- 2.3. Minutes of an in-camera meeting shall be kept in the same manner as a regular meeting, shall be approved by the Board in an in-camera meeting and ratified by the Board in regular meeting. The minutes of an in-camera meeting shall not be filed with the minutes of regular meetings. A Section 72 Report, as per *the School Act*, shall be made available to the public following approval by the Board.
  
- 3.4. An agenda, similar in format to that of a regular meeting, shall be prepared by the Secretary Treasurer and the Superintendent of Schools under the direction of the Chair. The proposed agenda shall be available at the Board Office by noon of the day preceding the meeting.
  
- 4.5. The order of business at all in-camera sessions, unless varied by motion, shall be as follows:
  1. Call to order
  2. Adoption of the Agenda
  3. Approval of the Minutes
  4. Business Arising from the Minutes
  5. Personnel Items
  6. Action Items
  7. Information Items
  8. New or Unfinished Business
  9. Trustee Items
  10. Adjournment





- 5.6.** All newly elected School Trustees shall be invited to attend any in-camera Board meetings between the time of their election and the Inaugural Board Meeting.

## V. SPECIAL MEETINGS

1. A special meeting of the Board of Education may be called by the Chair of the Board or, upon written request of a majority of the Trustees, may be called by the Secretary Treasurer. No business other than that for which the meeting was called shall be conducted at the meeting. **For public meetings, time** for public comments and/or questions will be included. Public Comments/Questions must be directly related to the topics on the special meeting agenda
2. All reasonable steps shall be taken to notify each Trustee 24 hours in advance of a special meeting.
3. In the event of crisis or catastrophe within the School District, all reasonable steps shall be taken to notify each Trustee immediately of a special meeting.
4. The Agenda shall be set by the Board of Education. The agenda shall be prepared by the Secretary Treasurer and/or the Superintendent of Schools under the direction of the Chair.

## VI. DELEGATIONS

1. Delegations wishing to appear before the Board of Education shall provide a request in writing to the Secretary Treasurer by 9:00 a.m., the Monday one week prior to a Board meeting. The exception will be for statutory holidays that fall on the third Monday of the month that will require the request from the Delegation to be received by 9:00 a.m. on the Friday before the statutory holiday Monday. The request shall include the brief to be presented.
2. The Secretary Treasurer will advise the Board Chair of the request. The Board Chair, at his/her **the Chair's** discretion, will rule whether the Delegation will be heard by the Board. The period of time normally allocated to the delegation shall be ten minutes. The Secretary Treasurer will advise the delegation of the Board Chair's decision.
3. At the earliest opportunity following the Board's decision the Secretary Treasurer will contact the spokesperson of the delegation to advise the delegation of the Board's decision and subsequently, confirm the Board's decision in writing to the delegation.

## VII. CONSENT AGENDA



1. The full agenda, including the consent items should be disseminated prior to the Board Meeting along with copies of reports and back up materials so that Board members can do their due diligence prior to voting.
2. As the first item of business the Board Chair should ask if anyone wishes to remove an item from the consent portion of the agenda.
3. The Board Chair then asks for a motion to accept the consent agenda.
4. Once the motion has been received, the Board Chair opens the floor for any questions or discussion on the items remaining on the consent agenda. The understanding, though, is that the board members have come prepared and, other than a quick point or question, they are comfortable voting for the items or they would have asked to have them removed.
5. If any items were removed from the consent agenda the Board Chair will determine where on the agenda those items will be discussed. Quickly reviewing the remaining items, the Board Chair will ask for any objections to the adoption of those remaining items. If none are offered all items on the consent agenda are considered to be passed.

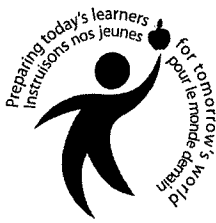
**What Belongs on the Consent Agenda?**

Typical consent agenda items are routine procedural matters and decisions that are likely to be noncontroversial, including:

- Approval of minutes
- Reports for information only e.g. Enrolment Report
- Routine matters such as appointments to committees
- Field trip approvals
- Matters which do not appear to warrant a discussion
- **Information from the Ministry of Education or provincial organizations**

**VIII. PUBLIC QUESTION PERIOD**

1. The Board of Education encourages the participation of members of the public at each Regular Board Meeting.
2. Persons wishing to question the Board during the public question period should stand and identify themselves.
  - a. Questions at a Regular Board Meeting may deal with any topic related to the Board's conduct of the schools.
  - b. Questions at Special Board Meetings must be related to the call of the meeting.
3. Questions asked by the public will, when possible, be answered immediately by the Board Chair or referred to staff members present for reply. Questions requiring



investigation shall be referred to the Board Chair or administrative staff for consideration and later response.

4. A question period for the Press will be provided after the meeting adjourns.

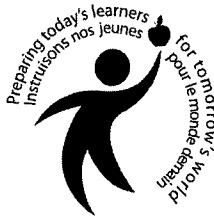
## IX. BOARD STANDING COMMITTEES

1. The Board will operate within three Board Standing Committees, all of which will be Committees of the Whole:
  - i. Education Committee of the Whole
  - ii. Finance and Operations Committee of the Whole
  - iii. Policy Committee of the Whole
2. The Board Chair will, on an annual basis, appoint the Chairperson of each of the Board's Standing Committees.
3. Any matters considered by a committee of the Board which have financial implications are to be referred to Finance and Operating Committee of the Whole for comment before the originating committee brings the matter to the Board.
4. Education Committee of the Whole:

**Mandate:** To discuss and make recommendations to the board on the general directions for education in the district, and to serve as a vehicle for regular reports to the board on educational programs and services.

**Membership:** The committee will consist of all five trustees, the associate superintendent, the director of instruction, the superintendent, and as topics require, the secretary treasure. The associate superintendent will serve as the lead for senior staff. By invitation, one representative from each of school-based administration, the Mount Arrowsmith Teachers Association (MATA), CUPE 3570 and the district parent advisory council (DPAC) would serve on the committee in an advisory capacity.

**Operation:** The trustee chair of the committee will host the meeting in a structured but informal manner. Presentations will be scheduled and introduced by the associate superintendent, and will be of a duration that makes sense for that topic at that time, as determined by the chair and associate superintendent. On matters of deliberation for the committee to refer to the board, the chair would invite administration and partner representatives to comment, and would seek the advice of senior staff present. The chair would then lead trustee deliberation on whether or not, and if so how, the matter would be referred to the board by way of a motion for a subsequent board meeting. The decision as to what would be referred to the board would be by consensus among trustees, with the chair being the final arbiter of the decision.
5. Finance and Operations Committee of the Whole:



**Mandate:** To discuss and make recommendations to the board on financial matters and matters pertaining to facilities, maintenance, technology and transportation.

**Membership:** The committee will consist of all five trustees, the secretary treasurer, the superintendent, the general manager of operations, and as topics require, the associate superintendent. The secretary treasurer will serve as the lead for senior staff. By invitation, one representative from each of school-based administration, the Mount Arrowsmith Teachers Association (MATA), CUPE 3570 and the district parent advisory council (DPAC) would serve on the committee in an advisory capacity.

**Operation:** The trustee chair of the committee will host the meeting in a structured but informal manner. Materials will be provided ahead of time by the secretary treasurer, with support from the general manager of operations for matters related to facilities, maintenance, technology and transportation. On matters of deliberation for the committee to refer to the board, the chair would invite administration and partner representatives to comment, and would seek the advice of senior staff present. The chair will then lead trustee deliberation on whether or not, and if so how, the matter would be referred to the board by way of a motion for a subsequent board meeting. The decision as to what would be referred to the board would be by consensus between the trustees, with the chair being the final arbiter of the decision. From time to time the finance and operations would have to operate in camera.

