



**THE BOARD OF EDUCATION
School District #33 (Chilliwack)
Regular Public Board Meeting
AGENDA
October 2, 2018
7:00 pm**

1. CALL TO ORDER – School District Office

- 1.1. Call to Order - **Welcome and acknowledgment of Stó:lō territory**
- 1.2. Adoption of the Agenda
(THAT the agenda be adopted as circulated.)
- 1.3. Approval of the Minutes
(THAT the minutes of the September 18, 2018 Regular Public Board meeting be approved as circulated.)

2. QUESTION PERIOD

3. ACTION ITEMS

- 3.1. Trustee Professional Development
- 3.2. 601 Policy: Learning Resources

4. INFORMATION ITEMS

- 4.1. Policy 228: Trustee Expenses
- 4.2. Enrolment Updates
- 4.3. BCSTA Report
- 4.4. Superintendent's Report
- 4.5. Trustee Reports
- 4.6. Meeting Summary
- 4.7. **Next Board of Education Meeting: October 16, 2018 – 7:00 p.m.**

5. QUESTION PERIOD ON AGENDA ITEMS

6. ADJOURNMENT



**MINUTES OF THE REGULAR MEETING
The Board of Education
School District #33 (Chilliwack)**

Date of Meeting: Tuesday, September 18, 2018

Location: School District Office

Members Present:

Chair	Mr. P. McManus
Vice-Chair	Mr. W. Krahn
Trustee	Mr. D. Coulter
Trustee	Mrs. S. Dyck
Trustee	Mrs. H. Maahs
Trustee	Mr. B. Neufeld
Trustee	Mr. B. Patterson

Staff Present:

Superintendent	Ms. E. Novak
Secretary Treasurer	Mr. G. Slykhuis
Assistant Superintendent	Mr. R. Arul-pragasam
Director of Facilities & Transportation	Mr. A. Van Tassel
Executive Assistant	Ms. D. Vogel

1. CALL TO ORDER - School District Office

1.1. Call to Order

The Board Chair called the meeting to order at 7:04 p.m. - **Welcome and Acknowledgment of Traditional Stó:lō Territory.**

1.2. Adoption of the Agenda

123.18 Moved by: Trustee Patterson
Seconded by: Trustee Neufeld

THAT the agenda be approved as circulated.

CARRIED

1.3. Approval of Minutes

124.18 Moved by: Trustee Krahn
Seconded by: Trustee Dyck

THAT the minutes of the June 12, 2018 Regular Public Board meeting be approved as circulated.

CARRIED
Abstained: Neufeld

2. QUESTION PERIOD

The Chair called for questions from the public.

A question was received regarding The British Columbia Training and Education Savings Grant.

3. PRESENTATION – 2018 SUMMER LEARNING REPORT

The Chilliwack School District's 2018 Summer Learning (SL) Program was held at the Chilliwack Secondary site at 46361 Yale Road. The program administrator was Acting Vice Principal Galen Soon.

The total number of students who attended the SL program was 601. These students were at the elementary level (459), middle school level (83) and high school level (59). The high school program consisted of students in a class called Sustainable Vegetable Production 12, which took place at the Sardis Secondary School Farm on Richardson Avenue.

This year's program saw increased diversification of program offerings including: Outdoor Adventures, Writing Warriors, and Augmentative and Alternative Communication (AAC) Support. The Summer Learning program experienced exponential growth of students with exceptionalities growing from 57 students in 2017 to 93 students in 2018. Students with low incidence designations increased nearly threefold from 2017. Targeted special education supports were provided as part of Summer Learning 2018 through supplemental funding from the Ministry of Education. Specialized support included nine Education Assistants (EAs), an Occupational Therapist (OT) and an AAC support teacher.

In addition, there was a focus on increasing the respect and understanding amongst all students and staff of the language, culture, governance and history of the Sto:lo and all aboriginal peoples. This was possible through a partnership with the Aboriginal Education Department, bannock making and a visit to the Sto:lo longhouse where students enrolled in the Summit program participated in the Kairos blanket activity, which provided participants an opportunity to learn about the impact of colonization on indigenous communities.

There were 28 teachers, 9 EAs and 1 Acting Vice Principal for a total of 38 staff who supported learners at Summer Learning.

PRESENTATION – MIND OVER METAL CAMP

The CWB Welding foundation hosted a Mind over Metal camp in collaboration with the SD #33 Aboriginal Education Department and Sardis Secondary School from August 20 to August 24, 2018. Mind over Metal was a week-long introductory welding camp for students ages 12-15. The goal of the Mind over Metal camps is to provide an opportunity for students in this age range, who may otherwise not have the opportunity to be introduced to the welding trade, to try welding in a safe, learning environment. Mind over Metal is an initiative that was started by the CWB Welding Foundation three years ago with two pilot camps. Since then, Mind over Metal has expanded to an anticipated 82 camps this year, hosted at high schools and post-secondary schools across the country. The camp at Sardis Secondary was sponsored by LNG Canada and focused on Indigenous youth, from the Stó:lō Nation and surrounding area.

4. ACTION ITEMS

4.1. Audit Committee Report

125.18 Moved by: Trustee Krahn
Seconded by: Trustee Neufeld

THAT the Board of Education receive the Audit Committee Meeting Report of September 10, 2018 as presented.

CARRIED

4.2 2017 – 2018 Audited Financial Statements

126.18 Moved by: Trustee Coulter
Seconded by: Trustee Krahn

THAT the Board approve the 2017-2018 Audited Financial Statements and forward to the Ministry of Education.

CARRIED

4.3 710 Policy: Transportation

127.18 Moved by: Trustee Dyck
Seconded by: Trustee Krahn

THAT the Board of Education approve Policy 710 – Transportation as presented.

CARRIED

4.4 601 Policy: Learning Resources

128.18 Moved by: Trustee Maahs
Seconded by: Trustee Neufeld

THAT the Board of Education obtain a legal opinion on the revised Policy 601: Learning Resources.

