

**Policy Committee**  
**Public Meeting Agenda**

**Monday, May 15, 2023 – 11:00 am**  
**via Zoom**

<https://sd38.zoom.us/j/65254234679>

Passcode: 6000

The Richmond Board of Education acknowledges and thanks the First Peoples of the hən̓q̓əmiñəm language group on whose traditional and unceded territories we teach, learn and live.

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- 1. Adopt Agenda**
- 2. Approve Minutes**  
Public minutes from meeting held April 17, 2023 attached.
- 3. Policy 201: Board Operations**  
Report from the Acting Superintendent attached.
- 4. Policy 311/311-R: Freedom of Information and Protection of Privacy**  
Report from the Secretary Treasurer attached.
- 5. Policy 621/621-R: Financial Planning and Reporting and Policy 631-R: Accumulated Operating Surplus and Capital Reserves**  
Report from the Secretary Treasurer attached.
- 6. Status of Current and Anticipated Items**  
Attachment: Update to May 15, 2023
- 7. Next Meeting Date – Monday, June 19, 2023 at 11:00 am**
- 8. Adjournment**

**Policy Committee**  
**Public Meeting Minutes**

**Monday, April 17, 2023 – 11:00 am**  
**Via Zoom**

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**Present:**

Chairperson  
Vice Chairperson  
Trustee Member  
Trustee Alternate  
Trustee  
Acting Superintendent  
Secretary Treasurer  
President, Richmond Teachers' Association  
1<sup>st</sup> Vice President, Richmond Teachers' Association  
Pro-D officer, Richmond Teacher's Association  
President, Richmond Association of School Administrators  
Chairperson, Richmond Management and Professional Staff  
President, Canadian Union of Public Employees 716  
Executive Assistant (Recording Secretary)

D. Tablotney  
H. Larson  
D. Yang  
R. Belleza  
A. Wong  
R. Ryan  
C. Wang  
L. Baverstock  
T. McCracken  
J. Cho  
M. Murray  
K. Gibson  
I. Hillman  
J. Coronel

The Chairperson called the meeting to order at 11:04 am.

The Richmond Board of Education acknowledged and thanked the First Peoples of the hə́n̓qə́m̓iṇə́m language group on whose traditional and unceded territories we teach, learn and live.

**1. Adopt Agenda**

The agenda was adopted as circulated.

**2. Approve Minutes**

Minutes of the meeting held February 13, 2023 were approved as circulated.

**3. Policy 101: Strategic Planning (formerly referred to as Goals and Objectives)**

The Acting Superintendent spoke to his report as included in the agenda package. The President of Richmond Teachers' Association commented that with the current workload of teachers, they cannot be expected to take on the implementation of the strategic plan unless there is explicit training. The Acting Superintendent agreed that explicit teaching is required to align the great work of teachers with the strategic plan.

Trustees thanked stakeholders for their input in the review process of Policy 101, which provides the foundational principles of the district.

The Committee agreed to forward the following **RECOMMENDATION** to the Board:

**THAT** the Policy Committee submit a Notice of Motion at the April 26th public meeting of the Board of Education that Policy 101 and 101-R, Strategic Planning, be considered for approval at the May 24th public meeting of the Board of Education.

**4. Status of Current and Anticipated Items**

An updated status document was provided with the agenda package.

**5. Next Meeting Date – Monday May 15, 2023 at 11:00 am.**

**6. Adjournment**

The meeting adjourned at 11:20 am.

*Respectfully Submitted,*

*Debbie Tablotney  
Chairperson, Policy Committee*

## Report to the Policy Committee (Public)

**DATE:** May 15, 2023

**FROM:** Rick Ryan, Acting Superintendent of Schools

**SUBJECT:** Policy 201 - Board Operations

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### INTRODUCTION:

The purpose of this report is to share the revised draft of Policy 201 and 201 Bylaw with trustee members of the committee and stakeholder representatives following the stakeholder input process. Trustee members of the committee may wish to consider submitting a notice of motion at the May 24<sup>th</sup> Public Board meeting for final approval of the policy at the June Public Board meeting.

Recommendation for Consideration: *That the Policy Committee submit a notice of motion at the May 24th public meeting of the Board of Education that Policy 201 and 201 Bylaw: Board Operations, be considered for approval at the June 21<sup>st</sup> public meeting of the Board of Education.*

### BACKGROUND:

At the February 22<sup>nd</sup> public meeting of the Board of Education, the Board approved Policy 201 and 201 Bylaw for entry into the stakeholder review process. The stakeholder review process took place from February 23 to April 28, 2023, and no additional feedback was received from stakeholder groups. It should be noted that stakeholder input was received and incorporated into the draft revised policy prior to it being entered into the formal stakeholder review process.