**This committee will also serve as the Audit Committee of the Board. In that capacity the committee will:**

- a. **Review the audited financial statements and once satisfied recommend approval by the board of the submission to the Minister of Education and publication of the audited statements;**
- b. **Review the Statement of Financial Information, specifically the compensation and expenses for employees;**
- c. **Oversee the internal control structure with a focus on safeguarding district assets;**
- d. **Review audit results with the external auditors and follow up on the implementation of the auditor's letter of recommendations;**
- e. **Review the nature and extent of other services provided by the auditor in relation to auditor independence;**
- f. **Monitor the development of and changes to accounting principles and practices and financial reporting standards, and their impact on the school district's financial reporting;**
- g. **Oversee engagement of external auditors including the terms of the audit engagement and appropriateness of proposed fees;**
- h. **Meet as necessary with the external auditors at an in camera meeting, without staff members present;**
- i. **Meet annually with the external auditor to review the financial statements;**



- j. Have a separate agenda and terms of reference which reflect best practice for audit committees.

6. Policy Committee of the Whole:

**Mandate:** To discuss and make recommendations to the board on all matters related to policy and bylaws.

**Membership:** The committee will consist of all five trustees, the superintendent, the secretary treasurer and the associate superintendent. The superintendent will serve as the lead for senior staff. By invitation, one representative from each of school-based administration, the Mount Arrowsmith Teachers Association (MATA), CUPE 3570 and the district parent advisory council (DPAC) would serve on the committee in an advisory capacity. The committee would be supported by the Executive Assistant, Board Governance and Operations.

**Operation:** The trustee chair of the committee will host the meeting in a structured but informal manner. Materials will be provided ahead of time by the superintendent. On matters of deliberation for the committee to refer to the board, the chair would invite administration and partner representatives to comment, and would seek the advice of senior staff present. The chair would then lead trustee deliberation on whether or not, and if so how, the matter would be referred to the board by way of a motion for a subsequent board meeting. The decision as to what would be referred to the board would be by consensus between the trustees, with the chair being the final arbiter of the decision. How matters get to the committee and are then processed by the board will be in accordance with Board Policy 7: Bylaw and Policy Development and Review.

7. Committee Meeting Times:

The time and dates for meetings for the ensuing year will be determined by the Board Chair in consultation with the Board and Executive Leadership Team.

X. CHIEF EXECUTIVE OFFICER

The Superintendent of Schools shall be the chief executive officer of the board and is responsible and accountable to the board for the effective and efficient operation of the school district.

The Superintendent of Schools will be responsible for ensuring the following:

- a. Leadership and direction is provided at all levels of the school system.
- b. The board is assisted in its short and long-term planning, and in working to achieve the board-approved goals.
- c. The district has an efficient and effective organizational structure and management system.
- d. Processes are in place for the supervision and evaluation of the district's schools, programs and services.
- e. Decisions and policies of the board are implemented.
- f. Resources are allocated based on board-approved budget levels.



- g. Communications within the district and through public and community relations are effective.
- h. A synergy is built within the district that challenges all employees to contribute to the success of the school system.

**XI. EXECUTIVE COMMITTEES AND COMMUNICATIONS WITH THE BOARD**

- a. The Executive Committee, composed of the Superintendent of Schools, the Secretary-Treasurer, and the Associate Superintendent, shall be chaired by the Superintendent of Schools.
- b. The executive committee shall administer the district and provide leadership in accordance with the Board's directives and policies.
- c. The Superintendent of Schools shall be the chief spokesperson for the executive committee and is responsible and accountable for the coordination and functioning of the executive committee.
- d. The Superintendent of Schools shall ensure that information, reports, and proposed resolutions shall be brought to the board table by the appropriate member of the executive committee, either directly, or in support of one of the standing committees as it reports to the board.
- e. Members of the executive committee may consult with individual trustees, or groups of trustees, or committees of the board, as necessary, to carry out their individual responsibilities. Individual trustees, or groups of trustees, or committees of the board may consult, as necessary, with one or more members of the executive committee.
- f. The Superintendent of Schools shall ensure that executive decisions and recommendations are reached, wherever possible, through discussion and collaboration. However, in cases where a consensus cannot be reached, the Superintendent of Schools shall, unless the issue is properly a matter to be decided by the board, resolve the issue at hand. In this event the Superintendent will report each such resolution to the Board at the next opportunity.

**XII. TITLE**

This bylaw may be cited as "School District No.69 (Qualicum) Meetings of the Board Bylaw No.3".

Read a first time the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a second time the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a third and final time, passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
SECRETARY TREASURER

\_\_\_\_\_  
BOARD CHAIR



A bylaw to provide that the Board of Education shall indemnify a trustee, an officer or an employee of the Board against a claim for damages arising out of the performance of her/his **that person's** duties; and for an inquiry or proceeding involving the administration and conduct of the business of the school district; and will pay legal costs incurred in a court proceeding arising out of the claim or the legal costs arising from such inquiries or proceedings.

WHEREAS the *School Act* R.S.B.C. 1996 c. 412 provides that the Board of Education may by bylaw provide that the Board will indemnify a trustee, an officer, or an employee of the Board against a claim for damages against a trustee, officer, or employee of the Board arising out of performance of her or his **that person's** duties and, in addition, pay legal costs incurred in proceeding arising out of the claim;

AND WHEREAS the *School Act* R.S.B.C. 1996 c. 412 also provides that the Board may by bylaw indemnify a trustee, an officer, or an employee of the Board where an inquiry under Part 2 of the *Public Inquiry Act* or other proceeding involves the administration and conduct of business of the School District, and also pay legal costs incurred in a proceeding arising out of the inquiry or other proceeding;

NOW THEREFORE the Board of Education of School District No. 69 (Qualicum) in open meeting assembled enacts as follows:

**1. Interpretation**

In this bylaw, which may be cited as "Indemnification Bylaw No. 18":

- a. "Board" means the Board of Education of School District 69 (Qualicum);
- b. "trustee" means a member of the Board of Education of School District 69 (Qualicum);
- c. "officer" means a superintendent, assistant superintendent, secretary-treasurer, assistant secretary-treasurer, district principal, principal or vice principal of the Board;
- d. "employee" means all Board teaching and non-teaching personnel other than officers;
- e. ~~wherever the singular or masculine or neuter is used in this bylaw, the same shall be construed as meaning the plural, the feminine, or the body corporate whenever the context so requires.~~

**2. Indemnification**

- a. The Board shall indemnify a trustee, an officer, or an employee of the Board against a claim for damages against the trustee, officer, or employee arising out of the performance of her/his **that person's** duties and, in addition, pay the reasonable legal costs incurred by the trustee, officer, or employee in proceedings arising out of the claim except as otherwise provided for in this bylaw.
- b. The Board shall indemnify a trustee, an officer, or an employee where there is an inquiry under the *Public Inquiry Act* or other proceedings involving the administration and conduct of the business of School District No. 69 (Qualicum), and also pay reasonable legal costs incurred in such inquiries or proceedings, except as otherwise provided in this bylaw;



## SCHOOL DISTRICT No. 69 (QUALICUM)

### BOARD BYLAW 6

### INDEMNIFICATION

(Page 2 of 4)

- c. The Board may, by affirmative vote of not less than 2/3 of all trustees, pay any sum required to indemnify a trustee, an officer or an employee if the prosecution arises out of the performance of his or her **that person's** Board duties, and costs necessarily incurred.
- d. Section 2(a), 2(b), and 2(c) apply in respect of a person who was a trustee, an officer, or an employee of the Board at the time he/she **that person's** performed the duties out of which the claim, inquiry or other proceeding arise, whether or not he/she **that person** is a trustee, an officer, or an employee at the time the claim for damages, inquiry, prosecution, or other proceeding arises, or any legal action arising out of the claim, inquiry or other proceeding is commenced or concluded except as otherwise provided in this bylaw;
- e. This bylaw applies only to:
  - i. the performance of duties by current or former trustees, officers, or employees; and
  - ii. inquiries or proceedings arising out of the administration and conduct of the business of School District No. 69 (Qualicum).