129.18 Moved by: Trustee Dyck
Seconded by: Trustee Krahn

THAT the Board of Education refer the Motion to obtain a legal opinion on the revised Policy 601: Learning Resources to the October 2, 2018 Regular Board Meeting.

CARRIED

5. INFORMATION ITEMS**5.1 710.1 Administrative Regulation: Transportation – Eligibility Conditions & Registration**

Secretary Treasurer Gerry Slykhuis presented Administrative Regulation 710.1 for information.

5.2 711.1 Administrative Regulation: Rental Vehicles

Assistant Secretary Treasurer Mark Friesen presented Administrative Regulation 711.1 for information.

5.3 Strategic Plan Update: Operations Summer Report/Maintenance Activities

Director of Facilities & Transportation Al Van Tassel provided a report on Operations Summer Maintenance Activities.

5.4 Trustee Remuneration

Policy 227 states that trustee remuneration will be adjusted annually effective July 1 each year. The adjustment will reflect the Canadian Consumer Price Index (CPI) established for July of each year for the previous 12 months. CPI for the twelve months ending June 30, 2018 was 2.5% higher. Therefore, trustee remuneration was adjusted effective July 1, 2018.

5.5 Enrolment Updates

Assistant Superintendent Rohan Arul-pragsam presented an enrollment report as of September 17, 2018.

5.6 BCSTA Report

Trustee Coulter provided an update on the BC School Trustees' Association.

5.7 Superintendent's Report

Superintendent Evelyn Novak reported on the following:

- The year ahead 2018/2019 – Optimism, Opportunity, Ownership.
- Our Purpose – Student Success: Every student a graduate prepared for opportunities beyond graduation.
- Framework for enhancing student learning: system-wide focus, multi-year district and school plans, meaningful and effective evidence, system-wide capacity building.
- Student Success – The How: high quality instruction, community & culture, social emotional wellness, aligning & allocating resources.
- The year ahead:
 - Focus on achievement – results oriented.
 - Year of implementation: reconfiguration and redesigned curriculum.
 - Meaningful effective evidence.
 - New assessments.
 - System support and capacity building.
- Promontory Addition.
- Middle School playgrounds.
- New south side school.
- Appreciation for our staff – Thank You.

5.8 Trustee Reports

Trustee Dyck reported on the following:

- Attended the SSS Farm Event on August 23.
- Attended the Board Planning Meeting on September 11.
- Attended the Audit Committee Meeting on September 10.
- Attended the Official Grand Opening of the Promontory Heights Community School's Addition and toured the site of the new K-8 Elementary/Middle School on Tyson South on September 17.

Trustee Krahn reported on the following:

- July 4 – 7: Attended the Canadian School Boards Association Conference.
- August 23: Attended the SSS Farm Event.
- September 10: Chaired the Audit Committee Meeting.

- Attended 3 Chair/Vice-Chair Planning Meeting with Senior Admin.
- September 11: Attended the Board Planning Meeting.
- September 17: Attended the Official Grand Opening of the Promontory Heights Community School's Addition.
- September 17: Toured the site of the new K-8 Elementary/Middle School on Tyson South.
- September 17: Toured the new Cheam Elementary Parking Lot.

Trustee Patterson reported on the following:

- As the representative of the Board, I continue to serve as co-chair of the Chilliwack Healthier Community.
- Attended the Audit Committee meeting on September 10.
- Attended the September 17 Grand Opening of the Promontory Elementary addition and the announcement of a new 900 student body K – 8 school to be located at the south end of Tyson Road in Sardis.
- With the Reconfiguration Process now complete, I am expecting that our work with our Middle School students, especially, will show positive results.

5.9 June 12, 2018 In-Camera Board Meeting Summary

Trustees: Paul McManus, Walt Krahn, Dan Coulter, Silvia Dyck, Barry Neufeld, Bob Patterson

Staff: Evelyn Novak, Gerry Slykhuis, Rohan Arul-Pragasam, Tamara Ilersich, Donna Vogel

1. Employee Engagement Survey
2. Human Resources Report
3. BCPSEA Report

5.10 Next Board of Education Meeting Date

**Tuesday, October 2, 2018
7:00 pm
School District Office**

6. QUESTION PERIOD ON AGENDA ITEMS

The Chair called for questions from the public regarding agenda items.

A question was received regarding Policy 710: Transportation.

7. ADJOURNMENT

The meeting was adjourned at 9:57 p.m.

Board Chair

Secretary-Treasurer

BOARD OF EDUCATION

DECISION REPORT

DATE: October 2, 2018
TO: Board of Education
FROM: Barry Neufeld, Trustee
RE: **Trustee Professional Development**

RECOMMENDATION:

THAT the Board of Education approve Trustee Neufeld's Professional Development expenses.

BACKGROUND:

See the attached "Explanation of Travel Expenses" and Policy 228: Trustee Expenses.

TO: Chilliwack Board of Education

Explanation of Travel Expenses:

I applied to attend the 23rd International Congress of Child and Adolescent Psychiatry and Allied Professions July 23-27, 2018. This conference was not open to everyone. I was accepted based on my level of education, a career working with at-risk adolescents and my role in the governance of public education. The Conference was in Prague, Czech Republic Europe. Everything was in English.

Since I had been accused of basing my opinions about the BC's controversial new learning resources on outdated, untrustworthy sources, I wanted to be abreast of the latest research, as well as the many other special needs of children and adolescents

The invoice from Expedia was only for the Airfare. They also reserved a rental car for me, which I paid for separately. I did not claim any car rental or transportation to or from the airport.

I arrived prior to the weekend to adjust to Jet lag. Since the flight was long, the airline supplied meals. I only claimed meals while I was attending the conference. I did not charge for expenses over the weekend.

The conference began Monday at the Congress Centre adjacent to the Holiday Inn, Prague. It began every day at 8:00 AM and continued with 1 ^{1/2} hour workshops until 6:15 PM. I worked hard!

