

**THE BOARD OF EDUCATION OF SCHOOL DISTRICT 68
BUSINESS COMMITTEE MEETING
TO BE HELD WEDNESDAY, SEPTEMBER 12, 2018 – 6:00 PM
BOARD ROOM
A G E N D A**

Page

1. CALL TO ORDER

The Chair will call the meeting to order and recognizes that tonight's meeting is being held on the traditional territory of the Snuneymuxw people.

2. ADDITIONS TO THE AGENDA

3. DELETIONS TO THE AGENDA

4. CHANGE IN ORDER

5. APPROVAL OF THE AGENDA

6. APPROVAL OF THE MINUTES

6.1 Minutes - June 13, 2018

3 - 5

That the minutes from the Business Committee meeting held June 13, 2018, be approved.

[09 - Jun 13 2018](#)

7. PRESENTATIONS

8. SENIOR STAFF REPORTS

8.1 Director of Planning and Operations Sabo

- Hammond Bay Expansion/Gym Update
- Frank J Ney Expansion Update
- Summary of Summer Work Completed

8.2 Secretary-Treasurer McVeigh

6 - 29

- VAST Satellite
- SCC Update
- Independent Review Panel report out re K-12 Public Education Sector Funding Model Review Process
- Trustee Remuneration Annual CPI Adjustment
- Trustee Information Night
- New Trustee Orientation
- Inaugural Annual Meeting Policy Change

[Independent Review Panel Report Out](#)

[Trustee Remuneration](#)

[Inaugural Annual Meeting Policy Change \(2\)](#)

8.3 Superintendent Saywell

Please note that the proceedings of this meeting are being recorded to assist in the preparation of the minutes of the meeting. The recording of this meeting are records of the School District, as defined in the *Freedom*

of Information and Protection of Privacy Act, and as such may be the subject of access requests under the Act.

Page

Re: Staffing/Enrolment Update

9. CORRESPONDENCE REFERRED FROM REGULAR BOARD MEETING

10. UNFINISHED BUSINESS

10.1 Secretary-Treasurer McVeigh

- Operating Surplus/Deficit Policy
- Restricted Items from Surplus 2017/2018

11. NEW BUSINESS

12. FOR INFORMATION

13. QUESTION PERIOD

Question Period is intended to enable the public to obtain clarifying information regarding a current agenda item.

Individuals wishing to ask questions of the Board upon completion of Committee and Board sessions shall do so in writing on the form provided which includes their name, street address and email address. The individual will be asked to verify his/her self and be afforded the opportunity to read out their own question. Each individual shall be limited to one follow-up question upon receiving a response. Questions and responses will be included in the video of the meeting and the meeting minutes and will be part of the public record.

Forms are available in the information rack near the entrance of the Board Room

14. ADJOURNMENT

**THE BOARD OF EDUCATION OF SCHOOL DISTRICT 68
MINUTES OF BUSINESS COMMITTEE MEETING
HELD JUNE 13, 2018**

PRESENT:**Trustees**

S. Kimler, Chair
J. Solomon, Vice-Chair
N. Bob
J. Brennan
T. Brzovic
S. Higginson
S. Rae
B. Robinson
N. Routley

ABSENT:

N/A

Staff

J. Blain, Superintendent/CEO
C. McVeigh, Secretary-Treasurer
S. Saywell, Superintendent Designate
T. Davie, Deputy Superintendent
P. Trick, Chief Consultant, Workforce,
Planning & Development
B. Eslinger, Assistant Superintendent
R. Gray, Assistant Superintendent
L. Tait, Assistant Superintendent
D. Burgos, Executive Director of
Communications
K. Matthews, Senior Executive Assistant

IN ATTENDANCE

D. Wood, NDTA Rep
S. Fielden, CUPE Rep
G. Steel, NSAA Rep

Meeting No. B09

CALL TO ORDER

The Chair called the meeting to order at 6:02 pm and recognized that tonight's meeting is being held on the traditional territory of the Snuneymuxw people.

ADDITIONS TO THE AGENDA

There were none.

DELETIONS TO THE AGENDA

There were none.

CHANGE IN ORDER

There were none.

APPROVAL OF THE AGENDA

Folio
BC18/06/13-01

That the Agenda be approved.
CARRIED UNANIMOUSLY

APPROVAL OF THE MINUTES

Minutes - May 9, 2018

Folio
BC18/06/13-02

IT WAS MOVED BY Trustee
IT WAS SECONDED BY Trustee
That the minutes from the Business Committee
meeting held May 9, 2018, be approved.
CARRIED UNANIMOUSLY

PRESENTATIONS

There were none.

SENIOR STAFF REPORTS

**Assistant Superintendents Gray
and Tait**
**Re: Secondary Learning Inquiry
Showcase and NLPS Showcase
of Learning**

Instruction and Assessment Coordinator Amanda
Kiatipis presented the district's Showcase of
Learning. Instruction and Assessment
Coordinator Kim Darbyshire presented the
Secondary Learning Inquiry Showcase. Both
presentations are attached to the Agenda.

Secretary-Treasurer McVeigh
Re: 2018/2019 Operating Budget

Folio
BC18/06/13-03

IT WAS MOVED BY Trustee Rae
IT WAS SECONDED BY Trustee Higginson
The Business Committee recommends that the
Board of Education of School District No. 68
(Nanaimo-Ladysmith), at the next scheduled
Board meeting (prior to June 30, 2018):
a. conduct all three readings of the 2018 /
2019 annual budget bylaw in one meeting,
and
b. pass and adopt the 2018 / 2019 annual
budget and annual budget bylaw.
Opposed by Trustees Brennan, Brzovic, Routley
CARRIED

Folio
BC18/06/13-04

IT WAS MOVED BY Trustee Brennan
IT WAS SECONDED BY Trustee Brzovic
That the Board of Education of School District No.
68 (Nanaimo-Ladysmith) eliminate the position of
Deputy Superintendent and all associated costs.

