

## **AGENDA**

### **OPEN MEETING OF THE BOARD OF EDUCATION SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**MERRITT SCHOOL BOARD OFFICE, BOARD ROOM  
WEDNESDAY, DECEMBER 13, 2023, 6:00 P.M.**

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*Success for ALL Learners Today and Tomorrow*

1. Acknowledgement of the Traditional Territories and Metis Community
2. Agenda
3. Minutes
  - a) Open Meeting held November 8, 2023
  - b) Open Policy Committee meeting held November 28, 2023
4. Business Arising from the Minutes
5. Reports
  - a) Closed Meeting held November 8, 2023
  - b) Closed Meeting held November 11, 2023
6. **EDUCATION**
  - a) Truth and Reconciliation
  - b) District Vice-Principal of Early Learning Report
  - c) South Central Interior District Education School Enrollment Update
  - d) Education Committee Terms of Reference
  - \* e) Superintendent's Report

7.           **OPERATIONS**
- a)       John Allison Elementary School Outdoor Classroom Opening
  - b)       Merritt Bench Elementary School Playground Opening
8.           **AUDIT AND FINANCE**
- a)       2023/24 Amended Budget Update
9.           **POLICY AND BYLAW**
- a)       Bylaw 3-23 Indemnification (3<sup>rd</sup> Reading)
  - b)       Bylaw 4-23 Freedom of Information (3<sup>rd</sup> Reading)
  - c)       Bylaw 6-23 Use of School Property (3<sup>rd</sup> Reading)
  - d)       Policy 1.10 Vision and Guiding Principles (1<sup>st</sup> Reading)
  - e)       Policy 1.20 Board Authority and Responsibilities (1<sup>st</sup> Reading)
  - f)       Policy 1.21 Role of the Chairperson & Vice-Chairperson (1<sup>st</sup> Reading)
  - g)       Policy 1.22 Trustee Code of Conduct (1<sup>st</sup> Reading)
  - h)       Policy 1.30 Delegation of Authority (1<sup>st</sup> Reading)
  - i)       Policy 1.50 Board Committees (1<sup>st</sup> Reading)
  - j)       Policy 1.51 Board Liaison Assignments (1<sup>st</sup> Reading)
  - k)       Policy 1.52 Board Representation (1<sup>st</sup> Reading)
  - l)       Policy 1.53 Okanagan Labour Relations Council (1<sup>st</sup> Reading)
  - m)       Policy 1.60 Board Correspondence (1<sup>st</sup> Reading)
  - n)       Policy 2.30 Public Interest Disclosure (1<sup>st</sup> Reading)
10.          **TRUSTEE REPORTS**
- \*       a)       Student Trustee Reports
  - \*       b)       P.A.C. Reports
  - \*       c)       Other Reports
11.          **CORRESPONDENCE**
12.          **PUBLIC QUESTION PERIOD**
13.          **ADJOURNMENT**

**MINUTES**

**OPEN MEETING OF THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**PRINCETON SECONDARY SCHOOL CONFERENCE ROOM  
WEDNESDAY, NOVEMBER 8, 2023, 6:00P.M.**

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*Success for ALL Learners Today and Tomorrow*

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PRESENT:	Chairperson	G. Swan
	Trustees	J. Jepsen J. Kent-Laidlaw E. Hoisington J. Chenoweth (ABSENT) L. Ward D. Rainer
	Student Trustees	K. Hartwell M. Williams
	Superintendent	S. McNiven
	Assistant Superintendent	J. Kempston (VIA ZOOM)
	Secretary Treasurer	D. Richardson
	Assistant Secretary Treasurer	L. Rusnjak
	Executive Assistant	J. McGifford

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**ACKNOWLEDGEMENT OF THE TRADITIONAL TERRITORIES AND METIS  
COMMUNITY**

**AGENDA**

23/099      It was moved by Trustee Ward and seconded by Trustee Kent-Laidlaw  
  
              THAT the agenda be approved as presented.

**MOTION CARRIED**

## **MINUTES**

23/100

It was moved by Trustee Rainer and seconded by Trustee Hoisington

THAT the minutes of the Open Meeting held October 11, 2023, be adopted as amended.

## **MOTION CARRIED**

### **Business Arising from the Minutes**

None.

## **EDUCATION**

### **Truth and Reconciliation – Ministry of Education Update:**

The Superintendent provided an overview of the updates to the School Act announced by the Ministry of Education and Child Care on October 25<sup>th</sup>. This announcement and the proposed amendments to the School Act are in response to the commitments in the Declaration Act Action Plan and the BC Tripartite Education Agreement (BCTEA). The changes are intended to support better educational outcomes for First Nation and other Indigenous students attending provincial public schools, and to create more effective relationships between Boards of Education and First Nations. The proposed changes take a distinctions-based approach and were developed collaboratively with the First Nations Education Steering Committee and reflect consultation with First Nations and Indigenous people throughout B.C.

The changes will require all Boards to establish an Indigenous Education Council (IEC). In addition, a new school-of-choice provision allows each First Nation to decide which school their students who live on reserve will attend each school year.

### **Roles of Schools and Educators in Supporting Resilience in Young Children After Disasters:**

Princeton Secondary School teacher, Leanne Atkinson, provided Trustees with a presentation on her recent article published in the Canadian Journal of Emergency Management highlighting the important role that schools and educators play in supporting students and families after disasters.

### **Princeton Secondary School – Student Cell Phone Use:**

Bill Lawrence, Principal of Princeton Secondary School, presented on the new cell phone use procedures at PSS. Areas of discussion included rationale, communication, procedures, impact on learning, student, family, and staff feedback.

### **Inclusive Education Report:**

Misty Sheldon, Director of Instruction – Inclusive Education, provided a report on Inclusive Education. Topics included Education Assistant recruitment, Competency Based Individual Education Plans, file reviews, the Mental Health Grant, and the Accessibility Committee.

### **French Immersion Field Trip Proposal:**

The Assistant Superintendent presented Collettsville Elementary School's proposal for a French Immersion trip to Quebec City for Carnaval from February 8 to 12, 2024. A total of 14 students from Collettsville Elementary and Merritt Secondary will have the opportunity to travel to Quebec and enjoy the cultural experiences and adventures offered by this trip.

23/101

It was moved by Trustee Hoisington and seconded by Trustee Kent-Laidlaw:

THAT the Board support Collettsville Elementary School's French Immersion trip to Quebec City in February 2024.

**MOTION CARRIED**

### **French Immersion Program Update:**

The Assistant Superintendent spoke to the developments in the French Growth Grant Initiative, highlighting the following areas: promotional video development, hiring of a French speaking assistant, French Advisory Committee, implementation of a French Immersion Program review, field trip support, resource purchasing, "French for a Day" pre-kindergarten events, and French Immersion Teacher support.

### **Enrollment Update:**

Senior Staff provided Trustees with an update on final enrolment and an overview of class size averages across the district.

**Superintendent's Report:**

The Superintendent circulated and spoke to his report, reflecting on the district events that have taken place over the past month.

**OPERATIONS****Nicola-Canford Perimeter Access:**

The Secretary Treasurer provided Trustees with an update on the school district's work, along with various stakeholder groups within the community of Lower Nicola, on short and long-term solutions for pedestrians walking to and from Nicola-Canford Elementary School. Access to Nicola-Canford Elementary School via the pathway on private property has been reopened for students and citizens of Lower Nicola—effective Thursday November 2, 2023. He extended thanks and gratitude to all stakeholders involved to make this possible. With access being reopened, work continues to develop a long-term solution.

**Merritt Secondary School Cameras:**

Principal, Ms. Adriane Moulard, provided an update on the installation of cameras at Merritt Secondary School. This included communication to students and families, stakeholder feedback, the process for accessing video information, the impact of the cameras on the administrative process, and the impact of cameras on the school as a whole.

**AUDIT AND FINANCE****Quarterly Update:**

The Secretary Treasurer provided Trustees with a quarterly update on the school district's spending to budget for the first quarter of the school year, July 1 – September 30, 2023.

**POLICY****Procedural Bylaw:**

23/102 It was moved by Trustee Kent-Laidlaw and seconded by Trustee Ward:

THAT Bylaw No. 2-23, Procedural Bylaw, with accepted changes, be moved for third and final reading.

**MOTION CARRIED**

**Use of School District Property Bylaw:**

23/103 It was moved by Trustee Ward and seconded by Trustee Hoisington:

THAT the Board move Bylaw 6-23, Use of School District Property, forward for second reading.

**MOTION CARRIED**

**Freedom of Information Bylaw:**

23/104 It was moved by Trustee Rainer and seconded by Trustee Kent-Laidlaw:

THAT the Board move Bylaw 4-23, Freedom of Information Bylaw, forward for second reading.

**MOTION CARRIED**

**Indemnification Bylaw:**

23/105 It was moved by Trustee Hoisington and seconded by Trustee Jepsen:

THAT the Board move Bylaw 3-23, Indemnification Bylaw, forward for second reading.

**MOTION CARRIED**

## **TRUSTEE REPORTS**

### **Student Trustee Reports:**

Student Trustees Kabrie Hartwell and Matthew Williams provided Trustees with their perspective on what being a meaningfully engaged student looks like. A teacher's recognition of individual learning needs was a priority as well as students having a voice in what and how they are learning. They also expressed their appreciation of the indigenous curriculum and trades programs for a tangible learning experience.