As indicated below, the policy has been in discussion at Policy Committee since October 2022 and has benefitted from significant discussion and revision since then. The final version of the revised policy reflects these discussions.

### PROPOSED TIMELINE:

October 2022	In-Camera Policy Committee Meeting	Initial discussion by members of Policy Committee including feedback on proposed timeline and potential scope of revisions.
December 2022	Public Policy Committee Meeting	Initial public report outlining rationale for policy revision and timeline. Opportunity for preliminary feedback from trustee and stakeholder representatives.
January 2023	In-Camera Policy Committee Meeting	In-camera discussion amongst trustee representatives about proposed revisions regarding Board meeting format and role of trustees in advisory committees and working groups.

February 2023	Public Policy Committee Meeting	Revised policy reflecting preliminary feedback shared with committee. Possible referral to Board for entry into stakeholder review process.
February 2023	Public Board Meeting	Board approved entry into stakeholder review process.
February - April 2023	Stakeholder Review Process	February 23 - April 28, 2023
May 2023	Public Policy Committee	Final revisions based on stakeholder review process. Possible notice of motion to May Board meeting for final approval at June Board meeting.
May 2023	Public Board Meeting	Possible notice of motion for approval at June Board meeting.
June 2023	Public Board Meeting	Possible final approval of revised policy.

### **CONCLUSION:**

Following the revision process and timeline outline above for Policy 201 and 201 Bylaw, the Board operations have been updated to align with current practices. The process and timeline described in this report has provided the necessary opportunities for trustee members of the committee and stakeholder representatives to fully engage in the revision process.

*Respectfully Submitted,*

*Rick Ryan  
Acting Superintendent of Schools*

### **Attachments:**

Revised Policy 201 Board Operations  
Revised Policy 201 Bylaw

## GOVERNANCE

## Policy 201

### Board Operations

The Board of Education of School District No. 38 (Richmond) will relinquish none of its statutory authority, since it believes that, as much as possible, decision-making over children's learning should be in the hands of local citizens, through their elected school board. The Board supports the preservation of the authority and responsibilities of locally elected boards as separate corporate bodies, distinct from municipal councils or regional districts.

Policy-making is the fundamental process by which the Board will exercise its legitimate authority and responsibility. Through policy, and the strategic planning process, the Board will establish goals and give direction to the local school system.

The Board of Education will operate as an open, democratic corporate body that models respect for individuals and strengthens relationships within the education community. The Board is committed to discharging its duties in a fair, efficient, and effective manner and will conduct itself within an organized framework. The main business of the Board will be through regularly scheduled meetings of all trustees where they will hear delegations, consider reports, and decide by democratic vote on bylaws or motions presented for their consideration.

Because the Board believes it has a fundamental obligation to preserve and enhance the public trust in public education, and because it believes the public and, in particular its education partners, must be able to share their perspectives, meetings will be held in public as much as possible and an opportunity will be given at each meeting to hear the public.

However, there are times when the Board believes the public interest is best served by private discussions of specific issues in closed "in-camera" sessions. To protect individual privacy and the Board's own position, in-camera meetings may be conducted to discuss issues such as individual student or employee matters, legal concerns, or negotiating collective agreements, contracts, or the sale or purchase of land. Trustees will not disclose to the public or employees the proceedings of an in-camera session unless a resolution has been passed at the closed meeting to allow such disclosure.

It is the intent of the Board that both trustees and stakeholders be allowed time and opportunity to become informed and given adequate notice to prepare and present their views on impending items. The Board may establish committees and hold ad hoc meetings to provide opportunities for trustees and interested parties to meet to discuss issues in a more open, prolonged, and informal manner than is normally allowed at a regular Board meeting. Such meetings should enable participants to fully explore all aspects of a topic, to determine the need for further research, and to propose recommendations. Committees and meetings will not be legally constituted as Board Meetings in that the voting trustee complement will always be less than a majority and committee reports and recommendations will be reported to the full Board for decision.

