

**THE BOARD OF EDUCATION
OPEN MEETING AGENDA
TUESDAY, OCTOBER 26, 2021
5:00 PM (PT) – 7:00 PM (PT)**

In person: School Board Office – 811 Stanley Street, Nelson, BC
Via video conference: [Zoom](#)- Meeting ID: 611 8378 2337 – Password: 316245

1. Call to Order

2. Acknowledgement of Aboriginal Territory

We acknowledge, respect and honour the First Nations in whose traditional territories the Kootenay Lake School District operates and all Aboriginal people residing within the boundaries of School District No. 8.

3. Insertions/Deletions to Proposed Agenda

4. Adoption of Agenda

Proposed Resolution:

THAT the Agenda for this October 26, 2021 meeting **BE ADOPTED**, as circulated.

5. Receiving Presentations/Delegations - Nil

6. Opportunity for Comments or Questions by the Public

7. Consent Package (p. 4) App. 7

8. Adoption of Minutes (p. 35) App. 8

Proposed Resolutions:

THAT the minutes from the September 21, 2021 Regular Meeting **BE ADOPTED**.

9. Future and Action Item Tracking (p. 42) App. 9

10. Education

A. COVID-19 Update and Vaccine Mandate – Superintendent Smillie (p. 45) App. 10A

Proposed Resolution:

THAT the impact on staffing of the Ministry of Education guidelines and operational template provided by BCPSEA **BE REVIEWED** by Staff.

B. 2020-2021 FSA Report – Superintendent Smillie (p. 46) App. 10B

C. 2021-2022 Enrolment Report – Superintendent Smillie (p. 50) App. 10C

D. Remembrance Day Schedule – Superintendent Smillie (p. 52) App. 10D

11. Operations and Finance

- A. Capital Operations Plan Update: (p. 54)
- Wildflower Facilities Update – Secretary-Treasurer McLellan App. 11A-1
 - Salmo Project Update – Secretary-Treasurer McLellan App. 11A-2
- B. Ventilation Improvements (p. 59) – Secretary-Treasurer McLellan App. 11B
- C. 2021/22 Budget Update – Secretary-Treasurer McLellan

12. Governance and Policy

- A. Section 200 Policies (p. 60) App. 12A
- Policy 210: Provision of Menstrual Products to Students
 - Policy 220: Maintenance of Order
 - Policy 230: Child Abuse and Neglect
 - Policy 240: Anaphylaxis
 - Policy 270: Memorials for Deceased Members of the School Community

Proposed Resolution:

THAT updated Policies 210, 220, 230, 240 and 270 **BE APPROVED**.

- Policy 250: Tobacco and Electronic Smoking Devices
- Policy 251: Cannabis
- Policy 260: Scent Free Environment

Proposed Resolution:

THAT policies 250, 251 and 260 **BE REVIEWED** by staff.

- B. Policy 660: Provision of Child Care (p. 68) App. 12B

Proposed Resolution:

THAT the field testing of revised Policy 660 **BE APPROVED**.

- C. De-amalgamation – Chair Trenaman

Proposed Resolution:

THAT Staff investigate with the Ministry of Education the possibility of District de-amalgamation and evaluate the potential impacts of de-amalgamation on Education, Operations, and Finance.

13. Human Resources

- A. Staffing Ratios – Secretary-Treasurer McLellan (p. 69) App. 13



14. Trustee Reports

- A. Trustees
- B. Chair
- C. BCSTA
- D. BCPSEA
- E. RDCK
- F. Other Committees
- G. Student Trustees

15. Public Question Period

16. Meeting Schedule and Reminders (p. 71)

App. 16

- A. Board Meetings

The next Open meeting is scheduled for November 23, 2021.

17. Adjournment of Meeting



SCHOOL DISTRICT 8 KOOTENAY LAKE
CONSENT PACKAGE – REGULAR OPEN
OCTOBER 26, 2021

ITEM

The following Consent items are routine items received for information.

- | | |
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| 1. Board Correspondence Package | p. 2 |
| 2. Superintendent's Report | |
| 3. Transactions over 10k | p. 27 |
| 4. 2022-2023 Budget Development Schedule | p. 30 |



SCHOOL DISTRICT 8 KOOTENAY LAKE
BOARD CORRESPONDENCE PACKAGE
OCTOBER 26, 2021

ITEM		DATE
1.	Marya Folinsbee, Chair of the Winlaw PAC, to the Board of Education relative to Incident regarding Cultural Safety	September 24, 2021
2.	Ann Coen to the Board of Education, relative to Mask all our children please	September 30, 2021
3.	Colleen Bayly, DPAC Representative for Wildflower Creston, to the Board of Education, relative to Parent Concerns	September 30, 2021
4.	Kaslo Homelinks PAC to the Board of Education, relative to withdrawal of group activity funding from Kaslo Homelinks program	October 1, 2021
5.	Nicole Brown, Kaslo Homelinks PAC representative, to Rob Simpson, relative to withdrawal of group activity funding from Kaslo Homelinks program	October 4, 2021
6.	Linda Blair to the Board of Education, relative to mandatory vaccines for all staff	October 7, 2021
7.	Lectric Avenue Electronics Ltd. to the Board of Education, relative to future student laptop supply	October 14, 2021
8.	Sarah Keenan to the Board of Education, relative to BCTF's support for mandatory vaccinations.	October 18, 2021



September 24, 2021

Lenora Trenaman
Board of Education
School District No. 8, Kootenay Lake
811 Stanley Street
Nelson, BC V1L 1N8

To the Chair, School District 8-Kootenay Lake Board of Trustees,

We write to you as the Parent Advisory Committee at Winlaw Elementary because we wish to ensure that our School remains welcoming and safe for everyone. Last year, an incident concerned us regarding cultural safety and in our opinion was not dealt with by the District satisfactorily. We are writing today to request your considered response to our list of questions below.

Background

The incident involved a parent wearing a culturally insensitive costume to a PAC Halloween event. At the time, we were assured that the District would be providing written direction to all schools regarding this issue. As Halloween is fast approaching, we look forward to receiving this.

In this instance, and more generally, we feel that there is a bigger issue here and not enough is being done by the District to address and prevent racialized, oppression-based conflict. We feel that immediate interventions from School District 8 might have mitigated the negative outcomes.

After this event, several parents wrote letters about their concern and disappointment in the District's actions to date. The District response (June 15 2021, attached in full below) referred to internal Policy 580, para 8 which states,

The Board of Education for School District No.8 (Kootenay Lake) has 'zero tolerance' for any form of racism, violence, discrimination, harassment and bullying on Board premises, while working for the Board or while involved in Board-sponsored programs and/or activities locally, regionally, in BC, in Canada or internationally, or online.

Present concern and clarification requested

It is the PAC view that in this case this policy was not followed. Moreover, the letter lists a number of ways that the District seeks to strengthen its anti-oppressive capacity, stating, *"We expect all children graduating from SD8-Kootenay Lake to have full awareness of the structural racism and white privilege that is entrenched in Canadian society."*



As representatives of School parents , we want to know more about how the Board is guiding District efforts to activate Policy 580. Referring to the list of actions in the letter from the Board Chair, we specifically want to know the following:

- 1) What anti-racism policies are currently being drafted? How do these fit within the broader context of provincial and national policies?
- 2) Is there a road-map or timetable for the development and implementation of District anti-racism policies?
- 3) Have appropriate resources been identified for implementation?
- 4) What is entailed in the planned anti-racism training for *“educators, ... Superintendents and Boards of Education ... in fall 2021 and beyond”*?
- 5) Who will be providing this training? Will it include local knowledge?
- 6) How do you plan to involve community stakeholders in developing, implementing and evaluating these important policy and training initiatives?
- 7) What supports and resources will be made available to educators and staff who bring issues forward?

We look forward to your response. Like many other PACs in the District, we are committed to improving cultural safety in our School and believe that meaningful advancement will require on-going dialogue and effort from all stakeholders.

Sincerely,

Marya Folinsbee
Chair of the Winlaw PAC

Cc:

Ms. Monica Doyle, Principal Winlaw Elementary School
Ms. Trish Smillie, Superintendent SD 8
Ms. Sharon Nazaroff, Slocan Valley Trustee SD 8



Holly Kerr

From: ANN COEN [REDACTED]
Sent: Thursday, September 30, 2021 9:55 PM
To: Board of Education
Subject: Mask all our children please

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I plead and beg you to put in mandate for all school children...kindergarten and up, to wear masks. It's the least we can do for our children. Please please...before one more child and parent had to suffer . Do it now...not tomorrow. It just infuriates anyone with common sense why this is not being done already. Thank you and please do something.

Ann Coen

Sent from [Nine](#)



Holly Kerr

From: C Bayly [REDACTED]
Sent: Thursday, September 30, 2021 11:43 AM
To: Board of Education
Cc: Trish Smillie
Subject: Wildflower Creston - Request for Consideration

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

September 30, 2021

Dear Board of Trustees,

I am writing today for three reasons: to acquaint you with Wildflower Creston School, to make you aware of parent concerns, and to ask you to enforce our solution. Thank you for taking the time to read this letter and consider our request.

Wildflower School has an interesting history that began in Nelson in the basement of a home, moved to a church basement and then eventually amalgamated into SD8 as a public school. Wildflower is based on Attachment Theory, with multi-age classrooms that mimic a family. Having the same teacher for three to four years allows the student to become securely attached, while bolstering confidence, and increasing leadership and independence skills. The six core values of humility, courage, empathy, nourishment, relationship and understanding are woven into every aspect of education. Parental involvement is a key component in the Wildflower program. Our children attend school Monday to Thursday, with increased instructional hours on those days. Parents are responsible for 20% of the learning and are held accountable to the teacher through a Home Learning Plan.

Wildflower, as you know, is considered a choice school. There is a waiting list to be accepted. We have families new to our school this year that have been waiting for three years. Parents choose our school because of the distinct learning environment. The multi-age set-up allows the education plan to be tailored to a student's particular strengths and needs. A grade 4 student, with an aptitude for math, can work with a grade 6 peer on that curriculum. A grade 3 student with a low reading level is not singled out, but rather can buddy up with the little ones when they have their lesson. There is incredible flexibility to how the teacher teaches. I speak confidently when I say that most of our current parents would say their child was a round peg in the square hole of traditional public schools. Almost all of our families came directly from a traditional local public elementary school, some via distributed learning. We have diagnosed, designated children, as well as children in the process of diagnosis, as well as many students with other higher needs.

The other thing that makes our school unique is its location. Wildflower Creston currently resides in Creston Valley Secondary School. We have two classrooms in the lower wing that are bridged by a small room. This room is where the therapy swing is for a specific student, where any one-on-one teaching may occur, where the microwave is kept for the teacher's use, where the school supplies are kept, where the cubbies are for the elementary students and where our EA takes her break. Wildflower moved from the current Creston Education Centre three years ago to the high school. At the time, it was considered the best available option. While some high school teachers have made an attempt to integrate Wildflower students into some activities, most have not. Our students share the halls and school grounds with children much more mature and "worldly". We are very aware, as a Wildflower Community, that we are isolated in this location.

Another way in which we are isolated is that our counterpart is in Nelson. Nelson and Creston are one school, on the books, with two different locations. We share a Principal and a secretary. The former principal visited our site once every two weeks. Our new principal has informed us that she will keep the status quo. This year, due to budget cuts, Wildflower school as a whole will be down from eight EA positions to five. In the recent school years we have been given two EAs - one for each of our classrooms. This year our new principal is choosing to give our location one and keep the remaining four in Nelson. I write to tell you today that that is not sufficient for our school. The EA provides the only supervision for our students during recess and lunch. As a parent body we are very concerned about this lack of supervision. It is too much to lay on the eyes of one adult. Already our EA has been in the position of having to choose between letting a kindergartener into the building to use the washroom, thereby abandoning all the other students (high school doors are locked at all times and our play space is well removed from the building), or to let the child wet her pants. This scenario has happened in the past and as the parent of the grade two student who was unable to control his bladder, it is very upsetting to be in this position. Another example of a safety concern this year, is when a student left the building unbeknownst to anyone, and was found a good thirty minutes later outdoors (locked out of the school). The EA was on her lunch break.

My oldest son is diagnosed with Autism Spectrum Disorder, Attention-Deficit Hyperactivity Disorder, and specific learning disabilities. He has had a full-time aid by his side since the age of two. Last year we spent five months doing a POPARD (Provincial Outreach Program for Autism and Related Disorders) consultation through the school district, with a school-based team, which included laying a strategy for this year. All of it is contingent on him having an EA in the classroom. All that work is now for naught as he does



not have an EA. Our one EA is now split between two physical locations. The schedule that the teachers are trying to find common ground on has spent the past few weeks looking like this: the first and last hour of the day in the older class, with approximately 10:00 am -2:00 pm spent supporting the younger class and doing supervision. My son, who has a WJIV assessment (Woodcock-Johnson Psychoeducational Assessment) dated January 2021, has been evaluated on average at a learning age of 6/7 across the subjects. Now officially in grade 6, on a modified IEP, he is expected to be without an EA during the hours his teacher is doing core subject instruction (meaning Math and LA). He does not print well due to low muscle tone and lack of gross motor skills, and is supposed to be provided with a scribe/electronic accommodations. I am beyond exasperated that all the progress we have made in the past two years towards a solid education plan has just been thrown out the window. I am a committed Wildflower parent. I have three children in the school now (grades 1, 4 and 6) with a fourth child eagerly awaiting to join kindergarten next year. I am anticipating being with Wildflower for the next nine years. That being said, I have absolutely no problem pulling my oldest, designated son (and his funding) and enrolling him in an independent online school (he was an enrolled distributed learner prior to Wildflower and after a disastrous year at a traditional public school).

On behalf of Wildflower Creston, I boldly ask you to require our principal, Misty Terpstra, to allocate two Educational Assistants exclusively to our site. If she persists on limiting our site to one we are fearful that our EA will be pushed beyond her CUPE guidelines, as well as tested emotionally and mentally. We have the same fear for our teachers who are already managing a class of round pegs in square holes. Together, our EAs and teachers create the village that is the basis for Attachment style education. As parents, that is why we have chosen this school. Please look beyond how our site "looks on paper" and consider the unique situation we are in. Please consider our alienation within the high school, our isolation from our Nelson counterparts, the lack of other supports, and the health and safety issues that have already been brought to the forefront during the first month of school. Please give our location two full-time (Monday - Thursday) EAs through either increased funding to Wildflower as a whole or through allocation of current funding to our site. All of these concerns can be rectified by the addition of one EA.

Sincerely,

Colleen Bayly
Concerned Parent, former teacher, current graduate student
DPAC Representative for Wildflower Creston
[REDACTED]



Kaslo Homelinks
Parent Advisory Committee

MLA Brittny Anderson
SD8 Superintendent Trish Smillie
SD8 Secretary-Treasurer/CFO Michael McLellan
Trustees of SD8, Kootenay Lake

Dear Ms. Anderson, Ms. Smillie, Mr. McLellan, and members of the School Board for School District 8, Kootenay Lake,

We are writing to express our grave concerns regarding the withdrawal of group activity funding from the Kaslo Homelinks program. These cuts are severe, unfair, unwarranted, and will seriously degrade the quality of education our children are able to receive. We ask that this funding be immediately restored for this year and secured for future years. We would also like to know where in the decision-making process and administrative structure the decision was made to cut Homelinks funding so dramatically.