Minutes of the Business Committee Meeting held June 13, 2018

Opposed by Trustees: Kimler, Solomon, Bob,
Higginson, Rae, Robinson
DEFEATED

**CORRESPONDENCE
REFERRED FROM REGULAR
BOARD MEETING**

There were none.

UNFINISHED BUSINESS

**Superintendent Blain
Re: Former Trustee Recognition**

Folio
BC18/06/13-05

IT WAS MOVED BY Trustee Brennan
IT WAS SECONDED BY Trustee Brzovic

The Business Committee refer this matter to the
next Education Committee meeting in September
2018.

CARRIED UNANIMOUSLY

Trustees reviewed and provided feedback to the
suggested criteria for Former Trustee
Recognition.

NEW BUSINESS

There was none.

FOR INFORMATION

QUESTION PERIOD

There were none.

ADJOURNMENT

Folio
BC18/06/13-06

IT WAS MOVED BY Trustee Rae
IT WAS SECONDED BY Trustee Routley
CARRIED UNANIMOUSLY

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

Introduction

This paper provides a brief summary of what the Independent Review Panel (the Panel) has heard from school districts so far as part of the K-12 public education sector funding model review process. The Panel met with all 60 school districts between mid-March and early May 2018, through 10 face-to-face meetings and one teleconference meeting. This paper does not include feedback from stakeholder/partner meetings and it should not be read as the views or conclusions of the Panel.

Themes and Issues

Part I: Overarching Themes – Independence, Funding and Certainty

We have heard a range of different comments and suggestions on many specific issues, but also heard some consistent messages. Overall, it is clear that British Columbia is a large and diverse province, and the issues faced by individual school districts reflect this – growing or declining enrolment, recruitment and retention issues, access to services, weather, transportation, and facilities condition were identified in meetings as examples of challenges that vary significantly from district to district. For this reason, there is not a great deal of consensus amongst districts on the most pressing issues/challenges that need to be resolved.

In general, Boards of Education agreed that they:

- Do not want to lose funding through reallocation of existing funding or have a “win” at the expense of another district.
- Want the ability to plan for the future, which means some certainty of funding for several years.
- Are concerned that any move to performance-based funding would punish districts (and students) that need the support the most.
- Appreciate additional funding that shows up from the Ministry, but expressed frustration about the timing and administration of some grants. In the past, some special grants have come too late in the school year to be spent effectively.
- Believe that surpluses and cash balances are needed to deal with uncertainty and cover unfunded items.

However, there were some differences that we observed as well. Specifically:

- Some Boards of Education and school district staff have an in-depth understanding of the funding model and its reporting processes, while others do not.
- Boards and staff are protective of their independence, and there are a range of perspectives on how accountable they should be to the Ministry, ranging from not at all to fulsome.

Page 1 of 6

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

- Funding levels, which are outside of this Panel’s mandate, are an issue for many, but a few indicated that their current funding level is sufficient.

Part II: Specific Issues Identified

1. Special Education

Special education funding was a topic at all meetings. All school districts are committed to meeting the diverse learning needs of students despite a number of concerns expressed about how difficult and expensive it is to diagnose and report them to the Ministry, especially within the parameters of strict funding eligibility policies. Other issues identified included out of date linkages to collective agreement language; diagnoses that create expectations for service that may not be required to meet student learning needs; spending far in excess of supplemental funding; lack of access to specialists (especially for rural and remote districts); and some parental resistance to assessment due to concerns about labelling.

A number of districts suggested moving to a prevalence model based on the incidence of special needs in the population as an alternative to the current assessment and reporting-driven funding model. While concerns were raised about data sources, all agreed that this approach would reduce the administrative burden and provide districts with more time and resources to deliver services to students.

2. Collective Agreements

Each school district has its own collective agreement which includes different class size and composition limits. This is a source of frustration and is leading to service inequities across districts, and is being exacerbated by the implementation of the restored collective agreement language and the Classroom Enhancement Fund (CEF) process, which is complex, time consuming and has a high administrative burden.

3. Targeted Funding for Indigenous Students

A few school districts said that funding should not be targeted, while most said that the current model works well. Not all supports that are needed by students can be funded from the targeted funding in its current form.

4. Unique School District Features

Rural and remote school districts highlighted a number of characteristics that increase their operating costs, including the delivery of goods to remote locations, transporting students across expansive areas, accessing professional development or specialist services and higher utility costs. The requirement for a certain level of administrative support does not change with

Page 2 of 6

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

smaller schools. These examples were used to support continuation of the unique district feature of the current funding model.

As well, districts experiencing rapid enrolment growth or decline may require constant reorganization of school boundaries, putting significant pressure on school facilities as districts try to 'right size' their facilities and operations to match enrolment. Some districts commented that there should be more incentives for regional shared services.

5. Recruitment and Retention

Virtually all school districts cited challenges with recruitment and retention of staff. Barriers included high costs of housing in urban and metro areas and lifestyle in rural and remote districts. Specialist teachers are difficult to attract to small, rural, or remote districts. One-time grant funding provided to assist with recruitment and retention in rural districts has worked well.