## GOVERNANCE

## Policy 201 BYLAW

### Bylaw: Board Operations

#### 1. Inaugural Post Election Meeting

1.1 The Secretary-Treasurer shall convene an inaugural meeting of the Board on the second Wednesday in November of a school election year. The purpose of this meeting is for elected trustees to swear an oath, and to elect a board chairperson and vice-chairperson, and representatives and alternates to the British Columbia School Trustees' Association (BCSTA) Provincial Council and to the British Columbia Public School Employers' Association (BCPSEA) for the ensuing year, as well as to invite trustee interest in membership on committees.

1.2 The Secretary-Treasurer shall announce the results of trustee elections and administer the prescribed oath of office, or oath of solemn affirmation for each trustee present, as specified in the *Manual of School Law*. Alternate arrangements for swearing the oath/affirmation will be made for a trustee who does not attend the inaugural meeting or who is elected in a by-election, and the secretary treasurer must confirm the oath has been taken before that trustee may act in the position.

1.3 The Superintendent shall appoint a returning officer and scrutineers, then call for nominations for a board chairperson by ballot, confirm acceptance of each person nominated and conduct a vote by ballot. The person receiving a clear majority shall be elected Board Chairperson for the ensuing year. If no person receives a clear majority, further ballots shall be taken until a majority is achieved. The Secretary Treasurer or any trustee may then call for destruction of ballots.

1.4 The Chairperson so elected shall assume the chair.

1.5 The Board shall proceed to elect a vice-chairperson for the ensuing year in the same manner as the election of the Chairperson.

1.6 The Chairperson shall call for a show of interest for the positions of BCSTA representative to Provincial Council as well as an alternate representative. If there is more than one trustee interested in being the representative and no concession as to who will be the representative and who will be the alternate, then the Chairperson will conduct an election by ballot and the person receiving a majority of votes will be declared the representative. The runner up will be appointed alternate.

1.7 The positions of BCPSEA representative and alternate will be chosen in the same manner as in 1.6.

1.8 The Chairperson will request trustees declare their interest in membership on committees by mid-November and will announce committee appointments in December.

1.9 The Board will authorize its signing authorities, as set out in Policy 612 and 612-R: *Authorized Signatures* for the ensuing year, at its Inaugural or Organizational Meeting.

1.10 The meeting will adjourn.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

## **2. Annual Organizational Meeting**

2.1 An organizational meeting of the Board shall be held the fourth Wednesday in November each year in which there is no municipal election. The purpose of this meeting is to elect a board chairperson and vice-chairperson, and representatives and alternates to the BCSTA Provincial Council and to the BCPSEA for the ensuing year, as well as to invite trustee interest in membership on committees.

2.2 The current Chairperson shall call the meeting to order and may give an annual report.

2.3 The Superintendent (or designate) shall take the chair and proceed with the election of a chairperson according to the procedure in 1.3.

2.4 The Chairperson so elected shall assume the chair and proceed with the election of a vice chairperson in the same manner as the election of the Chairperson.

2.5 The Chairperson shall call for a show of interest for the positions of BCSTA Provincial Council representative and alternate in the same manner as in 1.6.

2.6 The positions of BCPSEA representative and alternate will be chosen in the same manner as for BCSTA.

2.7 The Chairperson will request trustees declare their interest in membership on committees by mid-November and will announce committee appointments in December.

2.8 The Board will authorize its signing authorities for the ensuing year as in 1.9.

2.9 The meeting will adjourn.

## **3. Regular Meetings**

3.1 The Board of Education shall meet on the fourth Wednesday of each month unless otherwise determined by Board resolution. Regular meetings of the Board of Education shall be held not less than once in every three months. The first regular meeting in November will commence upon adjournment of the Inaugural or Organizational meeting. In-camera sessions will generally commence at 17:30 (5:30 pm) or at the call of the Chair. The public session will begin at 19:00 (7:00 pm). If in-camera business is not completed by 18:50 (6:50 pm), the in-camera session will be recessed and reconvened upon adjournment of the public session. Commencement times of public meetings may be altered by Board resolution.

3.2 A quorum of the Board is a majority of the trustees holding office at the time of the meeting. If a quorum has not been made within one-half hour after the appointed time for a meeting, or if a quorum should cease during a meeting, the meeting shall stand adjourned until the next regular meeting date or until another meeting is called by the Chair.

3.3 The Chairperson will develop the meeting agendas in consultation with the Superintendent, Vice-Chair and Secretary-Treasurer.