Parents are drawn to enrol their children in a locally based Distributed Learning program like Homelinks for a variety of reasons. Chief among these, for many parents, is the opportunity to take part in group activity days, which offer the children crucial opportunities for connection with each other and with the community at large, along with access to the skill sets of a diverse collective. Withdrawing the funding that covers these programs will have a strongly detrimental effect on the children's learning, their socialization, and their ability to acquire specific, locally relevant skills that will help them adapt to the realities of our changing culture, climate, and economy.

Looking at the specifics of the funding allocation received by Homelinks, its parents, and the school district, we see that SD8 receives approximately \$7,885 annually from the province for each student enrolled in a brick-and-mortar school, and \$6,360 for each student in the Homelinks program. Yet Homelinks students cost the district far less than students at a brick-and-mortar school, because the students' parents take on a majority of the responsibility for teaching, providing materials, and creating a learning space—a choice which often limits these parents' ability to work full time and thus reduces their income.

One would think, then, that a majority of the funding allocated to the district for each student would be passed on to the program in which the students are enrolled; however, it turns out that in recent years, Homelinks and its families have only been receiving about \$1,425 annually per student—\$450 of it allocated for group activities. This also includes a \$600 allocation each student receives for things like curriculum, resources and individual learning activities. Considering that the district receives *and spends* \$7,885 a year for each student in a B & M school, the amount Homelinks students receive is paltry, begging the question of exactly what the district does with the other \$4,935 it gets for each student.

The Homelinks PAC was thus shocked and dismayed to learn, well into our new school term and after agreements had been reached and commitments made with community members and organizations to run this fall's group activity programming, that this already inadequate funding base is being slashed still further, leaving a per-student allocation of just \$750 a year, *including* the \$600 individual allocation mentioned above. This leaves very little for group activities and replenishing curriculum/resources.



Further, it is part of a pattern of funding cuts that has been evident since the early 2000s, as group activity funding fell from \$504/student in 2003 to just \$125/student in 2013. After being restored in response to pressure from parents and teachers, we have been operating with a budget of \$450/student for group activities—until these recent sudden cuts. In past years, there has also been funding support for internet access, one computer per student, a computer technician/secretary, a library clerk, and an extra-curricular account to cover group field trips; none of these things are funded now.

The new sudden and drastic cuts place even more of the burden of educating our children onto families already working hard to provide their best for their kids, forcing us to choose between asking individual families to pony up for these programs or being unable to offer them at all, which further reduces the hours parents are able to work as well as diminishing the quality of our children's education. Some families may simply be unable to afford to pay out-of-pocket for previously covered programs.

Given that Homelinks parents are already shouldering far more of the emotional, intellectual, and financial burden of their kids' education than parents whose children attend full-time, in-person classes, this seems unfair, unreasonable, and very much out of touch with the times, as more and more parents consider alternatives to the mainstream public school system, for pandemic-related reasons and a huge variety of other motives. Indeed, if it turns out that the benefits offered by enrolment in the Homelinks program are slashed too dramatically, some families may choose to withdraw their enrolment, instead registering as home schoolers, for whom the district will no longer receive the \$6,360 per student it currently receives each year.

The administration for our Homelinks program has changed five times in the last decade. Under the current administration, we have had a distinct loss of communication and direct support. We need both better, more timely communication from administrators and a stable, reliable administrative and funding environment in which to operate so we can provide good learning support for our children, recognizing that each student enrolled in Homelinks is a net fiscal benefit to the district, which spends on each student annually only a fraction of what it receives from the province.

In addition to sending this letter, we will be reaching out to local community and media for support with this important issue. We ask that you please respond immediately to our concerns, explaining how this decision was reached and restoring funding to its previous levels, in recognition of the issues we have raised here.

Sincerely,

Kaslo Homelinks Parent Advisory Committee

[Redacted Signature]

Allison Kane.

[Redacted Signature]

Barbra Cur

[Redacted Signature]

DAVID MOORE

[Redacted Signature]

DANIELLE NEWSON

[Redacted Signature]

Tamara Schwartzentub

[Redacted Signature]

KENTREE SPEIRS

[Redacted Signature]

Sheree Eisenhauer

[Redacted Signature]

Shayla Jones

[Redacted Signature]

Nicole Brown

[Redacted Signature]

[Redacted Signature]

Sarah Keenan

[Redacted Signature]

Ashley Hain

[Redacted Signature]

MICHAEL HALLIDAY

[Redacted Signature]

Alexandra i/oi

Jessie Speirs



Good morning Mr. Simpson,

Thank you for your prompt reply to our letter of concern and your additional message in regards to the reinstatement of some of our funding. Our teacher, Ms. Keenan, had shared with us after the original elimination of our group activities budget, and drastic reduction in our curriculum/resources budget, an allocation of \$75/student was returned to the group activities account, with potential for another increase to be added if possible, after September 30th. In your recent email you mention you were able to increase that account by \$150/student. Can you clarify if that account is now \$225/student (\$75 added last week and \$150 added this week) or simply \$150/student total?

It was with the information provided by Ms. Keenan that we decided to contact yourself, the Superintendent and the Board of Trustees. As you know, we've also been in touch with the Valley Voice, who have been in touch with Superintendent Smillie. In communications between them, Superintendent Smillie said "the overall funding provided at the school level per Homelinks student has been reduced by approximately \$40 from the previous per student amount." According to this, our per student funding for this year should be \$1385. However, at best, if you can confirm that our group activities budget is now \$225/student, our total allocation is \$900/student (\$600 for student learning funds, \$225 for group activities and \$75 for curriculum/resources). We don't understand where the 'approximately \$40' from the Superintendent's perspective has translated to a loss of \$525/student based on the information we're receiving from you. Furthermore we don't understand why this cut should be made in a time when homeschooling enrollment for our program is high and we already receive only a fraction of the allocated funding provided for our learners? What actions are you going to take to get this funding back into the hands of our children?

There are also concerns with the "rebranding and streamlining" that are currently changing the name of our program from distributed learning to online learning. You mentioned in a reply to one of our PAC members that "Homelinks is not being streamlined into Online Learning in any way, as they are regulated by policies that have always followed, but are currently being revised for all programs. Having said this, I must now point out ongoing changes to these policies, the most notable being the change in name to Online Learning, as opposed to Distributed Learning. This change became effective July 1, 2021. According to the ministry, there will be further changes to the policies, effective September of 2022." This leaves implications that things are not done changing. Some actionable assurance that the in person portion of our Homelinks programming is secure, which is very important to many families, is needed.

You mentioned, as well, that you are doing everything you can to support our program flourishing, and so we ask that you advocate with the district for Chantel Henschel to be allowed to do her EA practicum with our program. Through her support we were able to lower some of the costs associated with our fall program, and in the absence of her support, we are again in a position of having to scramble and rework our plans. We don't understand why the district is telling her she can't work with our program.

Thank you for your time and support and your continuing commitment to the families in our program. We at the Kaslo Homelinks PAC appreciate your reply to these questions.

Warmly,
Nicole Brown
Kaslo Homelinks PAC President



Holly Kerr

From: Linda Blair [REDACTED]
Sent: Thursday, October 7, 2021 7:08 AM
To: Board of Education
Subject: Fwd: Vaccinations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPad

Begin forwarded message:

From: Linda Blair [REDACTED]
Date: October 7, 2021 at 7:04:33 AM PDT
To: trish.smillie@sd8.bc.ca
Subject: Vaccinations

Good morning!

I have two young grandchildren at Redfish School. I am imploring you to consider mandatory vaccines for all staff. Keep our kids safe!

Respectfully

Linda Blair...retired teacher

Sent from my iPad



Holly Kerr

From: Floris Steenkamp [REDACTED]
Sent: Thursday, October 14, 2021 10:51 AM
To: Board of Education
Cc: Trish Smillie
Subject: Expression of Interest in future procurement

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the Board

It has recently come to our attention that 810 student laptops have been procured by yourselves for the school year 2021.

We would hereby like to sincerely express our interest in future bidding for subsequent years' procurement of laptops and/or other electronic equipment as may be required by you from time to time.

We are a well established business in the Kootenays with many years of experience in the electronic retail space. We are well known for our high quality of service provided as is evident in our 4.6 star online rating.

We are the only Apple authorized repair center and Apple reseller in south east BC.

We therefore believe we will be a good fit as a bidder in your future procurements.

Thank you for your time in considering us.

Our details are as follows:

Website: lectricave.com
Lectric Avenue Electronics LTD
1017 Canyon St, Creston, BC, V0B1G0
email: ian@lectricave.com
Phone: 250-428-7873

Kind Regards

The directors, Ian Richardson, Floris Steenkamp and Rene Steenkamp

Lectric Avenue Electronics LTD



October 18, 2021

Board of Education

811 Stanley Street
Nelson, BC V1L 1N8

Attention: SD8 Board Trustees

Re: Anticipated mandating of teachers to be vaccinated

I am writing in response to a letter I received from the BCTF, indicating their support of a Covid-19 vaccine mandate for teachers in BC. Should such a mandate come, they advise there will be consequences for anyone who does not comply, including the potential loss of employment, benefits and pension. I have concerns with the suggestion of vaccine mandates for school staff and understand that the decision to implement such mandates is likely to come directly from each school board. I'm writing to you as a teacher, and as a parent of children in SD8, seeking your support to prevent the situation from escalating in that direction.

There is a lot of conflicting information on the topic of Covid and related vaccines, and it feels hard to find trusted information. It seems the only certainties are that Covid can be very dangerous for some, while innocuous for others, and that the current vaccines can be very dangerous for some, while innocuous for others. No one wants to be responsible for passing Covid to a loved one, myself included. Likewise, no one wants to be responsible for causing injury through forced vaccination.

I understand many school staff feel concerned for their safety, and I do as well, though my safety concerns relate to receiving a vaccination for which there are no studies to show that my auto-immune condition won't be inflamed as a result. My family doctor supports my choice, though their hands are tied in providing me with a legitimate exemption as these are near impossible to qualify for. As a result, I may face unemployment, and as a single mother, this would have far reaching effects on my ability to provide for my children. I also dearly love my job as the Kaslo Homelinks teacher, which I have been doing for nearly a decade, and I worry about the impact my forced departure would have on the children and families I support.

Are school boards really going to stand by and watch as school staff are fired over their personal medical choices? While lives and careers of people are destroyed because they value the integrity of their own bodies and want informed consent over what goes inside them? Are schools prepared to deal with the disruptions that will ensue from firing good staff? How will these staff shortages affect our children? Is there not another way?

A vaccine mandate, while viewed by some as a social responsibility, is a divisive policy that will harm many people. Asking someone to choose between a medical procedure they are not comfortable with, and their livelihood, is not socially responsible, nor is it ethical or legal. There must be another option that supports all staff members, and we should be working together to find a better solution. Classrooms are continually striving to find accommodations to support diverse needs. A blanket mandate does not fit into this picture.

A vaccine mandate does not recognize the enhanced immunity possessed by individuals who have already had a Covid infection. Science Magazine recently discussed an Israeli study which found "the natural immune protection that develops after a SARS-CoV-2 infection offers considerably more of a shield against the Delta variant of the pandemic coronavirus than two doses of the Pfizer-BioNTech vaccine" (1). In such circumstances, imposing a vaccination requirement on those who have already been exposed to, and recovered from Covid, adds nothing to an individual's immunity or to workplace safety.



Furthermore, a recent peer reviewed study demonstrated that "vaccinated people who got so-called breakthrough infections carried about the same amount of the coronavirus as those who did not get the shots", indicating that vaccinated and unvaccinated individuals are equally likely to transmit the virus to others (2). Since vaccinated people can transmit the SARS-CoV-2 virus, as shown by a CDC study (3), forcing people to get vaccinated in order to prevent transmission is not justified by the scientific data.

Moreover, through a vaccine mandate, school employees would be coerced, on threat of adverse employment action, to make an inherently personal choice of what medical treatments to take. Canadian law has long recognized individuals' rights to personal autonomy and bodily integrity (4), which a vaccine mandate directly violates. Specifically, it violates the *Canadian Charter of Rights and Freedoms'* protection for individuals' life, liberty and security of the person, protected under section 7.

Finally, requiring school employees to take Covid vaccines is particularly egregious as these vaccines are still appropriately considered experimental, as clinical trials will not be complete until 2023. There are many reports of adverse reactions, including myocarditis, pericarditis, Bell's Palsy, thrombosis, and death, which have occurred from individuals receiving Covid vaccines (5).

Given the foregoing, I urge you to consider the above scientific, ethical and legal concerns, and openly oppose a Covid vaccine requirement for BC school staff. I am also attaching a letter from a lawyer, retained on behalf of members of our union for your reference. I request a response, and look forward to hearing from you about the issues and concerns outlined above.

Respectfully,



Sarah Keenan



- (1) <https://www.sciencemag.org/news/2021/08/having-sars-cov-2-once-confers-much-greater-immunity-vaccine-no-infection-parties>
- (2) <https://apnews.com/article/science-health-coronavirus-pandemic-d9504519a8ae081f785ca012b5ef84d1>
- (3) <https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm>
- (4) *R. v. Morgentaler*, 1988 CanLII 90 (SCC), [1988] 1 SCR 30.
- (5) <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/safety/adverse-events.html>



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October 13, 2021

BC Teachers Federation

100-550 West 6th Avenue

Vancouver, BC

V5Z 4P2

VIA EMAIL

tmooring@bctf.ca

Attention: President Teri Mooring and Executive Committee

Dear President Mooring:

Re: *Anticipated Public Health Orders mandating teachers to be vaccinated*

I am writing to you on behalf of my clients, a large group of teachers who are members of your union. My clients have retained my services to assist them in understanding the law and in presenting their requests to you for BCTF's support and representation against the "vaccine"¹ mandate of a ruthless employer, the BC Government Ministry of Education and the BC Public School Employers' Association.

My clients are not coming to BCTF as an adversary, nor with the threat of litigation. Rather, they are hopeful that this discussion will result in a renewed solidarity and shared sense of purpose among the BCTF membership.

My clients are not 'anti-vaxxers', having received vaccinations in the past. But they are asserting their legal right personally, and BCTF's legal right on behalf of the membership, to refuse injections of experimental medicines known to cause harm, freedom of choice and medical privacy.

1. Requests – My clients respectfully request the following of the BCTF:

- a. Evidence – Demand that the employer produce scientific evidence showing that:
 - (i) the vaccines would make my clients safer to students and co-workers; and
 - (ii) the vaccines are safe for my clients – disclosing the risks and side effects.

My clients have produced evidence in this letter that:

- (i) the vaccines would not make them safer to students and co-workers; and
 - (ii) the vaccines are unsafe for them.
- b. United Action – Take united job action across the labour union movement to stop the mandate and other abuses.
- c. Legal Action – Take legal action against the employer to stop the mandate and other abuses, if the employer is not responsive to job action.

¹ The dictionary definition of "vaccine" has been changed in Covid-19 times, to include mRNA medicines. In this letter, the word "vaccine" and derivatives are sometimes used in their original definition and sometimes in their revised definition, which will be apparent from context of use.



- d. Unpaid Leave – Demand that the employer identify its legal basis for placing my clients on unpaid leave as intended, as it appears there is no sound legal basis for this.
- e. Advocate – Support, represent, and advocate for them against mandatory vaccination.
- f. Bullying – Take action to end the severe bullying of the unvaccinated and undeclared.
- g. Privacy – Demand the employer respect their privacy concerning medical information.
- h. Meeting – Meet with my clients to discuss their concerns.