It was all very relevant to a School Trustee interested in Special Needs education. There were over 1500 delegates from all over the world, with hundreds of workshops and lectures. Here is a list of workshops and Plenary Speeches I attended.

- Deliberate self-harm and suicide in Youth: Reviewing the Evidence and a pragmatic approach to estimating Risk
- Planning the future of child and adolescent psychiatry
- Frequently asked questions at Nationwide child protection hotlines for medical professionals in the Netherlands
- Education and School Mental health
- Risk and resilience in children born to parents with severe mental illness
- Overlap between attention deficit hyperactivity disorder and Autism spectrum disorders
- Sex vs gender: Identity, dysphoria, non-conformity and diversity of sexual development in childhood and adolescence
- Autism II
- A Cross-cultural perspective of stigma and attitudes toward children's mental health from three continents.
- Synchrony and the neurobiology of human attachments: Trajectories of well-being and psychopathology from infancy to adolescence
- LGBT Youth
- Self-harm and suicidal behavior in adolescents
- Internet and social media
- Mindfulness
- Internet gaming disorder and other problematic Internet use in child and adolescent psychiatry

- Diversifying our understanding of ADHD: Beyond Stimulants and school troubles.
- The persistent impact of being bullied during childhood and adolescence: Implications of policy and practice.
- International treatment models for challenging behaviors in autism spectrum disorders
- How to understand adolescents with Asperger syndrome: a clinical account and observations over 17 years
- Mood disorders in children and adolescents: where have we been and where are we going?
- School-based mental health promotion
- Promoting resilience
- Training courses for educational assistants as a contribution to fulfil UN convention on the rights of persons with Disabilities.
- Population neuroscience of the adolescent brain: Observing to change
- What differences in studies of cross cultural approaches to gender dysphoric adolescents can and cannot teach us about best practices?
- Solving the puzzle of autism: How far have we come?

The conference ended Friday afternoon. I checked out of the hotel and spent some time with relatives over the weekend at my own expense. The only flights back to Canada left early in the morning, so I booked an inexpensive hotel near the airport that had shuttle service. However, when I arrived in Vancouver I was far too exhausted to drive back to Chilliwack during rush hour, so I stayed overnight with my son. I had breakfast and drove home very early Aug 1.

As of June 6, I had accumulated \$4,418.54 in my Professional Development account. This conference cost \$4027.97. I sincerely believe that according to our policy I am entitled to this.

Please consider reimbursing me for these expenses.

Barry Neufeld Sept 14, 2018

**BOARD OF EDUCATION
School District #33 (Chilliwack)**

**228
POLICY
Trustee Expenses**

Execution of Board responsibilities requires that trustees remain informed and continually develop their skills. Trustees are encouraged to attend seminars, conferences or workshops which are related to their tasks.

The Board shall include funds in the annual governance budget to cover expenses as identified in the following guidelines:

1. Trustees are allocated an annual budget account of \$2,500 for attendance at professional development opportunities.
2. If trustees elected by the Board as provincial representatives to BCSTA or BCPSEA incur travel expenses not covered by BCSTA or BCPSEA, those expenses shall be reimbursed under a separate budget line.
3. Trustees shall submit out of district expenses incurred during the course of their trustee responsibilities and authorized in-district expenses using the school district expense claim form. Authorized in-district expenses refer to things like, but are not limited to, trustee liaison representatives charging for lunch meetings with their partner groups.
4. For out-of-district trips, the maximum car travel reimbursement will equal the economy class airfare for the equivalent trip. Reimbursement of actual costs of ferries, buses or taxis will be based upon receipts submitted. Air travel shall be by economy class. All purchase bonuses, or other gifts of purchase, are the property of the school district.
5. Trustees are responsible for their own medical and any additional travel insurance coverage.
6. If a meal or meals are included in a conference package or are pre-paid in some other manner, those meals shall be deducted from the per diem.
7. The Board will only reimburse travel costs and hotel lodging for the trustee.

Cross Refs: Policy 428, Administrative Regulation 428.1, Remuneration Policy

Adopted: January 22, 1991

Reviewed:

Revised: November 13, 2001, January 15, 2008, December 16, 2008, March 23, 2010

8. Cost of alcohol will not be reimbursed.
9. Expense accounts shall be submitted to the appropriate supervisor for signature. The accounting department will then adjudicate and if there are any discrepancies shall bring that information to the appropriate supervisor for review.
10. For the purposes of authorization of expenses the Board Chair is considered the supervisor for all trustees. The Board Vice Chair is considered the supervisor of the Board Chair.

BOARD OF EDUCATION

DECISION REPORT

DATE: October 2, 2018
TO: Board of Education
FROM: Heather Maahs, Trustee
RE: **Policy 601: Learning Resources**

RECOMMENDATION:

THAT the Board of Education obtain a legal opinion on the revised Policy 601: Learning Resources.

BACKGROUND:

Statement of *Education Policy Order (Mandate for the School System)* – OIC 1280/89: attached and

<https://www2.gov.bc.ca/gov/content/education-training/administration/legislation-policy/manual-of-school-law/school-act-related-regulations-and-orders-in-council>

June 25, 2018 Letter to Richmond School Board from Herb Dunton, Barrister & Solicitor: attached.

**STATEMENT OF EDUCATION POLICY ORDER
(MANDATE FOR THE SCHOOL SYSTEM)**

Authority: *School Act*, section 169 (3)

OIC 1280/89 Effective September 1, 1989
Lieutenant Governor in Council Order

NOTICE: The following order in council is not the official version. To obtain an official version of this order in council please contact the Order in Council Office. Telephone (250) 387-0724, Fax (250) 387-4349.
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The Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the attached statement of education policy for British Columbia be approved.