6. Learning Transformation and Choice for Students

There was no agreement of whether funding by course or by individual student better supports the curriculum changes underway. On the one hand, per course funding can support student engagement, but smaller schools struggle to offer enough courses to maintain flexibility and choice for students under this approach. Some of the suggestions put forward included base funding up to a certain amount and per course funding over the base, or providing higher per course funding for secondary schools with smaller student populations.

The current model of funding distributed learning (DL) is not working for most school districts. There is an artificial division in the current model between 'bricks-and-mortar' and DL which should not exist, especially in the context of the new curriculum.

7. Community Use of Facilities

In many rural and remote school districts, schools are community resources, but there is no reimbursement of costs. In urban districts, there are more opportunities to recover costs.

8. Special Grants (outside of Operating Grants)

Government has provided school districts funding outside of operating grants to meet specific needs or requirements. There were a number of comments on these grant programs including:

- The CommunityLINK formula is out of date.
- The level of government support for the Strong Start program is not clear.

Page 3 of 6

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

- Provincial Resource Programs are insufficient, unpredictable, and the pre-existing programs may not align with new challenges that have emerged.
- REEF program was welcomed by school districts that use it, but those that had previously closed schools felt disadvantaged.
- Annual Facilities Grant does not meet the needs of many school districts, which means that they have to supplement this grant with surpluses to address facility maintenance issues, which can be costlier in the context of older and/or underutilized facilities.

The timing of these grants, which often come too late in the school year to use effectively, was also an issue for many districts.

9. Capital

Though out of scope for this review, most Boards of Education and school district staff expressed frustration with the capital program. In larger, faster-growing districts, new space is not coming online fast enough, while smaller, rural districts struggle with higher costs to operate older inefficient buildings, deferred maintenance, and ‘right-sizing’ their operations. All districts pointed out the need to use accumulated surpluses to deal with these and other capital issues – buying portables, undertaking renovations, and making minor capital purchases such as white fleet and IT infrastructure.

10. Funding Protection

School districts not in funding protection tended to criticize it. Their view is that it allows those districts to postpone the difficult decisions needed to ‘right size’ their operations. Districts in funding protection indicated that, although it has some design issues, it provides the means to continue to offer a reasonable level of service to students over time. One design issue highlighted was that, for districts coming out of funding protection it is difficult when overall enrolment continues to decline, but the number of students with special or additional needs increases without a resulting increase in funding to account for the higher cost of these students. It is also a challenge for districts coming out of funding protection if regular enrolment increases because there is no new funding for that either.

11. Locally-Generated Revenues

Locally-generated revenues are an important source of revenue for a number of school districts. However, not all districts have the same ability to generate revenues. While there were some suggestions for some sort of equalization to account for this, most districts felt that these revenues should remain outside the funding model.

Page 4 of 6

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

12. Compliance Audits

Ministry compliance audits, whether for special needs funding, enrolment or targeted grants were criticized by most school districts. They are not seen as a learning opportunity, were characterized as punitive and time consuming, and are sometimes viewed as a barrier to innovative education practice.

13. Implementation Issues

Two quite different perspectives were presented on implementing any changes to the funding formula. Some school districts were in favour of an immediate implementation, while others supported a phased approach over multiple years with assurances that no funding decreases would occur. Any changes to special education funding may require more focused consultation.

There was agreement that the funding model should be reviewed on a regular cycle.

14. Other Provincial Services Supporting Youth

Over time, school districts have had to deal with complex socio-economic issues such as poverty, mental health, and addictions. These issues can require additional social services and supports for students which are not always readily available in their community. Districts often step in to provide these services even though they are not directly within scope of their educational mandate and are not recognized in the current model. Some concerns were expressed about the offloading of services by other provincial Ministries on to districts. A number of districts asked for greater coordination between Ministries to support the increasing complexity of issues being dealt with in schools.

15. Accumulated Surpluses

School districts are protective of their annual and accumulated operating surpluses, noting that surpluses are needed to fund portables for enrolment growth, renovate facilities (funds often saved over multiple years), or pay for other minor capital items that are not funded through the capital program. Districts are also frustrated that they are expected to contribute to capital projects, as requested by Treasury Board.

16. Unpredictable Funding

A number of school districts felt that it was difficult to plan properly because of the lack of predictability in costs and/or funding. Specific examples cited include:

- Fluctuations in the salary differential supplement, which does not recognize all employee groups.

Page 5 of 6

May 2018

Independent Review Panel – Report Out on What We Heard From School Districts

- Changes in what gets funded from year to year (e.g. move from head count to per course, DL per-pupil not increased to recognize labour settlement costs, move to completion-based funding for graduated adults, etc.).
- Federal/Provincial changes to the cost base that are not specifically recognized (e.g. Employer Health Tax, Canada Pension Plan and EI premiums, exempt staff compensation, etc.).
- Administrative savings exercise, which meant cuts that impacted school districts and students.

Many districts were supportive of having three year rolling budgets.

Members of the Independent Review Panel:

- *Chris Trumpy (Chair)*
- *Philip Steenkamp*
- *Kelly Pollack*
- *Piet Langstraat*
- *Angus Wilson*
- *Flavia Coughlan*
- *Lynda Minnabarriet*

Page 6 of 6



NANAIMO LADYSMITH PUBLIC SCHOOLS

**BUSINESS COMMITTEE
PUBLIC MEETING**

ACTION SHEET

DATE: September 12, 2018
TO: Business Committee
FROM: Carrie McVeigh, Secretary-Treasurer
RE: Trustee Remuneration

Recommendation:

The Business Committee recommends that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) approve CPI adjustments to Trustee remuneration, effective September 1, 2018, in accordance with current Board Policy.