2. *Collective Agreements*

There is nothing in the Provincial or Local Collective Agreements that would permit a vaccine mandate at all, much less mandate these mRNA vaccines, which are still in the clinical trial stage. Even if some implication could be drawn from the general “Health and Safety” provisions of the Collective Agreements, that teachers will participate in vaccination programs – which my clients deny – vaccines of the nature being mandated were never contemplated by the drafters of the Collective Agreements.

- a. Vaccine re-defined – The [dictionary definition of vaccine](#) has been changed in the SARS-COV-2 (“Covid-19”) era, to now include mRNA medicines, such as Pfizer/BioNTech (Comirnaty), and Moderna (Spikevax), which are claimed to function through an injection of mRNA molecules surrounded by a lipid nanoparticle. It is not open to the employer to require BCTF members to receive into their bodies any novel medicines newly defined as vaccines, which were never contemplated when the Collective Agreements were agreed upon.
- b. Incomplete trials – Clinical trials only begin to be completed in 2023 for the vaccines being mandated by the employer, including the Pfizer and Moderna mRNA vaccines, as well as the AstraZeneca (Vaxzevria), and Johnson & Johnson (Janssen) non-mRNA vaccines. If the parties to the Collective Agreements ever contemplated that the employer would mandate vaccines for teachers – which my clients deny – then the parties never contemplated that vaccines could be mandated which had not been proven safe and effective through completed clinical trials.
- c. Vaccine death and injury – When the “Health and Safety” provisions in the Collective Agreements were agreed upon, the parties never considered that the employer could mandate union members to receive injections of any vaccine that has caused [astronomical death and injury](#), as these ones have. BCTF members never agreed to that.
- d. Doctor’s Note – In order to be exempted from the vaccine mandate, the Public Health Office advises that a member’s physician must advise in writing of potential adverse effects. That requirement cannot remain in effect where the BC College of Physicians and Surgeons has [threatened the doctors with regulatory action](#) if they fail to promote the BC government’s vaccine agenda – if the doctors discharge their professional obligations and provide support for appropriate exemptions, they can be disciplined by the College.

Nevertheless, many doctors have voiced their opposition to the government’s Covid-19 policies, such as the 500 doctors of the Canadian Covid Care Alliance in their publication



of September 24, 2021, [Covid-19 Canadian Covid Care Alliance Declaration](#). And a group of Okanagan doctors in their [1st Open Letter](#) and [2nd Open Letter](#) to Bonnie Henry. I concur with and adopt the reasoning in these documents, which also contain links to numerous scientific documents.

In these circumstances, it would be unreasonable, even unconscionable for BCTF, and the labour union movement generally, to lend their weight and influence to the BC government's abhorrent vaccine mandate policy. This government policy defies the very reason for BCTF's existence – to protect workers' civil rights and liberties, including their health and safety in the context of employment.

3. Background

Historically, BCTF has maintained a commitment to its members' civil rights and liberties. Clearly, the anticipated vaccine mandate violates the human rights and liberties of BCTF members. This mandate attempts to legitimize a culture of harassment and discrimination – of coerced medical experimentation, and compelled thought, belief, opinion and expression – purportedly in relation to an urgent health and safety issue – and authorize the loss of career and livelihood for those of your members who exercise their rights and do not choose to consent to the Provincial Health Officer's illegal Orders.

The common law and statutory law of BC and Canada are categorical in their protection of BCTF members from being constructively dismissed from their employment for refusing to receive the experimental vaccines. The labour union movement has always been categorical in its utter contempt and rejection of any such contrived reasoning that would crush its members underfoot, until now.

The novel, transitory Orders of the Provincial Health Officer requiring vaccination or constructive dismissal are illegal. These Orders are ultimately bound to fail in the courts under the accumulating medical evidence.

Accordingly, my clients request that BCTF undertake a reassessment of its current 'pandemic' policy, and recognize the irreconcilable conflict between – on one hand, its commitment to the civil rights and liberties of its members, and its duty to represent and defend its members against any illegal behaviour of the employer; and – on the other hand, its acquiescence, even "support" of the vaccine mandate, in deference to the Provincial Health Officer.

With respect, BCTF contracted with its members when they joined the union to represent them against any unfair or illegal behaviour of employers – whether or not the union leadership aligns ideologically with a member's cause. It is on the basis of that agreement between BCTF and its members, that my clients – your members – seek BCTF's wholehearted support, representation and advocacy of their cause.

BCTF's vaccine policy is set out in a letter you sent to all teachers on October 7, 2021, in which you said the following:

"[...] the BCTF Executive Committee [...] took the position that the Federation supports provincial mandatory vaccines in the K–12 system for school staff and volunteers. [...]"

This is about keeping everyone safe—you, your family, your coworkers, and your students. We all need to do everything we can to protect each other. Please get vaccinated. [...]"



The best course of action for you is to get the vaccine. They are safe, effective, and will help all of us move on from this pandemic.

[...] please know that the BCTF will not be standing against a mandate. It's the right thing to do at this stage in the pandemic."

On behalf of my clients, I entreat BCTF to reverse this vaccine policy. Turn back from these policies not based on sound and updated medical evidence. BCTF's vaccine convictions and policies may have been reasonable in the past, before the definition of vaccine was changed to include novel, experimental mRNA vaccines, and other new vaccines, also still in the study stage. But BCTF's vaccine policy is not reasonable now.

With greatest respect, BCTF is not a body of physicians that it could determine and proclaim the vaccines "safe and effective", or urge upon its members "the best course for you is to get the vaccine". General opinions about the merits of traditional vaccines cannot assist us in understanding the merits of these experimental vaccines. **BCTF should not be offering legal and medical opinions of this nature.** BCTF's membership has never empowered its union to wander into this minefield of liability.

Pointedly, the vast preponderance of expert evidence now clearly shows the vaccines are neither safe nor effective, despite the political-media narrative to the contrary, and despite the pressures placed upon you by the vaccine mandate advocates both inside and outside your union, and your political allies.

My clients are concerned with the employer's apparent intentions to place them on unpaid leave and require their attendance of Covid-19 re-education courses – and also, that they not be placed in some sort of alternate work arrangement amounting to downgraded employment status. They are further concerned that they not be subjected to PCR testing as an alternative to vaccination. PCR tests are another form of invasive medical treatment which nobody is legally obligated to receive. The preponderance of evidence is that PCR testing is profoundly unreliable – in effect useless² for determining Covid-19 infection, at least the way it's being done in Canada. Rapid antigen testing is similarly invasive and ineffective.

In addition, my clients are concerned with the very limited parameters under which a physician's exemption may be obtained, coupled with the condition that all such applications for exemption must be sent to the Provincial Health Officer and her committee – who have no prior history of care for each patient – but who will together review my clients' private medical files, and retain the authority to reject applications arbitrarily, which is apparently what is intended. This leaves scant room for a physician to properly exercise the duty of care when advising patients with complex medical histories – and even less room for approval of a valid application for exemption.

My clients entreat BCTF to reassess its vaccine mandate policy against its core historical values, and recognize that its obligations lie in protecting its members who refuse the vaccine mandate, including ongoing booster shots, from the abrogation of their civil rights and liberties – in particular, from being coerced into receiving an invasive, potentially dangerous medical procedure, or else lose their employment and career.

4. BCTF members' human rights and freedoms

The Charter – The principles of our Canadian Charter of Rights and Freedoms are well known:

² The links show that CDC has withdrawn its recommendation of PCR testing re Covid-19.



- s. 2(a) freedoms of conscience and religion;
- s. 2(b) freedoms of thought, belief, opinion and expression;
- s. 7 right to life, liberty and security of person

Your letter of October 7, 2021 setting out the emerging BCTF vaccine policy does not specifically address the importance of accommodating teachers who do not wish to be vaccinated in accordance with their personal *Charter* protected values listed above. BCTF's policy must be broadened to include these *Charter* protections.

Supreme Court of Canada Chief Justice Dickson wrote in the case [*R. v. Big M Drug Mart Ltd.*, \[1985\] 1 SCR 295](#),

"... belief itself [is] not amenable to compulsion. Attempts to compel belief or practice denied the reality of individual conscience ..." (para. 120)

"... 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 [...] It is because of the centrality of the rights associated with freedom of individual conscience both to basic beliefs about human worth and dignity and to a free and democratic political system [...] They are the [essential conditions] of the political tradition underlying the Charter. (para. 122) (my underlining added)

The "*individual conscience*" of each of your members is bound together with their *freedoms of religion, thought, belief, opinion, and expression*. None of these matters of conscience are "*amenable to compulsion*", nor may anyone attempt to compel or deny them. For the government to threaten your members' employment for failing to "consent" to its vaccine experiment is a denial of their freedoms of "*individual conscience*" and "*individual judgment*" in *thought, belief, opinion, and religious conviction*, and of their right to *conscientious consent or refusal*.

In respect of your members section 7 *Charter* "*right to life, liberty and security of person*", LaForest JJ wrote in the case [*R. v. Beare; R. v. Higgins*, \[1988\] 2 SCR 387](#), that nobody may be deprived of these rights, except in accord with "*... the principles of fundamental justice ...*" There are absolutely no principles of fundamental justice that would force your members to receive an experimental medicine, already known to be harmful, which surely puts their lives and personal security at risk.

Notwithstanding any legal advice BCTF may have received to the contrary, all of these *Charter* rights and freedoms have real application to my clients' cause. These rights and freedoms are not going away.

Human rights commissioners – Any opinions offered by human rights tribunals or commissioners – as distinct from "superior" courts – which may have led BCTF to believe it to be legal for the employer to trample its members' human rights and freedoms under the pretext of emergency – will not in the end stand up against the common law of the judges, which flows from the superior courts, has been carefully forged over centuries, and emphatically contradicts such opinions.

In any event, the BC Human Rights Commissioner did not issue an unconditional endorsement of the vaccine mandate and passports in her guidance: [BC Human Rights Commissioner's guidance about proof-of-vaccination](#). The Commissioner's statement was heavily conditional,



saying: “[...][authorities] can in some circumstances implement a vaccination status policy such as a proof-of-vaccination requirement—but only if

[a] other less intrusive means of preventing COVID-19 transmission are inadequate for the setting and

[b] if due consideration is given to the human rights of everyone involved.”

These conditions have not been met. Obviously, there are other “less intrusive means of preventing Covid-19” than the vaccines – for example – the very same protocols and measures that have been used effectively in school settings these many months. Obviously, the commissioner’s guidance is being ignored, as no “consideration is given to the human rights of everyone involved.” Individual rights have been discarded outright.

The BC Human Rights Commissioner goes on in the same document, speaking beyond her authority, saying: “... getting vaccinated against COVID-19 is an important way we can all help keep each other—especially the most marginalized and medically vulnerable people among us—[stay] as safe as possible.” **The Commissioner does not have the legal authority to offer such an opinion, and certainly not the medical expertise.** She is also wrong, according to the evidence.

International Law – The *International Covenant on Civil and Political Rights* says at Article 7:

“... no one shall be subjected without his free consent to medical or scientific experimentation.”

This clearly rules out the coerced participation of BCTF members in this government “medical or scientific experiment”.

The vaccines are currently in experimental trials. They are only in the study stage, irrespective of regulatory approval. The current Phase 4 of the studies is uncovering serious side effects not previously seen in Phase 3. These studies will only begin to be completed in 2023, and later. The global vaccination program is undeniably a medical experiment.

Any company or organization, including BCTF, that embraces and promotes information from a merely partially completed trial to encourage or coerce an invasive medical treatment such as the vaccines, is likely to incur serious liability in relation to the vaccine injured (be it psychological, moral or physical injury) who follow their advice and become injured. And those administrators in place at the time the coercive decisions were made will be exposed to personal liability.

The [*Universal Declaration of Human Rights*](#) reminds us in its preamble:

“Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and [...]

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.”

This is the language adopted by the nations and peoples of the world in our *Universal Declaration of Human Rights*, in response to the wicked tyrannies of the day. This foundational international law underscores the imperative that BCTF must maintain the highest regard for its members’ human rights, whatever the cost.



The current “contempt for human rights” being demonstrated by the BC government and its Provincial Health Officer, is playing out in the “barbarous acts” of coercing people like your BCTF members into receiving vaccines which are known to have injured and killed thousands of people worldwide. Such inhumanity has “outraged the conscience of [people]” worldwide – and in particular your union members, my clients.

BCTF’s support for my clients in these circumstances is imperative, not optional.

Human rights scholarship – Leading human rights scholars have weighed in on these questions. I quote some of these opinions below, from the Ontario Civil Liberties Association. I commend their counsel and cautions to you, as you undertake a reassessment of where BCTF, and the labour union movement generally, must stand in respect of the derogation and abrogation of their members’ human rights.

The writers quoted below are not extremists, or “anti-vaxxers”, or “science-deniers”, or any of the other pejoratives thrown about. They are eminent scholars, who in ordinary times BCTF would look to and ally with in heart and mind – they may even share BCTF’s political preferences. These scholars are among those who, ‘hold the ropes for society’ as we pass through these difficult valleys, helping us to hold true to who we are and what we really believe, even when inconvenient or costly. The applicability of these writings from the Ontario Civil Liberties Association to the vaccine mandate, will be self-evident.

Ontario Civil Liberties Association – Letter to the Unvaccinated – August 2, 2021

by Angela Durante, PhD; Denis Rancourt, PhD; Claus Rinner, PhD; Laurent Leduc, PhD; Donald Welsh, PhD; John Zwaagstra, PhD; Jan Vrbik, PhD; Valentina Capurri, PhD:

“It is entirely reasonable and legitimate to say ‘no’ to insufficiently tested vaccines for which there is no reliable science. You have a right to assert guardianship of your body and to refuse medical treatments if you see fit. You are right to say ‘no’ to a violation of your dignity, your integrity and your bodily autonomy. It is your body, and you have the right to choose. You are right to fight for your children against their mass vaccination in school.

You are right to question whether free and informed consent is at all possible under present circumstances. Long-term effects are unknown. Transgenerational effects are unknown. Vaccine-induced deregulation of natural immunity is unknown. Potential harm is unknown [...]

You are justified in demanding independent peer-reviewed studies, not funded by multinational pharmaceutical companies [...] none of the study data have been made public or available to researchers who don’t work for these companies. [...]

You are correct in your calls for a diversity of scientific opinions. [...] Choosing not to take the vaccine is holding space for reason, transparency and accountability to emerge. You are right to ask, ‘What comes next when we give away authority over our own bodies?’”

Ontario Civil Liberties Association – Letter to the Vaccinated – August 29, 2021

by Angela Durante, PhD; Denis Rancourt, PhD; Jan Vrbik, PhD; Laurent Leduc, PhD; Valentina Capurri, PhD; Amanda Euringer; Journalist Claus Rinner, PhD; Maximilian C. Forte, PhD; Julie Ponesse, PhD; Michael Owen, PhD; Donald G. Welsh, PhD:

“Prime Minister Trudeau recently warned that “there will be consequences” if federal employees do not comply with vaccine mandates. This is a voice of tyranny that has



reverberated fear and heightened agitation across our country. [...] What are the consequences of mandating such an insufficiently tested medical intervention? [...]