### 3. Administration of Medication

Without limiting the generality of Section 2, the Board's indemnification of trustees, officers, or employees against claims for damages as set out in Section 2(a) hereof, shall include, but is not limited to, claims arising from Board-authorized administration of medication to students, supervision of self-administration of medication by students, and performance of physical procedures relating to the medical needs of students.

### 4. Contracts

This bylaw refers to officer and employee employment contracts, including collective agreements, now in force or in force in the future. It does not supersede those contracts or collective agreements.

### 5. Exclusions

- a. In the event that insurance coverage is available to the trustee, officer, or employee with respect to the liability of the trustee, officer, or employee, the Board shall not indemnify the trustee, officer, or employee as the case may be until the available insurance coverage is exhausted.
- b. The Board shall not indemnify a trustee, officer, or employee against:
  - i. legal fees and/or liability resulting from an action or any other proceeding taken by the trustee, officer, or employee against the Board.
  - ii. liability and/or legal fees resulting from investigations or proceedings undertaken pursuant to the *Teachers Act* unless the Board agrees to the contrary by an affirmative vote of a majority of its members.
  - iii. a fine, penalty, or order imposed as a result of a conviction for a criminal offense.
  - iv. legal fees incurred in an appeal of any conviction, sentence, judgment, or order unless the Board agrees to the contrary by an affirmative vote of a majority of its members.





## SCHOOL DISTRICT No. 69 (QUALICUM)

### BOARD BYLAW 6

### INDEMNIFICATION

(Page 3 of 4)

- v. liability and/or legal fees incurred by a trustee where there has been a determination by a Court that the trustee knowingly contravened Section 58 of the *School Act*. liability and/or legal fees incurred by a trustee, officer, or employee where there is a determination by a Court that the trustee, officer, or employee knowingly permitted and/or authorized an expenditure not otherwise authorized by an enactment.
- vi. liability incurred by a trustee resulting from any restitution ordered pursuant to Section 63(1)(b) of the *School Act*.
- vii. those matters for which the Board pursuant to its authority under Section 95(3) of the *School Act* may seek indemnity from an employee.
- viii. in respect of any complaint of harassment made against the trustees, officer or employee.

#### 6. Legal Counsel

For those matters provided in Sections 2 and 3 of this bylaw, and not excluded by Section 5 and 6:

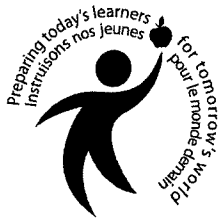
- a. the Board has the authority to appoint and instruct legal counsel; or,
- b. with the prior approval of the Board, the trustee, officer, or employee may retain legal counsel chosen by the trustee, officer, or employee, in which case the Board shall have the right to:
  - i. approve, in advance, any agreement for legal fees and disbursements;
  - ii. pay all or part of the legal fees and disbursements and to set a reasonable maximum for legal fees and disbursements;
  - iii. direct the defence and to settle or compromise a claim or action;
  - iv. review the account of the legal counsel pursuant to the *Legal Profession Act* and the trustee, officer, or employee shall include such a term in an agreement with her/his that person's legal counsel; and,
  - v. determine whether or not the trustee, officer, or employee will be reimbursed by the Board for legal fees or any portion of the legal fees that have been paid by the trustee, officer, or employee prior to the approval of the Board.

#### 7. Amounts Payable

Any amount that may be payable by the Board shall be reduced by any court costs awarded and paid to the trustee, officer, or employee.

#### 8. Advancing Legal Costs

The Board may advance legal costs to the trustee, officer, or employee prior to the final resolution of a claim or action in order to prevent undue hardship. When the Board advances such costs to a trustee, officer, or employee, the trustee, officer, or employee shall provide written authorization for the Board to deduct an amount equivalent to the costs advanced from future funds payable to the trustee, officer, or employee by the Board. The authorization shall only be used by the Board if it is determined at a later date that the trustee, officer, or employee is not entitled to be indemnified pursuant to the terms of this bylaw.



**SCHOOL DISTRICT No. 69 (QUALICUM)**

**BOARD BYLAW 6**

**INDEMNIFICATION**

*(Page 4 of 4)*

**9. Severability**

If any section or lesser portion of this bylaw is held invalid, the invalidity shall not affect the validity of the remaining portions of this bylaw.

**10. Citation**

This bylaw may be cited for all purposes as Board of Education of School District No. 69 (Qualicum) "Indemnification Bylaw No. 6".

**TITLE**

This bylaw may be cited as "School District No.69 (Qualicum) Indemnification Bylaw No.6".

Read a first time this \_\_\_ day of \_\_\_\_\_, 2019.

Read a second time this \_\_\_ day of \_\_\_\_\_, 2019.

Read a third and final time, passed and adopted this \_\_\_ day of \_\_\_\_\_, 2019

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CHAIRPERSON OF THE BOARD

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SECRETARY TREASURER

What is a Bylaw/Policy/Procedure??

Features	Bylaws	Policies	Procedures
Content	Governance of members Regulation of affairs such as Name and purpose; meetings; Board; officers; decision-making; Membership rights/limitations	Intent, Philosophy Expression of institutional culture Promotion of operational efficiency	Statements of how, when, who and sometimes what Step-by-step descriptions of the tasks required to Support the policies
Application	To control the internal affairs Of the organization	Widespread applications Guide decision making and create consistency from governance to management. Non-negotiable.	A detailed description of activities Tools for implementation by managers Somewhat negotiable according to Management's best practices.
Amended	Infrequently Reviewed every 5-10 years	Infrequently. Reviewed with each new strategic plan	Are subject to change and constant improvement
Broadness	Narrow focus related only to Internal affairs	Expressed in broad terms	Narrow and action oriented
Operations	Define the operations of the board	Answers major operational issues	Details the process of implementation of a policy.
Responsibility	Board of Education (Trustees, Superintendent and Secretary-Treasurer)	Board of Education with input from partner groups	Superintendent with input from Partner groups



## Memo

**Date:** September 26, 2019  
**To:** Policy Committee of the Whole  
**From:** Dr. Keven Elder, Superintendent of Schools  
**RE:** **Policy Manual Review – Long Term Project**

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Further to policy development discussions of the past few months, it may be time for the Board to consider a long term project designed to ensure consistency and clarity within and among the Board's bylaws and policies. The following parameters may be worth using as a foundation for an extensive review of the language and content of all bylaws and policies:

1. Policy Format:  
Consideration of the following as the standard for all policies (bylaws would be excepted as they are designed for specific statutory reason).
  - a. Context (preamble, whereas, background, reason for the policy)
  - b. Policy Statement (the action or direction required by the Board)
  - c. Guiding Principles (Board beliefs)
  - d. Definitions
  - e. References (contractual, statutory, policy)
  - f. Dates of Adoption and Amendment
2. Administrative Procedure Format:  
Review all Aps to ensure clarity with respect to roles and responsibilities, steps, timelines and accountability.
3. Definitions:  
Ensuring that each policy has definitions embedded as necessary.
4. Language:  
Consideration of
  - a. Level of language
  - b. Minimal use of language
  - c. Redundancies
  - d. Use of bold, underline and capitals
  - e. Pronouns
  - f. Spelling protocols
5. Consistency:  
Ensuring consistency between and among policies, as well as linkages between policies for inclusion in the references section of each policy.
6. References:  
Ensuring appropriate statutory, contractual and policy references are in each bylaw and policy.
7. Adherence to Board Guidelines:  
Ensuring that all bylaws and policies are developed or amended in ways that align with the Board Bylaw 7 and its guiding questions.
8. Renumbering:  
Consideration of renumbering for clarity.

Submitted for consideration, with respect,

Keven

**Trustee Handbook  
Report and Recommendations  
October 15, 2019 Policy Committee of the Whole Meeting**

In reviewing other School Districts policy/bylaws, developing the table regarding the definition and scope of bylaws, discussion with Superintendent Elder, and considering that our Trustee Handbook has no formal processes, I am recommending the following:

1. That we maintain the Trustee Handbook as it is as a guideline for Trustees and those wishing to run for Trustee Election.
2. That the information on the Role of the Board be included in our current Bylaw 2 Board Structure.
3. That the Role of the Trustee (Page 9) and Trustee Code of Ethics (page10) be included in either one or two new bylaws. This could include information on page 11 as well.