3.3.1 Written notice of each meeting, together with the proposed agenda must be given at least 48 hours in advance to each trustee. The package should include all supporting documents. Non-receipt by a trustee shall not void the proceedings.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:



3.3.2 Public notice of regular meetings and proposed agendas shall be posted on the district website, provided electronically to trustees and to presidents/chairpersons of employee groups and the district parent association as soon as possible (and no later than 30 minutes prior to board office closing on the Friday prior to the regular Board meeting). Persons or groups known to have particular interest in an agenda item may be alerted if possible. Supporting documents for the meeting shall be posted on the district website and available at the district office no later than 30 minutes prior to the Friday office closing.

3.3.3 Requests by the public to have briefs and presentations placed on the agenda may be made by notifying the office of the Secretary-Treasurer in writing by 09:00 on the Thursday prior to a meeting. The notice must identify the topic to be presented.

3.3.4 Trustees may place items on the agenda by:

- Notice of Motion at the meeting prior to anticipated consideration,
- Notifying the Chair or office of the Secretary-Treasurer by 09:00 the Thursday prior to the meeting, or
- A request to the Chair immediately prior to approval of the agenda for emergent items.

3.3.5 Every effort should be made to ensure that items are entered on the agenda by the Thursday deadline. However, because issues that require Board attention may arise after the agenda has been distributed, the Chair shall ask the Superintendent and trustees at the meeting for additions to or deletions from the agenda prior to Board approval of the agenda. Additions and deletions will be at the Chair's discretion and are subject to challenge.

3.3.6 Trustees may request that an agenda item be moved from the in-camera to the public agenda, or the reverse.

3.3.7 Once an agenda is accepted, the meeting will be limited to items on the agenda.

3.4 The order of business at in-camera and public regular meetings shall be:

- Recognition of visitors, announcements, trustees' updates
- Adoption of agenda
- Closure of the in-camera meeting in compliance with the School Act
- Presentations, briefs, special recognition
- Questions from the Public (public only)
- Executive
- Approval of minutes of prior meetings
- Business arising from prior minutes
- New business
- Questions from the Public (public only)
- Standing committee reports
- Board committee and representative reports
- Correspondence
- Adjournment

The Board may call a short break prior to the first Questions from the Public session. Additional recesses may be permitted by the Chair as requested by any trustee and agreed to by unanimous

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

consent.

3.4.1 Changes to the order of business may be proposed by any trustee and shall require unanimous consent or a two-thirds vote without debate.

3.4.2 Individuals or delegations presenting a brief will be allowed up to 10 minutes for their presentation.

3.4.3 The Questions from the Public portion of the agenda will be limited to 30 minutes.

3.4.4 The Board may agree by vote to extend the time allotted for a presentation or Questions from the Public.

3.5 Minutes of the proceedings of all meetings shall be recorded in a minute book and signed as correct by the Secretary-Treasurer and the Chairperson or trustee presiding at the meeting recorded.

Public and in-camera minutes will include:

- The nature of the meeting (regular, special, in-camera, inaugural, organizational); the date, time, place, Board members present and absent, staff members assisting, and the approval of the preceding meeting's or meetings' minutes.
- A record of all motions passed or defeated by the Board, together with the names of trustees making and seconding the motions, as well as the names of those abstaining due to conflict, and those voting against a motion if so requested.
- A record of the disposition of all matters on which the Board considered but did not take action, and a record of communications received by the Board.
- A summary of the general nature of remarks or concerns raised by trustees, guests, and the public on agenda items.

3.6 In-camera minutes will be presented in the public minutes of the Board meeting in the form of a general statement as to the nature of the matters discussed and the general nature of the decisions reached. Public minutes shall be made available to any person by being posted on the District website.

3.7 All meetings shall stand adjourned at four hours after their commencement unless a resolution has been passed by a two-thirds vote to extend the hour of adjournment.

3.8 The Secretary-Treasurer or designate must be present at all meetings of the Board. The Board may excuse its officials during discussion of any matter, but the Secretary-Treasurer or designate must record and be present at the time of each Board decision.

3.9 The Chairperson presiding at a meeting may expel any person except a trustee who is acting improperly and disrupts the meeting. A majority of the trustees present at a meeting of the Board may expel a trustee from the meeting for improper conduct.

#### **4. Special Meetings**

4.1 A special meeting of the board may be called by the Chairperson or, upon written request by a majority of the trustees, shall be called by the Secretary-Treasurer. No business other than that for which the meeting was called shall be conducted at the meeting.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

4.2 Where possible, written notice of a special meeting, an agenda and supporting documents will be delivered to each trustee at least 48 hours in advance of the meeting.

