



**COMMITTEE REPORT OF THE
EDUCATION-POLICY COMMITTEE via MS Teams
Nov. 3, 2020 – 6:00 p.m.**

Present: Bob Phillips, Trustee (Committee Chair)
Dianna Seaton, Trustee (Committee Member)
Margot Swinburnson, Trustee (Committee Member)
Missy Haynes, STA
Lisa Haug, CUPE
Georgette Walker, SPVPA
Cendra Beaton, SPEAC
Scott Stinson, Superintendent/CEO
Stephanie Hedley-Smith, Associate Superintendent
Paul Block, Associate Superintendent
Dave Strange, Associate Superintendent

Guest: Vanessa White, District Principal – Safe and Healthy Schools

1. CALL TO ORDER AND ACKNOWLEDGMENT OF FIRST NATIONS TERRITORIES

We are honoured to be meeting on the traditional territories of the Coast Salish: T'Sou-ke Nation and Scia'new Nation and Nuu-chah-nulth: Pacheedaht Nation. We also recognize some of our schools reside on the traditional territory of the Esquimalt Nation and Songhees Nation.

2. Opening Remarks from Chair, Bob Phillips

Scott Stinson provided a brief update on remote learning, bus transportation and the secondary school 1/8 model.

3. COMMITTEE REPORT of Oct. 6, 2020 Education-Policy Standing Committee meeting

The committee report for the Oct. 6, 2020 Education-Policy Committee meeting was reviewed by the committee members.

4. BAA COURSE PROPOSALS

No courses were brought forward for consideration at this meeting.

5. REVIEW OF POLICIES/REGULATIONS

- a. Draft New Policy and Regulations E-158 "Public Interest Disclosure – Whistleblower Protection – Scott Stinson
Scott Stinson reviewed the draft new policy and regulations prepared by Harold Cull, Secretary-Treasurer.

Recommendation:

That the Board of Education give Notice of Motion to draft new Policy and Regulations E-158 "Public Interest Disclosure – Whistleblower Protection".

- b. Draft Revised Procedural Regulations A-412 "Delegations & Questions to the Board" – Scott Stinson
Scott Stinson reviewed the proposed revisions to the procedural regulations.

Revisions will go forward as information to the Board at its November 24 meeting.

6. **NEW BUSINESS**

- a. CUPE BC Seamless Day Model of Early Learning and Care

Scott Stinson reviewed the Seamless Day model of early learning and care as set out by the Provincial Government. It is a shift to school-based delivery of school-age child care.

Recommendation:

That the Board of Education direct staff to consult with partners regarding the development of a Child Care policy to align with section 85.1 of the *School Act*.

- b. Healthy Schools, Healthy People Growth Framework – Dave Strange and Vanessa White

- Growing Healthy Food Report

Vanessa White provided a detailed review of the framework. The committee requested that this presentation be given to the Board of Education.

7. **FOR INFORMATION**

- a.

8. **FOR FUTURE MEETINGS – REVIEW OF POLICIES/REGULATIONS**

As per Policy Work Plan

9. **ADJOURNMENT AND NEXT MEETING DATE:** Dec. 1, 2020

POLICY AND REGULATIONS ADOPTION

School District #62 (Sooke)

November 24, 2020

Draft new Policy and Regulations E-158 "Public Interest Disclosure – Whistleblower Protection" are now ready for Notice of Motion.

NOTICE OF MOTION:

That draft new Policy and Regulations E-158 "Public Interest Disclosure – Whistleblower Protection" be given Notice of Motion.

School District #62 (Sooke)

PUBLIC INTEREST DISCLOSURE POLICY-WHISTLEBLOWER PROTECTION	No.: E-158
	Effective: Revised: Reviewed: Nov 3/20; Nov. 24/20

School Board Policy

The Board of Education of School District No. 62 (Sooke) is committed to the highest standards of ethical conduct, integrity and accountability.