These new and rewritten bylaws would come forward at our November meeting for possible 1<sup>st</sup> reading.

**Review of Other Bylaws  
Report and Recommendations  
October 15, 2019 Policy Committee of the Whole Meeting**

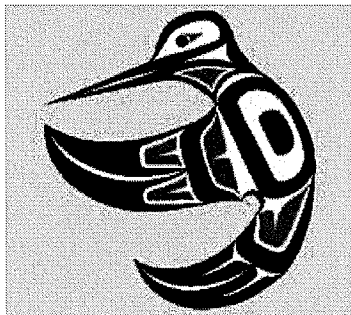
I recommend the following regarding a bylaw review:

1. That any bylaw reviewed and not changed be noted as reviewed.
2. Bylaw 1 – Trustee Elections -- no changes
3. Bylaw 2 – Board Structure – change to include Role of the Board and add sections to reflect final outcome if no one is elected to Chair and Vice Chair positions. Review in progress re: trustee Remuneration and discussion will be needed.
4. Bylaw 4 – Banking – No changes
5. Bylaw 5 – Parent/student Appeals to the Board of Education – No changes
6. Bylaw 7 – Bylaw and Policy Development and Review – update to reflect our agreement regarding policy format, language, and other issues. This would come forward in November.



# TRUSTEE HANDBOOK

2019-2020



# INTRODUCTION

This Trustee Handbook has been generated to highlight and support the very important governance function of the Board. In addition to clearly defining the role of the Board, the role of the Superintendent and the delegation of authority from the Board to the Superintendent, it includes the following as policies:

- Foundational statements which provide guidance and direction;
- Directions for how the Board itself is to function and how individual trustees are to conduct themselves; how Board committees and representatives are to function;
- Non-delegable matters such as school closures and policy-making; and,
- Specific matters which the Board has chosen not to delegate to the Superintendent.

# ROLE OF THE BOARD

As the corporate body elected by the voters, the Board of Education is responsible for the development of goals and policies to guide the provision of educational services to students attending District schools and programs, in keeping with the requirements of government legislation and the values of the electorate.

## **SPECIFIC AREAS OF RESPONSIBILITY**

### **1. Accountability to Governments**

The Board shall:

- 1.1 Act in accordance with all statutory requirements of federal and provincial legislation to implement educational standards and policies.
- 1.2 Perform Board functions required by governing legislation and existing Board policy.

### **2. Accountability to and Engagement of Community**

The Board shall:

- 2.1 Make decisions that address the needs and demands of the entire District.
- 2.2 Establish processes and provide opportunities for community input
- 2.3 Communicate the District Strategic Plan, and achievements of students and staff to the community, at least annually.
- 2.4 Develop procedures for and hear appeals as required by statute and/or Board policy.
- 2.5 Provide for two-way communication between Board and stakeholder groups.
- 2.6 Meet regularly with municipal governments and other educational/public service or business governing authorities to achieve educational ends.
- 2.7 Model a culture consistent with District values.

### **3. Planning**

The Board shall:

- 3.1 Provide overall direction for the District by establishing a vision, values and strategic issues to be addressed.
- 3.2 Develop and approve the District's long term Strategic Plan.
- 3.3 Annually set District goals and key results, aligned with the District's Strategic Plan
- 3.4 Monitor progress toward the achievement of student outcomes and other desired results.
- 3.5 Annually evaluate the effectiveness of the District in achieving established goals and desired results.

### **4. Policy**

The Board shall:

- 4.1 Identify the purpose to be achieved and the criteria for a new policy.
- 4.2 Make the final decision as to the approval of all policy statements.
- 4.3 Evaluate policy impact to determine if policy has created the desired change.
- 4.4 Determine policies which outline how the Board is to function.
- 4.5 Delegate authority to the Superintendent and define commensurate responsibilities.

### **5. Board/Superintendent Relations**

The Board shall:

- 5.1 Select the Superintendent



- 5.2 Provide the Superintendent with clear corporate direction.
- 5.3 Delegate in writing, administrative authority and identify responsibility subject to the provisions and restrictions in provincial legislation and regulations.
- 5.4 Evaluate the Superintendent and review compensation in accordance with the Superintendent's contract.
- 5.5 Respect the authority of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position.

## **6. Political Advocacy**

The Board shall:

- 6.1 Address external issues in a manner consistent with District values.
- 6.2 Make decisions regarding British Columbia School Trustee Association (BCSTA) and British Columbia Public Sector Employees' Association (BCPSEA) issues.
- 6.3 Advance District positions and priorities through relevant provincial organizations and associations.

## **7. Board Development**

The Board shall:

- 7.1 Annually evaluate the Board's effectiveness.
- 7.2 Annually develop a Board development plan aligned with District priorities.

## **8. Fiscal Accountability**

The Board shall:

- 8.1 Approve process and timelines for budget deliberations.
- 8.2 In collaboration with the Superintendent, identify assumptions and draft priorities for the creation of the annual budget.
- 8.3 Approve the annual budget which aligns with key goals and the Strategic Plan.
- 8.4 Annually approve the District's facilities planning document.
- 8.5 Annually appoint or reappoint the auditor.
- 8.6 Review annually the audit report and management letter.
- 8.7 Provide direction regarding the mandate for local employee negotiations.
- 8.8 Make decisions regarding ratification of memoranda of agreement with bargaining units.
- 8.9 Approve the acquisition and disposition of District land and buildings.
- 8.10 Approve tender selection for contracts over \$50,000 (fifty thousand dollars)
- 8.11 Approve construction projects in excess of \$500,000 (five hundred thousand dollars)

## **Selected Responsibilities**

1. Establish parameters for early retirement incentive plans.
2. Approve local school calendars, as requested in accordance with legislation.
3. Approve Board/Authority Authorized Courses
4. Hear appeals on the reconsideration of resource materials which are challenged.
5. Approve the naming of educational facilities and land.
6. Recognize students, staff and community members.
7. Approve school catchment areas.
8. Approve transportation service level changes.
9. Approve District partnerships.

*Legal Reference: Section 85, School Act*

# **ROLE OF THE BOARD CHAIR**

1. The Board establishes policies for conducting its business. It elects a Chair to provide leadership in complying with these policies, or a reasonable interpretation of them. It is the responsibility of the entire Board to support the Chair in exercising these duties.
2. The Chair shall protect the integrity of the Board's process, represent the Board at outside events, and speak on behalf of the Board.
3. Ensure that meeting agendas and discussions are limited to those issues which are within the Board's jurisdiction.
4. Keeps deliberation timely, fair, orderly, thorough, efficient, and to the point.
5. Ensure that each trustee has a full and fair opportunity to be heard and understood by the other members of the Board in order that collective opinion can be developed and a corporate decision reached.
6. Be in regular contact with the Superintendent to maintain a working knowledge of current issues and events.
7. Act as the chief spokesperson for the Board.
8. Ensure that the Board engages in regular assessments of its effectiveness as a Board.
9. Meetings will be conducted under Roberts Rules of Order.

# ROLE OF THE SUPERINTENDENT

The Board recognizes the need for one person to be in charge of the management of the District in order to provide coordinated leadership. Therefore, the Board designates the Superintendent as Chief Executive Officer of the Board and the Chief Education Officer of the District and delegates to the Superintendent responsibility for overall administration of the District. The Superintendent makes reports which focus on governance implications and is accountable to the corporate Board for the conduct and operation of the District, for providing leadership in administration and instructional programs for students, and for ensuring compliance with legislative requirements. All Board authority delegated to the staff of the District is delegated through the Superintendent.