And now, mounting evidence worldwide shows that these vaccines cannot stop the transmission of the virus and variants, yet vaccination mandates continue. [...]

The meaning of “fully vaccinated” is rapidly changing as leaders demand the next booster upgrade and threaten ousting us from public spaces if we don’t comply. [...]

History has taught us that one-sided arguments and outlawed dissent are signs of totalitarianism lurking at the doorstep. [...] Mandating vaccines is a breaking point. [...]
The consequences of following Prime Minister Trudeau’s current orders are greater than his threatened consequences. [...]” (my underlining added)

On behalf of my clients, I implore you to heed the wisdom and warnings of the Ontario Civil Liberties Association.

5. BCTF members’ rights of informed consent

The Supreme Court of Canada case [*Hopp v. Lepp* \[1980\] 2 SCR 192](#), sets out what “informed consent” means with respect to a treatment such as the vaccination, as follows:

“The term “informed consent” [...] reflects the fact that although there is, generally, prior consent by a patient to proposed surgery or therapy, this does not immunize a surgeon or physician from liability for battery or for negligence if he has failed in a duty to disclose risks of the surgery or treatment, known or which should be known to him, and which are unknown to the patient.

The underlying principle is the right of a patient to decide what, if anything, should be done with his body [...] a patient’s consent, whether to surgery or to therapy, will give protection to his surgeon or physician only if the patient has been sufficiently informed to enable him to make a choice whether or not to submit to the surgery or therapy.” (my underlining added).

This case, *Hopp v. Lepp*, makes it clear that a healthcare provider who fails to obtain the “informed consent” of a patient to a treatment, can be found liable for “battery” (assault) or “negligence” – either civilly or criminally. The authorities in BC are making no attempt to obtain “informed consent” even from willing patients, and purport to mandate the “consent” of the unwilling. BCTF should avoid any association with these errors.

[Canadian Covid Care Alliance](#) – The CCCA accurately summarizes the law of “informed consent” arising out of the *Hopp v. Lepp* case and subsequent case decisions, in a document entitled “[What is Informed Consent and How Does It Apply to COVID-19 Vaccination?](#)”:

“Healthcare providers are responsible for presenting patients with clear and complete information about proposed medical interventions, and for answering all questions related to treatment. The information must be contextualized for each patient’s individual situation, taking into account variables such as age, gender, and medical history. The information must be adequate, true and include an explanation of treatments benefits, side effects, risks, alternatives and the consequences of not receiving treatment. In some cases, information about the clinical trials that support the safety and effectiveness of the treatment is also necessary, particularly when specific groups of people have been excluded from the trials. [...] Informed consent must be voluntary. After receiving adequate information about a recommended treatment, a person must be in a position to express his or her free will without any controlling influence or coercion.”



Everyone has the right to consent or refuse any medical treatment. Coerced consent is no consent at all. Consent must be voluntary.

If the BC government does not withdraw its vaccination coercion program, I anticipate receiving instructions to send a demand letter to the employer requiring complete and accurate disclosure about the vaccines in respect of each element of “informed consent” – contextualized to each individual clients, including: an explanation of the benefits, side effects, risks, alternatives, consequences of not receiving treatment – along with information about clinical trials and the vast death and injury toll.

It will be apparent to you that accurate answers to these questions about ‘side effects’ and ‘risks’, do not exist. Nobody has these answers regarding these experimental vaccines. And nobody should pretend to offer answers.

“Informed consent” is impossible in these circumstances, in that these vaccines are still under study, and as such, not all the side effects have been discovered let alone published. It is likely that even those side effects that become known will not be published any time soon, due to the fear of speaking out in a vicious cancel culture, and due to the well-known issue of under-reporting at the best of times, and due to publication biases. Moreover, there are no known studies on the long-term effects of these vaccines (i.e. cancers, infertility, neurological injury), in that the vaccine roll-out only started 9 months ago.

So, I anticipate that my clients’ employer will not even attempt to provide answers to these questions. Instead, the BC Government will attempt to steamroll all of us, including BCTF. They will continue to demand that your members provide involuntary, uninformed “consent” to their vaccines, or lose their jobs. **Some of your members will submit to their demands, or have done so already. Statistically, some of your members will die from the vaccines and others will be permanently injured. The full nature of their suffering cannot yet be known.**

BCTF cannot in good conscience stand for this. My clients appeal to BCTF to take up their cause and represent them against this extreme injustice.

6. The science around the vaccines

It is important that BCTF examine the scientific basis for the vaccine mandate. The following are only a few of many scientific issues around the Covid-19 vaccines:

- a. *Pandemic of the unvaccinated?* – “It’s certainly untrue ... that the unvaccinated are somehow driving the emergence of the novel variants. This goes against every scientific principle that we understand.”³
- b. *Vaccine death and injury* – The Government of Canada reports 17, 079 adverse reactions to the Covid-19 vaccines as of October 4, 2021, including:⁴
 - (i) Thrombosis;
 - (ii) myocarditis;
 - (iii) Guillain-Barré Syndrome;
 - (iv) Capillary leak syndrome;
 - (v) Facial paralysis/Bell’s Palsy;
 - (vi) But the Canadian government conceals the number of deaths, which is imperative information for people in giving “informed consent”.

³ <https://undercurrents723949620.wordpress.com/2021/08/16/the-lies-behind-the-pandemic-of-unvaxxed/>

⁴ <https://health-infobase.canada.ca/covid-19/vaccine-safety/summary.html>



- c. *Vaccine death and injury* – European Union Database for Adverse Drug Reactions⁵ re Covid-19 vaccines:
 - (i) 20,595 deaths; and
 - (ii) 1.9 million injured (50%) seriously.
- d. *Vaccine death and injury* – USA Vaccine Adverse Event Reporting System⁶ re Covid-19 vaccines:
 - (i) 15,937 deaths; and
 - (ii) 752,801 injured.
- e. *99% under-reporting of adverse reactions to vaccines* – Fewer than 1 % of vaccine adverse events are reported, according to a Harvard Pilgrim study.⁷
- f. *mRNA vaccine risks were previously known* – Pre-trials of mRNA vaccines showed risk of autoimmune disorders and blood coagulation.⁸
- g. *Vaccines generate resistant variants* – Viral variants of concern may emerge with dangerous resistance to the immunity generated by Covid-19 vaccines.⁹
- h. *Vaccinated people still spread Covid-19*.¹⁰
- i. *Vaccinated people were found to be 27 times more likely* to experience symptomatic Covid-19 infection than those with natural immunity from Covid-19.¹¹
- j. *Fully vaccinated are most infected with Covid-19* – Most of the people infected with Covid-19 in Scotland¹² and Massachusetts¹³ are fully vaccinated.
- k. *Vaccine mortality* – The Covid-19 vaccines are emerging as a very substantial source of morbidity and mortality.¹⁴
- l. *Vaccines wane in efficacy* – Covid-19 vaccines wane in efficacy over time, around 6 months, and boosters become necessary.¹⁵
- m. *Natural immunity to Covid-19* – even in people never exposed to this virus or SARS-CoV-1, provides stronger, longer-lasting immunity than the vaccines.¹⁶

⁵ <https://www.globalresearch.ca/20595-dead-1-9-million-injured-50-serious-reported-european-union-database-adverse-drug-reactions-covid-19-shots/5751904>

⁶ <https://openvaers.com/index.php>

⁷ <https://digital.ahrq.gov/sites/default/files/docs/publication/r18hs017045-lazarus-final-report-2011.pdf>

⁸ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5906799/#!po=0.173010>

⁹ <https://www.nejm.org/doi/10.1056/NEJMSr2105280>

¹⁰ <https://www.ox.ac.uk/news/2021-08-19-vaccines-still-effective-against-delta-variant-concern-says-oxford-led-study-covid>

¹¹ <https://www.science.org/content/article/having-sars-cov-2-once-confers-much-greater-immunity-vaccine-vaccination-remains-vital>

¹² <https://theexpose.uk/2021/07/29/87-percent-covid-deaths-are-vaccinated-people/>

¹³ https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm?s_cid=mm7031e2_w

¹⁴ <http://orthomolecular.org/resources/omns/v17n15.shtml>

¹⁵ <https://www.medrxiv.org/content/10.1101/2021.08.06.21261707v1.full.pdf>

¹⁶ <https://www.science.org/doi/epdf/10.1126/science.abd3871>



- n. *Pre-existing antibody cross-reactivity* – A majority of uninfected adults show preexisting antibody reactivity against Covid-19.¹⁷

7. *Undisguised Scientific Censorship*

The World Health Organization openly partnered with social media¹⁸, Google, Facebook, Twitter, Instagram, TikTok and many others, and the mainstream media¹⁹ of the world, directing them to, quote: “*filter out false information and promote accurate information from credible sources like the WHO and the CDC.*”²⁰ In the result, many leading scientists who oppose the Covid-19 narrative have been censored and crushed by an unknowledgeable media.

Despite this undisguised scientific censorship, the accumulating scientific evidence around Covid-19 speaks loudly for itself over the political narrative.

8. *Closing Appeal*

The human rights and informed consent law that I have summarized in this letter, is very longstanding and oft-applied in Canada. This law will not be overthrown by the hasty ideological decisions of human rights tribunals and transitory governments chasing the passing winds of public opinion in these turbulent times.

Long after the governments of the day are gone and the media accord pushing this global vaccination program has been broken up, the labour union movement, and BCTF in particular, should remain standing, unmoved from its core values and *raison d’être* – of protecting workers’ civil rights and liberties in the context of employment. If BCTF abandons its values and its workers in these troubled times, then what purpose remains to it, and who will stand up for these workers?

My clients recognize, with regret, the vehement hostility that the BCTF leadership is likely to face from the true believers in forced vaccination, and the fearful within your membership. However, we respectfully submit that BCTF is nevertheless bound to throw off these pressures and support my clients, its member, against the vaccine mandate, and is equal to the task.

The government cannot carry off this tyrannical mandatory vaccine program without the cooperation of the labour union movement. Yet, it would be unconscionable for the labour union movement to lend its weight and influence to these abhorrent government policies. Whatever the financial, political and relational costs – and they may be great – BCTF must confront the government on these policies. The BCTF cannot sustain a conflict of interest between its political loyalties and its duty to uphold its members’ rights.

Not the least reason BCTF should disengage with the government with respect to this mandatory vaccine policy, is that such a patently illegal, dangerous and devastating policy is sure to attract liability to its perpetrators and promoters, of a magnitude equal to the massive harms being caused by the policy. BCTF should take every precaution to avoid incurring this liability to its

¹⁷ <https://pubmed.ncbi.nlm.nih.gov/33720905/>

¹⁸ <https://www.who.int/director-general/speeches/detail/report-of-the-director-general-146th-meeting-of-the-executive-board>

¹⁹ <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-technical-briefing-on-2019-novel-coronavirus>

²⁰ <https://www.who.int/director-general/speeches/detail/director-general-s-remarks-at-the-media-briefing-on-2019-novel-coronavirus---8-february-2020>



membership. I reiterate that BCTF's membership has never empowered its union to wander into this minefield of liability – that is of supporting a vaccine mandate – much less, to stay there after fair warning.

My clients implore BCTF to take up their cause – freedom of choice and medical privacy – against a ruthless employer bent on the decimation of their civil rights and freedoms, and possibly their very lives and health.

I would be happy to discuss these matters with you at your convenience. I look forward to hearing from you.

Yours truly,

Herb Dunton
Barrister & Solicitor

c.c.

Clint Johnston, 1st Vice-President

Carole Gordon, 2nd Vice-President

Violette Baillargeon, Member-at-Large

Benula Bunjun, Member-at-Large

Rae Figursky, Member-at-Large

Mariah Franzmann, Member-at-Large

Peggy Janicki, Member-at-Large

Jody Polukoshko, Member-at-Large

Robin Tosczak, Member-at-Large

Katherine Trepanier, Member-at-Large

Matt Westphal, Member-at-Large



CHEQUE PROCESS NUMBER: 32942

CHQ/ePAYMT	TY	VENDOR	NAME	AMOUNT
198764	CH		Ground Source Drilling Ltd	26,250.00
46784	EP		Chandos Construction LP	15,817.43
46796	EP		Engineered Air	22,257.76
46797	EP		Falcon Engineering Ltd	23,262.38
46798	EP		Focused Education Resources Society	18,899.16
46803	EP		Grand & Toy Ltd	12,143.19
46830	EP		Nelson Building Centre Ltd.	21,948.64
46839	EP		Red Dog Carpentry Ltd	34,639.82
46846	EP		Terus Construction Ltd	39,000.00
46847	EP		Staples Professional Inc	11,171.36
46854	EP		Trainor Mechanical Contractors Ltd	155,835.41

				381,225.15



CHEQUE PROCESS NUMBER: 32963

CHQ/ePAYMT	TY	VENDOR	NAME	AMOUNT
198791	CH	█ ████	Municipal Pension Fund	85,000.25
198793	CH	█ █ ███	Receiver General RP0002	119,334.15
46897	EP	████████	City Of Nelson	15,625.70
46902	EP	█ █ ███	Canadian Union Of Public Employees	17,563.91
46909	EP	█ ████	Grand & Toy Ltd	15,666.00
46927	EP	████████	Selkirk College	38,190.06

				291,380.07



CHEQUE PROCESS NUMBER: 33003

CHQ/ePAYMT	TY	VENDOR	NAME	AMOUNT
198814	CH	█	Kootenay Lake Teachers Federation	21,768.05
198818	CH	█	Municipal Pension Fund	24,899.09
198822	CH	█	Receiver General RP0001	738,453.07
198828	CH	█	Teachers' Pension Fund	664,648.95
198829	CH	█	University of British Columbia	34,125.00
46963	EP	█	BC Teachers Federation	44,615.15
46964	EP	█	British Columbia Teacher Federation	14,623.50
46985	EP	█	Hadrian Educational Consulting	10,332.09
47004	EP	█	Rocky Mountain Energy	13,091.50
47010	EP	█	Superior Propane Inc	14,667.19
47014	EP	█	The Manufacturers Life Ins Co	11,343.41