STATEMENT OF EDUCATION POLICY ORDER

**Mandate for the School System
Province of British Columbia**

Honourable Anthony J. Brummet
Minister of Education
Province of British Columbia

Vancouver, British Columbia
September 1, 1989

STATEMENT OF EDUCATION POLICY ORDER

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*Note: Parts A & B are intended to apply to all schools, public and independent.

STATEMENT OF EDUCATION POLICY ORDER

Part A: Mission Statement

The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills, and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy.

Part B: General Policies for the School System

The Educated Citizen

A quality education system assists in the development of human potential and improves the well being of each individual person in British Columbia society.

Continued progress toward our social and economic goals as a province depends upon well-educated people who have the ability to think clearly and critically, and to adapt to change. Progress toward these goals also depends on educated citizens who accept the tolerant and multi-faceted nature of Canadian society and who are motivated to participate actively in our democratic institutions.

Government is responsible for ensuring that all of our youth have the opportunity to obtain high quality schooling that will assist in the development of an educated society. To this end, schools in the province assist in the development of citizens who are:

- thoughtful, able to learn and to think critically, and who can communicate information from a broad knowledge base;
- creative, flexible, self-motivated and who have a positive self image;
- capable of making independent decisions;
- skilled and who can contribute to society generally, including the world of work;
- productive, who gain satisfaction through achievement and who strive for physical well being;
- cooperative, principled and respectful of others regardless of differences;
- aware of the rights and prepared to exercise the responsibilities of an individual within the family, the community, Canada, and the world.

Diversity and Choice

Government is committed to ensuring that parents in every region of the province have access to quality public schooling for their children. For those students unable to attend school because of remoteness or illness, the province will provide appropriate delivery systems to ensure access to the provincial curriculum.

In an effort to accommodate varying parental and student expectations of school services, public schools, within available resources, will provide parents and students with choice of programs.

Government is also committed to the principle that parents have an historic right of choice regarding the schooling of their children. Parents in British Columbia have the right to enroll their children in a public school or in any independent school of their choice.

STATEMENT OF EDUCATION POLICY ORDER

Part C: Policy Statement on Public Schools

Goals of Education

Prime Goal of Public Schools – Supported by the Family and Community

- *Intellectual Development* – to develop the ability of students to analyze critically, reason and think independently, and acquire basic learning skills and bodies of knowledge; to develop in students a lifelong appreciation of learning, a curiosity about the world around them and a capacity for creative thought and expression.

Goals that are shared among Schools, the Family and Community

Schools are expected to play a major role, through learning experiences and supervised practice, in helping students to achieve the following goals:

- *Human and Social Development* – to develop in students a sense of self-worth and personal initiative; to develop an appreciation of the fine arts and an understanding of cultural heritage; to develop an understanding of the importance of physical health and well being; to develop a sense of social responsibility, and a tolerance and respect for the ideas and beliefs of others.
- *Career Development* – to prepare students to attain their career and occupational objectives; to assist in the development of effective work habits and the flexibility to deal with change in the workplace.

Attributes of the Public School System

- *Accessibility* – a variety of programs is available in the province to meet the full range of student needs.
- *Relevance* – programs are current, and relevant to the needs of the learner.
- *Equity* – resources are allocated fairly.
- *Quality* – professional teaching and administration are of high quality.
- *Accountability* – resources are allocated in a cost-effective manner; parents and the community are informed of the progress of schools and are involved as partners in planning.

Duties, Rights and Responsibilities

Students: have the opportunity to avail themselves of a quality education consistent with their abilities, the opportunity to share in the shaping of their educational programs, and the opportunity to determine their career and occupational goals. They have a responsibility to make the most of their opportunities, to respect the rights of others, and to cooperate with fellow students in the achievement of their goals.

Parents: have the right and responsibility to participate in the process of determining the educational goals, policies and services provided for their children. They have a primary responsibility to ensure that children are provided with the healthy and supportive environment necessary for learning. They have a responsibility to help shape and support the goals of the school system and to share in the tasks of educating their young.

STATEMENT OF EDUCATION POLICY ORDER

Teachers: have the right to exercise professional judgment in providing instruction to students in accordance with specified duties and powers. They have a corresponding responsibility to ensure that each student is provided with quality instruction, to participate in all normal school activities and to monitor the behavior and progress of each learner in accordance with provincial and local policies. They have a responsibility to communicate with students and parents, and are accountable to the School Board and its delegates.

School Principals: have the right to exercise professional judgment in managing the school in accordance with specified duties and powers. They have a corresponding responsibility to ensure that each student is provided with opportunities for a quality education. Principals are to provide administrative leadership, in consultation with teachers and the community that reflects the aspirations of parents and the school community and that is consistent with provincial and district guidelines. They cooperate with parents and the community in the delivery of non-educational support services to students, and focus on the following areas of school concern: (1) student access and achievement; (2) quality teaching; (3) communication with parents and the community; and (4) accountability to parents and to the Board.

School Boards: have a duty to govern districts and their schools in accordance with specified powers in a fiscally responsible and cost effective manner. They have a responsibility to ensure that schools provide students with opportunities for a quality education; to set education policies that reflect the aspirations of the community and that are consistent with overall provincial guidelines; to provide leadership and encouragement to schools and the community; to cooperate with the community and social service agencies in the delivery of non-educational support services to students; and to focus on the following areas of district concern: (1) implementation of provincial and local education programs; (2) school finance and facilities; (3) student access and achievement; (4) teaching performance; and (5) accountability to parents, taxpayers, the community and to the Province.

District Officials: have a duty to exercise professional judgment in managing the district in accordance with specified powers and duties. They have a corresponding responsibility to provide professional leadership in the design and implementation of education programs in districts, and are accountable to the local school board.