## SPECIFIC AREAS OF RESPONSIBILITY

### 1. Leadership and District Culture

The Superintendent shall:

- 1.1 Provide leadership in all matters relating to education in the District.
- 1.2 Implement directions established by the Ministry and make the Board aware of pertinent legislative changes.
- 1.3 Establish a learning environment that supports the general well-being of students.
- 1.4 Implement the Strategic Plan and report annually on results achieved.
- 1.5 Identify future issues and challenges.

### 2. Policy and Governance

The Superintendent shall:

- 2.1 Proactively facilitate planning, development, implementation and review of Board policies.
- 2.2 Inform the Board of any changes made to administrative procedures.
- 2.3 As appropriate, involve stakeholders in the development and review of administrative procedures.
- 2.4 Establish and maintain positive professional working relations with the Board.
- 2.5 Respect and honour the Board's role and responsibilities, and facilitate the implementation of that role as defined by Board policy.
- 2.6 Keep the Board informed through appropriate monitoring reports which focus on governance implications of developments within the District.

### 3. Communications and Community Relations

The Superintendent shall:

- 3.1 Take appropriate actions to ensure positive internal and external communications are developed and maintained and act as one of the Board's spokespersons as required on District matters in concert with the Chair.
- 3.2 Develop and maintain positive and effective relations with provincial and municipal government administrators.
- 3.3 Respond in an ethical and skilled way to electronic and print media.
- 3.4 Demonstrate consensus building, collaboration and conflict mediation.

#### **4. Organizational Management**

The Superintendent shall:

- 4.1 Demonstrate effective organizational skills resulting in District compliance with all legal, Ministerial and Board mandates and timelines.
- 4.2 Report to the Minister with respect to matters identified in and required by the School Act.
- 4.3 Define processes for gathering, analyzing and using data for decision-making
- 4.4 Provide the Board with a recommended annual operating budget, such capital expenditures as may be required, and periodic statements of revenue and expenditures
- 4.5 Ensure the District operates in a fiscally responsible manner, including adherence to recognized accounting procedures.
- 4.6 Ensure the facilities adequately accommodate District students.

#### **5. Curriculum Planning and Development**

The Superintendent shall:

- 5.1 Ensure that curriculum design, delivery and integration is in alignment with the BC Ministry of Education prescribed learning outcomes and the *BC Education Plan*.

#### **6. Instructional Management and District Accountability**

The Superintendent shall:

- 6.1 Support instructional strategies, assessment and resources that reflect sensitivity to diversity and incorporate themes such as inclusion, respect and acceptance.
- 6.2 Promote awareness of current research and best practices in support of curriculum and instruction.
- 6.3 Engage in professional development activities to ensure currency in educational practices.

#### **7. Human Resources Management**

The Superintendent shall:

- 7.1 Have overall authority and responsibility for all personnel-related matters, except development of mandates for collective bargaining and those personnel matters precluded by legislation, collective agreements or Board policy.
- 7.2 Promote at all times a high standard of collaborative professional leadership, effective human relationships, and a spirit of educational innovation and advancement throughout the District.
- 7.3 Monitor and improve the performance of all staff.

#### **8. Values and Ethics of Leadership**

The Superintendent shall:

- 8.1 Practice leadership in a manner that is viewed positively and has the support of those with whom he works most directly in carrying out the directives of the Board and the Minister.
- 8.2 Model appropriate value systems, ethics and moral leadership.
- 8.3 Coordinate social agencies and human services to help each student grow and develop as a caring, informed citizen.
- 8.4 Make provision for the safe, healthy and caring environment for students in schools and on District property and transportation.

# **ROLE OF THE SECRETARY TREASURER**

1. The Secretary Treasurer is the statutory corporate financial officer of the Board of Education, responsible to the Board and the Ministry of Education for financial statements, corporate records, minutes and procedural documents of the district.
2. The School Act requires the Secretary Treasurer to preside over the official records of the district, including Board minutes, all legal documentation and the budget. As such, the Secretary Treasurer can be requested to report directly to the Minister of Education.
3. In most districts, the Secretary Treasurer is also the chief business official, and heads the district's business division, which is responsible for finance, facilities and support services.
4. The Secretary Treasurer attends all Board meetings and officially endorses all corporate minutes, documents and financial transactions.
5. The Secretary Treasurer reports to the Superintendent except on matters relating to the role as corporate financial officer. Regardless of the structure approved by the Board, clarity of role and responsibility is essential.
6. In most districts, the Secretary Treasurer, Superintendent and Board work together closely to prepare agendas, schedule meetings and ensure that the Board and its administrative staff execute their responsibilities effectively. For this team process to work well, trustees must ensure that clear, open communication prevails, and that there is a cooperative working relationship.

# **BOARD CHAIR AND SUPERINTENDENT**

These two leaders will need to communicate frequently to discuss many matters including:

- Items to be placed on the Board agenda, the order or sequence of agenda items and what Board action is recommended for each item;
- What role the Superintendent (as well as the Secretary-Treasurer or other senior staff) will play at Board meetings and how union representatives outside consultants may participate in Board meetings;
- How to handle emergency situations that might arise;
- Dealings with the news media and the role of the Chair as spokesperson for the Board.

# ROLE OF THE TRUSTEE

The Foundational Principles (SD69) and The *School Act* give no individual authority to trustees. As members of the corporate board, trustees are accountable to the public for the collective decisions of the Board and for the delivery and quality of educational services. A trustee must serve the community as an elected representative, but the trustee's primary task is to act as a member of a corporate board. A trustee acting individually has only the authority and status of any other citizen in the District.

## **Specific Responsibilities:**

1. Support the decision of the Board and monitor progress to ensure decisions are implemented.
2. Strive to develop a positive and respectful learning and working culture both within the Board and the District.
3. Become familiar with, and adhere to, the Trustee Code of Ethics.
4. Bring to the attention of the Board any issues that may significantly affect the District, and interpret the needs of the community to the Board.
5. Refer queries, issues or problems raised by a parent or community member about a teacher or classroom, to the teacher or about a principal or a school, to the principal and, where appropriate, inform the Superintendent or designate. Also refer to School District 69 Board Policy 6240: *Resolution of Complaints*.
6. Act as a liaison to assigned schools according to purpose and parameters as outlined in Liaison Schools- Purpose and Parameters document.
7. Keep the Board and the Superintendent informed in a timely manner of matters coming to his/her attention that might affect the District.
8. Provide the Superintendent with counsel and advice, giving the benefit of the trustee's judgment, experience and familiarity with the community.
9. Come prepared to Board meetings, participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for the education of children within the District.
10. If a personal disagreement arises between a member of the team and another member, a one to one meeting between the two should be arranged to deal with and resolve the disagreement.
11. If there is any doubt about contacting employees of the district, the Superintendent or the Secretary Treasurer should be contacted first.
12. Strive to develop a positive and respectful learning and working culture both within the Board and the District.
13. Each member of the Board has the responsibility of being loyal to the District.

# TRUSTEE CODE OF ETHICS

It is vital that the Board of Education commits itself and its members to conduct which is appropriate and ethical. All personal interactions should be respectful and should acknowledge the worth of each person.

Trustees will endeavor to ensure that all schools in School District 69 (Qualicum) provide the best quality education possible for all of our students regardless of their ability, sex, creed, social standing or any disability conditions.

Trustees must devote time, thought and study to the duties and responsibilities of being a trustee so as to be able to render effective and competent decisions.

Trustees must come to meetings prepared.

Trustees must represent the best interests of the entire District. This representation must supersede any conflicting loyalty such as that to advocacy or interest groups, other Boards or staff, or as a user of the District's services.

Trustees must work together to communicate to the electorate the facts about our schools.

Trustees must recognize that an individual Trustee has no legal authority outside of the meetings of the Board, unless so designated and approved by the Board. Relationships with school staff, local citizens, and the media will be conducted based on this fact.

Trustees must practice discretion where confidential Board matters are concerned.

Trustees must respect the Chief Executive Officer's (Superintendent of Schools) responsibility for the day-to-day administration of the District.