When it is likely that trustees might not be reading email routinely, as on a weekend or holiday, or if a meeting must be held within 48 hours, trustees will also be notified by telephone.

4.3 Notice of a special public meeting will be posted on the district web site and emailed to the chairpersons of employee groups and the district parent association and to persons or groups with particular interest in the item as soon as possible.

## **5. Addressing The Board**

The public is welcome to attend regular public Board meetings and to address the Board through the following processes.

5.1 Members of the public may ask a question or make a brief statement regarding an item on the agenda during either of the two Question Periods at the meeting or by emailing their questions or comments to the School District Board Meetings email account in advance of the question period.

5.2 An individual or a spokesperson for a delegation may present a brief to the Board.

5.2.1 To be allotted time on a meeting agenda, notify the office of the Secretary-Treasurer in writing by 09:00 the Thursday prior to the Board meeting you wish to present at and include a brief description of the issue you wish to raise. Briefs are usually heard during the first hour of the public meeting that begins at 19:00. The content of a brief presented in public should be public in nature. Complaints or concerns that identify an individual or deal with the purchase of land or with legal issues will not be heard during a public meeting and will be directed by the Chairperson to the appropriate venue or process.

5.2.2 Persons presenting a brief will be called to the presenters' table, asked to introduce themselves and members of their delegation then given a maximum of 10 minutes total to make their presentation. The Chair may limit the number of delegations and questions at a meeting unless otherwise directed by the Board.

5.2.3 Trustees will listen to the presentation and may ask questions of the presenter or staff regarding data, policy, Board direction or other relevant matters.

5.2.4 The Board may refer the matter to staff or an appropriate committee for further discussion or to prepare a response.

5.2.5 The Board will not provide a formal response to a brief at the meeting where it is presented. Delegations will be acknowledged in writing soon after the meeting and informed of any process whereby their brief may be considered further, and whether their attendance may be requested at subsequent committee meetings.

5.2.6 The Board Chairperson in consultation with the Superintendent will provide a response to the brief within 60 days of its presentation to the Board.

## **6. Chairperson And Vice-Chairperson**

6.1 A chairperson and vice-chairperson shall be elected at the first meeting of the Board in November according to the procedure outlined in 1.3.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

6.2 The Board entrusts to its Chair primary responsibility for safeguarding the integrity of the Board's processes and representing the Board to the broader community. The Chairperson shall act as chief spokesperson for the Board by stating positions consistent with Board resolution and policies.

The Chairperson's duties shall include:

6.2.1 Presiding at meetings of the Board and generally fulfilling the duties usually performed by a chairperson.

6.2.2 Regularly consulting with the Superintendent to convey concerns or issues of trustees or arising in the community, and to learn of emerging issues and events within the District or province that may require Board action,

6.2.3 Bringing to the Board all matters requiring a corporate decision of the Board,

6.2.4 Acting as ex-officio member of all Board committees,

6.2.5 Acting as signing officer for the District,

6.2.6 Supplying trustees with a copy of all correspondence written on behalf of the Board, and

6.2.7 Representing the Board at official functions or designating another trustee to do so.

6.3 The Chairperson may vacate the chair to enter debate or propose or second a motion, in which case the Vice-Chairperson shall preside.

6.4 If the Chairperson is absent or unable to act at a meeting, the Vice-Chairperson shall preside. If the Vice-Chairperson is absent or unable to act, the trustees present shall elect one of their members to preside at the meeting.

6.5 The Chairperson has the same right to vote as any other trustee and must vote to break a tie.

6.6 The Vice-Chairperson shall assist the Chairperson in ensuring the Board operates in accordance with its own policies and procedures and in providing leadership and guidance to the Board and shall serve in the absence of the Chairperson and otherwise shall perform such duties as assigned by the Chairperson or designated by resolution of the Board.

6.7 Rulings of the Chairperson can be challenged by motion and vote of trustees.

6.8 A majority of the Board may elect a new chairperson or vice-chairperson at any time.

## **7. Rules Of Order**

7.1 The current edition of Robert's Rules of Order shall govern, as far as applicable, in all cases

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

not specifically provided herein or in the School Act.

7.2 All powers of the Board will be exercised either by resolution or by bylaw, except where the School Act requires a bylaw.