### **Trustee Reports:**

Trustee Chenoweth was not present to report on Collettsville Elementary and SCIDES.

Trustee Rainer reported on John Allison Elementary.

Trustee Hoisington reported on Nicola Canford Elementary.

Trustee Ward reported on Vermilion Forks Elementary.

Trustee Kent-Laidlaw reported on Princeton Secondary School.

Trustee Jepsen reported on Diamond Vale Elementary and Merritt Central Elementary.

Trustee Swan reported on Merritt Bench Elementary and Merritt Secondary School.

### **Trustee Branch Meeting Report:**

Trustees spoke to the highlights of the BCSTA Thompson-Okanagan Branch Meeting held on October 13-14, 2023. Appreciation was given to Nicola-Canford Elementary and NVIT for allowing the use of their facilities for the event.

## **CORRESPONDENCE**

None.

## **PUBLIC QUESTION PERIOD**

None.



**ADJOURNMENT**

Motion to adjourn was made by Trustee Ward and seconded by Trustee Rainer. The Open meeting adjourned at 8:24 pm.

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Chairperson

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Secretary Treasurer

**MINUTES**

**OPEN POLICY MEETING OF THE BOARD OF  
EDUCATION OF SCHOOL DISTRICT NO. 58 (NICOLA-  
SIMILKAMEEN)**

**VIA TEAMS**

**TUESDAY, NOVEMBER 28, 2023, 3:00 PM**

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*Success for ALL Learners Today and Tomorrow*

PRESENT:	Chairperson	G. Swan
	Trustees	J. Jepsen J. Kent-Laidlaw E. Hoisington J. Chenoweth (Absent) L. Ward (Absent) D. Rainer
	Superintendent	S. McNiven
	Assistant Superintendent	J. Kempston
	Secretary Treasurer	D. Richardson
	Assistant Secretary Treasurer	L. Rusnjak (ABSENT)
	Executive Assistant	J. McGifford (ABSENT)
	Director of Education, LNIB	Shane Coutlee
	Principal, SCIDES	Dan Duncan
	Consultant	Anne Cooper

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The Secretary Treasurer recorded meeting minutes for duration of the meeting.

**ACKNOWLEDGEMENT OF THE TRADITIONAL TERRITORIES AND METIS  
COMMUNITY**

**AGENDA**

**SECTION 1.00 ORGANIZATION**

Ms. Cooper discussed and recommended that the Board consider a working group surrounding Truth & Reconciliation, Anti-racism.

### **POLICY REVISION DRAFTS TO BE CONSIDERED AT THIS MEETING**

#### **Policy 1.20 Board Authority, Role, and Responsibilities**

Previously no work completed on this policy and therefore, no tracked changes for this Word document.

The board operates as a whole (as per the School Act). Truth and Reconciliation should have a place within board responsibility. Suggest that this statement be more personable, using language that connects to our surrounding First Nations and Metis communities. Also reference students that attend SCIDES, from other Indigenous communities around the province. We want to make sure the language is inclusive.

Policy, financial planning, and long-range strategic planning are the key ways that the board exercises its authority.

Second paragraph: ...The Board has, as its primary responsibility..., consider adding language around “progressive improvement,” or “continuous improvement.” The present language comes directly from the School Act however, specific targets and measures would be helpful.

Third paragraph, the word “direct.” And “and aligns.”

The term rightsholders is referenced as one word but clarification will be taken to determine if the word is capitalized or not.

Specific responsibilities need to be linked to the LEA. Include rightsholders and Indigenous communities. Awkward language in this sentence that will need to be reviewed. End goal is success. Consider “to further the success...”

#### **Policy 1.22 Trustee Code of Conduct**

Breaches can carry legal implications and therefore, language from our legal team, Harris & Co., has been used.

Discontinuing the use of the number ‘58’ should be a priority as we update our policies.

Removal of co-governance with the Ministry with a focus on what is expected of the Board’s conduct.

Question surrounding the removal of human rights. There is a shift towards an equity focus and so use of equity should be used in place of human rights.

Removal of paragraph referring to policy leadership as it is previously referenced.

The term “ethical” is not used in Code of Conduct. Rather, standards of conduct, are the new, preferred language. Suggest that we move away from “aspire” to a word that carries a stronger emphasis.

The following suggestions were made: move away from “commitment statements;” Addition of rightsholders to the language of these statements; replace the use of “directed” to “guided”, move away from “understanding” towards “displaying mutual respect”, change from the use of the word “shall” to “will.”

In reference to the decision-making (i.e. #2), knowledge about the Local Education Agreement should be incorporated (in front of initiatives).

In reference to gender neutral language, the word “fellow” is not suitable and the use of “each other” is more fitting.

Clarification that the context for the use of the word “authority” is as a corporate body and not as an individual. An additional perspective was offered that, when defining Trustees as not having a single voice, while the Chair is the official spokesperson of the Board, they do not proceed to do so without first consulting with and receiving direction from the Board as a whole.

Suggest replacing the use of the word “endorse” to “support” in reference to Trustees accepting the decisions made by the Board. Consider rewording the last sentence on No. 8 so that the Board has a way to relook at previous decisions that were made. It was agreed that we should remove the last entire sentence.

Under Trustee Professional Learning, changing First Nations to Indigenous to encompass: First Nations, Inuit, and Metis. Clarification is needed surrounding JCAM and reference to trustees.

No. 10. Suggest the removal of Executive Officers and retain that this responsibility is to the Board.

Nicola-Similkameen has previous language about what happens when the Code of Conduct is broken. These sanctions have been rewritten, incorporating the advice provided by Harris & Co. A question was raised regarding the Saskatchewan Government’s use of a Notwithstanding clause, asking Boards of Education to violate their human rights. Ms. Cooper responded by explaining, as long as our BC Human Rights Act is in place and in force, then a Trustee acting in such a manner is actually violating the law as well, and so the district should be covered in such instances.

Informal complaint process. “Parliamentary decorum” in 1.3.2., change to “expected standards of decorum”.

Section 3.5. Feedback was provided on the language being used: “in the opinion of the Chair.” Why the emphasis on this person and should not other individuals be brought in? Suggestion that this should be changed to “in the opinion of the Board,” taking burden off of one individual and onto the Board as a whole.

*At 4:55pm, Trustee Rainer & Trustee Jepsen left the meeting because of being previously scheduled with other commitments-- leaving only three trustees in attendance. The Secretary Treasurer asked the Board Chair if the policy meeting should continue without a quorum of the Board being present. The Board Chair surveyed attendees, and a unanimous agreement was made, all remaining on the call were comfortable proceeding with the policy review.*

In the section “Decision made to not proceed on complaint” suggest adding in language referring to the complainant wishing to withdraw their complaint.

Investigation. Suggest the removal of “and report to the Board.” Note that investigation is not needed in most cases as the Board will typically be fully informed. Having said that, there could be a need from time to time, for an investigation. Removal of references to “Board Chair” and replace with “Board.”

Inquiry procedure. Discussion about a civil tort and whether that should weigh in on 8.7 (Ex. This is happening in Chilliwack).

Regarding 8.6, why would witnesses not be called? In a complex case, you would have an investigator involved. This creates a simpler process. If the witnesses were Trustees, their priviness to information would only be after the respective Trustees would have provided their witness statement.

Regarding 10.3.3 Clarification that failure to follow through would possibly impose other sanctions.

This entire section is worded at the recommendation of Harris & Co.

### **Policy 1.23 Trustee Conflict of Interest**

This policy was not reviewed.

### **Policy 1.70 Trustee Remuneration and Expenses**

This policy was not reviewed.

### **Policy 1.71 Trustee Professional Learning**

This policy was not reviewed.

**NEXT MEETING**

The next meeting will pick up on this agenda to go through Policies 1.23, 1.70, & 1.71.

**ADJOURNMENT**

It was moved by Trustee Kent-Laidlaw and seconded by Trustee Hoisington that the meeting be adjourned.

The closed meeting adjourned at 4:59 pm.

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Chairperson

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Secretary Treasurer



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

**RECORD OF CLOSED MEETING  
Held Wednesday, November 8, 2023  
At Princeton Secondary School Conference Room**

**PRESENT:** TRUSTEES: G. Swan (Chair), J. Jepsen, J. Kent-Laidlaw, E. Hoisington, L. Ward, D. Rainer

**STAFF:** S. McNiven, Superintendent of Schools  
J. Kempston, Assistant Superintendent (Via Teams)  
D. Richardson, Secretary-Treasurer  
L. Rusnjak, Assistant Secretary-Treasurer  
J. McGifford, Executive Assistant (Recording Secretary)

**REGRETS:** J. Chenoweth

**Call to Order: 4:30 p.m.**

**Motion to approve the agenda**

**Motion to exclude the public**

**Approval of Minutes of Prior Meetings (October 11, 2023)**

**Agenda Items**

1. Personnel
  - Teacher, Support, Exempt Updates
  - Labour Management Updates
2. Audit & Finance
  - Quarter 1 Financial update
3. Operations
  - Property Update
4. Trustee Queries
  - Parent Advisory Councils
5. Adjournment: 5:49 p.m.