Background:

By Board Motion dated January 15, 1997 (attached) and Board Policy 2.6, Section 7.1.1 (attached), Trustee remuneration is to be adjusted on September 1st of each year in accordance with the Vancouver Consumer Price Index.

Other Relevant Information:

In January 2019, a legislative change requires that Trustee remuneration be fully taxable. Currently 1/3 of Trustee remuneration is not. Impact analysis of this change will be brought forward to the new Board.

Attachments:

Appendix A: Trustee Remuneration – 1997 Board Motion
 Appendix B: Trustee Remuneration per the Consumer Price Index – Costing
 Appendix C: Trustee Remuneration – Board Policy 2.6

CONFIDENTIAL

THE BOARD OF SCHOOL TRUSTEES OF SCHOOL DISTRICT NO. 68

ACTION SHEET

DATE: 15 January 1997

TO: Action Sheet No.: C-97-07
Action Required By: DDC
pc:

FROM: Kelly Weeks, Executive Assistant

SUBJECT: Excerpt from the draft minutes of the Closed Meeting held 1997.01.15

TRUSTEE STIPENDS

IT WAS MOVED BY Trustee Allen
IT WAS SECONDED BY Trustee Saunders

Folio

C97/01/15-02

That the §Phase Three be amended to reflect that effective 1 January 1997, the Trustee Indemnity be set at \$12,000 and further that this figure be adjusted on the first day of September each year according to the increase in the Vancouver Consumer Price Index (CPI);

And further, that the amount for the Chairperson be an additional \$2,000 over the basic Trustee Indemnity amount.

Trustee Hennig abstained.

CARRIED

When required action has been completed please advise Kelly Weeks in order that Master Action Sheet Summary can be updated.

Date Action Sheet Completed: _____

Appendix B

Trustee Remuneration per the Consumer Price Index (CPI) 2018

Current Salary (Last CPI increase = Sept/17)	Annual Salary	Monthly
Trustee	\$ 16,701.24	\$ 1,391.77
Chair	\$ 18,701.24	\$ 1,558.44

Salary eff Sept 1, 2018 (CPI = 2.2%) - PENDING	Annual Salary	Monthly
Trustee	\$ 17,068.67	\$ 1,422.39
Chair	\$ 19,068.67	\$ 1,589.06



SECTION 1 – BOARD GOVERNANCE

2.6 Meetings and Board Operations

The Board values accountability and is committed to conducting its business in public. Regular and Special Meetings of the Board and Meetings of Standing Committees of the Board shall be open to the public and representatives of the press. In addition, the Board shall provide for public presentation of parent and community District interests at Regular Board meetings.

Notwithstanding this commitment, certain matters are of a confidential nature and should be handled with due and appropriate sensitivity to protect individual privacy, the Board's contractual interests or negotiating positions, and the public interests. The Board may meet in a Closed Meeting to address issues dealing with individuals, land, labour relations, litigation or negotiations.

The Board shall hold meetings as often as is necessary in order to fulfill its duties. Board Meetings shall normally be held at the Board Office. A quorum, which is a simple majority of the number of Trustees, must be present for every duly constituted meeting.

No act, proceeding or policy of the Board shall be deemed valid unless adopted at a duly constituted meeting.

1.0 Annual Meetings

The Secretary Treasurer shall call the Inaugural Annual Meeting of the Board no earlier than the first Monday after the 1st of December of an election year to:

- 1.1 Make a prescribed oath of office; and
- 1.2 Elect the Chair and Vice-Chair of the Board;
- 1.3 Elect the Chairs of Standing Committees; and
- 1.4 Elect the Board Representative and Alternate Representative to the Provincial Council of the BCSTA.

In years other than those in which an election is held, the Annual Meeting of the Board shall be held at the first meeting of December of each year to elect the above named Officers and Representatives.

2.0 Regular Meetings

Regular Meetings of the Board shall be held at 6:00 p.m. the fourth Wednesday of every month to conduct the business of the Board.

3.0 Special Meetings

Special meetings of the Board may be held at the call of the Chair or a majority of Trustees to deal only with agenda items announced at the time the meeting is called.



SECTION 1 – BOARD GOVERNANCE

Notice of such meetings shall be given in writing specifying the business to be transacted, and shall be given 48 hours in advance except in the case of meetings called in emergencies. An emergency shall be defined as a matter requiring immediate attention.

Items will be dealt with as listed on the agenda unless a change is approved by motion of the Board at the beginning of the meeting. No further items shall be added to the agenda of a special meeting unless urgent or of major importance; other items shall be deferred to the next meeting.

The rules of order for special meetings shall be in accordance with Board Procedure 2.5.1

There shall be two types of Special Meetings:

- A. A Closed Special Meeting may be called pursuant to Policy 2.6
- B. An Open Special Meeting may be called pursuant Policy 2.6 to discuss any topic of special interest determined to be too lengthy or of an emergent nature that cannot wait to be included in a Regular Board Meeting agenda. The proceedings and minutes of such meetings shall be open to the public.

4.0 Meetings of Standing Committees

Meetings of the Education Committee of the Board shall normally be held at 6:00 p.m. the second Wednesday of every month. The Education Committee shall deal with items related to educational programs and services. Meetings of the Business Committee shall normally be held at 6:00 p.m. the third Wednesday of every month. The Business Committee shall deal with items related to support service functions.

5.0 Closed Meetings

The Board may hold a Closed Meeting or, by majority vote of the Board, meet in Closed Session for a portion of a Regular or Special Meeting to address a specific agenda item or business matter that the Board has determined shall be conducted in private. The Board shall name the Superintendent, Secretary-Treasurer, Legal Counsel and/or any other person who shall meet with the Board in a Closed Meeting or during another meeting.