The Board of Education has a responsibility for the stewardship of the District. In order to ensure compliance with the *Public Interest Disclosure Act* the Board encourages and supports employees to report, while acting in good faith, and consistent with their applicable Code of Ethics, in any situation that they reasonably believe to be substantive improper activity. Where it is alleged that an improper activity by District officers or employees has occurred, the principles and processes outlined in this Regulation shall govern.

School District #62 (Sooke)

PUBLIC INTEREST DISCLOSURE POLICY-WHISTLEBLOWER PROTECTION	No.: E-158
	Effective: Revised: Reviewed: Nov. 3/20; Nov. 24/20

PROCEDURAL REGULATIONS

1.0 Authority

- 1.1 The responsibility for the day-to-day administration and enforcement of this policy rests with the Superintendent and CEO as authorized by the Board of Education.
- 1.2 The provisions of this policy are independent of and supplemental to the provisions of collective agreements between the Board of Education and its Unions relative to the grievance procedures, and to any other terms and conditions of employment.

2.0 Definitions

- 2.1 Board – is the Board of Education of School District No. 62 (Sooke).
- 2.2 Employee - applies to all trustees, officers, directors and employees of the District as well as to other stakeholders having an interest in the District including suppliers, consultants, and contractors.
- 2.3 Good faith - is evident when a report is made without malice or consideration to personal benefit and the employee has a reasonable basis to believe that the report is true.
- 2.4 Employer – applies to the Board of Education of School District 62 (Sooke).
- 2.5 Supervisor – A person who supervises a person or activity.

3.0 Reportable Activities

- 3.1 Reportable Activities may include, but are not limited to:
 - a. an unlawful act, civil or criminal.
 - b. abuse or an imbalance of power.
 - c. action detrimental to students or staff of the District.
 - d. questionable accounting practices.
 - e. falsifying District records.
 - f. theft of cash, goods, services, time or fraud.
 - g. inappropriate use of Board funds or assets.
 - h. decision making for personal gain.
 - i. dangerous practices likely to cause physical harm, or damage to District property.
 - j. retaliation, repercussion or reprisal for reporting under the Policy.

4.0 Duty to Disclose

- 4.1 The Board of Education encourages any employee who is aware of, or witness to any improper activity to bring the matter to their Direct Supervisor. If the matter involves the Employee's Direct Supervisor it should be reported to the Superintendent and CEO. The District will investigate the matter, and take actions appropriate to the circumstances. Employees can expect that matter will be treated in confidence, unless disclosure of the information is authorized or required by law (for example under the Freedom of Information and Protection of Privacy Act or Court subpoena).

5.0 Protection of Employee and Employer

Employee

- 5.1 Any Employee shall not be subject to discipline or reprisal for bringing forward a complaint to a Supervisor if they:
- a. believe it to be substantively true.
 - b. provides information in good faith.
 - c. does not act maliciously or make false allegations.
 - d. does not seek any personal or financial gain.
- 5.2 All reports under this policy will be handled with strict confidentiality and personally identifiable information from the report will only be shared to the extent necessary to conduct a complete and fair investigation according to the law.
- 5.3 If an investigation reveals that the report was frivolously made or undertaken for improper motives or made in bad faith or without reasonable and probable basis, disciplinary action may be taken.

Employer

- 5.4 Nothing in this policy shall be deemed to diminish or impair the rights of the District to manage its employees under any policy or collective agreement; or to prohibit any personnel action which otherwise would have been taken regardless of the reporting of the information.

6.0 Reporting a Complaint

- 6.1 Employees and stakeholders may submit a complaint about any Reportable Activities to their Direct Supervisor or the Superintendent at the School Board Office, in writing via email or by written letter submitted in confidence.
- 6.2 Per Section 11.1 of the *Public Interest Discloser Act* an employee who is considering making a disclosure may request advice from:
- a. the employee's union representative or employee association representative, as applicable,
 - b. a lawyer,
 - c. the employee's supervisor,
 - d. a designated officer of the relevant ministry, government body or office in respect of the employee, or
 - e. the Ombudsperson.