The College of Teachers: has the duty to establish and apply standards of fitness and qualifications governing admission to the teaching profession. The specific duties of the Council of the College are to approve, for certification purposes, teacher education programs established by provincial Faculties of Education, to define bylaws and policies related to the academic and professional qualifications of teachers, to issue teaching credentials, to investigate allegations of professional misconduct and, if necessary, to exercise professional judgment in disciplining its members. The College has the responsibility for encouraging and facilitating programs of continuing teacher education, professional development and inservice designed to ensure general teacher competence, and to improve the quality of teaching in provincial schools.

STATEMENT OF EDUCATION POLICY ORDER

The Community: has the right to expect that every child will have access to quality education provided in a fiscally responsible and cost effective manner. The community, through local volunteer groups and private and public agencies, has a corresponding responsibility to support the family and school by providing children with a healthy and supportive environment in the community.

The Ministry of Education: has a duty to set policies for the British Columbia public school system in accordance with specified duties and powers. The Ministry has a corresponding responsibility to ensure that the education system provides students with opportunities for a quality education in a cost-effective manner; to set standards and overall directions for the education system; to provide leadership and encouragement to all educational agencies in the province; to cooperate with provincial agencies in the delivery of non-educational support services to students; and to focus at a high level of provincial concern on the following areas: (1) finance and facilities; (2) program direction, development and implementation; (3) student access and achievement; (4) teaching performance; and (5) system evaluation and public accountability.

Other Government Ministries and Agencies: have a duty to set policies in accordance with specified powers. They have a corresponding responsibility to ensure that provincial policies and resources support the family and local community in providing a healthy and supportive environment necessary for children's learning.

The Public: The public of British Columbia has the right to expect that schools operate effectively and efficiently and are accountable for evaluating and reporting their progress on a regular basis. The public has the corresponding responsibility to provide schools with the necessary resources and moral support to fulfill their mission.

Part D: Policy Statement on Independent Schools and Home Schooling

General Policy

Government recognizes and supports the principle of independent schooling in order to provide parents with alternatives to public schools. Government provides financial support for those schools that meet specified standards in a number of areas including curriculum and teacher certification consistent with the provisions of the *Independent School Act*.

Rights and Responsibilities

Parents: have a right to enroll their children in a registered independent school of their choice. Parents have a corresponding responsibility to ensure that the curriculum and programs being offered by the school are of suitable quality.

Parents may choose to school their children at home provided that certain conditions are satisfied. If they choose home schooling, they have a responsibility to register their children in a public school, an independent school, or a regional correspondence school. Home schooled students and their parents will be offered educational services including assessment, access to learning materials and record keeping. Parents have a responsibility to ensure that children are provided with a healthy and supportive environment necessary for learning.

STATEMENT OF EDUCATION POLICY ORDER

Independent School Authorities: have a duty to determine policies and curriculum in accordance with specified powers. They have a responsibility to register with the Ministry of Education and to provide the Ministry with appropriate information.

The Ministry of Education: has a duty to determine policies for independent education in accordance with specified powers and duties. The Ministry has a responsibility to ensure that these regulations and policies are implemented.

Herb Dunton
Barrister & Solicitor

June 25, 2018

Richmond School District No. 38

7811 Granville Avenue

Richmond, BC

V6Y 3E3

Attention School Board Trustees:

Ken Hamaguchi

Jonathan Ho

Sandra Nixon

Donna Sargen

Debbie Tablotney

Alice Wong

Eric Yung

Sherry Elwood

Re: *Proposed Richmond School District No. 38 Policy and Administrative Guidelines concerning Sexual Orientation and Gender Identity (SOGI)*

I am writing to you on behalf of my clients, a group of concerned citizens in Richmond, with respect to the SOGI Policy and Administrative Guidelines published in amended form on June 18, 2018, and scheduled to be voted on for adoption by the Richmond School District Board of Trustees on June 27, 2018.

This SOGI Policy is at best very poorly thought through. The SOGI Policy will certainly attract liability to members of the Richmond School District community, including Trustees, and anyone else who participates in its implementation.

The document professes the noble and high-sounding ideals of safety, welcome, inclusivity, fairness, respect, dignity and support. But that is a transparent pretext. In reality, the SOGI Policy tramples the rights of students, parents and teachers. It is a state-imposition of sexual moral values on children, parents and teachers.

Canadian Charter

The SOGI Policy states in its Administrative Guidelines:

“The Board believes in equitable treatment for all individuals ... The letter and spirit of the *Canadian Charter of Rights and Freedoms* ... shall be carefully observed, enforced and supported so that all members of the educational school community can work together in an atmosphere of respect and acceptance of individual differences.”

But the SOGI Policy does not respect Charter values, particularly those set out in s. 2(a) and (b), which states:

“s. 2: Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression ...”

Contrary to the Charter, the SOGI Policy allows no dissent. All participants in the school system must adopt the SOGI moral philosophies, and deny their own conscientious beliefs and opinions.

BC Government Order in Council, September 1, 1989

The SOGI Policy is also out-of-step with other foundational law in BC. In particular, the SOGI Policy contravenes those principles expressed in an Order in Council dated September 1, 1989, which sets out a “Mandate for the School System” in BC, including the following provisions:

“Parents: have the right and responsibility to participate in the process of determining the educational goals, policies and services provided for their children. They have a primary responsibility to ensure that children are provided with the healthy and supportive environment necessary for learning. They have a responsibility to help shape and support the goals of the school system and to share in the tasks of educating their young.”

On the contrary, the SOGI Policy does not honour the primary rights and responsibilities of parents in the education of their children expressed in this Order in Council. Exactly the opposite is true. Parents are given no voice at all. Parents are forbidden any knowledge of what happens in schools between their children and the SOGI activists. Parental knowledge of these interactions with their children is interpreted as “outing” a child to his or her parents, instead of what it really is, parental protection of their children from the activists. The Board does not have the authority to adopt this SOGI Policy in violation of the parental rights confirmed in this Order in Council of 1989.