Dylan Richardson  
Secretary Treasurer/CFO



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

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**RECORD OF CLOSED MEETING  
Held Saturday, November 11, 2023. 6:00 pm.  
via Microsoft Teams**

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**PRESENT:**      **TRUSTEES:**    G. Swan (Chair), J. Kent-Laidlaw, E. Hoisington, J. Chenoweth, L. Ward, D. Rainer

**STAFF:**            S. McNiven, Superintendent of Schools  
   D. Richardson, Secretary-Treasurer

**REGRETS:**      J. Jepsen

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The meeting minutes were recorded by the Secretary-Treasurer.

**Call to Order: 6:00 p.m.**

**Motion to approve the agenda**

**Motion to exclude the public**

**Agenda Items**

1. Personnel
  - Personnel Update
2. Adjournment, 6:22 p.m.

Dylan Richardson  
Secretary Treasurer/CFO





# THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)

## ADMINISTRATION OFFICE

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

### MEMORANDUM

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: TRUTH AND RECONCILIATION**

**DATE: December 13, 2023**

Senior staff will provide an update on a selection of activities related to Indigenous Education within the district. Items include a Local Education Agreement meeting update, adult dogwood data, attendance support and a First Nations Education Steering Committee Conference presentation by Nicola-Canford. Supporting information below includes an outline of the presentation provided by Nicola-Canford and a Provincial snapshot of the attendance and the six year completion rate for First Nation Students Living on Reserve.

#### **Nl̓eʔkepmxcin Primary Enrichment Classroom:**

Nicola Canford Elementary School has been running their Nl̓eʔkepmxcin Primary Enrichment class for the past 5 years. This classroom was created in an effort to take action in the revitalization of Nl̓eʔkepmxcin. We have created a choice classroom with a language rich environment that covers the Science, Social Studies, Fine Arts and Physical Education curriculum with a culture enriched lens. It is an intermediary step between language classes and a full enrichment program. We will share the structural and curricular setup as well as the ways in which we integrate traditional and modern technologies to meet the curricular outcomes.

#### **Provincial Data:**

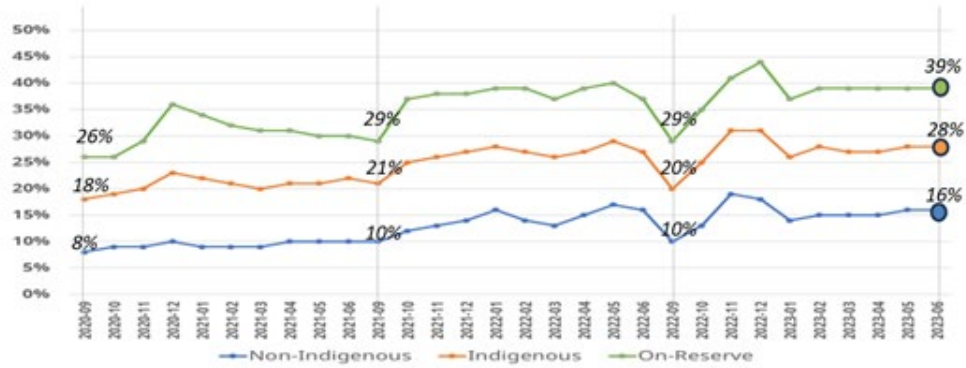


## **Six-Year Completion Rate, 2021/22**

The proportion of Adult Dogwood certificates conferred to On-Reserve Indigenous learners continues to increase.

Year	On-Reserve Indigenous		
	Six-Year Completion Rate	Adult Dogwood Removed	Adjusted Rate: Adult Dogwood Removed
2017/18	63%	-10%	53%
2018/19	58%	-13%	45%
2019/20	61%	-15%	46%
2020/21	62%	-12%	50%
2021/22	62%	-16%	46%

## Student Absence Rates



SMN/sc

SMN/sc



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: EARLY LEARNING AND CHILD CARE  
UPDATE**

**DATE: December 13, 2023**

Daniella Bennie, District Vice-Principal of Early Learning and Child Care will provide an update on the following initiatives:

- B.C. After School Sports and Arts Initiative (ASSAI)
- Seamless Day
- StrongStart BC
- Charing Possibilities for Young Children (CR4YC)
- Strengthening Early Years to Kindergarten Transitions (SEY2KT)
- EdPlan Insight

SMcN/sc



THE BOARD OF EDUCATION OF  
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ADMINISTRATION OFFICE

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**MEMORANDUM**


**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: SOUTH CENTRAL INTERIOR DISTANCE  
EDUCATION ENROLMENT UPDATE**

**DATE: December 13, 2023**

Senior Staff will provide a breakdown of South Central Interior Distance Education Enrolment.

**EDPlan Insight™**smcniven58Sign out

Home > Leadership > Dashboards > Demographics > School Enrolment

**School Enrolment** 2023-2024, All Zone Groups, South Central Interior DE, All Grades, All, All, All, All

School Year : ✓  
2023-2024

School Zone : ✓  
All Zone Gro...

School : ✓  
South Central Interior DE

Grade : ✓  
All Grades


Class : ✓  
My Classes

Special Needs : ✓  
All

Indigenous : ✓  
All

French Immersion : ✓  
All

ELL : ✓  
All

School Enrolment 

Panel	School	All Grades	EL	KF	01	02	03	04	05	06	07	08	09	10	11	12	EU	SU	HS	GR	GA	AD	AN
	South Central Interior DE	1019		1	5		1	1	4	13	10	11	54	100	162	358	38	2	2	145	21	91	

SMcN/sc



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: EDUCATION COMMITTEE TERMS OF  
REFERENCE**

**DATE: December 13, 2023**

Trustees will develop a terms of reference for the Education Committee. A terms of reference template for the Policy Committee is included for your review.

SMcN/sc



# Board of Education Committee Terms of Reference

*Success for All Learners ~Today and Tomorrow*

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## EDUCATION COMMITTEE

### PURPOSE

The Education Committee's role is to support both Strategic Planning Process and the Framework for Enhancing Student Learning process.

### DELIVERABLES

The Policy Committee will:

1. Identify the need for new policies.
2. Identify policies that would benefit from revisions or repeal.
3. Identify where minor amendments would be beneficial to existing policy.
4. Consider feedback and advice from representative groups regarding policy.

<b>NATURE OF COMMITTEE</b>	Standing Committee of the Board
<b>MEMBERSHIP</b>	School District No. 58 Trustees (7) Secretary Treasurer or designate Superintendent or designate
<b>CHAIRPERSON</b>	A Trustee will serve as Chair
<b>REPRESENTATIVE GROUPS</b>	Aboriginal Advisory Council /LEA Committee (2) Canadian Union of Public Employees Local 847 (1) District Parent Advisory Council (1) Nicola Valley Princeton Principal and Vice-Principal Association (1) Nicola Valley Princeton District Teachers' Union (1)
<b>APPOINTMENT</b>	Representatives are identified by the organization.
<b>SECRETARIAT</b>	Executive Assistant to the Superintendent
<b>MEETINGS</b>	Meetings will be scheduled seven times per year, or as needed due to workload. Agendas with supporting materials will be circulated to the committee and representative groups, one week in advance of each meeting.
<b>QUORUM</b>	Four Trustees and the Superintendent or Secretary Treasurer (or their designates)

### REPORTING MECHANISM

High-level minutes of all meetings will be provided to the Board. The committee may make recommendations to the Board.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

**MEMORANDUM**

**TO: All Trustees**

**FROM: Dylan Richardson  
Secretary Treasurer/CFO**

**RE: John Allison, Outdoor Classroom Opening**

**DATE: December 8, 2023**

On November 17<sup>th</sup>, Principal Blair hosted a grand opening ceremony for the school's new outdoor classroom. The event was attended by many stakeholder groups, including our First Nations and Weyerhaeuser, along with Trustee Ward and senior staff. The ceremony was followed by music in the playground while students shared cupcakes and chalk as they expressed their creativity on the new asphalt surface that was also installed at John Allison this year. The school district would like to extend its thanks and gratitude to the Ministry of Education and Child Care and Weyerhaeuser for their financial support towards the project. We also wish to extend our thanks to Mr. Finnigan and the operations team for their efforts in bringing the project to completion.



Dylan Richardson  
Secretary Treasurer/CFO

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**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

**MEMORANDUM**

**TO: All Trustees**

**FROM: Dylan Richardson  
Secretary Treasurer/CFO**

**RE: Merritt Bench Playground Opening**

**DATE: December 8, 2023**

On December 1<sup>st</sup>, Principal McGifford hosted a grand opening ceremony for the new playground at Merritt Bench. The event was attended by many stakeholder groups, including our First Nations, along with Trustee Swan and senior staff. The ceremony was followed by a regularly scheduled recess where students shared their mutual excitement for the new playground space. The Playground Infrastructure Program is a capital program funded by the Ministry of Education and Child Care. Other schools that have received a new playground in recent years include John Allison and Collettville Elementary schools. The school district would like to extend its thanks and gratitude to the Ministry of Education and Child Care, the Merritt Bench Parent Advisory Council, and Merritt Bench School for their financial support towards the project. We also wish to extend our thanks to Mr. Finnigan and the operations team for their efforts in bringing the project to completion.



A handwritten signature in black ink, appearing to be 'DR'.

