

School District No. 44 (North Vancouver)

Minutes of the Public Meeting of the Board of Education, School District No. 44 (North Vancouver) held virtually through Microsoft Teams in North Vancouver, British Columbia, on Tuesday, September 21, 2021.

PRESENT: G. Tsiakos, Chair
K. Mann, Vice Chair
M. Higgins
L. Munro
C. Sacré
M. Tasi Baker

ABSENT: C. Gerlach (personal)

A. Call to Order

Board Chair George Tsiakos called the meeting to order at 6:31 p.m. and acknowledged the traditional territorial lands of the Squamish Nation and Tsleil-Waututh Nation.

Motion to Approve Trustees Participation by Microsoft Teams

Moved by G. Tsiakos

WHEREAS Section 67 of the *School Act* permits Trustees to participate in or attend a meeting of the Board by telephone or other means of communication if all Trustees and other persons participating in or attending the meeting are able to communicate with each other;

the Board hereby approves the participation by the Trustees in the September 21, 2021, Public Board Meeting by Microsoft Teams.

Seconded by C. Sacré

Carried

A.1. Chair Tsiakos' opening remarks

Chair Tsiakos began by welcoming employees, families and community members, and students to the 2021/22 school year and shared that the Board of Education commits to ensuring a safe and healthy learning environment by following guidance of the Office of the Provincial Health Officer. This school year marks the official beginning of the new Ten-Year Strategic Plan which will guide the decision making process across the School District and lay the foundation for instruction. The Board Education will champion goals alongside the students and community.

Chair Tsiakos acknowledged Truth and Reconciliation Week and the National Day for Truth and Reconciliation, which is on September 30. The School District will recognize Orange Shirt Day on September 29. Concluding the opening remarks, Chair Tsiakos asked everyone to Go Forward With Courage.

Board Chair Announcement

I would like to acknowledge and thank the Coast Salish people on whose traditional territory the North Vancouver School District resides. We express our gratitude to the Skwxwú7mesh Nation and Tsleil-Waututh Nation, and we value the opportunity to learn, live, and share educational experiences on this traditional territory.

Before we begin our regular meeting Agenda, there is another matter that I would like to address regarding the Board. The North Vancouver Board of Trustees recognizes the critical trust invested in the Board and we are dedicated to governing the affairs and business of the North Vancouver School District with integrity and in a fair, respectful, and professional manner. The Board's Trustee Code of Ethics sets out commitments that govern the actions of all Trustees and which promote the integrity and accountability of Trustees for their conduct.

Toward the end of the 2020/21 school year, two matters arose that the Board addressed under our Trustee Code of Ethics and related administrative procedures. This resulted in the Board holding in-camera meetings and rendering two decisions. Though the Board's in-camera proceedings are private and confidential, the Board determined that it was reasonable and appropriate to indicate publicly its disposition of the complaints. The Board's resolutions therefore addressed the sharing of this information.

What follows is the only statement the Board will make about these two decisions.

June 9, 2021 Board decision

During an in-camera meeting on June 9, 2021, the Board determined that it was appropriate and necessary to censure Trustee Gerlach following a Trustee complaint made under the Board's Trustee Code of Ethics Policy 108. The Board did not make this decision lightly and the subject matter relates to a breach of trust and loyalty. Trustee Gerlach's conduct included the disclosure to a third-party advocacy group of information that Trustee Gerlach obtained in her capacity as a Trustee. It also included Trustee Gerlach's mischaracterization of the use and intended use of spaces by the District at the public Board meeting of February 23, 2021. The Board concluded that:

- Trustee Gerlach's conduct was a conflict of interest and a breach of the duty of loyalty owed by a Trustee;
- Trustee Gerlach failed to take reasonable steps to ensure that her obligations as a Trustee were met; and,
- Trustee Gerlach's conduct in this matter does not reflect the high regard that the Board has for School and District staff and her actions have had an adverse impact on the mutual respect, working relationships, and trust that Trustees are committed to maintaining under the Trustee Code of Ethics.