The same Order in Council says the following about teachers in the school system

“Teachers: have the right to exercise professional judgment in providing instruction to students in accordance with specified duties and powers”

The right of teachers to exercise their own professional judgment around SOGI related programming is also excluded by the SOGI Policy, and replaced by the dictates of the “SOGI leads”. Teachers are bound to promote and implement the SOGI teachings as directed, notwithstanding their professional judgment.

Brief Review of the proposed Richmond School District SOGI Policy and Guidelines:

SOGI Policy 106-R:

“Trustees, management and staff will facilitate safer school environments for the LGBTQ+ community and those who are perceived to be a part of it by:

- Encouraging teachers to sponsor and support LGBTQ+ positive initiatives, such as SOGI clubs or groups;
- Supporting the rights of LGBTQ+ students to access supportive and affirming counselling.”

In reality, teachers are required to support all aspects of the SOGI Policy, regardless of their personal conscientious and professional views. The Board should carefully consider what the proposed SOGI Policy means where it requires teachers and other leaders to encourage students to participate in SOGI clubs, and to access “*supportive and affirming counselling*”. There will surely be instances where a teacher in his or her professional judgment believes that actions being taken by the SOGI promoters are not in a child’s best interests. The teacher will be required in those circumstances, to ignore his or her professional judgment and promote the SOGI agenda. The Board should not consider adopting a policy which so obviously sets aside the professional judgment of Trustees, management and staff, in exchange for the will of a determined and vocal minority of SOGI activists. To do this will clearly attract liability to Trustees and teachers.

SOGI Policy 106-G:

“The members of the LGBTQ+ community have a right to ... be able to self-identify and be able to freely express themselves ...”

On behalf of my clients, I urge the Board to give due consideration to what this really means. This sort of unlimited freedom has never been given to any other community in the school system. The necessary implications of this concept when extended to its limits, are shocking and absurd. This is a clear indication that the SOGI Policy you are considering has barely been developed even to a conceptual stage, if that, let alone to a finished policy stage. It needs much more work before it could be considered serious policy. This SOGI Policy means that there are literally no checks on the rights of members of the LGBTQ+ community to “*self-identify*” and to

“freely express themselves” in the schools. They can do whatever they want. But the Board of Trustees does not have the authority to issue such a grant of unlimited freedom anyway. Clearly, abuses of this new unrestricted freedom will attract liability to Trustees and other parties responsible for its implementation.

SOGI Policy 106-G:

“All persons have the right to privacy, including the right to have one’s assigned gender at birth and gender decisions remain private at school or work [...] Staff will not disclose information that may reveal sexual orientation or gender identity unless legally required to do so or unless permission has been obtained from the student or a parent or adult who has been authorized to give such permission ...”

In reality, no meaningful standards and procedures have been set in place to meet the schools’ legal duty concerning the collection, protection and management of records about SOGI encounters or issues. No meaningful protocols been established to meet the schools’ legal duty to maintain children’s privacy — in the context of these profoundly personal and significant interactions between activists (sometimes adult activists) and children in the schools. Consents obtained from parents to publicly disclose their children’s private sexual issues will not be adequate, because parents have no choice but to defer and consent to the demands of the SOGI agenda. Obviously, failures in the protection of privacy rights in this context will attract liability to Trustees.

SOGI Administrative Guidelines:

“All students and staff ... have the right to access washrooms and changing facilities that correspond to their gender identity.”

The dangers related to this idea are many and obvious. The most obvious problem would be with males accessing female facilities on the pretext of a shifting gender identity. Obviously liability will attach to the SOGI architects and implementers when harm comes to girls or boys through this absurd policy. No protocols have been established to implement and police this policy. The implications have not been thought through. This policy is not developed beyond an idealistic concept stage. But the many unresolved issues are clearly complex. This amounts to the grant of a ‘blank cheque’ of taxpayers’ money to pay for it all.

SOGI Administrative Guidelines:

“All students have the right to participate in physical education classes and curricular and extra-curricular sports/activities in a manner that respects and embraces their gender identity. Activities will be designed to be as inclusive and gender neutral as possible.”

This concept requires much more development to become coherent. The practical implications and application of this policy are not explained. Actually, this policy is meaningless as it is now expressed. But it sounds expensive. The Board should not adopt a policy in such an unfinished state.

SOGI Administrative Guidelines:

“School District No. 38 (Richmond) is committed to maintaining a safe learning and working environment that actively provides counselling and support to students who identify as part of the LGBTQ+ community. School counsellors and the Adolescent Support Team are often the first point of contact for students seeking emotional support and will be specifically trained in culturally safe responses to LGBTQ+ issues [...] resources and training will be available to staff to help teach and support safe, caring and inclusive values in the district ...”

“...Adolescent Support Team[s] [!] ... will be specifically trained in culturally safe responses to LGBQ+ issues ...” How can the Board consider adopting such a significant policy that will be largely run by adolescents? If these adolescents are to be “*specifically trained*”, then what training they will receive? The Board has a duty to review and approve the training program these “Adolescent Support Team[s]” will receive --- to understand their role and know whether they will be competent in it, and to know whether the training they receive will be balanced and science-based, or just activist propaganda. Obviously, it is highly unlikely that teams of unprofessional adolescents will be able to properly manage the legal, psychiatric, philosophical, moral and spiritual issues around gender dysphoria, sexual re-assignment, sexual identity and sexual morality.

There is world of difference between, on the one hand, creating a genuinely supportive, caring, safe and inclusive learning and working environment, and on the other hand, believing and promoting everything the LGBTQ+ community believes and does of a sexual nature. The SOGI Policy requires the latter. No conscientious dissent is allowed.

SOGI Administrative Guidelines:

Educators and school support staff will be expected to ... model and teach practices that honour and support all sexual orientations and gender identities and expressions.”

The SOGI Policy mandates that teachers and students adopt, implement and celebrate its teachings concerning sexuality, regardless of their own conscientious beliefs or other opinions.