Trustees must refer all complaints and criticisms to the Chief Executive Officer, who will inform the appropriate individual(s).

Trustees must not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies. Trustees will recognize that they do not direct staff.

Trustees should avail themselves of opportunities to increase their potential as board members through participation in professional development such as conferences, workshops and training made available through BCSTA and other local and provincial agencies.

The Board as a whole has to take responsibility to resolve potentially dysfunctional situations and strive to build dynamics that demonstrate:

- A commitment to collaborative decision-making
- A commitment to doing the homework and sharing responsibility
- A commitment to contributing to public meetings in a way that earns public confidence in the work of the Board
- A commitment to put the good of the school system before individual political agendas
- A commitment to focus at least as much on assessing the value of initiatives as in controlling costs
- A commitment to be open-minded to the views of fellow Board members



# RELATIONSHIP BETWEEN BOARD AND SENIOR STAFF

The other non-voting members of the school district governing team are the Superintendent, Secretary Treasurer and sometimes Directors and the Executive Assistant. Trustees need to remember that no one trustee, not even the Chair, has the authority to direct the Superintendent or other staff. The Superintendent reports to the whole Board.

Under the *School Act*, both the Superintendent and Secretary Treasurer report to the Board, and either or both may be required to report to the Minister at the Minister's request. In addition, at the district level, senior education administrators must maintain the respect and loyalty of the other district staff, yet follow policy directions mandated by the Board of Education, as well as the Ministry of Education.

# LEGAL ISSUES FOR TRUSTEES

(from BCSTA Legal Counsel)

## Meetings and Confidentiality

1. What is a meeting and why does it matter?
2. Should we be discussing this in camera?
3. Open or closed: How do we decide?
4. What are my options if I think the public needs to know?
5. What might be consequences if I "leak" confidential information?

## Conflict of Interest

1. How do I recognize a conflict of interest
2. Scenario 1  
Budget: I have an immediate family member who is a Board employee, when will I have a conflict of interest in the budget?
3. Scenario 2  
Collective Bargaining: I am a union member but I do not work for the school district. Do I have a conflict of interest in provincial or local collective bargaining?
4. Trustee obligations: What do I have to do if I have a conflict?
5. Avoiding conflicts over conflicts. Who decides? What can the Board do?
6. What other (non-pecuniary) conflicts are there?

## Risk and Liability

1. What liability insurance or other protection do we have as trustees?
2. What if I am sued?
3. When am I not covered?

# A RELATIONSHIP CHECKLIST

- ✓ Do we have clarity about the roles and responsibilities of all parties?
- ✓ Are our policies up to date and included in orientation materials for new trustees?
- ✓ Are we getting complaints from members of various stakeholder groups, or are there any patterns in the complaints that we should be paying attention to (e.g. increasing in numbers, disproportionately relating to one issue or area, etc.)?
- ✓ How is our group process in the Board meeting? Is everyone being heard and have we done an annual self-assessment that includes a focus on group dynamics?
- ✓ Is conflict constructive and are dissenting voices heard with respect?

# DISTRICT SCHOOL CALENDAR 2019-20

Number of days in Session: 188

Number of days of Instruction: 180

Schools open Regular start time – schools dismiss three hours early Ballenas and Kwalikum Secondary – grade 8 students only	Tuesday, September 3
Ballenas and Kwalikum Secondary First day for grades 9-12 students	Wednesday, September 4
District Conferencing Adjustment Non-Instructional Day	Monday, September 23
District Planning Day Non-instructional Day	Tuesday, September 24
Thanksgiving Day	Monday, October 14
Conferencing Adjustment- Non-instructional Day	Thursday, October 24
Provincial Professional Development Day Non-instructional Day	Friday, October 25
School Based Professional Development Day Non-Instructional Day	Friday, November 1
Remembrance Day	Monday, November 11
Winter Vacation Period	December 23, 2019 to January 3, 2020
Schools Reopen after Winter Vacation	Monday, January 6
BC Family Day	Monday, February 17
District Professional Development Day Non-instructional Day	Monday, February 24
Spring Vacation Period	March 16 to March 27
Schools Reopen after Spring Vacation	Monday, March 30
Good Friday	Friday April 10
Easter Monday	Monday, April 13
Conferencing Adjustment Day Non-instructional Day	Friday, May 1
School Based Professional Development Day Non-Instructional Day	Friday, May 15
Victoria Day	Monday, May 18
Final Day for Students      Schools dismiss three hours early	Thursday, June 25
Administrative Day Non-instructional Day	Friday, June 26

# LIAISON SCHOOLS – Purpose and Parameters

The following rationale, purposes and parameters of trustees being the liaison between the Board and assigned schools is as follows:

1. To provide the Board with an opportunity to have a 'face' and a presence at each school:
  - To participate in school activities as requested or invited by the school
  - To see and hear from members of the school community as decisions by the Board are put into practice in the school community.
  
2. Trustees would like to make it clear that the role of Trustee Liaison is not intended to undermine or supersede the role of the principal, PAC Chair, or other staff. A Trustee Liaison does not interfere with:
  - The day to day operations of the school;
  - The defined process for resolution of parent or others' concerns as outlined in Policy 6240; or,
  - Other processes for discussing concerns by staff.
  
3. Attendance at school events by the Trustee Liaison would vary in detail from school to school, and this would be clearly defined through discussion with the school principal, and possibly other school groups, as is deemed appropriate by the principal.
  
4. Trustees will also be clear that as an individual Trustee, they have no authority. Issues or questions will be dealt with through usual processes, and can then be brought to the Board, if appropriate, for Board consideration. A decision by the Board would lead to direction to staff to develop a course of action.
  
5. In summary, the role of Trustee Liaison is intended to strengthen the bond and further communications between schools and the Board of School Trustees in a manner that demonstrates the work of Boards while clearly respecting the role and authority of school administrators and staff.

# BOARD ANNUAL WORK PLAN

## August

- Yearly Election of Board Chair and Vice Chair after August Regular Board Meeting Appoint Trustee representatives to District and external committees

## September

- Submit Executive Compensation Disclosure to Public Sector Employers' Council
- Approve Audited Financial Statements (Regular) and receive Management Letter (In Camera) – for submission to Ministry of Education
- Appoint/reappoint auditor for next fiscal year
- Request carry-forward of any surplus Aboriginal Education funds
- First Nations, Metis and Inuit Education Enhancement Agreement (update or new)

## October

- Approve 5-year capital plan for submission to Ministry of Education
- Approve School Codes of Conduct (due to Superintendent by October 15 for approval by Board at October Board Meeting)
- Approve District Enhancing Student Learning Plan
- Receive Superintendent Report on organization of classes (information only)
- Board Representative attends BCPSEA Symposium
- Board Representative attends BCSTA Provincial Council Meeting
- Complete Superintendent's Performance Management Review with Director of Human Resources

## November

- Board and Senior Staff Budget Retreat
- Receive Statement of Financial Information (SOFI) Report for submission to Ministry of Education
- Receive current year's budget status report (for information)
- Board Self Evaluation

## December

- Attend BCSTA Trustee Academy
- Distribute Christmas oranges to each site

## January

- Represent Board at BCPSEA AGM
- Circulation of Draft Budget Schedule to stakeholders/community
- Approve Amended Annual Budget Bylaw
- Receive current year's budget status report (for information)
- Submit Financial Disclosure Statements to Secretary Treasurer between January 1st and 15<sup>th</sup>

## February

- Receive Update of Superintendent Report on organization of Semester 2 classes (info only)
- Approve Amended Annual Budget Bylaw for current fiscal year
- Board representative attends BCSTA Provincial Council Meeting
- Host Budget information sessions – staff and public
- Provide direction through the Board's representative to BCSTA Provincial Council Meeting regarding provincial policy matters
- Attend District Budget Committee meetings
- Undertake Superintendent's Performance Management Review with Director of Human Resources
- Submit to Minister an estimate of number of students who may be enrolled in educational programs in the next school year.
- Recognize Long-Service Employees

### March

- Receive preliminary budget revenue information for upcoming year's preliminary budget – Ministry of Education funding announcement
- Approve local school calendar (District, False Bay School, CEAP and PASS) prior to distribution to parents/guardians
- Current year budget status report
- Minister to prepare, approve and provide each board with estimate of the board's debt service expenses for next fiscal year.