Dylan Richardson  
Secretary Treasurer/CFO





**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161

**MEMORANDUM**

**TO: All Trustees**

**FROM: Dylan Richardson  
Secretary Treasurer/CFO**

**RE: 2023-2024 Amended Budget Update**

**DATE: December 8, 2023**

Since July 1<sup>st</sup> the school district has been operating under the 2023-2024 annual budget, which is funded based on the enrolment projects submitted this past February. With students being verified across the province in September we are waiting for a funding announcement (typically around December 15<sup>th</sup>) from the Ministry that will provide the final funding amounts for the school year.

Once we receive the funding announcement, staff will prepare the 2023-2024 amended annual budget that will be brought to the Board of Education for approval and adoption (February).

Dylan Richardson  
Secretary Treasurer/CFO



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: BYAW 3-23 INDEMNIFICATION  
THIRD READING**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Bylaw No. 3-23 Indemnification. The bylaw has received its second reading, and no feedback was received, so it is being brought forward for a third reading. Areas of focus include:

- Definitions
- Indemnification
- Contracts
- Exclusions
- Legal Counsel
- Amounts Payable
- Advancing Legal Costs
- Miscellaneous Provisions

SMcN/sc

**BOARD OF EDUCATION OF SCHOOL DISTRICT NO.58  
(NICOLA-SIMILKAMEEN)**

**BYLAW NO. 3-23**

**INDEMNIFICATION BYLAW**

A Bylaw of the Board of Education of School District No. 58 (Nicola-Similkameen), hereinafter referred to as the "Board", to establish Board indemnification for trustees, officers and employees.

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**WHEREAS** section 95 of the *School Act* provides that the Board may enact a Bylaw to indemnify a trustee, officer, or an employee of the Board.

**AND WHEREAS** the Board wishes to enact indemnification provisions.

**NOW THEREFORE** the Board in an open meeting, hereby **ENACTS AS FOLLOWS:**

**1. CITATION**

- 1.1 This Bylaw may be cited as 'School District No. 58 (Nicola-Similkameen) Indemnification Bylaw 3-23.

**2. DEFINITIONS**

- 2.1 The terms used in this Bylaw have the meanings assigned by *the School Act* except when context indicates otherwise.
- 2.2 Within this this Bylaw:
- 2.2.1 "trustee" means an elected member of the Board;
  - 2.2.2 "officer" means a Superintendent, Assistant Superintendent, Secretary-Treasurer, or Assistant Secretary Treasurer of the Board;
  - 2.2.3 "employee" means Director, district and school based administrators and all excluded staff, teachers and non-teaching personnel other than officers;
  - 2.2.4 reference to a trustee, officer or employee includes a former trustee, officer or employee;
  - 2.2.5 "court" means a court of law and includes a tribunal, an arbitrator and any other person who is acting in a judicial or quasi-judicial capacity.

**3. INDEMNIFICATION**

- 3.1 Subject to the exclusions below, the Board will, in accordance with the provisions of this Bylaw, indemnify a trustee, officer or employee:

- 3.1.1 against a claim for damages against arising out of the performance of their duties, or
  - 3.1.2 if an inquiry under the Public Inquiry Act or other proceeding that involves the administration and conduct of the business of the School District.
- 3.2 The Board may pay legal costs incurred in proceedings arising out of the claim, inquiry or other proceeding which involves the administration and conduct of the business of the School District.
- 3.3 The Board shall not seek indemnity from a trustee, officer or employee in respect of any action of the trustee, officer or employee that results in a claim for damages against the Board, except :
  - 3.3.1 where the claim for damages arises out of the gross negligence of the trustee, officer or employee; or
  - 3.3.2 where the officer or employee willfully acted contrary to the terms of their employment or, an order of a superior.

#### 4. CONTRACTS

- 4.1 This Bylaw shall be read into all officer and employee employment contracts that are in force, or may be in force in the future, including collective agreements.

#### 5. EXCLUSIONS:

- 5.1 The Board shall not indemnify a trustee, officer or employee against:
  - 5.1.1 any matters for which insurance coverage is available to cover the liability of the trustee, officer or employee;
  - 5.1.2 a fine or penalty imposed as a result of their criminal conviction, conditional discharge or absolute discharge;
  - 5.1.3 an action or proceeding by the Board against the trustee, officer or employee; or an action or proceeding by the trustee, officer or employee against the Board; or where the interests of the Board are, or may become, adverse to the interests of the trustee, officer or employee
  - 5.1.4 criminal prosecution that arises out of the performance of their duties, unless the Board agrees to do so by an affirmative vote of not less than two-thirds of all its members
  - 5.1.5 proceedings under the *Teachers Act*, unless the Board agrees to do so by an affirmative majority vote
  - 5.1.6 allegations of harassment, unless the Board agrees to the contrary, by an affirmative vote of a majority of its members
  - 5.1.7 a claim brought by a third party for liability arising out of the operation of a vehicle owned by or leased to the School District
  - 5.1.8 actions or claims regarding bodily injury caused intentionally, except when done to protect persons or property
  - 5.1.9 a restitution ordered pursuant to the *School Act*
  - 5.1.10 personal injury actions or claims arising out of the performance or alleged performance of a criminal or illegal act, unless they were not aware of, or party to, the performance of any such act
  - 5.1.11 legal cost or liability, where a Court determines that they knowingly contravened the *School Act* or other legislation; or knowingly permitted and/or authorized an expenditure which is not authorized by an enactment
  - 5.1.12 legal cost or liability where, in the opinion of the Board, they did not have

reasonable grounds to believe that their conduct was lawful

## **6. LEGAL COUNSEL**

- 6.1 For those matters provided for in Section 3 of this Bylaw, and not excluded by Section 5, the trustee, officer or employee may:
  - 6.1.1 retain legal counsel appointed by the Board, and the Board shall provide instructions and pay the appointed legal counsel directly, or
  - 6.1.2 retain legal counsel of their choice, and the Board shall have the right to:
    - 6.1.2.1 approve in advance, any agreement for legal fees and disbursements;
    - 6.1.2.2 pay all or part of the legal fees and disbursements, and set a maximum amount for legal fees and disbursements;
    - 6.1.2.3 direct the defense, and to settle or compromise the claim, action, or proceeding. The trustee, officer or employee agrees to include such a term in the agreement with their legal counsel;
    - 6.1.2.4 determine whether all, or any part, of the legal costs paid prior to the approval of the Board shall be reimbursed.

## **7. AMOUNTS PAYABLE**

- 7.1 Any amount that may be payable by the Board shall be reduced by any court costs awarded to the trustee, officer or employee.

## **8. ADVANCING LEGAL COSTS**

- 8.1 The Board may advance legal costs to the trustee, officer or employee prior to the final resolution of a claim, action or proceeding.
- 8.2 When the Board advances legal costs to a trustee, officer, or employee, they shall provide written authorization for the Board to deduct an amount equivalent to the costs advanced from future funds payable to them by the Board, to be used if it is later determined that the trustee, officer or employee is not entitled to be indemnified pursuant to the terms of this Bylaw.

## **9. MISCELLANEOUS PROVISIONS**

- 9.1 If any part of this Bylaw is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

**10. REPEAL**

10.1 School District No. 58 (Nicola-Similkameen) Indemnification Bylaw 2-96 dated December 2, 1996 and any previous Indemnification Bylaws, including and amendments thereto, are hereby repealed.

Read a First Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Second Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Third Time	this		day of	2023
ADOPTED	this		day of	2023

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Chair

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Secretary Treasurer



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: BYAW 4-23 FREEDOM OF INFORMATION  
THIRD READING**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Bylaw No. 4-23 Freedom of Information. The bylaw has received its second reading, and no feedback was received, so it is being brought forward for a third reading. Areas of focus include:

- Citation
- Definitions
- Designation of Head
- Authorization to Act
- Miscellaneous Provisions
- Repeal

SMcN/sc

**BOARD OF EDUCATION OF SCHOOL DISTRICT NO.58  
(NICOLA-SIMILKAMEEN)**

**BYLAW NO. 4-23**

**FREEDOM OF INFORMATION AND PROTECTION OF  
PRIVACY BYLAW**

A Bylaw of the Board of Education of School District No. 58 (Nicola-Similkameen), hereinafter called "the Board", to implement the *Freedom of Information and Protection of Privacy Act*.

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**WHEREAS** the Board must designate a person or group of persons as the head of the public body for the purposes of the Act.

**AND WHEREAS** Section 77 of the *Freedom of Information and Protection of Privacy Act* ("Act") gives the School District the authority to set any fees the School District requires to be paid under **section 75 of** the Act.

**NOW THEREFORE** the Board of Education of School District No.58 (Nicola-Similkameen) in an open meeting, hereby **ENACTS AS FOLLOWS:**

**1. CITATION**

- 1.1 This Bylaw may be cited as School District No. 58 (Nicola-Similkameen) Freedom of Information and Protection of Privacy Bylaw 4-23.

**2. DEFINITIONS**

- 2.1 The terms used in this Bylaw have the meanings assigned by the *Freedom of Information and Protection of Privacy Act* except as when the context indicates otherwise.

**3. DESIGNATION OF HEAD**

- 3.1 The Board of Education designates the Secretary Treasurer as the head of the School District for the purposes of the Act and authorizes the Secretary Treasurer to be responsible for the administration of the Act.

**4. AUTHORIZATION TO ACT**

- 4.1 The Secretary Treasurer is authorized to issue any procedures required to support the district's administration of the Act.