SOGI Administrative Guidelines:

“It is expected that teachers will create classrooms where students can see the commitment to creating a safe, caring, inclusive and discrimination-free environment. Students need to see that all educators are striving to value and support the diversity of gender identity and expression within our schools through the sharing of knowledge in a positive and non-judgemental manner, exemplified by:

- [...] Displaying signs, posters, safe-place stickers and books that depict a range of gender representations; acknowledging national and international days and events that raise awareness about gender identity.”

Therefore, teachers are required, actually coerced, to support, promote and implement the SOGI Policy dogma. But school teachers, like the “*Adolescent Support Teams*”, are not qualified to navigate their way through the legal, psychiatric, philosophical, moral and spiritual issues around gender dysphoria, sexual re-assignment, sexual identity and sexual morality. They cannot do it.

Neither can the state, through its agent the School Board, rightly conscript teachers to do the work of adopting and implementing the SOGI Policy, when it conflicts with their own conscientious beliefs. Teachers do not possess the professional qualifications for the task. Therefore, they are not competent to do it. This conscription of teachers to the SOGI Policy cause will attract liability to Board members and to the teachers themselves.

SOGI Administrative Guidelines:

“Students need to see that all educators are striving to value and support the diversity of gender identity and expression ... by ... providing balanced health education that is factual and supportive of gender diversity.”

The “...*balanced health education*...” spoken of in this SOGI Policy, would inform school children of health risks associated with the sexual lifestyles at issue, including disease rates, the very high suicide rates, the high instance of dissatisfaction experienced by gender re-assigned people and the de-transitioning movement, as a few examples. But to provide that sort of “...*balanced health education*...” would violate a second part of the mandate quoted above, which is, to be “...*supportive of gender diversity*...” Accordingly, teachers are explicitly forbidden to provide that sort of “...*balanced health education*...” as that is interpreted as being unsupportive of the SOGI agenda. Obviously, a failure to fully disclose all of the health implications of the outworking of the SOGI agenda will attract liability to those involved in that failure.

SOGI Administrative Guidelines:

“The Board will support Parent Advisory Councils to acknowledge and support the diversity of our school community.”

This clause may seem to indicate that parental input is welcome under the SOGI Policy. However, parental input that does not explicitly and unreservedly support the SOGI Policy agenda is forbidden.

SOGI Administrative Guidelines:

“Resources: SOGI 1 2 3;
BC Teachers Federation;
Education Resource Acquisition Consortium (ERAC);
Out in Schools;
Qmunity, Egale Canada Human Rights;
MyGSA;
Trans Care BC;
Gay, Lesbian and Straight Education Network (GLSEN);
Parents, Families and Friends of Lesbians and Gays (PFLAG);
Pride Education Network”

The above listing of resources from the SOGI Policy, reflects the fact that there has been no attempt to consider the full range of scholarly and academic research on the topic of how human sexuality issues should be addressed in schools. There are no scholarly or academic resources in the above list at all. The Board should be wary of this. Clearly, the listed resources are activist, propagandist organizations, which they are entitled to be. But balance is required in the development of such an important policy for the schools. The SOGI policy reflects a one-sided, extremist agenda.

Costs of the SOGI Policy

The Order in Council dated September 1, 1989, which sets out a “Mandate for the School System” in BC, also says the following:

“The public of British Columbia has the right to expect that schools operate effectively and efficiently and are accountable for evaluating and reporting their progress on a regular basis.”

This SOGI program has to be fully costed before adoption and implementation. That obviously hasn't happened. Many of the program initiatives are so vague and rudimentary that there is no telling how they might be implemented, or if anyone has even turned their mind to the question of implementation, let alone preparing any kind of meaningful costing of the program. But it is

clear that there will be a tremendous cost to the taxpayers in relation to the SOGI Policy, in salaries for the 'SOGI leads' and counselors, for teacher, staff, and Adolescent Support Team training, for program development, and for the construction costs for new bathrooms, and changing facilities, as a few examples. These costs have to be determined, budgeted, and disclosed to the taxpayers, before the Board can even consider adopting this policy.

SOGI is Unprofessional

Apart from being an affront to my clients' fundamental rights and freedoms, SOGI is a very amateur, unsophisticated program, in circumstances where the highest degree of professionalism and legal circumspection is required. Some of the program's deficiencies are:

- The program was developed by social activists, including the BC teachers union leadership, apparently without balancing input from child psychologists or other mental health professionals. There is no legitimate science behind the SOGI Policy ideology around sexual fluidity, and non-binary sexual orientation and sexual amorality. There is only ideological activism passed off as science.
- When a child discloses questions or conclusions about his or her sexual orientation or identity, school officials have a legal duty to respond correctly to that disclosure. No protocols have been established to meet this legal duty. No consideration has apparently even been given to what a correct or incorrect legal response might look like. School officials must determine whether that child's disclosure is a true reflection of the child's own views, or whether it represents some coercion on the child, or some other error by the child or his or her advisors, or some mental illness. Broadcasting and celebrating a child's sexual orientation and identity disclosures, as has been the actual practice in the schools, without meeting this legal duty, is destructive to the child and legally perilous to the school officials who behave in this way.
- No safeguard protocols have been established against potential abuses, or allegations of abuse, arising out of this program, where sex activists (who are sometimes adults) meet in private with children, with the support of the schools, without parental knowledge or oversight, to make momentous and irreversible decisions about a child's sexual interests. It is obvious from the outset, that some children will later allege that this was only about grooming or recruiting them for sexual abuse, and about making model

converts of them at an incalculable personal cost. The Board has set no safeguards in place against such potential or actual abuses. This is an unacceptable oversight.

- Despite the mention in the SOGI Policy of the need to protect privacy, the ‘Resources’ organizations you identify in the SOGI Policy, also promote classroom curriculum which violates privacy rights, requiring or encouraging children to disclose whether they are questioning their sexual identity. And leading children to engage in exercises designed to measure and judge their sexual inclinations in open classroom settings and in written reports submitted to teachers. It is an absurd form of forced “outing” at best, or indoctrination and seduction at worst.
- Despite the mention of privacy and “consent” in your SOGI Policy document, the practice to date in BC schools has been to propel some children into sexual re-assignment with school-wide celebration and fanfare --- the rough equivalent of mob encouragement, instead of the profound sensitivity and discretion that is required. The children are made a public spectacle of. This is absurd and perverse.