To address Trustee Gerlach's conduct, the Board has applied remedial sanctions. In doing so, the Board considered that Trustee Gerlach had previously been subject to prior disciplinary sanctions under the Code of Ethics. In addition to this public censure, the Board has removed Trustee Gerlach from leadership roles on internal committees and has implemented alternate procedures for Trustee Gerlach's access to confidential information. These measures will be in place for the duration of Trustee Gerlach's term of office. Trustee Gerlach was also required to and did direct a personal apology to staff impacted by her conduct through the Superintendent. The Board is also implementing additional mandatory training for Trustee Gerlach regarding the statutory and common law obligations of trustees and additional training and coaching to facilitate Trustee Gerlach's compliance with her obligations as a Trustee.

September 7, 2021 Board decision

The second matter relates to Trustee Gerlach's conduct at the public Board meeting on May 18, 2021. On June 22, 2021, I issued a related **statement** regarding this conduct on behalf of the Board.

During an in-camera meeting on September 7, 2021, the Board determined that it was appropriate and necessary to censure Trustee Gerlach following a Trustee complaint made under the Board's Trustee Code of Ethics Policy 108. As part of this censure, the Board expresses its unequivocal condemnation for Trustee Gerlach's conduct and a unanimous expression of support for her resignation from the Board as the only responsible means of demonstrating personal accountability for her actions.

Once again, the Board did not make this decision lightly and it is based on the following findings:

- In the May 18, 2021, public Board meeting, District staff gave a presentation about adaptable and flexible spaces at Argyle Secondary. In response, Trustee Gerlach made comments and drew a comparison that minimized the residential school experience of Indigenous people. These comments were unacceptable, highly inappropriate, insensitive, inexcusable, and are not representative of the collective Board.

- Trustee Gerlach's offensive comments have caused hurt and pain to persons including members of the Skwxwú7mesh Nation and the Tsleil-Waututh Nation on whose traditional territory the District resides, as well as Indigenous students, educators, and staff who contribute so greatly to the District community.
- Trustee Gerlach's Offensive Comments undermine trust and confidence in the Board and District as a safe and welcoming space for the Host Nations and other Indigenous members of the District community. The comments are also an example of the continued legacy and impacts of residential schools.
- It is acknowledged that Trustee Gerlach's conduct is a matter of concern for the Board in circumstances where trust and confidence in her judgement has been undermined.
- Trustee Gerlach has been subject to repeated, prior, and progressive remedial sanctions by the Board under the Trustee Code of Ethics (Policy 108) due to her conduct as a Trustee. Remedial sanctions have included the removal of various duties and privileges normally afforded to a Trustee. Past efforts to remedy Trustee Gerlach's conduct through remedial sanctions, training, and support, have not been successful in preventing reoccurrence of conduct of concern and conduct in breach of the Trustee Code of Ethics.
- It is incumbent on Trustees to take all reasonable measures to ensure they are able to meet their obligations as a Trustee and to be accountable for their actions.
- Trustee Gerlach's offensive comments are so disrespectful as to be evidence of unfitness for elected office and when in office, her activities as a Trustee should not be unfettered.

In relation to these concerning findings, the Board concluded as follows:

- Trustee Gerlach's conduct does not model or contribute to a positive and receptive learning and working culture within the Board and the District and does not demonstrate mutual respect or represent the District as a safe, welcoming, and inclusive space.
- Trustee Gerlach opted not to be present during the in-camera hearing and instead submitted a written statement for the Board's consideration. In that statement she provided her position and affirmed that she considered the matter to be closed. Trustee Gerlach's limited participation in our internal administrative procedures was inconsistent with the commitment of Trustees to act with integrity and to be accountable for their actions and decisions.
- Trustee Gerlach failed to take reasonable steps to ensure that her obligations as a Trustee were met.
- Trustee Gerlach's conduct in promoting her advocacy interests in a manner that is in conflict with and contrary to the interests of the Board and the District community to advance reconciliation was a breach of the duty of loyalty owed by a Trustee.
- Trustee Gerlach's conduct does not reflect the high regard that the Board has for the Host Nations and Indigenous students, educators, and staff who contribute so greatly to the District community.
- Trustee Gerlach's conduct includes discrediting comments about others and unwarranted criticism.
- Trustee Gerlach's actions have had an adverse impact to the mutual respect, working relationships and trust that Trustees are committed to maintaining under the Code of Ethics.
- Trustee Gerlach's offensive comments are inconsistent with District values which, include trust, respect, responsibility and, collaboration. Furthermore, the comments are inconsistent with the District's goals of providing a welcoming and inclusive culture and working toward truth, healing, and reconciliation.