## 5. MISCELLANEOUS PROVISIONS

5.1 If any part of this Bylaw is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

## 6. REPEAL

6.1 School District No. 58 (Nicola-Similkameen) Freedom of Information and Protection of Privacy Fees Bylaw 3-98 dated April 8, 1998 is hereby repealed.

Read a First Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Second Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Third Time	this		day of	2023
ADOPTED	this		day of	2023

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Chair

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Secretary Treasurer



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: BYAW 6-23 USE OF SCHOOL PROPERTY**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Bylaw No. 6-23 Use of School Property. The bylaw has received its second reading, and no feedback was received, so it is being brought forward for a third reading. Areas of focus include:

- Definitions
- Access to Property
- Restrictions While On Board Property
- Trespass
- Responsibility of Registered Owner
- Penalty
- Authority to Make Regulations

SMcN/sc

# BOARD OF EDUCATION OF SCHOOL DISTRICT NO.58 (NICOLA-SIMILKAMEEN)

## BYLAW NO. 6-23

### ACCESS TO SCHOOL DISTRICT PROPERTY

A Bylaw of the Board of Education of School District No. 58 (Nicola-Similkameen), hereinafter called "the Board", to regulate and control the access to school district property.

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**WHEREAS** the *School Act* provides that the Board is responsible for the custody, maintenance and safekeeping of all property owned or leased by the Board.

**WHEREAS** it is in the public interest to permit and encourage public use of school lands, buildings and facilities for other than strictly instructional activities when said lands, buildings and facilities are available;

**AND WHEREAS** persons other than students, staff, parents, guardians and employees of the Board have occasion from time to time to make use of said lands, buildings and facilities;

**AND WHEREAS** it has been felt necessary by the Board to define the permissible limits within which students, parents, guardians and employees of the Board and all other persons making use of said lands, buildings and facilities may operate;

**AND WHEREAS** the *Motor Vehicle Act* provides guidance as to the operation of motor vehicles.

**NOW THEREFORE** the Board of Education of School District No.58 (Nicola-Similkameen) in an open meeting, hereby **ENACTS AS FOLLOWS**:

#### 1. CITATION

- 1.1 This bylaw may be cited as School District No. 58 (Nicola-Similkameen) Access to School District Property 6-23.

#### 2. DEFINITIONS

The terms used in this Bylaw have the meanings assigned by *the School Act* and the *Motor Vehicle Act*, [RSBC 1996] CHAPTER 318, except as when the context indicates otherwise.

#### 3. ACCESS TO PROPERTY

- 3.1 No person shall drive, operate or ride a vehicle as defined by the *Motor Vehicle Act*, and amendments thereto (hereinafter called "vehicle") on or over any land owned or administered by the Board (hereinafter called "said land") except:

- 3.1.1 Deliveries – Persons proceeding to or from said land on a roadway provided for that purpose in the course of delivering or receiving chattels in connection with the operation of the of the said land or improvements thereon.;

- 3.1.2 Board Employees – Persons proceeding to or from said land on a roadway provided for that purpose in connection with their duties therein, or on other bona fide business pertaining to the operation of the said land or improvements thereon;
- 3.1.3 Students – Persons proceeding to or from a public school on a roadway provided for that purpose, and who are students registered within the school district; or
- 3.1.4 Board Consent – Rightsholders, parents, guardians, partners or such other persons proceeding to or from a public school on a roadway provided for that purpose, who have received permission from the Board, either deemed or expressed.

#### **4. 2. RESTRICTIONS WHILE ON BOARD PROPERTY**

- 4.1 Speed Limit – No person shall operate any motorized vehicle on or over any land owned or administered by the Board at a rate of speed greater than eight (8) kilometres per hour.
- 4.2 Parking – No person shall park, or otherwise leave unattended, a motor vehicle upon land owned or administered by the Board in any area other than those set aside for parking by the Board, unless written permission has been received.

#### **5. TRESPASS**

- 5.1 No person shall enter upon any properties owned or administered by the Board, other than bona fide students registered at a school, parents or guardians of such students and employees of the Board, or such other persons whom the Board has given prior permission to be on that property at that time.
- 5.2 No person, having been requested by a school principal or other person in authority, shall refuse to leave any land owned or administered by the Board.
- 5.3 No person shall cause, suffer or permit any domestic or range animal to enter upon land owned or administered by the Board without permission...

#### **6. RESPONSIBILITY OF REGISTERED OWNER**

- 6.1 The owner of a motor vehicle shall be held responsible for any violation of this Bylaw by a person entrusted by the owner with the possession of the said motor vehicle. The burden of proving that the person so in possession of the motor vehicle was not a person entrusted by the owner with the possession of said motor vehicle shall be the said owner.

#### **7. PENALTY**

- 7.1 Any person contravening any breach of or committing any offence against this Bylaw or any of the provisions of this Bylaw or who fails, refuses, omits or neglects to fulfil, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this Bylaw prescribed or imposed or required to be done, is liable, to the provisions of the Offence Act, [RSBC 1996] and amendments thereto.

**8. AUTHORITY TO MAKE REGULATIONS**

The Secretary Treasurer may provide for the erection of traffic control devices to regulate, prohibit, control and direct vehicular and pedestrian traffic on land owned or administered by the Board, and the erection of any such traffic control device shall be deemed prime facie evidence that such device was erected at the direction and with the authority of the Board.

**9. REPEAL**

9.1 School District No. 58 (Nicola-Similkameen) Bylaw Limitations on the Use of School District Property 901.1 dated May 18, 2013 and any previous Limitations on the Use of School District Property Bylaws, including and amendments thereto, are hereby repealed.

Read a First Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Second Time	this	xx <sup>th</sup>	day of	xxx 2023
Read a Third Time	this		day of	2023
ADOPTED	this		day of	2023

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Chair

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Secretary Treasurer



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.10 – VISION AND GUIDING PRINCIPLES**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.10 – Vision and Guiding Principles. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought. Areas of focus include:

- Vision – Success for ALL Learners ~ Today and Tomorrow
- Guiding Principles

SMcN/sc



## POLICY 1.10 VISION AND GUIDING PRINCIPLES

The Board has established a clear vision for the district: Success for All Learners ~Today and Tomorrow.

This vision is supported by seven guiding principles:

- Inclusion, equity, dignity and diversity
- Innovation and promising educational practices
- Relationships built on trust and mutual respect
- The well-being of student, families, staff, and the community
- The pursuit of excellence, personal best, and citizenship
- The important role families have in their children's education
- The heritage and culture of Indigenous people and the recognition of the traditional territories of the Nlaka'pamux and Syilx peoples



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.20 – BOARD AUTHORITY AND  
RESPONSIBILITIES**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.20 – Board Authority and Responsibilities. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

SMcN/sc





## POLICY 1.20 BOARD AUTHORITY AND RESPONSIBILITIES

The Board of Education's authority is established within the *School Act* and its regulations. The rights, powers, duties and liabilities of the Board rest only with the legally constituted Board, and not with committees of trustees or individual trustees.

The Board has, as its primary responsibility, the continuous improvement of student achievement in the district.

The Board provides effective governance of the school district, and fulfills this role, in part, through the development and implementation of a strategic plan that establishes a vision, mission and goals that directs resources and aligns the work of staff.

The Board is committed to Truth and Reconciliation within the two traditional territories of the Nl̓eʔkepmx and Syilx people and the development of goals, priorities, and measurable actions to carry out this responsibility.

The Board has a foundational responsibility to competently safeguard the interests, image and credibility of the district, to ensure its financial viability and to act in accordance with all applicable laws, regulations and policies.

The Board exercises its authority and responsibilities through the development of policy and long-range strategic and financial planning.

### Specific Responsibilities

1. To carry out legislated duties as set forth in the School Act.
  2. To act in the interests of all learners in the district, advocating for their learning and well-being.
  3. To engage with rightsholders and Indigenous communities to further the success of Indigenous students and the commitment to Truth and Reconciliation.
  4. To establish effective open communication opportunities for consultation from its communities and education partners.
  5. To make decisions as a corporate body with the benefit of the whole district in mind.
-



Board of Education  
School District No. 58 (Nicola Similkameen)  
Policy

*Success for All Learners ~Today and Tomorrow*

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6. To develop policy and bylaws which support its vision, mission, core values and operational priorities that will provide a framework within which the Superintendent can discharge their duties.
7. To monitor outcomes through reporting from staff through the Superintendent.
8. To promote confidence in the district through its communications about the goals and achievements of the Board.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.21 – ROLE OF CHAIRPERSON &  
VICE-CHAIRPERSON**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.21 – Role of Chairperson & Vice-Chairperson. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought. Areas of focus include:

- Common Responsibilities for the Chairperson
- Specific Responsibilities for the Vice-Chairperson

SMcN/sc



## POLICY 1.21 ROLE OF THE CHAIRPERSON & VICE-CHAIRPERSON

The Board of Education believes that the roles of the Chairperson and Vice-Chairperson support effective meeting processes and is central in setting the tone of the Board.

### **Role of the Chairperson**

The Chairperson is often the appointed public face of the Board, serving as its primary spokesperson. When trustees elect the Board Chairperson, they are selecting a person who will conduct their official meetings, and who will represent them to rightsholders, education partners and the general public.

In fulfilling this role, the Chairperson is an equal, with no more power or authority than any other trustee. The Chairperson has additional functions and responsibilities to speak for and represent the positions and decisions of the Board. In this regard, the Chairperson may represent the Board at events and meetings with representatives from other governing bodies and organizations. In these activities, the Chairperson's role is limited to speaking only for what the Board has already decided, to receive input and to bring matters back to the Board for consideration.