6.0 Rules of Order

To provide for the fair, open, orderly and efficient conduct of the Board's business, Board Meetings shall be conducted according to *Robert's Rules of Order (Newly Revised)*. Procedures that supersede or that are not addressed by *Robert's Rules of Order* shall be established by the Board.



SECTION 1 – BOARD GOVERNANCE

- 7.0 Trustee Remuneration and Expense Allowance
- 7.1 Under Section 71 of the School Act, a Board may authorize the payment of remuneration to be paid to Trustees. The Income Tax Act allows part of this remuneration to be declared as a tax-free expense allowance.
- 7.1.1 Trustee remuneration is indexed to the cost of living each September.
- 7.1.2 Trustee remuneration as described in the School Act regulations shall be paid to Trustees on a monthly basis, one-third in the form of a tax-free expense allowance and two-thirds as taxable income.
- 7.1.3 The Superintendent or designate shall arrange for direct bank deposit of cheques by having Trustees complete the necessary banking authorization form.
- 7.2 The Board shall set the rate to be paid for Trustees who are required to use their own vehicles for Board business outside of the District and the method of payment of this allowance.
- 7.2.1 A rate per kilometre traveled by private vehicle will be reviewed and established from time to time.
- 7.2.2 Remuneration for mileage accrued while on Board business for every Trustee shall be paid monthly or at the end of the calendar year.
- 7.2.3 No Trustee shall receive mileage from home to Board Office to attend meetings.
- 7.3 Many conventions, conferences and seminars are held which are of interest and value to Trustees during their term of office. Travel, board, lodging, miscellaneous living expenses and registration fees shall be paid by the Board when a Trustee attends a conference, seminar or convention. A Trustee shall not exceed his/her allowance without approval of the Board. Annually, the Board shall establish an amount within the budget to cover expenses incurred by Trustees related to their attendance at meetings, seminars and conventions.
- 7.3.1 The prevailing per diem rates for meals and other out-of-pocket expenses shall apply.
- 7.3.2 The prevailing rate per kilometre traveled by private vehicle shall apply.



SECTION 1 – BOARD GOVERNANCE

- 7.3.3 In the event that other modes of travel than motor vehicles are used, the actual fare paid will be covered by the Board.
- 7.3.4 Hotel or other lodging expenses, including parking, shall be paid by the Board.
- 7.3.5 For travel outside Canada, the per diem rate may be adjusted to more accurately reflect the cost of living in the area traveled. Costs of exchanging currency may also be claimed.
- 7.3.6 Trustees shall be expected to file an “Expense Report and Claim Form” on return showing totals for:
- 7.3.6.1 Accommodation including room, parking and business phone calls;
- 7.3.6.2 Meals and incidental expenses excluding alcoholic beverages;
- 7.3.6.3 Registration if not paid directly by the Board;
- 7.3.6.4 Transportation and parking. Trustees shall provide receipts for lodging and travel expenses other than by private motor vehicle.
- 7.3.7 The budget designated by the Board for Trustee expenses shall be divided into two (2) categories as follows:
- 7.3.7.1 Trustee Personal Development
- Sufficient funds shall be set annually to allow an individual Trustee at his/her discretion to participate in conferences or meetings which provide personal development in the area of education. This to be set as an equal amount for each Trustee.
- 7.3.7.2 Board Related Expense Activity
- Sufficient funds shall be set annually to cover expenses where normally all Trustees participate, such as BCSTA and BCPSEA meetings, Board Retreats, and meetings such as with Ministry of Education. The budget is set as a global amount from which funds are to be withdrawn and accounted for individual Trustees based upon participation in an event.
- 7.3.8 A Trustee who attends a personal development convention or conference shall file a written report with the Board at a subsequent meeting.



SECTION 1 – BOARD GOVERNANCE

7.3.9 Trustees may expend funds as allocated to them for attendance at meetings, seminars and conventions within the allowance set by policy at their discretion to the maximum of their budget amount.

7.3.10 No Trustee shall exceed his or her budgetary allotment without express approval of the Board, nor shall the Superintendent or designate make advancements or borrow from other Trustee's accounts without express approval of the Board.

8. Trustee Conflict of Interest

Each Trustee is directly responsible to the electorate of the District and to the Board. Upon election to office, Trustees must accept a position of public trust and are expected to act in a manner which will enhance the trust accorded Trustees, and through Trustees, the trust accorded to the Board. Elected officials must not have financial interests, liabilities or appointments which place them in a position of conflict of interest or opportunity for personal gain while representing the District. The Board's ability to discharge its obligations is dependent upon the confidence the residents of the District place in the Board and in its Members.

8.1 Trustees are expected to be conversant with Sections 55 to 60 of the School Act.

8.2 A Trustee is responsible for declaring himself/herself to be in possible conflict of interest.

8.2.1 The Trustee shall make such declaration in open meeting prior to Board or Committee discussion of the subject matter which may place the Trustee in conflict of interest.

8.3 It shall be the responsibility of the Trustee in conflict to absent him/herself from the Meeting in accordance with the requirements of the School Act and ensure that his/her declaration and absence is properly recorded within the minutes.

8.4 The Financial Disclosure Act requires all Trustees and selected employees disclose personal financial information as required under the Act. In accordance with the Financial Disclosure Act, all Trustees shall file disclosure forms by January 15 each year.