- 6.3 It is important for employees or stakeholders making a complaint to understand that the investigation of a complaint will be most effective if they have provided their name and contact information, when submitting a complaint.

7 Investigation

- 7.1 Upon receiving a complaint, the Superintendent will record the receipt of the complaint and determine whether the matter is, in fact, a Reportable Activity under this Policy.
- 7.2 If the Superintendent determines that the complaint is a legitimate Reportable Activity, the Superintendent or delegate will open a file and commence an investigation.
- 7.3 The investigation generally will include, but will not be limited to, discussions with the reporting employee, the party against whom the allegations have been made and witnesses, as appropriate. Employees shall not obstruct or impede any investigation. Reasonable actions will be taken to prevent retaliation against anyone making a good faith report or participating in an investigation.
- 7.4 The Superintendent or delegate may enlist Senior Management and/or legal, accounting or other advisors, as appropriate, to assist in conducting any investigation. All investigators shall be independent and unbiased both in fact and appearance. Investigators have a duty of fairness, objectivity, thoroughness and observance of legal and professional standards.
- 7.5 It is the obligation of all employees to cooperate in any investigation. Those responsible for the investigation will maintain confidentiality of the allegations and the identity of the person involved, subject to the need to conduct a full and impartial investigation and review any violations of the law or the Board's policies.
- 7.6 If an investigation establishes that an employee has engaged in improper activity or reportable activity, the Board will take immediate and appropriate corrective action.

8 Annual Report

- 8.1 The Superintendent shall submit to the Board, in an in-camera meeting, an annual summary of actions taken under this Policy. The summary will include reports received and acted upon during the school year, July 1st to June 30th.

School District #62 (Sooke)

DELEGATIONS & QUESTIONS TO THE BOARD	No.: A-412
	Effective: May 10, 1983 Revised: Nov. 8/83; Apr. 10/89; Nov. 24/94; Dec. 8/98; Sept. 29/15; Reviewed: June 15/15; Nov. 3/20; Nov. 24/20

PROCEDURAL REGULATIONS

1. Delegations

- 1.1 Individuals or groups, **outside of standing delegations**, wishing to speak to the Board of Education shall provide the Secretary-Treasurer/Superintendent of Schools with a written ~~topic~~ **copy** of their presentation by Monday morning of the week preceding a regular Board meeting.
- 1.2 In the event that the above deadline cannot be met, the Superintendent of Schools shall contact the Chairperson of the Board to determine whether the delegation will be heard at the upcoming meeting. The general guideline will be that delegations will be heard by the Board as promptly as possible.
- 1.3 If the presentation relates to a matter appearing on the agenda, the Board may hear the delegation when that item is discussed. Otherwise, the delegation will be heard at another specified point during the meeting.
- 1.4 Presentations by delegations should not normally exceed five minutes.

2. Questions

- 2.1 Individuals or group representatives with questions for the Board **related to the Board meeting proceedings** shall address their questions to the Board Chairperson ~~at the end of the meeting~~ **during the Question Period of the Board Meeting.**
- 2.2 The Chairperson of the Board shall determine whether a question requires referral to the staff for further information to be obtained, and whether supplementary questions on the same topic will be received verbally by the Board.
- 2.3 **Individuals or groups asking a question verbally or in writing are asked to identify themselves for purposes of the record.**
- 2.4 **For the purpose of Board Meeting minutes, the person asking and the question will be recorded.**
- 2.5 **Media inquiries will be directed to either the Superintendent or Board Chair through the Manager of Communications after the Board meeting.**

3. Submission by Partner Groups

3.1 **A section of the agenda is reserved for standing delegations from district partners (CUPE, STA, SPVPA, SPEAC, CPF and students).**

3.2 The "delegations" section of the Board of Education meeting agenda is intended to ensure regular opportunities for partner groups to maintain communication with the Board. These submissions should not normally exceed five minutes.