Common responsibilities for this role include, but are not limited to:

- Establishing agendas and notice of meetings for Board meetings in consultation with the Superintendent and the Secretary Treasurer.
- Ensuring that members of the Board have the information needed for informed discussion of meeting agenda items in advance of meetings.
- Presiding over meetings of the Board, in accordance with the Board's procedures, enforcing appropriate parliamentary processes.
- Appointing Board representatives to all internal committees and liaison responsibilities in consultation with trustees.
- Signing all Board correspondence and legal documents, as approved by the Board.
- Representing the Board as necessary at community, regional and provincial events.
- Acting as the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board.
- Conveying directives and directions of the Board to the Superintendent.
- Providing leadership to the Board in maintaining the Board's focus on the strategic plan.
- Assuming such other responsibilities as may be specified by the Board.



## **Role of the Vice-Chairperson**

Specific responsibilities of the Vice-Chairperson include:

- Act on behalf of the Chairperson, in the latter's absence and have all of the duties and responsibilities of the Chair.
- The Chairperson may, on an as needed basis, delegate the presiding officer task to the Vice-Chairperson.
- Assume other duties and responsibilities assigned by the Board Chairperson.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.22 – TRUSTEE CODE OF CONDUCT**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.22 – Trustee Code of Conduct. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought. Areas of focus include:

- Decorum
- Decision Making
- Confidentiality
- Engagement
- Conflict of Interest
- Legal Authority of Individual Trustees
- Support for Board Decisions
- Trustee Professional Learning
- Scope of Delegated Responsibility
- Addressing Breaches of the Trustee Code of Conduct

SMcN/sc



## POLICY 1.22 TRUSTEE CODE OF CONDUCT

The Board of Education resides in the two Traditional Territories of the Nt̓eʔkepmx and Syilx people and serves the seven distinct communities of Shackan, Nooaitch, Lower Nicola, Coldwater, Upper Nicola, Princeton and Merritt. The Board is comprised of elected members from these diverse communities and are committed to serving its members and meeting the vision of "Success for ALL Learners – Today and Tomorrow" with a commitment to both equity and Truth and Reconciliation.

As democratically elected members of the Board, Trustees fully acknowledge the critical trust invested in the Board by the electorate and are dedicated to governing the affairs and business of the District in a respectful and professional manner that recognizes and affirms the rights and dignity of all students.

The Board, representing all members of the community, wishes to operate under the highest of standards of conduct. To this end, trustees will be guided by the following statements of conduct:

### 1. Decorum

By working collaboratively and creatively with rightsholders, administrators, teachers, parents, and community leaders, Trustees model and contribute to a positive and receptive learning and working culture both within the Board and the School District. In exercising their duties of governance, Trustees will demonstrate mutual respect, transparency, and impartiality. Trustees will act with integrity and be accountable for their actions and decisions. To fulfill the responsibilities of public office effectively, Trustees are expected to attend all scheduled meetings of the Board; in the event of an unavoidable absence, Trustees will inform the Board Chair.

### 2. Decision Making

Trustees will consider information received from all sources, base their decisions upon all available facts, and vote impartially in every situation. To facilitate effective decision making, Trustees must be knowledgeable about the School Act; statutory requirements; existing Board policy and practices; Local Education Agreements; initiatives; long-range plans; and current educational issues, both local and provincial. It is expected Trustees will be diligent in familiarizing themselves with supporting documents, in advance of meetings, in order to make informed and credible decisions.



### 3. Confidentiality

Trustees will preserve the confidentiality of information discussed at closed school board or committee meetings and will not release privileged information in any format to the public until the Board has done so in an official capacity.

### 4. Working Relationships

Trustees will work with each other in a spirit of harmony and cooperation and be respectful of differences of opinion. Trustees will refrain from making discrediting comments about others, engaging in unwarranted criticism, or taking private action that could compromise the integrity or authority of the Board. Trustees will observe proper decorum and encourage full, open, and courteous discussions in all matters with other Trustees. Information that may be of potential concern should not be concealed or withheld.

### 5. Engagement

Trustees are committed to constructive engagement and participation from rightsholders and the broad school community in establishing and interpreting policy on school operations, goals, and directions. Trustees will endeavour to share and incorporate the opinions and views of others in the deliberations and decisions of the Board. Timely reporting out of information will be provided to those who are impacted by Board decisions.

### 6. Conflict of Interest

It is the legal duty of each trustee to avoid conflict of interest in all trusteeship responsibilities. Trustees will not use the schools or the School District's programs for personal advantage or for the advantage of family and friends. When a trustee becomes aware that they are in a position that creates a conflict of interest or a perceived conflict of interest, they will declare the nature and extent of the conflict at a public board meeting and abstain from deliberating or voting on the issue giving rise to the conflict.

### 7. Legal Authority of Individual Trustees

Trustees recognize that, as a Corporate Board, the authority to make decisions must only be made within an official meeting of the Board. Individual Trustees or committees of Trustees may not exercise the rights, duties, and powers of the Board. The Chair acts as the official spokesperson for the Board; other Trustees will not speak on behalf of the Board unless authorized by the Board to act in such a capacity.

### 8. Support for Board Decisions





Trustees will present their views through the process of Board debate. Regardless of holding a minority position in debate or casting an opposition vote, Trustees will accept and support the majority decisions of the Board including any proposed action or implementation that will ensure decisions have the intended outcome.

#### 9. Trustee Professional Learning

Trustees will endeavour to attend the BCSTA's Annual AGM, Academy, and Regional Branch Meetings, and take advantage of educational conferences, workshops, and training sessions made available by local, Indigenous or provincial affiliations. Through participating in professional learning opportunities, Trustees can enhance their knowledge of Trustee roles and responsibilities and become acquainted with current educational topics and trends.

#### 10. Scope of Delegated Responsibility

Trustees will respect the authority vested in the role of the Superintendent of Schools and their senior staff and will give them responsibility to manage and operationalize policies and directions, which have been established and evaluated by the Board.

Trustees will uphold the commitments articulated in the Trustee Code of Conduct and address any violation(s) through the process outlined below.

Upon being elected to a term as trustee for the district, and as part of the inaugural meeting, trustees will commit to these statements by formally signing this Code of Conduct. Trustees will also annually indicate their commitment to this Code of Conduct.

### **Addressing Breaches of the Trustee Code and Conduct**

Trustees are required to conduct themselves in an ethical and prudent manner in compliance with the Code of Conduct (the "Code"). The failure by Trustees to conduct themselves in compliance with the Code may result in the Board instituting sanctions.

The Board believes that it is essential to have a clear, fair, and effective process for ensuring the adherence to and enforcement of the obligations established under the Code. Trustees also believe that Trustee discipline processes must not be used for frivolous, vexatious, or bad faith reasons, or as a response to legitimate disagreements that have been expressed in a manner consistent with this Code on matters relating to the Board's business.



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A Trustee who believes that a Trustee has violated the Code is encouraged to seek resolution of the matter through the Informal Complaint Process when possible, prior to commencing a formal complaint under the Code.

## 1. Conduct constituting breach of the Code of Conduct

- 1.1. Allegations of breaches of the Code may arise in many diverse circumstances and it is not possible to exhaustively specify in advance what conduct constitutes a breach of this Code.
- 1.2. The Board recognizes that disciplinary proceedings concerning Trustees are serious matters not to be taken lightly, having regard to the democratically elected nature of the Trustee's role and that such proceedings must not be utilized as a response to legitimate policy disagreements.
- 1.3. Notwithstanding the above, the following are provided as examples of conduct that could be subject to sanction or to proceedings:
  - 1.3.1. Where a Trustee violates the law, or advocates the violation of a law;
  - 1.3.2. Where a Trustee's conduct is a violation of expected standards of decorum, is uncivil, or is otherwise disruptive of the meetings of the Board;
  - 1.3.3. Where a Trustee breaches the confidences of the Board;
  - 1.3.4. Where a Trustee's conduct gives rise to a breach of the Human Rights Code;
  - 1.3.5. Where a Trustee's conduct is discriminatory or otherwise in breach of a policy of the Board;
  - 1.3.6. Where a Trustee fails to disclose a conflict of interest or acts while in conflict of interest;
  - 1.3.7. Where a Trustee harasses or otherwise engages in misconduct in relation to School district staff;
  - 1.3.8. Where a Trustee misuses social media;
  - 1.3.9. Where a Trustee engages in personal attacks on other Trustee's or staff members' integrity or conduct or otherwise defames them;
  - 1.3.10. Where the Trustee's conduct exposes the Board to potential liability; or
  - 1.3.11. Where the Trustee's conduct is otherwise a clear breach of the Trustee Code of Conduct.

## 2. Informal Complaint Process

- 2.1. It is recognized that a contravention of the Code may occur that is relatively minor, or committed inadvertently or due to an error of judgment made in good faith. In such



instances the priority will be to alert the offending Trustee to the violation and their obligations under the Code. Only serious and/or reoccurring breaches of the Code should be investigated following the formal complaint procedure.