Legal References:	Sections 50, 56, 57, 58, 59, 66, 67, 68, 69, 70, 71, 72 School Act; Financial Disclosure Act; Income Tax Act
Monitoring Method:	<i>Internal Reports/Board and Superintendent</i>
Monitoring Frequency:	<i>Annual</i>
Adopted:	<i>2012.12.10</i>



NANAIMO LADYSMITH PUBLIC SCHOOLS

**BUSINESS COMMITTEE
PUBLIC MEETING**

ACTION SHEET

DATE: September 12, 2018
TO: Business Committee
FROM: Carrie McVeigh, Secretary-Treasurer
RE: Inaugural Annual Meeting Policy Change

Recommendation:

That the Business Committee recommend that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) adopt Policy 2.6 as presented, such that the date for holding the Inaugural Annual Meeting is the first Monday after the 1st of November and, thereby ensuring policy is in keeping with legislative requirements for Trustees holding office.

Rationale:

The change recommended by staff is to ensure compliance with current legislation. The normal 30-day policy consultation period is unnecessary given the change is not a substantive recommendation, but rather, a compliance matter. In this case, the change is not open to Board debate and public input.

Section 52 (2) of the *Local Government Act*, has been amended and states that "General voting day for a general local election must be the 3rd Saturday of October in the year of the election".

Further, Part 4, Division 6, Section 49 of the *School Act*, was amended to read "The term of office of a trustee elected at a general school election () begins on the first Monday after November 1 following the election or when the person takes office in accordance with Section 50 (3), whichever is later and.....".

As a further recommendation, the Board should consider amending Board Policy 2.7.2 so that policies proceed to 30-day consult, except where the change is necessitated by law. The Secretary Treasurer will bring this recommendation forward to the Board in the fall of 2018.

Attachment:

Appendix A: Board Policy 2.6 (with amendment)
 Appendix B: School Act, Part 4, Division 6 (49)
 Appendix C: Board Policy 2.7



SECTION 1 – BOARD GOVERNANCE

2.6 Meetings and Board Operations

The Board values accountability and is committed to conducting its business in public. Regular and Special Meetings of the Board and Meetings of Standing Committees of the Board shall be open to the public and representatives of the press. In addition, the Board shall provide for public presentation of parent and community District interests at Regular Board meetings.

Notwithstanding this commitment, certain matters are of a confidential nature and should be handled with due and appropriate sensitivity to protect individual privacy, the Board's contractual interests or negotiating positions, and the public interests. The Board may meet in a Closed Meeting to address issues dealing with individuals, land, labour relations, litigation or negotiations.

The Board shall hold meetings as often as is necessary in order to fulfill its duties. Board Meetings shall normally be held at the Board Office. A quorum, which is a simple majority of the number of Trustees, must be present for every duly constituted meeting.

No act, proceeding or policy of the Board shall be deemed valid unless adopted at a duly constituted meeting.

1.0 Annual Meetings

The Secretary Treasurer shall call the Inaugural Annual Meeting of the Board no earlier than the first Monday after the 1st of ~~December~~ November of an election year to:

- 1.1 Make a prescribed oath of office; and
- 1.2 Elect the Chair and Vice-Chair of the Board;
- 1.3 Elect the Chairs of Standing Committees; and
- 1.4 Elect the Board Representative and Alternate Representative to the Provincial Council of the BCSTA.

In years other than those in which an election is held, the Annual Meeting of the Board shall be held at the first meeting of December of each year to elect the above named Officers and Representatives.

2.0 Regular Meetings

Regular Meetings of the Board shall be held at 6:00 p.m. the fourth Wednesday of every month to conduct the business of the Board.

3.0 Special Meetings

Special meetings of the Board may be held at the call of the Chair or a majority of Trustees to deal only with agenda items announced at the time the meeting is called.



SECTION 1 – BOARD GOVERNANCE

Notice of such meetings shall be given in writing specifying the business to be transacted, and shall be given 48 hours in advance except in the case of meetings called in emergencies. An emergency shall be defined as a matter requiring immediate attention.

Items will be dealt with as listed on the agenda unless a change is approved by motion of the Board at the beginning of the meeting. No further items shall be added to the agenda of a special meeting unless urgent or of major importance; other items shall be deferred to the next meeting.

The rules of order for special meetings shall be in accordance with Board Procedure 2.5.1

There shall be two types of Special Meetings:

- A. A Closed Special Meeting may be called pursuant to Policy 2.6
- B. An Open Special Meeting may be called pursuant Policy 2.6 to discuss any topic of special interest determined to be too lengthy or of an emergent nature that cannot wait to be included in a Regular Board Meeting agenda. The proceedings and minutes of such meetings shall be open to the public.

4.0 Meetings of Standing Committees

Meetings of the Education Committee of the Board shall normally be held at 6:00 p.m. the second Wednesday of every month. The Education Committee shall deal with items related to educational programs and services. Meetings of the Business Committee shall normally be held at 6:00 p.m. the third Wednesday of every month. The Business Committee shall deal with items related to support service functions.

5.0 Closed Meetings

The Board may hold a Closed Meeting or, by majority vote of the Board, meet in Closed Session for a portion of a Regular or Special Meeting to address a specific agenda item or business matter that the Board has determined shall be conducted in private. The Board shall name the Superintendent, Secretary-Treasurer, Legal Counsel and/or any other person who shall meet with the Board in a Closed Meeting or during another meeting.

6.0 Rules of Order

To provide for the fair, open, orderly and efficient conduct of the Board's business, Board Meetings shall be conducted according to *Robert's Rules of Order (Newly Revised)*. Procedures that supersede or that are not addressed by *Robert's Rules of Order* shall be established by the Board.