As a result of these conclusions and to ensure Trustee Gerlach's accountability as a Trustee, the Board will address Trustee Gerlach's conduct by way of additional remedial sanctions. The following sanctions will remain in place to the end of her term of office:

- Trustee Gerlach may only participate in full Board meetings and other meetings or events to which she is invited by the Board Chair;
- Trustee Gerlach will be removed from and will no longer be appointed to committees and other assignments of the Board, internal or external to the District;
- Trustee Gerlach will not engage directly with staff or students at District schools in her capacity as a Trustee; and

- Trustee Gerlach will attend an accredited program of study including topics of Truth and Reconciliation and restorative communication.
- Trustee Gerlach will refrain from initiating contact with or addressing comments to the Host Nations in her capacity as a Trustee in the absence of a direct invitation from the Host Nations.
- Trustee Gerlach will also direct a personal apology to the School and District staff impacted by her conduct through the Superintendent.

Concluding comments:

I want to emphasize that the Board followed the policies and procedures it has in place to address challenging matters of this nature. As previously noted, the Board did not reach its conclusions or make its determinations lightly. As a Board, these are difficult but important matters to address because it is the right thing to do for the Board and the School District.

As I have previously stated on behalf of the Board, I would like to again offer my most sincere apology for the hurt and pain Trustee Gerlach's offensive remarks of May 18, 2021 have caused.

Our Board of Education and the North Vancouver School District remain committed to reconciliation through education, and we look forward to a school year like none other as we progress towards truth, healing, and reconciliation through leadership, courage, commitment, and hard work.

Soon after the TRC Calls to Action were released, the Board of Education and North Vancouver School District wrote an **open letter to the community** in support of the TRC's Calls to Action for Education. In the letter, we joined the Commission in asserting, "Schools must teach history in ways that foster mutual respect, empathy and engagement. All Canadian children and youth deserve to know Canada's honest history, including what happened in the residential schools, and to appreciate the rich history and knowledge of Indigenous nations." Furthermore, we agreed with the Commission's statement that "...all Canadians have a critical role to play in advancing reconciliation."

As we move forward into this new school year, we are actively taking steps to rededicate our efforts. As previously announced, we have launched a new Ten-Year Strategic Plan which reaffirms our commitment to truth, healing, and reconciliation and embedding Indigenous worldviews and ways of knowing. Through our strategic goals, our collective hope is to educate and support citizens of humanity to have the knowledge, skills and thoughtful and compassionate attitude needed to contribute to a healthy, inclusive, and equitable society for all.

We thank our partners in this work, including the Host Nations and our District staff, students, and parents as we further this journey of truth, healing, and reconciliation.

More generally, as we move forward, we are very excited about what is unfolding in our District this year including: the official opening of Argyle Secondary and raising of the new Welcome Pole; the completion of the seismically safe and renovated Mountainside Secondary; the completion and opening of the new Handsworth Secondary School (7 months early!); implementation of a new 10-year strategic plan; and ideally, the resumption of winter concerts, sports games and regular grade 7 and 12 graduation ceremonies.

These are all very positive developments that are a testament to the hard work and vision of our Board and District community.

Thank you.

George Tsiakos
Chair, Board of Education

A.2. Approval of Agenda

Moved by K. Mann

that the agenda, as recommended in the Administrative Memorandum, be adopted.

Seconded by C. Sacré

Carried

A.3. Public Comment Period

Due to COVID-19 and moving the meeting to Microsoft Teams, the Board of Education requested that interested parties email in their submission to be read out by the Board Chair.

There were no written submissions.

A.4. Stakeholder Comment Period

As per the motion passed on May 26, 2020, the Board of Education provided a twenty minute stakeholder comment period to allow stakeholders to speak to items on the Board of Education Agenda.

Joe Campbell, President of the North Vancouver Administrators, shared a message of thanks and appreciation to the hard work and talent of staff in the School District and the larger community.