				1,592,567.00



2022 - 2023 Budget Development Process & Schedule

Updated October 4, 2021

Date	Time	Meeting	Meeting Description/Tasks	Attendees/Responsible	Location
February 2022	5:30 – 7:30 PM	Alignment Meetings	Review presented by PVPs, including budgets review, asks and initiatives.	Principals, Vice-Principals & Senior Staff	Board Office & Zoom
March 1, 2022	4:30 – 6:00 PM	Student Trustee Orientation Meeting	Onboarding of Student Trustees into Budget Process	Trustees & Student Trustees	Board Office & Zoom
March 8, 2022	3:00PM – 4:30PM	O&F Meeting	Framework update / 2021-2022 Surplus or Shortfall Expectation / 2022-2023 Revenue Projections	Committee Members Student Trustee Reps	Board Office & Zoom
March 9, 2022	9:00AM – NOON	Internal Consultation - PVP Meeting	Draft Budget Discussion.	Staff & PVP	Board Office & Zoom
March 10, 2022	TBD	Internal Consultation - PVP Meeting	Draft Budget Discussion.	Staff & PVP	Board Office & Zoom
April 1, 2022	n/a	KLPVPA Invitation to Comment, Survey	Invitation to KLPVPA to comment. Preliminary Draft Budget Available Online.	KLPVPA	Online Survey & Invitation to Comment
April 5, 2022	12:30PM – 2:30PM	Board Working Session	Preliminary Draft Budget Review.	Board	Board Office & Zoom
April 14 ¹² , 2022	NOON – 2:00PM 2:00PM – 3:00PM	DPAC <u>Internal Consultation</u> -PVP & Trustees Meeting	Preliminary Internal Draft Budget Discussion <u>Review with PVP Group & Trustees.</u>	Superintendent, Secretary-Treasurer & DPAC Trustees, <u>Senior Staff & PVP</u>	Board Office & Zoom
April 15 ¹⁴ , 2022	n/a	Public Request for Feedback	Invitation to comment, survey. Separate student survey. Updated Draft Budget Available Online.	All Partner Groups: Committee Members, DPAC, KLTF, KLPVPA, CUPE, Students	N/A
April 21, 2022	6:00PM – 7:00PM 7:00PM – 8:00PM	Internal Consultation -PVP & Trustees <u>DPAC</u> Meeting	Preliminary Internal-Draft Budget Review with PVP Group & Trustees <u>Discussion.</u>	Trustees, Senior Staff & PVP <u>Superintendent, Secretary-Treasurer & DPAC</u>	Board Office & Zoom
April 26, 2022	3:30 – 4:30 PM	O&F Meeting	Preliminary Draft Budget Review	Trustees, Senior Staff	Board Office & Zoom
April 27, 2022	5:00PM – 7:00 PM	Public Webinar	Presentation of Updated Budget, Survey Results, Public Q&A.	All Partner Groups & Public.	Zoom Webinar
May 17, 2022	3:00PM – 4:30PM	O&F Meeting	Supt.'s Recommended Budget.	Committee Members	Board Office & Zoom

Revised: August 31, 2021



Form Title (Edit Text Box in Header)

May 24, 2022	5:00PM – 7:00PM	Open Board Meeting	Supt.'s Recommended Budget. Planned Readings 1, 2 & 3.	Board	Board Office & Zoom
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**THE BOARD OF EDUCATION
OPEN MEETING HELD IN PUBLIC
TUESDAY, SEPTEMBER 21, 2021
MINUTES**

BOARD:

L. Trenaman
S. Nazaroff (*via videoconference*)
A. Gribbin (*via videoconference*)
B. Maslechko (*via videoconference*)
C. Beebe (*via videoconference*)
D. Lang
S. Chew
S. Walsh

DISTRICT STAFF:

T. Smillie, Superintendent
M. McLellan, Secretary-Treasurer
B. Eaton, Director of Innovative Learning Services (*via videoconference*)
C. Kerr, Acting Director of Operations (*via videoconference*)
C. Singh, Director of Human Resources (*via videoconference*)
D. Holitzki, Director of Inclusive Education (*via videoconference*)
N. Howald, Director of Information Technology (*via videoconference*)
H. Kerr, Executive Assistant
J. Gonzalez, Mental Health and Addictions Coordinator
S. Rothermel, Manager of Safe Schools
S. Shaw, Manager of Finance

PARTNERS

A. Early, CUPE (*via videoconference*)
C. Wilson, KLTF (*via videoconference*)
D. Kunzelman, KLTF (*via videoconference*)
M. Bennett, CUPE (*via videoconference*)
J. Stein, KLPVPA (*via videoconference*)

GUESTS:

D. Holm (*via videoconference*)
E. Cuevas (*via videoconference*)
E. Flanagan (*via videoconference*)
J. McMurray, The Valley Voice – Media (*via videoconference*)
M. Murphy, Auditor
S. De Pauw, Nelson Police Department (*via videoconference*)
S. McGregor (*via videoconference*)
S. Sanford (*via videoconference*)
T. Harper, The Nelson Star – Media (*via videoconference*)
“Barbara” (*via videoconference*)
“Chris” (*via videoconference*)
“Maria” (*via videoconference*)

REGRETS:

B. Coons, Trustee

1. Call to Order

The meeting was called to order at 5:09 PM.



2. Acknowledgment of Aboriginal Territory

We acknowledge, respect and honour the First Nations in whose traditional territories the Kootenay Lake School District operates and all Aboriginal people residing within the boundaries of School District No. 8.

3. Introductions

Chair Trenaman welcomed all to the first meeting of the school year, thanked staff for their work throughout the summer, and welcomed Superintendent Smillie, after which the Board members and District staff introduced themselves.

4. Insertions/Deletions to Proposed Agenda

Item 13A: Public Engagement Framework was added.

Item 12C: Restricted Capital Request, referencing correspondence package item 8, was added.

5. Adoption of Agenda

UPON a motion duly made and seconded it was **RESOLVED:**

21/22-001

THAT the Agenda for this September 21, 2021 meeting **BE ADOPTED**, as amended.

6. Receiving Presentations/Delegations

A. Restorative Justice

Nelson Police Department Restorative Action Coordinator S. De Pauw gave a presentation on the Restorative Action in Schools program, including:

- Program rooted in repairing relationships to prevent future harm.
- Restorative action focuses on prevention and restorative justice focuses on intervention.
- Includes social emotional development, conflict resolution, building trust, peer mediation, and connects to the BC curriculum.
- Shared a video of a student from another District speaking to the benefits of the program.
- Presented proposed 2021-2022 school year deliverables and requested a financial commitment of \$10,100 for staff and student training.

Trustees thanked S. De Pauw for her presentation.

Discussions ensued regarding the following topics:

- Grades and schools that would participate in the proposed program.
- Potential grant opportunities to support the program.
- Identifying the results hoping to achieve with the program.
- The opportunity for the Board to consider the request in due process.

7. Opportunity for Comments or Questions by the Public

The Board and staff responded to questions from the video conference chat feature, including:



- The decision to use a webinar format for Board meetings, which allows attendees to view the Board and District staff only, and chat comments are submitted to staff to be read aloud.
- Considerations for staff access to schools during the summer to prepare for school start-up.
- Provincial Health Orders impact on in-person meetings.

8. Consent Package

A Trustee inquired as to correspondence items 1, 2 and 3, dated Feb and March 2021. It was noted that the delay in including these items in the correspondence package was due to an oversight by staff.

A Trustee ask to pull correspondence item 5. It was noted that a response to this item was being prepared.

In response to a Trustee question, the Superintendent spoke to the new format of the Superintendent's report found online and provided an overview.

9. Adoption of Minutes

A motion was duly made, seconded and **rescinded** by consensus:

THAT the minutes from the June 15, 2021 Regular Meeting **BE ADOPTED**.

A Trustee proposed that item 9 be corrected from "resolution 20/21-045 be made visible within the tracking document" to "resolution 20/21-045 action and status be updated within the tracking document."

UPON a motion duly made and seconded it was **RESOLVED**:

21/22-002

THAT the minutes from the June 15, 2021 Regular Meeting **BE ADOPTED**, as amended.

10. Future and Action Item Tracking

A Trustee noted that resolution 20/21-022 is duplicated with different dates in the comments. It was noted the duplication would be removed.

11. Education

A. Support for Mental Wellness in Schools

Trustee Beebe left the meeting at 6:06 PM.

Director Holitzki, Mental Health & Addictions Coordinator Gonzales, and Manager Rothermel gave a presentation on Support for Mental Health and Wellness in schools, including:

- Focus on creating healthy learning spaces, reducing stigma, and providing information and supports to students.
- Reviewed high-level data of students' feelings of wellness, as well as completion rates in comparison to provincial averages.



- Noted that student social and emotional skills are positively correlated to academic success.
- Trauma informed practice training provided to staff, which increases skill set. Focus on students social and emotional learning.
- Pride flags, LGBTQ history month, international pronoun day, SOGI mentor, and at least 1 all gender bathroom at all school locations.
- Crisis prevention institute training provided to staff.
- Provide student supports to

Trustees thanked the Inclusive Education team for their presentation.

B. COVID-19 Update

Superintendent Smillie provided an update on the District's adherence to provincial health orders.

C. Trustee Inquiry: Preliminary Enrolment Projections

Superintendent Smillie provided a snapshot of preliminary enrolment which showed an increase of 278 student FTE from the initial projections. Noted that the District's practice is to wait until final September 1701 enrolment numbers are confirmed to adjust staffing. However, staffing at some schools are attended to earlier as needed.

12. Operations and Finance

A. 2020-2021 Annual Financial Reports

- 2020-2021 Financial Statements (Audited)
- 2020-2021 Financial Statements Discussion and Analysis
- Surplus Restrictions and Carry-Forwards
- Audit Report

Secretary-Treasurer McLellan provided an overview of the Financial Statements, Financial Statements Discussion & Analysis, the Surplus Restrictions & Carry-forwards, and the Audit Report. Noted the information was presented in a closed meeting to the Board, as well as to the Operations & Finance Committee of the Whole. Confirmed the District received a clean audit report from the external auditors.

Trustees thanked staff and Committee members for their involvement.

UPON a motion duly made and seconded it was **RESOLVED:**

21/22-003

THAT the Surplus Restrictions **BE APPROVED** as proposed; and

THAT the Audited Financial Statements and Financial Discussion & Analysis for the year ended June 30, 2021 **BE APPROVED**.



B. Facilities Update

Trustee Nazaroff left the meeting at 6:39 PM.

- Childcare in Schools Update. Secretary-Treasurer McLellan provided a summary of all current childcare operating within the District's facilities. It was noted that the childcare at Salmo Elementary was omitted from the Board at this item.
- Trustee Inquiry: Ventilation in Schools
Secretary-Treasurer McLellan provided an update on ventilation in schools work completed by the operations team to meet ministry requirements to provide fresh air.
- Capital Operations Plan Update: Summer Facilities Work Completed
Secretary-Treasurer McLellan provided an overview of the work completed over the summer under the Board's 5-year capital operations plan. Commended the operations team for the work accomplished. Noted that the quotes for various projects throughout the District came in higher than expected per engineering estimates, and these projects have either been cancelled or pared back in scope of to align to budget and available funding. Operations focused on completing core learning environment renovations to ensure spaces are available for program delivery this year.

C. Restricted Capital Request

Secretary-Treasurer McLellan noted the Ministry of Education approved the District's request to use restricted capital for projects at Trafalgar, Central & W. E. Graham.

13. Governance and Policy

A. Public Engagement Framework

Superintendent Smillie provided an overview of the proposed public engagement plan. In response to a question from Trustee, noted the overall timeline of the public engagement process depends on the specific scenario and complexity involved.

UPON a motion duly made and seconded it was **RESOLVED:** 21/22-004

THAT the Public Engagement Framework **BE ADOPTED**, as referenced in Handout 13A.

14. Human Resources

A. Annual Temporary Superintendent Succession Plan Approval

Superintendent Smillie noted that, as per Policy 190, annually the Superintendent shall assign a senior administrator for temporary superintendent succession, and proposed to assign Director Holitzki.

UPON a motion duly made and seconded it was **RESOLVED:** 21/22-005

THAT the Temporary Superintendent Succession Plan **BE APPROVED**.



15. Trustee Reports

A. Trustees

Several Trustees provided an update on various professional development training opportunities attended by the Board, courses taken, as well as BCPSEA, CUPE, PAC and DPAC meetings and activities attended.

B. Chair

Chair Trenaman provided an overview of various meetings attended including the Board retreat, Board chair meetings with BCSTA, PAC, respectful workplace training, meetings with parliamentarian, and governance training with a veteran superintendent.

C. BCSTA

Chair Trenaman noted the AGM meeting is coming up for our branch, as well as staff liaison and BCSTA chair liaison meetings in October.

D. BCPSEA

E. RDCK

F. Other Committees

G. Student Trustees

2021-2022 Student Trustees have not yet been selected. Superintendent Smillie noted opportunities for student voice will be discussed at the upcoming Board working session.

16. Public Question Period

The Board and staff responded to questions from the video conference chat feature, including:

- School immunization programs. Noted that as per the School Act, our school spaces are provided to Interior Health staff for vaccinations. Staff are neither promoting or not promoting.
- The impact of the number of youth and family worker positions on providing student supports. It was noted that staffing is driven by need and enrolment. No intention to reduce service levels.
- The District's adherence to provincial health orders and the School Act.
- In response several questions regarding internal staff processes, it was noted that the questions would be responded to internally.

17. Meeting Schedule and Reminders

A. Board Meetings

The next meeting is scheduled for October 26, 2021.



18. Adjournment of Meeting

The meeting was adjourned at 7:23 PM.



FUTURE AND ACTION ITEMS OPEN BOARD MEETINGS

Board Meeting	Resolution #	Resolution Summary	Resolution	Assignment	Action Taken w/ Date	Complete
Resolutions in Progress						
June 15, 2021	20/21-064	Resolutions rescinded, report showing school catchments	UPON a motion duly made and seconded it was RESOLVED: THAT resolution 12/13-061, BE RESCINDED; THAT resolution 10/11-156, BE RESCINDED; AND THAT staff prepare and submit to the Board a report showing overlaid maps of the District, school catchments, and District and RDCK electoral boundaries.	Secretary-Treasurer	- Resolutions rescinded at June 15, 2021 board meeting. -Map creation in process.	In Progress
September 22, 2020	20/21-011	Board contributes to Salmo Project	UPON a motion duly made and seconded it was RESOLVED: THAT a contribution of up to \$50,000 by the Board towards the Salmo Tennis, Basketball & Skate Park Project under the Board's 5-Year Capital Operations Plan BE APPROVED.	Secretary-Treasurer	-The Village of Salmo, Columbia Basin Trust and the Recreation Commission for Salmo & RDCK Area G, and the RDCK Area G, announced they will make a contribution. -Media release announcing project and partners March 1, 2021. -Significant work was completed during summer 2021, with completion expected spring 2022. -See Memo in Agenda Package for Oct 26, 2021 Open Board Meeting.	In Progress
January 28, 2020	19/20-038	Winlaw Elem. modular approved	Upon a motion duly moved and seconded, it was RESOLVED: THAT the installation of a customized modular building, approximately 1500 square feet in size, be installed at Winlaw Elementary, at a cost of approximately \$450,000, AND THAT beginning for the 2020-2021 School Year, Winlaw Elementary "Seamless Day" BE APPROVED. A Trustee abstained. Motion carried.	Secretary-Treasurer	-New Spaces funding, CBT grant were approved. -Modular building installed, services and other setup in process. - Board to receive an update at an upcoming meeting - Opening soon when licensing and staffing have been finalized.	In Progress
February 26, 2019	18/19-092	Properties Sell or Defer	WHEREAS there are nine Board owned properties under consideration for sale in the existing 2016-2026 Facilities Plan, which the Board has previously resolved to sell; WHEREAS the Board is currently in the process creating a new facilities plan (the "2019-2029 Facilities Plan"), for which it is currently consulting with stakeholders and has contracted Baragar Systems to provide long-range enrolment projections and demographic analysis; Moved by Trustee Lang, seconded by Trustee Chew: NOW THEREFORE BE IT RESOLVED THAT in line with past Board resolutions, the following property interests be sold forthwith: 1. Former Crawford Bay maintenance yard; 2. Retallack land; 3. Former Yahk Elementary, and; 4. Ymir Land; THAT the sale of the following property interests be deferred until the Board adopts the new 2019-2029 Facilities Plan: 1. Former Al Collinson Elementary; 2. Former Gordon Sargent Elementary; 3. Kin Park in Creston, and; 4. Salmo tennis court & pool land	Secretary-Treasurer	-LRFP adopted Dec 10, 2019 -Appraisals for 8 properties received. -Quotes received from realtors. -Discussions in process with various interested buyers/lessors. -Properties to be leased (licensed) are licensed, including the former Al Collinson, former Gordon Sargent. -Properties to be sold have been put up for sale as of September 2020. - Johnstone Road property sold February 2021. -Agreement to sell in place for Kinsmen Park, subject to MoE and various other conditions. -Agreement to sell Yahk in place, subject to MoE approval. - Retallack I property sold September, 2021.	In Progress