7.3 A rule, other than the requirement for notice of meetings, may be suspended or an additional rule adopted temporarily for one or more meetings by unanimous consent or by a two-thirds vote of the trustees present.

7.4 Notwithstanding 7.3, the rules in this bylaw shall be amended by bylaw only. A Notice of Motion stating the proposed amendment must be given at the previous meeting and in the notice of the meeting.

7.5 When a trustee raises a Point of Order or Point of Privilege, the Chair will give it precedence over all other items of business.

7.6 Any decision of the Chair is open to appeal by a trustee moving a motion to challenge the Chair and giving the reasons for the challenge. If the motion is seconded, the Vice-Chair will preside and the Chair, having stepped down, will then justify the decision. The Vice-Chair will ask the question "Shall the Chair be sustained?" and trustees will vote without further debate whether to sustain the Chair. A majority or tie vote sustains the Chair. A successful challenge does not necessarily set a precedent.

7.7 During a meeting the Board may, by motion, resolve itself into a Committee of the Whole to discuss any matter on the agenda. A committee of the Whole is designated for an allotted time and does not have to adhere to the formal Rules of Order. The Chairperson may vacate the chair and the Board may ask any person present to facilitate the ensuing discussion by acting as Chairperson of the Whole. The discussion may involve anyone present the Board wishes to include. Upon completion of the discussion (whose time allotted may be extended by vote of the Board), the Committee of the Whole is said to Rise and Report, whereupon the facilitator or Chairperson of the Whole reports on the findings of the Committee to the reassembled Board for the minutes.

## **8. Bylaw Procedure**

8.1 Written Notice of Motion to propose or amend a bylaw shall be given at the meeting prior to first reading and in the notice of the meeting where the bylaw or amendment is to be proposed.

8.2 Every bylaw shall be dealt with in the following stages:

- a) First reading: no debate or amendment;
- b) Second reading: discussion of the principle of the bylaw;
- c) Committee stage: if the second reading passes, the bylaw may be referred to a Committee of the Whole or to a standing committee for detailed consideration.
- d) Third reading: consideration of amendments made in committee, if any, and final decision.

8.3 When a bylaw has been amended in committee, it shall be made available to the public before further action proceeds. This may be waived by a two-thirds vote.

8.4 The first reading must be read in full. Subsequent readings may consist of a description of the bylaw by its title and a summary of its contents, providing trustees and the public have a written copy of the bylaw and any amendments.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

8.5 The Board shall not give a bylaw more than two readings at any one meeting unless trustees present unanimously agree to give the bylaw all three readings at that meeting.

8.6 A bylaw may be withdrawn at any stage with unanimous consent of the Board.

## **9. Motions**

9.1 The Board may only make decisions, give direction, or determine policy by voting in the majority on a motion presented by a trustee and seconded by another trustee. A motion is a stated proposal for action.

The bulk of Board business will be conducted through the process of trustees posing a motion, debating the merits of the motion then voting to defeat or pass (carry) the motion. However, when a report, brief or presentation is presented to the Board at a meeting, trustees may first ask questions to clarify understanding or may make brief statements to correct facts or state opinions. If a motion on an issue is moved, trustees may ask questions of clarification of the mover and staff before debate begins or during the debate.

9.2 A motion should be worded in a concise, unambiguous, and complete form and, if lengthy or complex, should be submitted in writing. A motion once moved should be stated by the Chairperson to ensure it has been heard and understood. Once moved, seconded, and repeated by the Chairperson a motion belongs to the Board and may only be altered, directed, or withdrawn by vote of the Board.

9.3 The Chairperson may divide a motion containing more than one subject or a trustee may request such a division and it shall be voted on in the form in which it is divided.

9.4 A motion may be amended before the vote. An amendment is a motion to modify the wording of a pending motion. An amendment must be germane, that is, closely related to or having a bearing on the subject of the motion to be amended. A motion can be amended more than once. However, there can be only one amendment on the floor at a time and it shall be voted on before another amendment is presented or the original motion is voted on. An amendment to an amendment must be germane to the first amendment and cannot be amended. If an amendment is acceptable to both the mover and seconder, the amendment shall be accepted without formal vote.

9.5 A motion passed by a vote of the Board becomes known as a resolution.

9.6 A resolution passed by the Board shall not be reconsidered during the year following its acceptance except by order of a two-thirds vote of the Board, with the following exemption. Any question decided by the Board at a meeting where a bare quorum was present may be reconsidered by order of a simple majority vote of the Board.