Zee Noorani, Co-Chair of the North Vancouver Parent Advisory Council (NVPAC), referenced an email that was sent to the Board of Education on September 6, 2021 which included the following points: mask mandates for students in Kindergarten through Grade 3; COVID-19 reporting; staggered recess and lunch breaks; confirmed vaccination status to enter schools for parents/caregivers and volunteers; confirmed vaccination status for teachers and staff; and, support of vaccination clinics. Thanks was given to the School District for updating air filtration systems in all classrooms.

Katrina Russell, President of the North Vancouver Teachers' Association, shared her agreement with the NVPAC's comments noting that teachers are appreciative of all the work, especially ventilation upgrades in all classrooms, across the School District. Ms. Russell advocated for funding to assist in making the North Vancouver School District a trauma informed district, shared concerns with block budgets and urged that the School District be proactive in addressing current and future needs for additional schools for the growing population.

A.5. Approval of Minutes

Moved by M. Tasi Baker

that the minutes of the public meeting of June 22, 2021, be approved as circulated.

Seconded by C. Sacré

Carried

B.1. Five-Year Capital Plan 2022/23

Each year, boards of education are required to submit a Five-Year Capital Plan identifying both major and minor capital funding priorities required for their school districts. In late May 2021, the Ministry of Education issued instructions identifying the funding programs and requirements for the preparation and submission of the 2022/23 Five-Year Capital Plan. The Ministry of Education requires the School District to adopt and submit their Five-Year Capital Plan with supporting documentation on, or before, September 30, 2021.

Jim Mackenzie, Director of Facilities and Planning, and Michael Chapman, Assistant Director, began their presentation by sharing that the Long Range Facilities Plan (LRFP) was updated in 2020 and the School District is carrying forward the same plan for 2021 with updated enrolment projections. The updated projections highlighted the same priorities as the 2020 LRFP, and therefore the School District is recommending those same priorities for this year's submission.

B.1. Five-Year Capital Plan 2022/23 (continued)

There are two major categories in the Capital Plan: Major Capital Funding Programs which have an estimated five-year duration and Minor Capital Funding Programs which are annual programs.

An overview of the following was provided for the major capital categories: a new City of North Vancouver elementary school to address enrolment growth which included a site acquisition, school expansion projects, and school replacement projects.

In the minor capital categories, highlights were provided of school enhancement programs, the carbon neutral capital program, and the playground equipment program.

Responding to Trustees' questions, Mr. Mackenzie and Mr. Chapman clarified the locations of updated playgrounds, the site acquisition for a new City of North Vancouver school and noted that each priority is evaluated separately.

Moved by K. Mann

that the Board approve the proposed 2022/23 Five-Year Capital Plan as presented in Schedule B.1. of September 21, 2021.

Seconded by C. Sacré

Carried

B.2. Audited Financial Statements for the Year Ended June 30, 2021

Secretary Treasurer Jacqui Stewart introduced this agenda item noting that in keeping with legislative requirements all boards of education are required to approve the audited financial statements by September 30. These statements are considered draft until the board formally approves them.

Secretary Treasurer Stewart invited Kristen Watson, Director of Financial Services to present the 2020/21 draft consolidated audited financial statements. Ms. Watson started by sharing that the meeting of the North Vancouver School District's Audit Committee was held at the beginning of September. Following a review of the draft audited financial statements, the Audit Committee recommended that the board approve the internal restriction of surplus and approve the year end financial statements.

Highlights from the draft audited financial statements were provided to the board by Ms. Watson. In 2020/21, total revenues from all sources were \$195.2M, and total expenses were \$192.3M, resulting in a surplus of \$2.9M. Operating fund revenues were \$158.3M and operating fund expenses were \$153.0M, resulting in an operating surplus of \$5.3M before transfers. After recognition of all transfers, the accumulated operating surplus is \$11.3M.

Ms. Watson noted that a detailed Management Discussion and Analysis Report for 2020/21 was produced to provide detailed information and explanation of variances from budget with regards to school district revenues and expenses.

In presenting the Auditor's report to the Board, Lenora Lee, Partner at KPMG, noted that the draft audited financial statements for the fiscal year ending June 30, 2021 have been completed and, along with the auditor's report have been submitted with no qualifications to the board for its approval. Ms. Lee noted that there were no adjustments to the audit, and thanked management and staff for their help during the audit process.