FUTURE AND ACTION ITEMS OPEN BOARD MEETINGS

Board Meeting	Resolution #	Resolution Summary	Resolution	Assignment	Action Taken w/ Date	Complete
July 12, 2016	16/17-024	REEF for Jewett and Closure	<p>WHEREAS the Board of Education:</p> <ol style="list-style-type: none"> On May 3, 2016, advanced Draft 2 of its Facilities Plan by board motion; Between May 4 and July 4, 2016, considered the closure of Jewett Elementary School; and was successful in securing Rural Education Enhancement Funding for 2017-2018 and subsequent school years; <p>NOW THEREFORE the Board's final facilities plan as it relates to the Crawford Bay/Kaslo Family of Schools shall be status quo with no changes to school opening or closing; nor school configuration until such time as:</p> <ol style="list-style-type: none"> Rural Education Enhancement Funding ceases; REEF funding is sourced from inside the Ministry of Education block funding; or Accepting REEF funding negatively impacts the overall district average capacity utilization for capital planning purposes and space renewal in School District No. 8; <p>AND FURTHER that the Board continue to explore options for transfer of title or financial burden that would maintain stable and sustainable K-5 educational programming in the Lardeau Valley community.</p>	Secretary-Treasurer	<p>-REEF Funding terminated at end of 2019-2020.</p> <p>-Jewett enrolment has increased to 10 students for 2020-2021 year</p> <p>-Awaiting further information regarding funding model review equity.</p>	In Progress
Standing Resolutions						
June 23, 2020	19/20-079	Acknowledgement of systemic racism	<p>MOVED by Trustee Walsh, seconded by Trustee Nazaroff, and RESOLVED:</p> <p>THAT the Board of Education of School District No. 8 (Kootenay Lake) HEREBY ACKNOWLEDGES the existence of systemic racism, bigotry, hatred and prejudice and the harmful impact it has on our students, staff and the families in our communities, DENOUNCES all forms of racism, bigotry, hatred and prejudice, AND COMMITS to finding ways to strengthen a culture of inclusion that respects and embraces diversity and supports a hopeful future for all.</p>	Superintendent	<p>- "Different Together" pledge, media release, website banners.</p> <p>- "Anti-Racism and Intercultural Day of Learning" event on October 23, 2020.</p> <p>- Anti-Racism Framework</p> <p>- Interculturalization workshop by S. Prentice</p>	Complete
January 9, 2018	17/18-078	Annual Reporting on Facilities Plan implementation	Resolution 16/17-035 be amended to: The Board direct staff to annually report back to the Board on the status of the Facilities Plan implementation including enrolment projections, property disposal status, capacity utilization, facility condition index (FCI), programming and transition update, and capital planning status.	Secretary-Treasurer	<p>-2020-2021 Complete</p> <p>-2021-2022 Long-Range Facilities Planning process scheduled for spring 2022</p>	In Progress for 2021-2022
July 12, 2016	16/17-036	Facilities Plan Meetings - Each Year in Each Family of School	The Board have an annual meeting in each family of schools to talk about the Facilities Plan.	Secretary- Treasurer	<p>-2020-2021 Complete</p> <p>-2021-2022 Facilities Consultation Meetings schedule published here: www.sd8.bc.ca/facilities</p>	In Progress for 2021-2022
Resolutions for Repeal or Replacement						
Completed Resolutions						
June 15, 2021	20/21-057	Name change of secondary school in Creston	<p>UPON a motion duly made and seconded it was RESOLVED:</p> <p>THAT, effective immediately, the regular usage (i.e. non-legal usage) by the District of the name of the secondary school in Creston (including the signage at the school) no longer include "Prince Charles", and, rather the school be referred to temporarily as "Creston Valley" Secondary School.</p> <p>AND THAT Staff investigate the process for the name change of the school and report back to the Board forthwith.</p>	Superintendent	<p>-MoE has confirmed the Board can change a school's name without any further required authorizations.</p> <p>-The former name was removed ceremoniously from the building.</p> <p>-The school is being referred to as Creston Valley Secondary School by all staff and students.</p> <p>-Staff to report to Board on name change process on October 26, 2021.</p>	Complete
June 15, 2021	20/21-066	2021-2022 Board Meeting Schedule approved	<p>UPON a motion duly made and seconded it was RESOLVED:</p> <p>THAT the 2021-2022 Board and Committee Meeting Schedule BE APPROVED.</p>			Complete



FUTURE AND ACTION ITEMS OPEN BOARD MEETINGS

Board Meeting	Resolution #	Resolution Summary	Resolution	Assignment	Action Taken w/ Date	Complete
June 15, 2021	20/21-065	Resolution 19/20-067 updated	UPON a motion duly made and seconded it was RESOLVED: THAT the deadline for Resolution 19/20-067, regarding the Education Committee of the Whole reviewing school calendar options, including but not limited to increased online and decreased in-school hours (i.e. blended learning), a four-day week and balanced calendars by December 2021, BE EXTENDED to December 2022.			Complete
June 15, 2021	20/21-063	2021-2022 School Fees approved	UPON a motion duly made and seconded it was RESOLVED: THAT the 2021-2022 School Fees BE APPROVED as proposed.			Complete
June 15, 2021	20/21-062	2022-2023 Capital Plan approved	UPON a motion duly made and seconded it was RESOLVED: THAT the 2022-2023 Capital Plan Summary BE APPROVED for submission to the Ministry of Education.			Complete
June 15, 2021	20/21-061	Capital Plan Bylaw No. 2021/22-CPSD8-01 approved	UPON a motion duly made and seconded it was RESOLVED: i. THAT Capital Plan Bylaw No. 2021/22-CPSD8-01 be given FIRST READING; ii. THAT Capital Plan Bylaw No. 2021/22-CPSD8-01 be given SECOND READING; iii. THAT Capital Plan Bylaw No. 2021/22-CPSD8-01 go forward to THIRD READING; iv. THAT Capital Plan Bylaw No. 2021/22-CPSD8-01 be given THIRD READING.			Complete
June 15, 2021	20/21-060	Capital Operations Plan approved	UPON a motion duly made and seconded it was RESOLVED: THAT the 2021 5-Year Capital Operations Plan BE APPROVED; AND THAT the use of \$250,000 of Local Capital and \$1,298,000 of Restricted Capital be used to execute the capital projects identified in the plan for completion in 2021-2022.			Complete
June 15, 2021	20/21-059	2021-2022 FESL approved	UPON a motion duly made and seconded it was RESOLVED: THAT the School District No.8 (Kootenay Lake) Framework for Enhancing Student Learning for 2021-2022 BE APPROVED.			Complete
June 15, 2021	20/21-058	Adoption of Minutes	UPON a motion duly made and seconded it was RESOLVED: THAT the minutes from the May 11, 2021 Regular Meeting, and the May 14, 2021 Special Meeting, BE ADOPTED.			Complete
June 15, 2021	20/21-056	Adoption of Agenda	UPON a motion duly made and seconded it was RESOLVED: THAT the Agenda for this June 15, 2021 meeting BE ADOPTED, as circulated.			Complete
June 9, 2020	19/20-067	Refer discussion of blended learning to EDCOW	Updated resolution: UPON a motion duly made and seconded it was RESOLVED: THAT the deadline for Resolution 19/20-067, regarding the Education Committee of the Whole reviewing school calendar options, including but not limited to increased online and decreased in-school hours (i.e. blended learning), a four-day week and balanced calendars by December 2021, BE EXTENDED to December 2022. Previous resolution: MOVED by Trustee Walsh, seconded by Trustee Coons, and RESOLVED: THAT the Board refer review of school calendar options, including but not limited to increased online and decreased in-school hours ("blended learning"), a four day week and balanced calendars, to the Education Committee of the Whole and bring recommendations to the Board by December 2021.	Superintendent	- Delayed until after COVID-19. Calendars generally are not to be reviewed until 2022 so there is time. -Deferred to future Superintendent, and calendar committee. - Resolution updated at the June 15, 2021 board meeting. -On Board work plan for 2021-2022. -Discussed at EdCow Oct 19, 2021	Complete

FROM: Trish Smillie, Superintendent
DATE: October 15, 2021
SUBJECT: Communicable Disease - COVID-19 Update and Vaccine Mandate

For Information

Introduction

This memorandum will provide information on SD8's ongoing response to the communicable disease, COVID-19 and response to the BC Province.

Information

On Friday, October 1st, the Ministry of Education updated the [Provincial COVID-19 Communicable Disease Guidelines for K-12 Settings](#) to include a mask requirement for students in Kindergarten to grade 12, visitors, and staff. Following this, SD8 updated documents on the COVID-19 webpage, including [SD8 Communicable Disease Plan](#) and other supporting information can be found in the [COVID section](#) on our website. Schools implemented the new mask guidelines on October 4, 2021 and continue to support students in a manner that encourages connection and safety.

The situation in the province continues to evolve and BC Public Service [announced](#) that it will require all provincial government employees to be fully vaccinated by November 22, 2021. At this time the Provincial Health Officer has not issued an order to require mandatory vaccination in the K-12 education sector, nor any other sector other than health care.

BCPSEA has been reviewing this issue, consulting with key government representatives and partners, and working with external legal counsel regarding employee mandatory vaccination policies in the K-12 sector. BCPSEA is participating in a Ministry of Education sponsored sector-wide Advisory Committee, with representation from key stakeholder associations, the BC Teachers' Federation and CUPE.

The Advisory Committee will be approving guidelines for the K-12 sector. To ensure coordination and support school districts with the implementation and application of these guidelines, BCPSEA is developing, in consultation with stakeholders and legal counsel, an operational framework and template document. This template document will ensure an appropriate and defensible policy/procedure is established.

BCPSEA is strongly recommending that if a school district plans to approve a mandatory vaccination policy that it uses the Ministry guidelines and BCPSEA operational framework template. This will be available for school districts in the next few weeks.

Recommendation

It is recommended that following the release of the Ministry guidelines and the operational framework template provided by BCPSEA, that the Board of Education direct the Superintendent to review the impact this will have on staffing within the school district. The Board will be able to use this to inform their decision on whether or not to approve a mandatory vaccine policy for SD8 employees.



FROM: Trish Smillie, Superintendent
DATE: October 4, 2021
SUBJECT: Foundation Skills Assessment 2020-2021 Results

For Information

Introduction

Please find attached a report summarizing the performance of the SD8 2020-21 Foundations Skills Assessment (FSA).

Background

The [Foundation Skills Assessment](#) is an annual province-wide assessment of British Columbia students' academic skills, and provides a snapshot British Columbia students learning in the foundational areas of reading, writing and numeracy.

The purpose of FSA is to:

- Provide system level information on student performance.
- Support decision making (interventions, planning, resource allocation, curriculum, policy, research).
- Support districts and schools with information on student performance.
-

The FSA is meant to complement the information teachers collect on student performance through ongoing methods of assessment. The skills assessed are linked to the provincial curriculum.

The assessment is administered annually to Grade 4 and 7 students in public and provincially funded independent schools. SD8 students will again be participating in this assessment between October 4 - November 12, 2021. The FSA will include student collaboration, student choice of topics, and student self-reflection. Student results will be reported on proficiency levels and will include more descriptive student level reporting.

As indicated in the summary report, our students perform within the provincial averages and our district and has an overall participation rate at 71%. A high participation rate increases the reliability and validity of the exam results. More information on the Foundation Skills Assessment can be found on the Ministry of Education Web Site at <http://www.bced.gov.bc.ca/assessment/fsa/>.

Information

Foundation Skills Assessment Results 2020-21

The Ministry of Education released the results of the 2020-21 Foundation Skills Assessment in September 2021. The following tables compare SD8's students to province-wide student performance results.



1. SD8 Results Compared to Provincial Results - All Students
(Percentage of Students On Track or Extending)

		Reading	Writing	Numeracy
Provincial results	Province Grade 4	82%	82%	72%
	Participation rate	64%	61%	64%
District results	SD8 Grade 4	81%	79%	72%
	Participation rate	69%	65%	68%

Provincial results	Province Grade 7	78%	85%	68%
	Participation rate	61%	57%	61%
District results	SD8 Grade 7	76%	82%	62%
	Participation rate	75%	71%	77%

Notes: Grade 4 provincial results are almost exactly that of SD8. The participation rate for SD8 is higher than the provincial average however still leaves room for improvement. Grade 7 participation rates higher than provincial numbers. Achievement results in grade 7 are comparable in reading and writing and below in math.

2. SD8 Results Compared to Provincial Results - Aboriginal Students

		Reading	Writing	Numeracy
Provincial results	Grade 4 Students with Indigenous ancestry	72%	82%	72%
	Participation rate	64%	58%	62%
District results	SD8 Grade 4 Students with Indigenous ancestry	71%	86%	74%
	Participation rate	61%	50%	55%

Provincial results	Grade 7 Students with Indigenous ancestry	62%	72%	47%
	Participation rates	52%	59%	58%
District results	SD8 Grade 7 Students with Indigenous ancestry	67%	78%	48%
	Participation rate	72%	64%	72%

Note: Grade 4 and 7 have similar- or higher- average results than the provincial average. Participation rates in grade 4 less than the provincial average in writing and numeracy.



3. SD8 Results Compared to Provincial Results - Students with Diverse Needs

		Reading	Writing	Numeracy
Provincial results	Grade 4 Students with Diverse needs	73%	69%	60%
	Participation rates	42%	38%	42%
District results	SD8 Grade 4 Students with Diverse needs	65%	61%	53%
	Participation rate	53%	56%	56%

Provincial results	Grade 7 Students with Diverse needs.	62%	69%	50%
	Participation rate	45%	39%	44%
District results	SD8 Grade 7 students with Diverse needs	42%	55%	33%
	Participation rate	58%	55%	62%

Note: Results for students with diverse needs indicates the participation rates are greater than the provincial average. Generally, the participation rates need improving. In grade 7, the district achievement results are lower than the provincial results.

D8 Kootenay Lake 2016 - 2020 - All Students over time

(Percentage of Students “On Track” or “Extending”)

Grade 4	2017	2018	2019	2020	2021
Reading	76%	75%	70%	76%	81%
Writing	74%	76%	88%	85%	79%
Numeracy	69%	62%	62%	70%	72%
Grade 7	2017	2018	2019	2020	2021
Reading	62%	69%	76%	72%	76%
Writing	76%	86%	84%	84%	82%
Numeracy	59%	55%	54%	57%	62%

Note: Results in the grade 7 cohort indicate a significant improvement in math to more closely match the improvement in reading and writing in previous years.