### April

- Attend BCSTA AGM
- Attend Special Public Budget Meetings for review of draft preliminary budget
- Approve local school calendars (CEAP, PASS, False Bay School)
- Approve preliminary budget for upcoming fiscal year (by June 30<sup>th</sup>)
- Receive report from Superintendent on receipt of School Codes of Conduct

### May

- Receive current year's budget status report (for information)
- Receive Annual Facilities Grant Spending Plan
- Approve school fees for upcoming school year
- Continue Superintendent's Performance Management Review with Director of Human Resources

### June

- Recognize Retiring Employees
- Review and Approve Draft Trustee Meeting schedule for upcoming year for posting on the District website
- Approve Annual Five Year Capital Plan
- Review Enhancing Student Learning Plans at each School/Program site – approve at Regular Board Meeting
- Attend year-end celebrations/events/commencement

### Ongoing

- Finance & Operations Committee of the Whole Meetings (third Monday of each month with exceptions)
- Policy Committee of the Whole Meetings (third Monday of each month with exceptions)
- Education Committee of the Whole Meetings (third Tuesday of each month with exceptions)
- Trustee Informal (first Friday of each month)
- Attend school functions as invited
- Review District Strategic Plan
- Hear appeals as required
- Recognize school and community highlights
- Attend Board Liaison meetings as outlined on Board Meeting Schedule
- Attend Trustee development/orientation sessions
- Approval of Board Authority/Authorized Courses (BAAC)



## Superintendent of Schools

# Memo

**Date:** September 26, 2019  
**To:** Policy Committee of the Whole  
**From:** Dr. Keven Elder, Superintendent of Schools  
**RE:** **Board Policy 8003: Impairment in the Workplace**

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Further to the Board's interest in reviewing Policy 8003: Impairment in the Workplace, we have determined that it is too early to gather any information on the difference being made by the policy as attached. That said, it is important to get a sense of the extent to which impairment in the workplace is an issue, and the extent to which the policy is being seen as a valuable and useful tool in support of our employees.

To that end, I will be sending a number of questions to members of our district leadership team including district and school level administrators. I will couch the request in terms of the need for honesty and confidentiality (i.e. no names or specific details that could identify individuals) along with assurance that this is purely to determine the kinds of supports that might be needed across the system, and the levels of awareness of the policy. Answers would come only to me, and will be used only to extract themes.

The questions will be as follows:

1. To what extent are you aware of the existence of Policy and AP 8003 Impairment in the Workplace?
2. How familiar are you with the general expectations of employees and supervisors in relation to this policy, and how much of that is because of this policy?
3. How many times in the past year have you suspected that someone was impaired in the workplace, whether from alcohol, illicit drugs, prescription drugs, health considerations (including mental health) or fatigue?
4. In those circumstances, how many times have you intervened, what was the nature of the apparent impairment, and what was the nature of your intervention?
5. In those circumstances, to what extent did you use Policy and AP 8003 as your framework for intervention?
6. What would you suggest we do as a system to ensure that people are aware of the provisions of Policy and AP 8003?

With respect,

Keven



## SCHOOL DISTRICT No. 69 (QUALICUM)

### ADMINISTRATIVE PROCEDURE TO POLICY 8000

#### IMPAIRMENT IN THE WORKPLACE

Page 1 of 6

#### PURPOSE

1. The purpose of this administrative procedure is to set out how School District 69 will handle impairment in the workplace, as well as the roles and responsibilities in relation to this matter.
2. This administrative procedure must be read in conjunction with the Policy 8000: *Impairment in the Workplace*.

#### ROLES AND RESPONSIBILITIES

##### ***Employees and Volunteers***

3. Employees and volunteers must:
  - a. Understand and abide by this policy and related administrative procedure;
  - b. be fit for duty at work and in the workplace;
  - c. report to work and perform their assigned duties safely and acceptably without impairment in order to ensure their health and safety and that of others.
  - d. ensure that their ability to perform their job duties is not negatively affected by the use or after-effects of impairing substances;
  - e. consult with their physician and/or pharmacist to determine if their underlying health condition or their use of any medication may affect their fitness for duty or the safety of any person at work or in the workplace;
  - f. advise their supervisor **or the Health and Wellness Coordinator or designate** if they are taking or have taken any impairing substance or are experiencing symptoms arising from an underlying health condition that may negatively impact their fitness for duty or the safety of any person at work or in the workplace;
  - g. advise their supervisor or the Health and Wellness Coordinator or designate, in a confidential manner if they reasonably believe another employee is not fit for duty;
  - h. remain fit for duty or decline unscheduled shifts if impaired; and,
  - i. immediately inform their supervisor if their job role requires a valid driver's licence and their driving privileges are lost, revoked, or suspended due to impaired driving, including but not limited to charge, suspension, or conviction while on or off duty.

##### ***Supervisors and managers***

4. Supervisors and managers must:
  - a. play a key role in the communication, implementation and monitoring of this administrative procedure and related policy;
  - b. work with human resources to proactively identify and manage concerns relating to impairment;

**SCHOOL DISTRICT No. 69 (QUALICUM)**

**ADMINISTRATIVE PROCEDURE TO POLICY 8000**

**IMPAIRMENT IN THE WORKPLACE**

Page 2 of 6

- c. collaborate with the Health and Wellness Coordinator or designate, union and employee to provide support and accommodation in accordance with human rights law;
- d. address any situation where an employee is reasonably suspected of being not fit for duty, including but not limited to prohibiting operation of a motor vehicle;
- e. record relevant information about any incident of suspected impairment and report it without delay to the Health and Wellness Coordinator or designate; and,
- f. foster a workplace culture that encourages employees to self-disclose and seek support for any conditions or concerns about impairment and to understand how this affects their job performance or compromises workplace health and safety.
- g. practice confidentiality.

**CONFIDENTIALITY**

- 5. All disclosures or discoveries of impairment in the workplace will be treated confidentially and with empathy.
- 6. Any details pertaining to an employee's impairment or suspected impairment in the workplace will not be shared unless the employee gives consent. The exception is when consent is not given, or not capable of being given, and there is an immediate risk of harm to the individual or others. Under such circumstances, only those who need to know in order to reduce the risk of harm, may be told.

**ACCESS TO ASSISTANCE**

- 7. Employees and their dependents may seek free and confidential assistance from the Employee and Family Assistance Program (EFAP) available at: [www.workhealthlife.com](http://www.workhealthlife.com) or 1-844-880-9142. All employees can self-refer to the EFAP and this service is free and confidential.
- 8. All Employees are also encouraged to seek assistance from their immediate supervisor, and/or the Health and Wellness Coordinator.
- 9. MATA members are encouraged to seek support through the BCTF Health and Wellness Program. CUPE members will be supported through the Joint Early Intervention Service.

**MEDICAL ACCOMMODATIONS**

- 10. It is the employee's responsibility to disclose their accommodation needs. However, there may be circumstances when a supervisor or manager notices changes in an employee's attendance, performance or behaviour, indicating possible issues with impairment. These circumstances may trigger a legal obligation to initiate a discussion with the employee in order to determine whether there is a need for accommodation of a disability. Union representation will be offered.
- 11. School District 69 will require a medical certificate from the employee's physician in order to consider medical accommodations. While adjustments or modifications may be offered to support an employee to improve their health and to remain safe at work, it should be

**SCHOOL DISTRICT No. 69 (QUALICUM)**

**ADMINISTRATIVE PROCEDURE TO POLICY 8000**

**IMPAIRMENT IN THE WORKPLACE**

Page 3 of 6

understood that any such measures will be temporary and may be withdrawn at any time if they are unsustainable and lead to undue hardship for School District 69.