The Board thanked Ms. Lee for her report and extended thanks to Ms. Watson and staff for their work on the financial statements.

Moved by C. Sacré

that the Board approve the Internal Restrictions of Surplus included within the Draft Consolidated Audited Financial Statements for the year ended June 30, 2021; and,

Seconded by M. Tasi Baker

Carried

B.2. Audited Financial Statements for the Year Ended June 30, 2021 (continued)

Moved by M. Tasi Baker

that the that the Board approve the Draft Consolidated Audited Financial Statements for the year ended June 30, 2021.

Seconded by K. Mann

Carried

B.3. Trustee Stipend

Secretary Treasurer Stewart introduced this agenda item, noting that Section 71 of the *School Act* states that “a board may authorize annually the payment of remuneration to the chair, vice chair and other trustees, and...a reasonable allowance for expenses necessarily incurred by the trustees in the discharge of their duties.” The Board of Education’s Policy 107 outlines that in keeping with the *School Act*, Trustees shall receive an annual stipend approved by board resolution. The annual stipend is to be adjusted annually, each July 1, in accordance with the increase in the Vancouver Consumer Price Index (CPI).

The last change to Trustee Stipends was approved at the September 22, 2020 Public Board Meeting which reflected a 2.4% increase, equivalent to the annual increase in Vancouver CPI. The past year, the Vancouver CPI increased by 0.6%.

Moved by M. Higgins

that the Board adopt Trustee Stipends for Chair at \$30,595; Vice Chair at \$29,050; and Trustee at \$28,226, effective July 1, 2021.

Seconded by M. Tasi Baker

Carried

A short break was observed.

C.1. Audit Committee Meeting Update

Audit Committee Chair Trustee Sacré highlighted the discussions that were held at the Audit Committee Meeting on September 9, 2021. Trustee Sacré acknowledged a new member of the committee, independent financial expert Jodi Rustad, and thanked outgoing expert John Smiley.

C.2. Summer Learning Update

Jennifer Tieche, District Administrator, and the Summer Learning administrative team, David Andrews, Corinna Lee Sun, Diana Morris, and Stephanie Strandt provided an overview of the 2021 Summer Learning program.

The administrative team highlighted Summer Learning by showcasing each of the programs: Elementary, Secondary Foundations, Eslha7an, and Secondary Full Credit.

Elementary Summer Learning is designed for students in grades three to seven with specific learning profiles and demonstrated need in the development of certain skills. Entrance to the elementary programs is by referral and application through school based resource teams. Secondary Foundations offers two types of programming: Transition and Academic Foundations. The highly personalized Summer Learning Review and Completion at Eslha7an supports Indigenous students who require additional guidance. The final program, Secondary Full Credit, offers required courses for graduation including mathematics, language and literature, social studies, sciences, physical and health education, and, in 2021 for the first time, the Career Life Education course.

Summer Learning 2021 marked the full return of students to in-person learning from the remote online courses of 2020. Safety was of utmost importance, and the Summer Learning administrative team changed a number of organizational practices to support this goal including staggered start and end times, staggered breaks, and increased opportunities for outdoor learning.

C.2. Summer Learning Update (continued)

Concluding the presentation, the administrative team shared that Summer Learning 2021 was the vibrant learning community people have come to expect and shared their enthusiasm in planning for the Summer Learning 2022 program.

C.3. Land Management Update

Superintendent Pearmain updated the Board of Education on the Argyle Secondary and Handsworth Secondary School Replacement Projects, the Mountainside Secondary Seismic Upgrade and the new Cloverley Elementary School. Updates on the Cheakamus Centre's Environmental Learning Centre and Lynn Valley Elementary addition were provided.

C.4. Tuesday, September 14, 2021, Standing Committee Meeting

Trustee Tsiakos reported on the meeting that highlighted facility upgrades over the summer which ensured that all classrooms have mechanical ventilation across the school district. An update was also provided on the new provincial funding that was allocated to all schools districts in BC to assist with the return to school.