Notes:

Alignment of resources for literacy and numeracy

Working together with all SD8 portfolios, alignment of resources to support learning includes:

- Supporting teachers using the Early Literacy Profile with workshops and a new assessment model in the primary grades. This year, teachers of students in grade 1 and 2 are invited to participate.
- Helping teachers for targeted schools have been hired and alignment of Inclusive Education staff is continued so support staff are in targeted schools for extended times.
- Configuring meeting times for both Inclusion Support Teachers and Counsellors so they can collaborate.
- Defining the timeframes for Inclusion Support Teachers so they are working with Primary students for two thirds of their time and one third in Intermediate classrooms.
- Continued EA support in Kindergarten classrooms.
- Offering after school literacy toolkit workshops for primary teachers for multiple times during this school year.
- Providing opportunities for teachers to achieve their professional development goals by having the resources available online in the area of Early Learning, Literacy and Numeracy.
- Heggerty resources provided to Primary teachers and ISTs to support the building blocks of literacy development from grades K to 7.
- Laptop initiative to provide Chromebooks for grades 7 and 10 making it easier and more inclusive for our students with special needs who can use Google Read and Write for assessment tasks.

Improve participation rates for grade 4 and 7 particularly for Indigenous students and for students with special needs

- Orient staffing to the FSA so they can collaborate to arrange the assessment tasks during a time when additional staff are available. For example, the Indigenous Academic Support Teacher and Inclusion Support Teacher can align their schedules to support students.
- Inclusion Support Teachers organize with classroom teachers how the FSA tasks can be accomplished using strategies outlined in the students' IEP.
- Share information with school leaders regarding how all students can complete the FSA tasks within the timeframe given.



Memorandum to the Board of Education Open

FROM: Trish Smillie, Superintendent
DATE: October 20, 2021
SUBJECT: Final 2021- 2022 Enrolment - Sep 30 Count

For Approval

Introduction

This memorandum outlines the enrolment determined in the 1701 verification process.

Background

This District is required to submit student enrolment data to the Ministry of Education as of September 30. Following this initial submission, there is a period of data verification by the Ministry of Education to account for duplicate enrolments and other anomalies. Once that process is complete, the District receives an echo report around the third week of October that confirms the enrolment.

Information

Total student enrolment in SD8 schools for the 2020-2021 year, as at September 30, 2021, including distributed learning students and adult students, as well as students who are unique learners, but not including homeschool students, is summarized in the following table:

Total Enrolment (FTE)	Actual Sept 30 2020 (A)	Projected Sept 30 2021 (B)	1701 Verification Sept 30 2021 (C)	Variance from Projected (C-B)	Variance from Sept 2020 (C-A)
K-12 Totals	4695.5500	4,799.0000	4719.3750	-79.6250	+23.825

Based on the enrolment verification, regular K-12 student enrolment compared to enrolment projections decreased overall by 79.6250 FTE as compared with the projections from February 2021.

Elev8 Enrolment

Elev8 - DESK and Elev8 - Homelinks together represent 307.5 FTE out of the total student enrolment numbers above. This is a decrease of 50.75 FTE from the prior year September 2020 total of 359.25 FTE.

Elev8 - DESK and Elev8 Homelinks enrolment can be broken down as follows:

Elev8 Enrolment (FTE)	Actual Sept 30 2021
Kindergarten	14.0000
Grades 1-7	183.0000
Grades 8-12	110.5000
Total	307.5000



Unique Needs Students

As summarized in the table below, there has been an overall increase in unique students, including increases in the number of students who self-identify as having Indigenous ancestry as well as English Language Learning (ELL) students. Conversely, there has been a decrease in the number of learners with unique needs designations having special educational needs.

Unique Enrolment (FTE)	Actual Sept 30 2020 (A)	Projected Sept 30 2021 (B)	1701 Verification Sept 30 2021 (C)	Variance from Projected (C-B)	Variance from Sept 2020 (C-A)
ELL	68	66	76	+10	+8
Aboriginal	814	755	879	+111	+52
Spec Ed Levels 1 - 3	289	297	276	-21	-13

Home School Students

For the 2021-2022 school year, 91 FTE learners are currently attending homeschool and are not included within the September 30, 2021 enrolment totals above. This compares with 94 FTE registered homeschool students within the school district's catchment for the 2020-2021 year.



FROM: Trish Smillie, Superintendent
DATE: October 12, 2021
SUBJECT: Remembrance Day Ceremonies

For Information

Introduction

This memorandum provides the schedule of 2021 Remembrance Day ceremonies.

Information

Remembrance Day ceremonies are held on the school day immediately preceding Remembrance Day. School staff take this time to ensure our past continues to be remembered at each stage of a student's life.

Trustees are invited to attend schools ceremonies. With COVID-19 protocols in place, ceremonies are being held in a manner that supports the health and safety of staff and students.

The Remembrance Day ceremony schedule is attached for the Board's review.



SCHOOL NAME	DATE	TIME OF CEREMONY	ZOOM LINK (OR OTHER FORMAT)
Creston Valley Family of Schools			
Creston Valley Secondary	Nov 10th	10:45 - 11:30 AM	Pre-recorded Video
Creston Homelinks	Nov 10th	11:00 AM	Zoom - Grade 10 cohort
Adam Robertson Elementary	Nov 10th	11:00 AM	Zoom link to follow
Canyon Lister Elementary	Nov 10th	10:45 AM	Zoom link to follow
Erickson	Nov 10th	10:00 AM	Zoom link to follow
Creston Wildflower	Nov 10th	11:00 AM	Zoom link to follow
Nelson Family of Schools			
Blewett	Nov 10th	10:45 AM	Zoom link to follow
DESK	Nov 10th	11:00 AM	Zoom link to follow
Hume	Nov 10th	11:00 AM	Zoom link to follow
LV Rogers	Nov 10th	11:00 AM	ZOOM LINK to follow
Redfish	Nov 10th	10:45 AM	Zoom link to follow
Rosemont	Nov 10th	10:45 AM	Zoom link to follow
South Nelson Elementary	Nov 10th	10:45 AM	Zoom link to follow
Trafalgar	Nov 10th	11:00 AM	Zoom - run by grade 9 and 6 buddy class
Wildflower Nelson	Nov 10th	11:00 AM	Zoom link to follow
Slocan Valley Family of Schools			
Mt Sentinel Secondary	Nov 10th	11:00 AM	Zoom Link to come
WE Graham	Nov 10th	11:00 AM	2 small gatherings
Winlaw	Nov 10th	10:30 and 11:00	Primary and Intermediate Assemblies
BKES	Nov 10th	11:00 a.m.	Zoom link to follow
Salmo Family of Schools			
Salmo Elementary School	Nov 10th	11:00 AM	Zoom link to follow
Salmo Secondary School	Nov 10th	11:00 AM	Zoom link to follow
Crawford Bay Family of Schools			
CBESS	Nov 10th	11:00 AM	Full school assembly
Kaslo Family of Schools			
Jewett	Nov 10th	11:00	Full School Assembly
JV Humphries	Nov 10th	11:00	Zoom



FROM: Michael McLellan, Secretary-Treasurer
DATE: October 20, 2021
SUBJECT: Capital Operations Plan - Wildflower Projects Update

For Information

Introduction

The Board identifies facility needs through its Long-Range Facilities planning process, which draws on various data sources and analyses to guide the Board's decision-making and outline how the Board will manage its facilities for the next decade and beyond.

Each year the Board adopts a new [Long-Range Facilities Plan \(LRFP\)](#). The goal of each LRFP is to provide a framework under which the District can create the best possible learning environments for students and staff factoring in: existing District facilities, available capital resources, enrolment projections, educational program requirements, and the diverse community needs and aspirations throughout the District's Families of Schools.

Under the LRFP, each year, the Board adopts a Capital Operations Plan, which is a budget authorization and operational plan for expenditure of capital resources, drawing on all sources of capital funding, to maintain and improve District facilities during the year.

Background Regarding Renovation Plans for Central Education Building, Nelson, BC

Under the Board's [2021-2022 Capital Operations Plan](#), renovations were planned for learning environment and systems improvements on the Main Level and Lower Level of the Central Education Centre building in Nelson, BC. Both Wildflower School and REACH Alternate School are located on Main and Lower levels of the building

These plans included but were not limited to the following renovations: adding washrooms to bring the facility up to current code requirements for increased student operating capacity; improve life systems with an HVAC addition/upgrade to the gym; improve learning environments of Wildflower School, including an improved classroom and auxiliary learning spaces; improved staff room; and improved medical and break out rooms.

Information

Some of the Board's plans for the Central Education Building were executed during summer 2021, while others were not.

Based on architectural drawings and the building permit from June, 2021, the District went to tender in July, and the lowest bid came in at more than double the engineer's cost estimates for the project. As a result, for summer 2021 work, the District prioritized the core learning environment upgrades, which were completed for use in September, 2021. The District is now engaged in revising some elements of the project and deferring other elements, to work within available capital budgets.



Information - Historical Timeline

- Sep 2020 - Gym HVAC upgrade identified as systems were being adjusted to maximize air related to covered concerns. Found we had no ability to provide fresh air for this space. Original Quote - **\$251,700**
- Nov 2020 - Began working with Cover Architecture on a renovation for additional washrooms to meet building code requirements due to increased student capacity with the Wildflower program.
- Jan 2021 - Received code analysis identifying number of washroom facilities required
- Jan 2021 - Initial drawings for washrooms only
- Mar 2021 - Initial proposal for washroom upgrades was found to be incorrect, number of washrooms was then revised from 11 to 6, and new drawings issued
- Mar 2021 - A new architect was assigned to this project. At this point the proposed mechanical upgrade as well as washroom upgrade were blended as one project to satisfy building permit application
- June 2021 - Building permit applied for with project valued at **\$510,000**
- July 2021 - No general contractors submitted bids, limited interest from sub-contractors to bid on project. This forced us to extend bid process.
- July 2021 - Email from Cover Architecture stating that the bids coming in from contractors were exceptionally high
- July 2021 - Tender closed, Price came in at **\$1,200,000**
- July 2021 - Discussions on separating the projects, Mech and washroom, and revising scope to match available/estimated funding (**\$510,000**)
- Aug 2021 - We notified general contractor we will not be moving forward with this project
- Sep 2021 - Completion of priority learning environment upgrades, i.e. server was relocated from existing library space to Lower Level, server room was renovated and reduced in size creating larger classroom space. Trim, paint touch-ups, flooring repairs complete.

Information - Other Actions Taken to Date

- Discussions with the Wildflower Principal have been ongoing since August 2021, as to potential revisions to the renovation plans. The Wildflower Principal has consulted with Wildflower staff and PAC and provided feedback to District Operating Staff and the architect.
- Architect is preparing revised drawings.
- The District intends to execute revised plans using internal tradespeople. Two new trades positions were posted in August, qualified candidates have been found and hiring is imminent subject to completion of HR processes.

Information - Future Plans

The architect is currently updating drawings, with plans for re-design to encompass the following:

- Stage to remain to support Wildflower arts curriculum
- Existing 2 rooms behind stage to be renovated to create upgraded auxiliary learning spaces, with exterior windows added, windows on doors added, and space opened up. Actual design as far as number of windows, and 2 separate or 1 large room to be determined.
 - Under stage to continue to be available as an auxiliary space, as maker space or library, which satisfies the requirement of not being used as a full-time teaching space (see next points)



- Creation of new updated gym equipment storage
- Existing 2 washrooms on stage to remain, 4 additional washrooms to be constructed in Lower Level, location to be confirmed subject to piping and systems location; gender neutral washrooms
- Existing gym equipment room to be renovated into new staffroom
- Existing staffroom to be renovated into accessible washroom and medical room
- HVAC project will be a separate project, currently valued at **\$644,000** (estimate Aug 18/2021)

Conclusion

Future plans for renovations of the Central Education building outlined above will continue to be pursued, revised to fit to available budgets, and will use mainly District staff to execute renovations, with the exception of the HVAC part of the project. Work will be undertaken as possible during the school year, when it will not interfere with Wildflower school needs. The revised architectural drawings currently in process will be based on revised cost estimates (including the use of internal staff), and updated feedback will be shared with Wildflower Principal, who will then seek input from Partner Groups.



FROM: Michael McLellan, Secretary-Treasurer & CFO
DATE: October 20, 2021
SUBJECT: Salmo Sports Courts & Skate Park

For Information/Approval

Background

Under the Board's [Long-Range Facilities Plan](#), each year, the Board adopts a [Capital Operations Plan \(COP\)](#), which is a budget authorization and operational plan for expenditure of capital resources, drawing on all sources of capital funding, to maintain and improve District facilities during the year.

As part of each COP, the Board allocates funding for public-private-partnerships (PPP) projects, which can combine the Board's land and capital resources with grants or donations from third-parties, giving the Board greater buying power and an opportunity to pursue win-win projects with local municipalities and community groups.

Information

On September 20, 2020, the Board resolved:

THAT a contribution of up to \$50,000 by the Board towards the Salmo Tennis, Basketball & Skate Park Project under the Board's 5-Year Capital Operations Plan BE **APPROVED**.

Since then, the Village of Salmo, Columbia Basin Trust and the Recreation Commission for Salmo & RDCK Area G, and the RDCK Area G, have announced contributions to the project. A [media release](#) was sent to media and partner groups announcing the project and partners March 1, 2021.

Credit is due to Trustee Chew, who worked with project partners, community members and key suppliers to bring the project to fruition.

Many thanks are offered to all parties who have contributed to the project.

Information - Timeline

Completed

- May 2021 - Meeting at Salmo Courts to discuss project scope, with total project cost estimate ~\$150,000
- June 2021 - Contact made with key suppliers and Salmo Village, to establish work responsibilities for all parties.
- July 2021 - Fencing removed and site prep complete
- Aug 2021 - Paving complete
- Sep 2021 - Fencing complete
- Sep 2021 - Block repairs complete
- Sep 2021 - Basketball post/backboard fixed



Outstanding - To Be Completed Spring 2022

- Courts surfacing and painting scheduled (April or May, weather dependent)
- Removable post sleeves for tennis and pickleball nets
- Water fountain with bottle fill
- Nets and backboards in the spring
- Players benches to be provided by Community Groups



FROM: Michael McLellan, Secretary-Treasurer
DATE: October 20, 2021
SUBJECT: District HVAC Ventilation and MERV 13 Filters

For Information

Introduction

Following the guidelines set out by the Ministry of Education's current [Provincial COVID-19 Health and Safety Guidelines for K-12 Settings \(page 21\)](#), SD8 has investigated each of the HVAC systems in all of its schools and facilities. It appears that MERV 13 filters can be used in all HVAC systems District-wide.

Background

This background information was provided in a memo to the Board dated September 15, 2021.

SD8 investigated various options to maintain safety for all staff and students in all our buildings. Currently we are meeting Ministry of Education requirements by, among other things, maintaining 100% fresh air intake. When heat is required in buildings, we will be unable to maintain 100% fresh air thereby requiring an upgrade of our HVAC ventilation systems to use of MERV 13 level filtration, which is mandated for recirculated air systems, where possible.

We have found MERV 13 filters that are electrostatically coated, providing the appropriate filtration that does not restrict air flows, which therefore meets all Ministry requirements.

The cost to the District will be:

- Previous Standard - Filter Replacements required every 2-3 months, which equals 3-4 times per year with heating season. At \$4,000 per District set of filters = \$16,000 / annum budget.
- New Standard - Filter Replacements required every 3-4 weeks, which equals 7-8 times per year with heating season. At \$7,200 per District set of filters = \$57,600 / annum
- **2021-2022 TOTAL ADDITIONAL COST = \$41,600 / annum (estimated)**

The additional personnel time required to change filters will be handled with existing staffing.