**INTERVENING WHEN AN EMPLOYEE IS CONSIDERED NOT FIT FOR DUTY**

**Employees**

12. The process for intervening with an employee when a supervisor observes physical, behavioural or work performance indicators that suggest that an employee is impaired at work and not fit for duty is as described below in 12a through to 12i. The employee will be reminded by the Superintendent or designate of their right to have support, including through Union Representation if applicable.
  - a. The supervisor or designate will take immediate action to determine if the employee is fit for duty and will consult with the Health and Wellness Coordinator or designate (if the incident occurs during regular business hours).
  - b. If the employee is deemed not fit for duty the Supervisor will arrange for the employee to be removed from the work site. Contact is to be made with the police in situations where an employee is uncooperative and/or acting inappropriately.
  - c. The supervisor will ask the employee to leave work and will arrange safe transportation for the employee to their residence or to the care of another person and will determine if the employee needs to be accompanied. When there is concern for the employee's immediate health status, arrangement is to be made for transport to medical assistance.
  - d. The supervisor will document observations and actions taken as soon as possible following an incident and will report to the Health and Wellness Coordinator or designate.
  - e. If the nature of the impairment is serious and there was an immediate risk of harm to the individual or others, the supervisor will notify the Director of Human Resources and the Superintendent as soon as possible that the employee was not fit for duty and the subsequent actions that were taken.
  - f. NOTE: After regular business hours, the person designated in charge of a worksite or department will follow the above process. If required, they may contact the appropriate supervisor on call for the department to seek advice and assistance. Observations and actions taken are to be documented and provided to the supervisor at the earliest opportunity.
  - g. The employee will remain off work pending further investigation.
  - h. The Health and Wellness Coordinator or designate will contact the employee as soon as mutually agreed following the incident to arrange a meeting for the purposes of understanding the nature of the impairment and deciding what further action or support is needed.

## SCHOOL DISTRICT No. 69 (QUALICUM)

### ADMINISTRATIVE PROCEDURE TO POLICY 8000

#### IMPAIRMENT IN THE WORKPLACE

Page 4 of 6

- i. The employee and a union representative will be required to meet with the supervisor and the Health and Wellness Coordinator or designate prior to any return to work being approved. A Medical Clearance Certificate may be requested from the employee's physician.

#### INVESTIGATION

13. Non-compliance with the Impairment in the Workplace policy and administrative procedure will be investigated by the Director of Human Resources in order to review the employee's conduct, the extent of their culpability, and to determine whether School District 69 has a duty to accommodate the employee under human rights law.
14. The Director of Human Resources will initiate disciplinary action in circumstances of non-compliance with Board policy, where an employee is deemed to be culpable for their conduct. It should be noted that the existence of a recognized disability, such as a substance use disorder, will not prevent School District 69 from considering discipline.

#### INTERVENING WHEN A NON-EMPLOYEE IS CONSIDERED NOT FIT FOR DUTY

##### Contractors

15. Contractors must ensure individuals providing services to the School District 69 conduct themselves in a manner consistent with this administrative procedure and related policy. In order to provide a safe work environment, School District 69 will take reasonable steps to ensure contractors enforce the provisions of this administrative procedure and the related policy with their employees, sub-contractors and agencies. Appropriate requirements will be built into all requests for proposals and contracts. Any contravention of this administrative procedure and the related policy will be considered a breach of contract which may result in penalties, suspension or expulsion of the individual involved, or termination of the contract.
16. If there is any reason to suspect a contravention of the policy or administrative procedure:
  - a. The contractor, site supervisor and General Manager of Operations will be notified.
  - b. Any individual suspected of impairment will be respectfully removed from the premises and safe transport will be arranged at the contractor's expense.
  - c. The contractor and School District 69 will investigate the situation to determine if further action is required.
  - d. The individual will not be permitted to return to their contracted position without written permission from the General Manager of Operations.

## SCHOOL DISTRICT No. 69 (QUALICUM)

### ADMINISTRATIVE PROCEDURE TO POLICY 8000

#### IMPAIRMENT IN THE WORKPLACE

Page 5 of 6

#### **Volunteers**

17. Volunteers are expected to perform their assignments in a safe manner consistent with this policy and administrative procedure.
18. School District 69 will ensure volunteers become aware of this administrative procedure and related policy. Copies of the policy and administrative procedure will be accessible for volunteers on School District 69 website. Any contravention of the administrative procedure or policy will be considered grounds for immediate forfeiture of an individual's opportunity to volunteer.
19. If a volunteer contravenes this policy:
  - a. The Principal will be notified.
  - b. The volunteer will be immediately and respectfully removed from their assignment and may be removed from the premises by staff who will ensure safe transport from the school or activity site.
  - c. The Principal will investigate the situation and consult with the Superintendent of Schools or designate to determine any further course of action which may be required.
  - d. The volunteer will not be permitted to return to volunteer service without written permission from the Superintendent of Schools.

#### **RETURN TO WORK**

20. Emphasis will be on fitness for duty and supportive reintegration into the workplace. Employees will be expected to provide a medical clearance certificate from a physician declaring the employee is fit for duty and detailing any limitations/restrictions that may require temporary modification of their duties or longer term accommodations under human rights law. Employees are expected to comply with reasonable accommodation provided by School District 69. In some circumstances, such as when an employee's job role is safety sensitive or where an employee is in a position of authority, drug testing may be required as part of a relapse prevention program.
21. If an employee neglects to accept or adhere to the return to work arrangements or if their performance, attendance or behavior does not meet agreed upon standards, the situation may be viewed as a disciplinary matter.

#### **Return to Work Arrangements**

22. Return to work arrangements will be set out in a written Return to Work Agreement which will set out the needs of the employee, and will document the expectations and requirements agreed upon by School District 69, the employee and their union representative.

#### **Reference:**

- *Board Policy 8000: Impairment in the Workplace*

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE TO POLICY 8000

IMPAIRMENT IN THE WORKPLACE

Page 6 of 6

APPENDIX I

DEFINITIONS:

<b>Fit for Duty</b>	A state in which an employee is not impaired and is able to perform their job duties safely, competently and productively consistent with how that individual functions under normal or usual conditions.
<b>Work</b>	Any task or activity performed for or on behalf of the School District, any task or activity associated with an employee's employment with School District 69, or any task or activity where the employee is seen as acting as a representative of the School District. Work includes all breaks (whether paid or unpaid), any period during which an employee is on working call, and periods during which the employee is not actively performing work for School District 69, but is otherwise away from their normal residence and is involved in a School District organized trip, activity, or event.
<b>Workplace</b>	School property as defined in the Cannabis Control and Licensing Act, as amended (including areas consisting of a sidewalk, boulevard or similar components, that abuts school property), and any location, vehicle, or equipment whether owned, leased, licensed, operated, or otherwise controlled by School District 69, or any other place at or from which an employee works in the course of their duties (including their personal vehicle). This includes any location where an employee is in the vicinity of students, is responsible for the supervision of students, or could be seen as acting as a representative of the School District, and includes the location where an employee telecommutes or works from home.
<b>Impairing Substance(s)</b>	Any substance that is ingested, consumed, or otherwise introduced into the body, that can cause the individual to be impaired. Impairing substances may affect an employee's ability to perform their job safely or productively. The definition of impairing substances includes, but is not limited to, alcohol, cannabis, illicit drugs, and medications with impairing effects.
<b>Impaired/Impairment</b>	A deterioration or diminishment of an individual's physiological ability, functioning, judgment, or condition, and includes but is not limited to being unable to function as that individual does under normal or usual conditions, or safely. A person will be considered impaired if their physical or mental state appears to be negatively affecting their cognitive ability or judgement, or their ability to perform their job safely and competently, such as driving or operating machinery.
<b>Medication</b>	A substance obtained legally, either over-the-counter or through a doctor's prescription, that is taken in accordance with a doctor's directions, or, if over-the-counter, taken in accordance with the directions of the manufacturer.