C.5. Superintendent's Report (including COVID-19)

Superintendent Pearmain started by recognizing the immense amount of work that has been done to welcome students back to school. An update on COVID-19 was provided and Superintendent Pearmain asked for patience and understanding as the school district receives and shares information from Vancouver Coastal Health. The current status of students enrolled in the elementary transition support option and hospital home bound program in 2020/21. It was also noted that the 2021/22 budget returned the block budget allocations to schools to pre-COVID-19 levels along with the carry-over of unspent budgets.

C.6. Report Out - BC School Trustees Association (BCSTA) and BC Public Schools Employers' Association (BCPSEA)

Trustee Tasi Baker shared that the BCSTA Provincial Council Meeting is being hosted on October 23, 2021. Trustee Tasi Baker noted that she is continuing to work on a motion to redefine the educated citizen definition which is over 30 years old.

Trustee Sacré noted that the BCPSEA Symposium will be at the beginning of November will additional information about the event to follow.

Motion to Extend

Moved unanimously
to extend the meeting past 9:30 p.m.

C.7. Trustees' Reports

Trustees submitted their reports on their activities on behalf of the Board as follows:

- Meetings attended by Trustees included:
 - Public Board Meeting
 - Standing Committee Meeting
 - Trustee Seminar Meetings
 - Audit Committee Meeting
 - Indigenous Education Council Meeting
 - Capital Planning Committee Meeting
 - Artists for Kids Committee Meeting
 - CNV4ME Action Team Meeting

- DashBC – Safe Routes to School
 - BCSTA Board Chairs Meeting
 - BCSTA Legislative Committee
 - BCSTA Metro Meeting
 - Integrated Transportation Committee Meeting
 - Various PAC Meetings
- Events attended by Trustees included:
 - NVSD Superintendent’s Celebration of Student Excellence
 - Performance Learning Program Canadian History Presentation
 - Buckets of Hope Event at Lions Gate Hospital with Sutherland Secondary
 - BCSTA Retirement Celebration
 - North Shore Restorative Justice Society Graduation – Youth Justice Program
 - North Shore 24 Hour Tour de Coast Relay
 - BC Summer Institute 2021 – Partnerships in Inclusive Learning
 - Visit to Cheakamus Centre – North Shore Food Network Committee
 - Neighbourhood Food Collaborative Webinar

Chair Tsiakos shared an update on the Trustee Liaison assignments:

- Audit Committee – Trustee Mann
- North Vancouver Parent Advisory Council Liaison Trustee – Trustee Munro
- North Vancouver School District Policy Review Committee – Trustee Sacré
- School Calendar Committee – Trustee Tsiakos
- French Immersion Advisory Committee – Trustee Munro
- Screening and Selection of Principals – Trustee Mann / Trustee Tsiakos (Alt)
- Student Leadership Council Liaison Trustee – Trustee Sacré / Trustee Mann
- North Shore Standing Committee on Substance Abuse – Trustee Tsiakos
- North Vancouver Recreation & Culture Commission – Trustee Munro
- Sutherland Secondary School – Trustee Mann
- Brooksbank Elementary School – Trustee Munro
- Eastview Elementary School – Trustee Tasi Baker
- Queensbury Elementary School – Trustee Tsiakos
- Ridgeway Elementary School – Trustee Sacré

D. Future Meetings

Date and Time	Event	Location
Tuesday, October 5, 2021 at 7:00 p.m.	Standing Committee Meeting	Virtual
Tuesday, October 19, 2021 at 6:30 p.m.	Public Board Meeting	Virtual
Tuesday, November 9, 2021 at 7:00 p.m.	Standing Committee Meeting	Virtual
Tuesday, November 16, 2021 at 6:30 p.m.	Public Board Meeting	Virtual

E. Public Question & Comment Period

Due to COVID-19 and moving the meeting to a virtual platform, the Board of Education did not take questions or comments in real time. Members of the public were asked to email their submission in to publiccomments@sd44.ca.

F. Adjournment

The established agenda being completed, the Chair adjourned the meeting at 9:39 p.m. and thanked those who attended.

Certified Correct:

Original signed by J. Stewart

Jacqui Stewart
Secretary Treasurer

October 22, 2021

Date

Original signed by G. Tsiakos

George Tsiakos
Chair, Board of Education

October 21, 2021

Date