The additional filter supplies costs will be paid for with the new "Restart Funding" listed in the August 2021 revised MoE funding tables.

Information - Update

SD8 has received an initial delivery of the available filters from the supplier, with the balance of the order to be received on or about early November.

Links to a "Ventilation System Overview" for each school in the District will be posted on the District's website and on each school's website on or before October 26, 2021.



POLICY 210: Provision of Menstrual Products to Students

The Board of Education of School District No. 8 (Kootenay Lake) believes that students in British Columbia should have access to healthy and effective learning environments. The school system is expected to promote gender equality and create an inclusive learning experience. Lack of access to menstrual products can negatively impact students' school attendance and their social-emotional well-being. Providing all students with convenient access to free menstrual products helps to support their full participation in school activities, reduces stigma and promotes gender equality. The Board of Education of School District No. 8 (Kootenay Lake), ~~in keeping with Ministry of Education Policy,~~ will ensure that schools provide menstrual products to students of all gender identities and expressions using delivery methods that:

- Are free of charge;
- Protect privacy;
- Are barrier free, consistent in delivery, and easily accessible;
- Are non-stigmatizing;
- And that take into account the developmental levels of the student population.



POLICY 220: Maintenance of Order

The Board of Education for School District No. 8 (Kootenay Lake) is committed to providing a safe and healthy study and work environment for its students, staff members, volunteers and others in the school community. The School Act provides authority for a Principal, Vice-Principal or Director of Instruction, or a person authorized by the Board of Education, to direct a person to leave school property or school function or program in order to maintain order and to ensure a secure environment. It also enables such persons to call for assistance from law enforcement.

The Board of Education of SD# No. 8 (Kootenay Lake) authorizes the following individuals to issue orders pursuant to Section 177 of the School Act:

- a. Superintendent of Schools or duly authorized designate; and
- b. ~~Principal and Vice Principals~~

Orders under Section 177 of the School Act may be issued when the actions of an individual pose a risk to the safety of students, staff or others in the school community; or present significant and/or ongoing disruption to the operation of a school, a school function or an educational program.

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Related Legislation: School Act [1] RSBC 1996, Chapter 412, Part 8.1, Division 8, Section 166.46; Part 9, Division 6, Section 177]
Related Contract Article: Nil
Adopted: June 27, 2017
Amended: March 10, 2020

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POLICY 230: Child Abuse and Neglect

The Board of Education ~~offer~~ School District No. 8 (Kootenay Lake) recognizes its obligation to ensure the safety and physical and emotional well-being of all students within its jurisdiction. Employees who have reason to believe that a child has been or is likely to be abused or neglected, or may need protection, are to promptly report the matter to a child protection social worker and/or local police agency.

The purpose of this policy is to support a comprehensive, coordinated and collaborative approach for responding to child abuse and neglect. ~~by:~~

- ~~providing child abuse prevention programs to students;~~
- ~~providing school officials, employees and other persons working in schools with training in recognizing signs of child abuse and neglect;~~
- ~~providing school officials, employees and other persons working in schools with direction and training on their legal obligation to report child abuse and neglect to a Child Welfare Worker under the Child, Family and Community Service Act, to the police where the child is in immediate danger, and to school officials;~~
- ~~requiring school officials to investigate and report to the police allegations of child abuse involving current and former school district employees, volunteers or contract service providers;~~
- ~~establishing a child abuse/neglect reporting and investigation protocol with other responsible agencies, to identify the roles and responsibilities of school officials and personnel from other agencies, in responding to allegations of child abuse or neglect; and~~
- ~~providing assistance to victims of child abuse and neglect by counselling and referrals to other agencies, as appropriate.~~

Recognizing, reporting, investigating and dealing with abuse and neglect are addressed in a Trilateral Protocol Agreement.

The Superintendent ~~or designate~~ is responsible for the implementation of ~~procedures this policy for~~ management of alleged sexual abuse by a student.

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Related Legislation: Child, Family and Community Service Act [RSBC 1996, Chapter 46, Part 3, Division 1, Section 14]
Related Contract Article: Nil
Adopted: February 13, 2001
Amended: October 9, 2018
Amended: December 11, 2018
Amended: March 10, 2020

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POLICY 240: Anaphylaxis

The Board of Education for School District No. 8 (Kootenay Lake) has the responsibility to be prepared to respond to medical emergencies such as anaphylaxis. The Board also recognizes the right of children and staff to attend school and to work in a safe environment. While it is impossible for the Board to ensure an allergen-free environment, the Board is committed to making schools as safe as possible for children and staff.

~~As a result, the Board will take steps to alter the environment to accommodate children and staff who are susceptible to anaphylaxis in the school setting. Further, the School District's Administrative Procedure 240.1 Anaphylaxis shall set forth the procedures to meet these goals, including complying with the requirements of any applicable Ministerial Orders.~~

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Related Legislation: Ministerial Order M234/09, [School Act Section 88\(1\)](#)
Related Contract Article: Nil
Adopted: October 15, 2002
Amended: January 12, 2010
Amended: May 28, 2013
Amended: March 10, 2020

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POLICY 250: Tobacco and Electronic Smoking Devices

The Board of Education for School District 8 (Kootenay Lake) recognizes the health hazards of tobacco products and the use of smokeless tobacco products and electronic smoking devices. As an employer, the Board has a duty to ensure the safety of the workplace. As an educational authority, the Board has a responsibility to provide educational leadership and its employees have a responsibility to act as positive role models while in the workplace.

Therefore, to ensure a safe and healthy environment for students, employees and others, the Board will prohibit smoking, the use of smokeless tobacco products ([e.g. chewing tobacco](#)), electronic smoking devices (i.e. cigarettes, vapor cigarette, or personal vaporizers) in all District facilities, vehicles, on all District grounds and at all District sponsored events, in accordance with local by-law regulations.

The use of tobacco may be permitted for traditional ceremonial activities of recognized cultural groups with prior written approval from the Superintendent or designate. [\[Staff to review language re prospective direct inhalation of tobacco products by minors\]](#)

Related Legislation: Nil
Related Contract Article: Nil
Adopted: April 21, 2015
Amended: May 8, 2018
Amended: October 9, 2018



POLICY 251: Cannabis

As an employer, the ~~Board~~ [Board of Education for School District No. 8 \(Kootenay Lake\)](#) has a duty to ensure that no workers are endangered by their own impairment or the impairment of others at the workplace. As an educational authority, ~~the Board of Education for School District No. 8 (Kootenay Lake)~~ has the responsibility to prevent the possession and use of Cannabis products in all District facilities, vehicles, on all District grounds and at all District sponsored events. This includes the possession and use of fresh cannabis, edible/liquid products and concentrates, regardless of their Tetrahydrocannabinol (THC) content.

~~Further, the School District's Administrative Procedure 251.1 Cannabis shall set forth the procedures to meet these goals, including complying with the requirements of any applicable Ministerial Orders and The Cannabis Control and Licensing Act. The District shall comply with the requirements of any applicable Ministerial Orders and The Cannabis Control and Licensing Act.~~

[\[Staff to review potential considerations on policy of medical use of cannabis\]](#)

Related Legislation: Cannabis Control and Licensing Act, Cannabis Control Regulation

Related Contract Article: Nil

Related Policy: 311: Illegal Use of Drugs and Alcohol, Policy 310: Code of Conduct, Policy 440: Extra-Curricular and Co-Curricular Activities, [Procedure and Code of Conduct for Bus Students](#).

Adopted: December 11, 2018

Amended: March 10, 2020



POLICY 260: Scent Free Environment

The Board of Education for School District No. 8 (Kootenay Lake) recognizes that health concerns may arise from exposure to some scented products. To assist with the right of employees and students to work in a safe and healthy environment, the Board requests that employees, students and visitors refrain from scented products if and when possible.

Related Legislation: Nil
Related Contract Article: Nil
Adopted: February 24, 2015
Amended: March 10, 2020



POLICY 270: Memorials for Deceased Members of the School Community

~~The purpose of this policy is to clarify the criteria and the approval for proposed memorials for students or staff.~~

~~Sometimes, in the immediate aftermath of a critical incident or death, memorials are proposed without full consideration of the potential implications for students, staff, families, and the community.~~

The Board of Education of School District No. 8 (Kootenay Lake) is committed to ensuring that potential impacts of memorials on staff, students and families affected by a death are fully considered, and to ensuring that staff make connections, as possible, to appropriate school and community resources.

~~Sometimes, in the immediate aftermath of a critical incident or death, memorials are proposed without full consideration of the potential implications for students, staff, families, and the community. This policy provides District parameters to guide decision-making regarding school-related memorials.~~

Related Legislation: Nil
Related Contract Article: Nil
Adopted: October 22, 2019

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POLICY 660: Provision of Child Care Providers in Schools

~~Quality accessible and affordable child care and early learning programs provide significant social and economic benefits for the community. Research shows that quality childcare and early learning programs have a direct relationship to successful transitions to kindergarten, literacy development, poverty reduction, and community engagement.~~

~~The funding and regulation of licensed child care is primarily a provincial government responsibility, and the Board recognizes that its primary obligation is to provide school age educational programs; however, the Board of Education of School District No. 8 (Kootenay Lake) believes that the District, along with community partners, can play an important role in planning, developing and coordinating childcare for children in our region.~~

~~The District shall not directly provide licensed child care, however it is supportive of third parties that deliver quality, accessible and affordable child care in District facilities. Schools shall release and/or share available space on a cost recovery basis for that purpose, and, where possible, new school construction or renovations will incorporate designated and/or shared space for child care services.~~

The Board of Education of School District No. 8 (Kootenay Lake) promotes the use of Board property for the provision of childcare programs to advance a more holistic system of education and care for students that eases transitions for families and supports quality learning across the day.

1. When the Board decides to change the use of Board property that is being used for providing a childcare program, the Board will ensure that the Ministry of Education is provided with the required information.
2. The Board will maintain provincially funded childcare spaces provided it does not impede the Board's ability to deliver K-12 educational programs.
3. When the Board decides to change the use of Board property that is being used for providing a childcare program, the Board will meaningfully engage with the communities and consider enrolment forecasts, class size and composition, community need or alternatives such as vacant or available spaces on all board properties, additional investment in modular units or renovations, adjustment of catchment areas, creating shared-space arrangements, working with the child care provider to find an alternative or other solutions based on community input.

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Related Legislation: ~~School Act [RSBC 1996, Part 6, Division 2, s. 85.1, 85.2, 85.3]~~ School Act, RSBC 1996, ss 84.1 - 85.4
Order M326/20, the Child Care Order, ~~[ADD M ORDER]~~

Related Contract Article: Nil
Adopted: March 10, 2020
Amended: November 10, 2020



Memorandum to the Operations & Finance Committee

FROM: Michael McLellan, Secretary-Treasurer
DATE: October 15, 2021
SUBJECT: Trustee Inquiry: Exempt Staffing Ratios

For Information

Introduction

The District periodically compares administrative staffing in its individual departments, schools and its overall exempt staffing levels with staffing levels and strategies used in other districts across the province. In so doing, the District is provided with a starting point for the assessment of its own exempt staffing strategies.

Background

To facilitate a comparison of the District's exempt staffing with other districts, the District has drawn from various data sources, including:

- BCPSEA compiled EDAS (Employment Data and Analysis System) data
- Ministry of Education compiled budget and enrolment projections from Districts
- Ministry of Education compiled BC schools data

Information

Please see attached Provincial Comparison of Exempt Staff.

The demographic "type" of district is a categorization by the Ministry of Education to segregate districts into like districts of comparable student enrolment and geographic density. SD8 is a "Medium Rural Climate", indicating it is "medium" in enrolment and large geographically.

Management Staffing Ratio. Amongst the group of Medium Rural Climate districts, SD8 has one of the highest Students/Total Management ratios at 277.83 student per each exempt management staff (i.e. fewer management employees per student). This compares with an average of 212.91 students/Total Management staff in the group.

PVP Staffing Ratio. SD8 has an average Students/Total PVP ratio at 144.88 students per each PVP as compared with an average 148.92 students per each PVP in the Medium Rural Climate group.

Students Per School Ratio. SD8 also has fewer students per school with a ratio of 174.93 Students/Total Number of Schools as compared to an average 207.93 93 Students/Total Number of Schools in the Medium Rural Climate group. (Note that in the comparison, if you reduce the number of SD8's distributed learning schools from 4 to 2 schools for Elev8 DESK and Homelinks as a single school, SD8's students per school ratio increases to 188.93 93 Students/Total Number of Schools, which is still materially fewer students per school than in the group average.) From this we can see reflected that SD8 is relatively spread out and has a larger number of schools per student, and since each school requires its own School Principal, this would increase SD8's PVP staffing ratio, all else being equal.

Recommendation/Conclusion

Though it appears in this data analysis that SD8 is staffed efficiently with exempt staff when compared with similar districts, each district has different characteristics, not only across the province, but also amongst the subset Medium Rural Climate group. As such, this analysis provides useful reference points as to how SD8 compares with other districts in its exempt staffing but does not on its own provide a definitive indication of efficiency or inefficiency in its management or PVP staffing.



District		Demography		Enrolment*		Number of Schools**										Exempt Staffing (FTE)***									

DATE	TIME	LOCATION	MEETINGS	COMMENT
September 21, 2021	1:30 – 2:30 pm	Board Office, Nelson	Closed Board Meeting	
	3:00 pm – 4:30 pm	Board Office, Nelson	Operations and Finance	Audited Financials Recommendation
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	Audited Financials Approval
October 19, 2021	12:30 – 4:30 pm	Board Office, Nelson	Committees of the Whole	
October 26, 2021	3:00 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	
November 23, 2021	3:00 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	
December 7, 2021	3:00 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	
<i>Winter Break (December 19 – January 3)</i>				
January 18, 2022	3:00 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	
February 15, 2022	2:00 – 3:00 pm	Board Office, Nelson	Closed Board Meeting	<i>If needed</i>
	3:30 – 4:30 pm	Board Office, Nelson	O&F Committee Meeting	Amended Budget Recommendation
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	Amended Budget Approval
March 8, 2022	1:00 – 2:00 pm	Mt. Sentinel, Slocan	Closed Board Meeting	<i>If needed</i>
	2:00 – 4:30 pm	Mt. Sentinel, Slocan	Edu. and G&P Committees	
	5:00 – 7:00 pm	Mt. Sentinel, Slocan	Open Board Meeting	
<i>Spring Break (March 12 – 27)</i>				
April 26, 2022	1:30 – 3:00 pm	Crawford Bay School	Closed Board Meeting	
	3:30 – 4:30 pm	Crawford Bay School	O&F Committee Meeting	Preliminary Draft Budget Review
	5:00 – 7:00 pm	Crawford Bay School	Open Board Meeting	
May 17, 2022	12:30 – 5:00 pm	Board Office, Nelson	Committees of the Whole	O&F – Supt's Recommended Budget
May 24, 2022	3:30 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 – 7:00 pm	Board Office, Nelson	Open Board Meeting	2022-2023 Budget Approval
June 21, 2022	3:00 – 4:30 pm	Board Office, Nelson	Closed Board Meeting	
	5:00 pm – 7:00 pm	Board Office, Nelson	Open Board Meeting	
<i>Summer Break</i>				