SECTION 1 – BOARD GOVERNANCE

7.0 Trustee Remuneration and Expense Allowance

- 7.1 Under Section 71 of the School Act, a Board may authorize the payment of remuneration to be paid to Trustees. The Income Tax Act allows part of this remuneration to be declared as a tax-free expense allowance.
- 7.1.1 Trustee remuneration is indexed to the cost of living each September.
- 7.1.2 Trustee remuneration as described in the School Act regulations shall be paid to Trustees on a monthly basis, one-third in the form of a tax-free expense allowance and two-thirds as taxable income.
- 7.1.3 The Superintendent or designate shall arrange for direct bank deposit of cheques by having Trustees complete the necessary banking authorization form.
- 7.2 The Board shall set the rate to be paid for Trustees who are required to use their own vehicles for Board business outside of the District and the method of payment of this allowance.
- 7.2.1 A rate per kilometre traveled by private vehicle will be reviewed and established from time to time.
- 7.2.2 Remuneration for mileage accrued while on Board business for every Trustee shall be paid monthly or at the end of the calendar year.
- 7.2.3 No Trustee shall receive mileage from home to Board Office to attend meetings.
- 7.3 Many conventions, conferences and seminars are held which are of interest and value to Trustees during their term of office. Travel, board, lodging, miscellaneous living expenses and registration fees shall be paid by the Board when a Trustee attends a conference, seminar or convention. A Trustee shall not exceed his/her allowance without approval of the Board. Annually, the Board shall establish an amount within the budget to cover expenses incurred by Trustees related to their attendance at meetings, seminars and conventions.
- 7.3.1 The prevailing per diem rates for meals and other out-of-pocket expenses shall apply.
- 7.3.2 The prevailing rate per kilometre traveled by private vehicle shall apply.



SECTION 1 – BOARD GOVERNANCE

- 7.3.3 In the event that other modes of travel than motor vehicles are used, the actual fare paid will be covered by the Board.
- 7.3.4 Hotel or other lodging expenses, including parking, shall be paid by the Board.
- 7.3.5 For travel outside Canada, the per diem rate may be adjusted to more accurately reflect the cost of living in the area traveled. Costs of exchanging currency may also be claimed.
- 7.3.6 Trustees shall be expected to file an “Expense Report and Claim Form” on return showing totals for:
- 7.3.6.1 Accommodation including room, parking and business phone calls;
- 7.3.6.2 Meals and incidental expenses excluding alcoholic beverages;
- 7.3.6.3 Registration if not paid directly by the Board;
- 7.3.6.4 Transportation and parking. Trustees shall provide receipts for lodging and travel expenses other than by private motor vehicle.
- 7.3.7 The budget designated by the Board for Trustee expenses shall be divided into two (2) categories as follows:
- 7.3.7.1 Trustee Personal Development
- Sufficient funds shall be set annually to allow an individual Trustee at his/her discretion to participate in conferences or meetings which provide personal development in the area of education. This to be set as an equal amount for each Trustee.
- 7.3.7.2 Board Related Expense Activity
- Sufficient funds shall be set annually to cover expenses where normally all Trustees participate, such as BCSTA and BCPSEA meetings, Board Retreats, and meetings such as with Ministry of Education. The budget is set as a global amount from which funds are to be withdrawn and accounted for individual Trustees based upon participation in an event.
- 7.3.8 A Trustee who attends a personal development convention or conference shall file a written report with the Board at a subsequent meeting.



**NANAIMO LADYSMITH
PUBLIC SCHOOLS**

SECTION 1 – BOARD GOVERNANCE

7.3.9 Trustees may expend funds as allocated to them for attendance at meetings, seminars and conventions within the allowance set by policy at their discretion to the maximum of their budget amount.

7.3.10 No Trustee shall exceed his or her budgetary allotment without express approval of the Board, nor shall the Superintendent or designate make advancements or borrow from other Trustee's accounts without express approval of the Board.

8. Trustee Conflict of Interest

Each Trustee is directly responsible to the electorate of the District and to the Board. Upon election to office, Trustees must accept a position of public trust and are expected to act in a manner which will enhance the trust accorded Trustees, and through Trustees, the trust accorded to the Board. Elected officials must not have financial interests, liabilities or appointments which place them in a position of conflict of interest or opportunity for personal gain while representing the District. The Board's ability to discharge its obligations is dependent upon the confidence the residents of the District place in the Board and in its Members.

8.1 Trustees are expected to be conversant with Sections 55 to 60 of the School Act.

8.2 A Trustee is responsible for declaring himself/herself to be in possible conflict of interest.

8.2.1 The Trustee shall make such declaration in open meeting prior to Board or Committee discussion of the subject matter which may place the Trustee in conflict of interest.

8.3 It shall be the responsibility of the Trustee in conflict to absent him/herself from the Meeting in accordance with the requirements of the School Act and ensure that his/her declaration and absence is properly recorded within the minutes.

8.4 The Financial Disclosure Act requires all Trustees and selected employees disclose personal financial information as required under the Act. In accordance with the Financial Disclosure Act, all Trustees shall file disclosure forms by January 15 each year.

Legal References:	Sections 50, 56, 57, 58, 59, 66, 67, 68, 69, 70, 71, 72 School Act; Financial Disclosure Act; Income Tax Act
Monitoring Method:	<i>Internal Reports/Board and Superintendent</i>
Monitoring Frequency:	<i>Annual</i>
Adopted:	<i>2012.12.10</i>

Appendix B

School Act

[RSBC 1996] CHAPTER 412

Part 4 — School Trustees

Division 6 — Holding Office

General term of office

49 The term of office of a trustee elected at a general school election

(a) begins on the first Monday after November 1 following the election or when the person takes office in accordance with section 50 (3), whichever is later, and

(b) ends immediately before the first Monday after November 1 in the year of the next general school election or when at least 3 trustees elected at or appointed following that election have taken office, whichever is later.