- 2.2. Any Trustee, the Superintendent or the Secretary Treasurer who has reasonable grounds to believe that a Trustee has breached the Code, will seek resolution in an informal, cooperative fashion marked by mutual respect with an openness to growth and improvement.
  - 2.2.1. The party will engage in an individual private conversation with the Trustee affected.
- 2.3. Failing resolution through the private conversation the parties will engage the Board Chair, Vice Chair or designate to gain resolution. If the concern is with the Board Chair, the concern should be raised with the Vice Chair.
  - 2.3.1. The Chair and at the Chair's option the Chair and Vice Chair will attempt to resolve the matter to the satisfaction of the Trustees involved.
- 2.4. It is recognized that for reasons which may include the nature of the issue of concern or the way it has come to a Trustee's attention, informal measures may not be appropriate.
- 2.5. If resolution through the Informal Complaint Process is not possible, the Formal Complaint Process, outlined below, will be followed.
- 2.6. All serious and/or reoccurring breaches of the Code by a Trustee should be addressed following the Formal Complaint Process.

### 3. Formal Complaint Process

- 3.1. Any Trustee who has reasonable grounds to believe that another Trustee has breached this Code, the Superintendent or the Secretary Treasurer may bring an alleged breach ("Complaint") to the attention of the Chair of the Board or designate.
- 3.2. Where an allegation is made against the Chair, all other references to the Chair in this Policy will be deemed to read "Vice Chair".
- 3.3. Absent exceptional circumstances, an allegation of a breach of the Code must be brought to the attention of the Chair within 30 days after the breach comes to the knowledge of the Complainant.
- 3.4. The Complaint will be in writing, signed by the Complainant advancing it, and will contain:
  - 3.4.1. the name of the Trustee who is alleged to have breached the Code;
  - 3.4.2. the alleged breach or breaches of the Code;
  - 3.4.3. information as to when the breach came to the Complainant's attention;



- 3.4.4. the grounds for the belief by the Complainant that a breach of the Code has occurred; and
- 3.4.5. the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

#### 4. Notification of Trustees

- 4.1. A copy of the complaint will be forwarded to all Trustees, including the allegedly breaching Trustee, the Superintendent and Secretary Treasurer, within seven (7) days of receiving it.
- 4.2. The filing, notification, content and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code.
  - 4.2.1. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code hearing.

#### 5. Decision Not to Proceed on Complaint

- 5.1. If the Chair is of the opinion that the Complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds to proceed; or where the complainant has withdrawn their complaint and the Chair believe the Complaint should proceed, the Chair will prepare a confidential report to all Trustees stating their opinion and the rationale. The Trustees, excluding the Trustee who is alleged to have breached the Code, will determine by resolution whether, notwithstanding the Chair's opinion, to continue proceedings with respect to the Complaint.

#### 6. Investigation

- 6.1. The Board may direct the appointment of an independent investigator to investigate the circumstances of the alleged breach.. It is recognized that not all allegations of breach require the appointment of an independent investigator, but that allegations of a breach of this Code may be adequately addressed through the processes outlined below. If an independent investigator is appointed, the independent investigator will determine their own investigative procedure within the scope of terms of reference established by the Board with the assistance of counsel. The Trustee who is the subject



of the Complaint (the "Respondent Trustee") will be provided a fair opportunity to respond to the Complaint to the independent investigator.

- 6.2. The independent investigator will prepare a report that will be provided to the Board and the Respondent Trustee.

## 7. Processes may be amended

- 7.1. If, in the opinion of the Board, the circumstances of a particular Complaint so require, the Board may amend these processes, but in no case will the Respondent Trustee be denied procedural fairness.

## 8. Inquiry Procedure

- 8.1. All meetings in respect of Trustee discipline will be conducted in a closed meeting.
- 8.2. The Secretary Treasurer is responsible to facilitate the Board's process and make any administrative arrangements for the Board's consideration of a Complaint against a Trustee.
- 8.3. The Complainant and the allegedly breaching Trustee may make representations to the Board in respect of the Complaint.
- 8.4. A Complaint may be considered on the basis of written representations, oral representations or a combination of both, as determined by the Board. Where an independent investigation has occurred, the investigator's report will be placed before the Board. The Secretary Treasurer will make arrangements to provide relevant documents to the Board and the Trustee who has allegedly breached the Code.
- 8.5. The Trustee may be represented by counsel or another representative, at their own expense, unless the Board determines otherwise, provided that counsel or representative agrees to maintain the confidentiality of the proceedings. The Board may have counsel to assist the Board with matters of procedure, law, and in respect of its deliberations.
- 8.6. Witnesses will not be called and cross examination will not be permitted at any meeting concerning a Complaint. The Complainant and allegedly breaching Trustee may be asked questions of clarification by the other Trustees in respect of their written and oral representations.
- 8.7. The Board will endeavor to address any Complaint within 90 days of receipt the complaint. Consideration of a Complaint may, if in the opinion of the Board circumstances so require, be deferred if the matter is subject to investigation by the police or to proceedings under any applicable legislation.



## 9. Trustee Deliberations and Decision

- 9.1. Following receipt of submissions by the Respondent Trustee, the Complainant and the other information before the Board in accordance with this Policy, the Trustees, excluding the Respondent Trustee, and, if the alleged misconduct is directed at another Trustee, excluding that other Trustee, will deliberate in a closed session.
- 9.2. Trustees will reach a decision with respect to whether a breach of the Code of Conduct occurred, what that breach was, and what, if any, sanction will be imposed.

## 10. Sanctions

- 10.1. If the Board determines that there has been no breach of the Code of Conduct or that although a contravention occurred, the Trustee took all reasonable measures to prevent it, or that the contravention was trivial or committed through inadvertence or an error of judgment made in good faith, no sanction will be imposed.
- 10.2. Where a sanction is to be imposed, Trustees will determine, by resolution, the appropriate level. Sanctions for a violation of the Code should be imposed in a remedial and restorative manner and should reflect the seriousness of the breach.
- 10.3. Sanctions may include:
  - 10.3.1. having the offending Trustee write a letter of apology;
  - 10.3.2. having the offending Trustee participate in a restorative justice process;
  - 10.3.3. having the offending Trustee participate in specific training, coaching or counselling as directed by the Board
  - 10.3.4. having the Board Chair write a letter of censure marked "personal and confidential" to the offending Trustee;
  - 10.3.5. having a motion to remove the offending Trustee from one, some or all Board committees or other appointments of the Board, for a period of time, barring the Trustee from sitting on one or more committees of the Board.
  - 10.3.6. any other sanction the Trustees consider appropriate in the circumstances.
- 10.4. A Trustee who is barred from attending all or part of a meeting or meetings of the Board or a meeting or meetings of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to members of the public.

## 11. Publication of Decision



- 11.1. The Board may, in its discretion and by resolution of the Voting Trustees, determine to publish any sanctions respecting a Trustee, including disclosing the substance of the Complaint, the Board's decision and any sanction imposed.
- 11.2. Personal privacy of any affected third party will be protected in accordance with the Freedom of Information and Protection of Privacy Act.

## 12. Powers of Presiding Officer Preserved

- 12.1. Nothing in this Policy prevents the Board from exercising its power pursuant to s. 70 of the *School Act* to expel or exclude from any meeting any Trustee person who has been guilty of improper conduct at the meeting without the necessity of a complaint or conducting an investigation or other inquiry before an expulsion or exclusion from a meeting.

## 13. Appeal of Decision

- 13.1. Trustees who have been sanctioned or have had other measures imposed upon them by the Board under this Policy can appeal those decisions through the legal system, at their own expense.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.30 – DELEGATION OF AUTHORITY**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.30 – Delegation of Authority. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

A handwritten signature in black ink, appearing to read 'Stephen McNiven', is written over a horizontal line.

SMcN/sc





## POLICY 1.30 DELEGATION OF AUTHORITY

The Board of Education designates the Superintendent as the Board's Chief Executive Officer. The Board further delegates to the Superintendent responsibility and authority for all administrative functions unless specifically otherwise expressed.

The Secretary Treasurer, while reporting to the Superintendent, assumes the responsibility and duties of Chief Financial Officer.

The duties and responsibility of the Superintendent and Secretary Treasurer shall be those provided for by the School Act and its Regulations and by the Board Policy, and such other related duties as the Board may assign.



**THE BOARD OF EDUCATION OF  
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**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.50 BOARD COMMITTEES**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.50 – Delegation of Authority. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

SMcN/sc



## POLICY 1.50 BOARD COMMITTEES

Board committees may be created to advise the Board on specific matters as determined by the Board. Committees have no authority in themselves; all resolutions passed at a Committee meeting require the assent of the Board in a Board meeting.

Committees, some with broad based membership, provide an opportunity to engage with students, rightsholders, staff, employee, and partner groups in areas of Board responsibility.

Standing committees provide advice to the Board on an ongoing basis. Working committees are formed for time-limited, specific purposes. When the purpose or goal of the working committee has been accomplished, the committee is retired.

The Board will approve a Terms of Reference for each standing or working committee that will include the nature of the committee, purpose, deliverables, membership, representative group participation, chairperson, appointment, secretariat support, meeting schedule, quorum, and reporting mechanisms. When necessary, any budget provisions will be articulated.

### Guidelines

1. Standing Committees include;
  - 1.1. Policy
  - 1.2. Aboriginal Advisory Council
  - 1.3. Local Education Agreement Committee
  - 1.4. Education
  - 1.5. Audit and Finance
  - 1.6. Facilities and Transportation
2. The following provisions govern the appointment unless otherwise provided within the terms of terms of reference governing the committee.
  - 2.1. The Chairperson of the Board is ex-officio a member of all Committees.
  - 2.2. In structuring membership of committees, consideration will be made regarding diversity.