Obviously, all of these deficiencies in the proposed SOGI Policy, to name just a few, will attract legal liability to Board members.

International Law

Parents to ensure religious and moral education of children

“The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.”¹

Parents have the legal right to dictate the moral education of their children in conformity with their own convictions. The state has no business imposing sexual values on children. The state has no business requiring parents to accept this imposition of sexual values on their children. A child’s sexual rights, interests, boundaries and identity are to be guided and protected by parents, and informed by a family’s own beliefs and opinions -- without coercion from government. Parents have a right and responsibility to protect their children from those who would alter their children’s sexual perspectives and boundaries. Under SOGI Policy,

¹ International Covenant on Civil and Political Rights, Article 18(4)

school children and their parents are treated as the property of state. They are forced to embrace and celebrate the state's sexual ideology.

Supreme Court of Canada

Coercion Forbidden

“ ... Freedom means that, subject to such limitations as are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others, no one is to be forced to act in a way contrary to his beliefs or his conscience.”²

Individual freedom is denied by SOGI Policy. Coercion of belief and conscience is the fundamental instrument of SOGI Policy. Children, parents and teachers are coerced to agree with the state's moral dictates, and deny their own conscience.

Centrality of individual conscience

“ ... the notion of the centrality of individual conscience and the inappropriateness of governmental intervention to compel or to constrain its manifestation [is the unifying idea in concepts of freedom of conscience and religion] ... ”³

The centrality of individual conscience is denied by SOGI Policy. Conscientious dissent is forbidden under SOGI Policy. Only state-approved beliefs relating to human sexuality are permitted.

Freedom of individual judgment is imperative to democracy

“... an emphasis on individual conscience and individual judgment also lies at the heart of our democratic political tradition. The ability of each citizen to make free and informed decisions is the absolute prerequisite for the legitimacy, acceptability, and efficacy of our system of self-government ... ”⁴

Individual conscience and judgment are excluded under this SOGI Policy. The sincere, time-tested beliefs of children, parents and teachers are abolished, and replaced with the extremist, totalitarian mind of the state. In adopting SOGI Policy the Board would be using its powers to create a hierarchy of rights, to promote one community to the detriment of others. Acting in the

² *R. v. Big M Drug Mart Ltd.*, [1985] 1 S.C.R. 295, para. 95

³ *Big M Drug Mart*, para.121

⁴ *Big M Drug Mart*, para.122

name of superior virtues, you would be extinguishing the freedoms of some people in favour of others.

Closing

Democracy and tolerance are lost when the state is supreme and all must conform to its views and dictates, when no one may question the state, and when dissidents are not allowed to taint the minds of the citizens with alternative views.

The SOGI program you are considering is not about protecting children with gender dysphoria, or about anti-bullying and inclusivity. It is about leading children to reject heterosexuality, and to join the community of those who embrace sexuality fluidity, and non-binary sexual orientation and sexual amorality as the norm.⁵ It is about teaching children that any other view is morally wrong.

But this is not the business of the Richmond School District Board of Trustees. On behalf of my clients I urge you to put this unworthy zealotry aside. The classroom is not rightly a pulpit for sex ideologues. Their missionary cause ought not be yours. I urge you to return your focus to meeting a standard of excellence in education which you have done so well in the past. Focus on real inclusivity and leave others free to hold views different from your own, or from the state-approved views. Put the best interests of children ahead of the interests of sex ideologues in their political campaign. This ideology does not belong in the schools.

On behalf of my clients I urge you to reject this unfinished, amateur, and extremist SOGI Policy.

Yours truly,

'Herb Dunton'

Herb Dunton
Barrister and Solicitor

⁵ McGregor, Catherine. *Norming and <Re> Forming: Challenging Heteronormativity in Educational Policy Discourses*. Canadian Journal of Educational Administration and Policy, Issue #82, September 18, 2008.

BOARD OF EDUCATION

INFORMATION REPORT

DATE: October 2, 2018
TO: Board of Education
FROM: Evelyn Novak, Superintendent
RE: **Policy 228: Trustee Expenses**

As per Policy 200: Policy Development, the Superintendent and Secretary-Treasurer will review Policy 228: Trustee Expenses and bring options for consideration to the Board of Education.

BOARD OF EDUCATION

INFORMATION REPORT

DATE: October 2, 2018
TO: Board of Education
FROM: Rohan Arul-pragasam, Assistant Superintendent
RE: ENROLMENT UPDATE

Assistant Superintendent, Rohan Arul-pragasam will present an enrollment report as of October 1, 2018.

BOARD OF EDUCATION

BOARD REPORT

DATE: October 2, 2018

TO: Board of Education

FROM: Dan Coulter, BCSTA Representative

RE: BC SCHOOL TRUSTEES' ASSOCIATION REPORT

This time is provided to discuss matters related to the British Columbia School Trustees' Association (BCSTA).

BOARD OF EDUCATION

STAFF REPORT

DATE: October 2, 2018
TO: Board of Education
FROM: Evelyn Novak, Superintendent
RE: **SUPERINTENDENT'S REPORT**

This time is provided for a report from Superintendent Novak.

MEETING SUMMARY

In-Camera Meeting – September 18, 2018

Trustees: Paul McManus, Walt Krahn, Dan Coulter, Silvia Dyck, Heather Maahs,
Barry Neufeld, Bob Patterson

Staff: Evelyn Novak, Gerry Slykhuis, Rohan Arul-pragasam,
Tamara Ilersich, Donna Vogel

1. HR Report
2. BCPSEA Report
3. Property Update
4. Trustee Professional Development