Oath of office

50 (1) A person elected or appointed as a trustee must make a prescribed oath of office, by oath or solemn affirmation, within the following applicable time limit:

(a) in the case of a person elected by acclamation, within 50 days after the date set for general voting day had an election by voting been required;

(b) in the case of a person elected by voting, within 45 days after the declaration of the results of the election;

(c) in the case of a person appointed to office, within 45 days after the effective date of the appointment.

(2) The oath must be made before a judge of the Court of Appeal, Supreme Court or Provincial Court, a justice of the peace, a local government corporate officer or the secretary treasurer of a board, and the person making the oath must obtain the completed oath or a certificate of it from the person administering it.

(3) A person takes office as trustee

(a) at the time the term of office begins if, at this time, the person produces or has produced the completed oath or certificate to the secretary treasurer, or

(b) at any later time that the person produces the completed oath or certificate to the secretary treasurer.

(4) A person taking office as a trustee may also make an oath of allegiance.

Resignation from office

51 (1) A trustee may resign from office by giving written notice to the secretary treasurer of the board.

(2) The secretary treasurer must notify the board of a resignation at its next meeting after the resignation is received or, if there are no other trustees on the board, the secretary treasurer must notify the minister.

(3) A resignation is irrevocable after it is given to the secretary treasurer and is effective from the date a successor takes office or at an earlier date stated in the resignation.

Trustee disqualification from holding office

52 (1) If a person appointed or elected as a trustee does not make the oath required by section 50 within the time limit set by that section, the office to which that person was appointed or elected is deemed to be vacant and the person is disqualified from holding office as a trustee until the next general school election.

(2) If a trustee is continuously absent from board meetings for a period of 3 consecutive months, unless the absence is because of illness or with the leave of the board, the office of the member is deemed to be vacant and the person who held the office is disqualified from holding office as a trustee until the next general school election.

(3) If a person elected as a trustee is disqualified from holding office as referred to in section 33 (c), the office to which the person was elected is deemed to be vacant.

Removal of trustee following conviction for offence

53 (1) A trustee ceases to hold office on the 30th day following the date of any of the following:

- (a) the trustee's conviction for an indictable offence;
- (b) the trustee's conviction for an offence under section 163 (2);
- (c) a decision of the Supreme Court, on the application of an elector of the school district, that the conviction of the trustee for any other offence renders the trustee unsuitable to perform the duties of a trustee.

(2) On the application of a trustee referred to in subsection (1), the Supreme Court may, by order, suspend the operation of that subsection for a period and on the terms the court considers appropriate.

Questions as to trustee qualifications

54 (1) Subject to Part 5 and subsection (2), the right of a trustee to hold office may be determined on application to the Supreme Court and, for this purpose, section 111 [*application to court for declaration of disqualification*] of the [Community Charter](#) applies.

(2) The office of a person declared disqualified on an application under subsection (1) must remain vacant if the decision is appealed and no election to fill the office may be held until the final determination of the matter or until the next general school election, whichever is earlier.

(3) As an exception to subsection (2), if fewer than 3 trustees remain in office, section 36 (5) applies to require that the vacant office be filled by election or appointment and section 112 (3) [*status of person subject to application*] of the [Community Charter](#) applies to the person elected or appointed to the vacant office and to the person declared qualified.

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(4) A bylaw, resolution, contract or other proceeding of a board must not be set aside or declared invalid merely because

(a) a person sitting or voting as a member of the board was not qualified as a trustee at or before the time of the proceeding,

(b) a trustee renounces claim to office on a board,

(c) a trustee election was set aside or declared invalid after the proceeding, or

(d) the election of a trustee was set aside or declared invalid after the proceeding.

3



**NANAIMO LADYSMITH
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SECTION 1 – BOARD GOVERNANCE

2.7 Policy Development

The Board shall establish and maintain written policies based on its Values, Vision and Mission to guide and monitor progress in meeting the expectations for student success. Board policies clarify roles and responsibilities and provide a framework for Board accountability to families, the community and the province.

Board policies shall establish a balance between the responsibilities of the Board to develop the broad guidelines to guide the District and to provide the opportunity for the Superintendent to exercise professional knowledge, training and experience in the administration of the District.

1. Planning

The Board, in cooperation with the Superintendent, shall assess the need for a policy, as a result of its own monitoring activities or on the suggestion of others, and identify the critical components of each policy to be developed.

2. Development

The Board may develop the policy itself or delegate the responsibility for development to the Superintendent. All Board policies shall be circulated as notice of motion for 30 days. All submissions will be reviewed by the Board – Committee of the Whole prior to final approval.

3. Implementation

The Board is responsible for the implementation of its policies directing its governance processes. The Board and Superintendent share the responsibility for implementation of policies relating to the Board-Superintendent relationship. The Superintendent is responsible to meet the operational expectations of the Board, to establish operational procedures and to implement all other policies.

4. Evaluation

The Board shall monitor and evaluate each policy in a timely manner to determine whether or not the policy is meeting its intended purpose.

The Board may establish procedures in respect to policy planning, development, implementation and evaluation.

Legal References:

Monitoring Method:	<i>Internal Reports/Board and Superintendent</i>
Monitoring Frequency:	<i>Annual</i>
Adopted:	<i>2012.12.10</i>