Board of Education  
School District No. 58 (Nicola Similkameen)  
Policy

*Success for All Learners ~Today and Tomorrow*

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- 2.3. The Chairperson of the Board shall, at the inaugural meeting or at a regular meeting, if necessary, appoint any Trustee representatives to Board committees, in consultation with trustees.
- 2.4. Committee member appointments, consistent with the terms of are described below.
- 2.4.1. Membership of rightsholders, organizations or partners – committee members will be formally identified by the group providing the representative.
  - 2.4.2. Community members – Where community representation is required, the committee Chair will work with administration on a process for advertising.
    - 2.4.2.1. Selection process – The Board will review all applications and make the final selection for community representation.

[Drafting note: From Procedural Bylaw – lets talk about these Steve]



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**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.51 BOARD LIAISON ASSIGNMENTS**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.51 – Board Liaison Assignments. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

SMcN/sc



## POLICY 1.51 BOARD LIAISON ASSIGNMENTS

The Board of Education may assign trustees to represent the Board within the district and the community through trustee liaison assignments.

The liaison role is limited to speaking only for what the Board has already decided, to receive input and to bring matters back to the Board for consideration.

Liaison assignments for individual trustees provide an opportunity for increased communication with school communities and organizations.

The purpose of trustee liaison assignments is to:

- Provide opportunities for trustees to become acquainted with schools and act as a representative when necessary
- Provide opportunities for engagement with organizations.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

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**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.52 BOARD REPRESENTATION MEMO**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.52 – Board Representation. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

SMcN/sc



## POLICY 1.52 BOARD REPRESENTATION

The Board of Education will assign trustees to perform the following representative functions annually:

- B.C. School Trustees Association Provincial Council
- B.C. School Trustees Association - Okanagan Branch
- B.C. Public Schools Employers' Association Representative Council
- Okanagan Labour Relations Council
- any contractual requirements for a trustee representative





**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

P.O. Box 4100, 1550 Chapman Street, Merritt, B.C., V1K 1B8, Phone: (250) 378-5161, Fax: (250) 378-6263

**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.53 OKANAGAN LABOUR RELATIONS  
COUNCIL**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.53 – Okanagan Labour Relations Council. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

A handwritten signature in black ink, appearing to read 'SMcN', followed by a horizontal line.

SMcN/sc



### POLICY 1.53 OKANAGAN LABOUR RELATIONS COUNCIL

The Board has approved membership in the Okanagan Labour Relations Council for the purpose of supporting collective bargaining and labour management activities. .

The Board agrees that the rules adopted by the Okanagan Labour Relations Council are approved for the transaction of its business.

The Board shall appoint a Trustee to serve on the Board of Directors of the Council as a Director and the Secretary-Treasurer or designate will act as an Alternate Director in their absence.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

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**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: POLICY 1.60 BOARD CORRESPONDENCE**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 1.60 – Board Correspondence. The policy has been reviewed and updated by the Nicola-Similkameen Policy Committee. The policy is being brought forward for first reading. After first reading it will be circulated and further feedback will be sought.

SMcN/sc



## POLICY 1.60 BOARD CORRESPONDENCE

All correspondence addressed to the Board of Education shall be reviewed by the Board Chairperson prior to a Regular Board Meeting and will be included on an agenda as requiring action by the Board or as information.



**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 58 (NICOLA-SIMILKAMEEN)**

**ADMINISTRATION OFFICE**

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**MEMORANDUM**

**TO: All Trustees**

**FROM: Stephen McNiven  
Superintendent of Schools**

**RE: DRAFT POLICY 2.30 PUBLIC INTEREST  
DISCLOSURE**

**DATE: December 13, 2023**

Enclosed please find an updated copy of draft Policy 2.30 – Public Interest Disclosure. The policy will be reviewed thoroughly by the Nicola-Similkameen Policy Committee on Tuesday, December 12th. Any changes made by the committee will be changed and an updated copy will be provided at the meeting. The updated policy will be brought forward for first reading. After first reading it will be circulated and further feedback will be sought. Areas of focus include the following:

- Definitions
- Statement of Principles
- Privacy and Confidentiality
- Reporting
- Responsibility

SMcN/sc



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## POLICY 2.3 PUBLIC INTEREST DISCLOSURE

All employees, and others performing work on behalf of the District, are expected to conduct themselves in a professional manner, to adhere to applicable laws, regulations, policies and procedures that apply to their work activities and to demonstrate ethical behavior in all their decisions and interactions.

The Board is committed to honesty, integrity, and accountability in its operations, programs, and services and to promoting a culture of openness and transparency. Accordingly, and consistent with the provisions of the British Columbia *Public Interest Disclosure Act* ("PIDA"), the Board encourages and supports employees in bringing forward reports of unlawful acts and acts of wrongdoing.

The purpose of this Policy and related Administrative Procedures is to establish a process, in compliance with the PIDA, for employees to report, in good faith, wrongful or unlawful conduct without fear of retaliation or reprisal.

This Policy applies to alleged wrongdoing related to the District's operations or its employees. This Policy does not displace other mechanisms set out in District Policy for addressing and enforcing standards of conduct, disputes, complaints, or grievances, including issues of discrimination, bullying and harassment, occupational health and safety, or disputes over employment matters or under collective agreements.

The Superintendent will appoint a senior staff member(s) who will be responsible for responding to requests for advice, receiving disclosures and investigating disclosures of wrongdoing.

### 1. Definitions

- 1.1. "Advice" means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy or the PIDA;
- 1.2. "**Discloser**" means an Employee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;
- 1.3. "**Disclosure**" means a report of Wrongdoing made under this Policy;
- 1.4. "**Employee**" refers to a past and present employee of the District, and in accordance with PIDA, Trustees, as members of the the District's Board of Education;
- 1.5. "**FIPPA**" means the *Freedom of Information and Protection of Privacy Act*, and all regulations thereto;



- 1.6. **"Investigation"** means an investigation undertaken by the District under this Policy or by the Ombudsperson under the PIDA;
  - 1.7. **"Personal Information"** has the same meaning set out in FIPPA, namely "recorded information about an identifiable individual", and includes any information from which the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;
  - 1.8. **"PIDA"** means the *Public Interest Disclosure Act of British Columbia*, and all regulations thereto;
  - 1.9. **"Procedure"** means any School District's Administrative Procedure associated with this Policy;
  - 1.10. **"Reprisal"** means the imposition of, and any threat to impose, discipline, demotion, termination or any other act that adversely affects employment or working condition of a Discloser because they made a Disclosure, sought Advice, made a complaint about a Reprisal or participated in an Investigation;
  - 1.11. **"Trustee"** means a past or present member of the District's Board of Education; and
  - 1.12. **"Wrongdoing"** refers to:
    - 1.1.1.a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
    - 1.1.2.an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
    - 1.1.3.a serious misuse of public funds or public assets;
    - 1.1.4.gross or systematic mismanagement; or
    - 1.1.5.knowingly directing or counselling a person to commit any act or omission described in the paragraphs above.
  2. **Statement of Principles**
    - 2.1. The District is committed to supporting ethical conduct in its operations, and seeks to foster a culture in which Employees are encouraged to disclose Wrongdoing, including by receiving, investigating and responding to Disclosures and by providing information and training about the PIDA, this Policy and the Procedures.
    - 2.2. The District will investigate Disclosures that it receives under this Policy. Investigations under this Policy will be carried out in accordance with the principles of procedural fairness and natural justice.
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- 2.3. The District will not commit or tolerate Reprisals against any Employees or Trustee who, in good faith, makes a request for Advice, makes a Disclosure, participates in an Investigation or makes a complaint under this Policy.
- 2.4. The District is committed to protecting the privacy of Disclosers, persons accused of Wrongdoing and those who participate in Investigations in a manner that is consistent with its obligations under the PIDA and FIPPA.
3. Privacy and Confidentiality
  - 3.1. All Personal Information that the District collects, uses or shares in the course of receiving or responding to a Disclosure, a request for Advice, a complaint of a Reprisal, or conducting an Investigation will be treated as confidential and will be used and disclosed as described in this Policy, the Procedures, the PIDA or as otherwise permitted or required under FIPPA and other applicable laws.
4. Reporting
  - 4.1. Each year, the Superintendent shall prepare, in accordance with the requirements of the PIDA, and make available, a report concerning any Disclosures received, Investigations undertaken and findings of Wrongdoing. All reporting under this Policy will be in compliance with the requirements of FIPPA.
5. Responsibility
  - 5.1. The Superintendent is responsible for the administration of this Policy, and shall ensure that training and instruction is available to all Employees and Trustees concerning this Policy, the Procedures and the PIDA.
  - 5.2. In the event that the Superintendent is unable or unavailable to perform their duties under this Policy, the Superintendent may delegate their authority in writing to the Secretary-Treasurer or other senior members of staff.
  - 5.3. Individuals who knowingly make a false complaint of Wrongdoing and/or who provide false information about a complaint are in violation of this policy and subject to disciplinary and/or corrective action, up to and including termination of employment.

**[DRAFTING NOTE; Most of your current policy gets covered in the Admin Procedure]**