9.6.1 A Notice of Motion must be given of an intention to reconsider a resolution passed by the Board in the previous year.

9.6.2 Only a trustee who voted on the prevailing side when the resolution was first adopted may move to reconsider the resolution during the following year, except that any trustee who was not in office at the time a decision was reached on a resolution may move the reconsideration of any resolution dealt with by the Board during the previous year.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:



9.6.3 A motion to reconsider may be seconded by any trustee.

9.6.4 A motion to reconsider is debatable if the motion proposed to be reconsidered is debatable and the debate can be on the merits of the original question. No question can be reconsidered twice.

9.6.5 A motion to reconsider cannot be applied to action that cannot be reversed, such as entering into a contract.

9.7 No motion (or motions so similar that they pose the same question) can be considered twice at the same meeting.

9.8 Consideration of a motion, provided it has been moved and seconded, may be postponed by a resolution to a specific time and date. A motion to postpone:

- requires a simple majority vote,
- precludes further discussion until the stated time and date,
- may be amended as to time and place; and
- is debatable only as to the advisability of the proposed delay.

9.9 A Notice of Motion must be given for presenting motions to adopt, amend, suspend, or rescind any bylaw, policy, or regulation.

## **10. Debate**

10.1 Debate shall be strictly relevant to the motion under consideration. The Chairperson shall warn speakers who violate this rule.

10.2 In order to speak, a trustee must be recognized by the Chairperson.

10.3 The mover of the motion shall be given the first and last opportunity to speak on the motion.

10.4 Each trustee has the right to speak twice on the same motion on the same day but cannot make a second speech so long as any trustee who has not spoken on that motion wishes to speak. No trustee shall speak for more than ten minutes in total.

10.5 A statement raising a Point of Order (conduct of the meeting) or Privilege (dealing with the rights or interests of the Board as a whole or of a trustee personally) may be made at any time and shall be given precedence and dealt with immediately.

10.6 No trustee shall interrupt another trustee who has the floor except to raise a point of order, a point of privilege or to disclose a conflict of interest.

10.7 It is the role of the Chairperson to maintain the appearance of fairness and refrain from vigorous debate. However, once all trustees have spoken and before the mover closes debate, the Chair may speak on the motion. The Chair may also move a motion or engage more actively through the course of the debate by stepping down and having the Vice-Chair preside.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

10.8 Debate may be closed by:

- the Chair after all trustees have spoken twice, finishing with the mover;
- a trustee calling the Question whereupon the Chair asks if a trustee wishes to speak further and if not, conducting the vote; or
- a motion to end debate, which is not debatable and requires a two-thirds vote.

## **11. Voting**

11.1 All trustees present at a meeting are required to vote. The Chair has the right to vote and must vote if there is a tie.

11.2 Voting shall be by show of hands except where a ballot is required by policy, bylaw, or the School Act. The Chairperson shall declare whether the motion was defeated or carried, and the names of negative voters if requested.

11.3 All questions shall be decided by a majority of the votes of the trustees present and voting unless otherwise provided by policy, bylaw, or the School Act. In the case of a tie vote, the motion shall be resolved in the negative.

## **12. Conflict Of Interest**

12.1 If a trustee has any pecuniary (financial/economic) interest in any matter as defined by the School Act and is present at a meeting of the board at which the matter is considered, the trustee shall:

- disclose their pecuniary interest and the general nature of the pecuniary interest at the meeting;
- recuse themselves from the portion of the meeting during which the matter is being considered;
- not take part in the discussion of or vote on any question in respect of the matter; and
- not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

"Pecuniary interest" shall be taken to include an indirect pecuniary interest.

12.2 If the meeting is not open to the public, in addition to complying with requirements in 12.1 the trustee shall immediately leave that part of the meeting during which the matter is considered.

12.3 If the pecuniary interest of a trustee is not disclosed as required above because the trustee is absent from the meeting, the trustee shall disclose the pecuniary interest and otherwise comply with the requirements at the next meeting attended by the trustee.

12.4 A trustee is expected to be conversant with relevant sections of the School Act, to file disclosure forms under the Financial Disclosure Act and to be responsible for declaring a personal conflict or a conflict of a spouse, parent, or child. A trustee who votes on an issue in which s/he is in conflict may lose office and may not be indemnified by the Board.

12.5 Decisions of the Board must be made with integrity and be procedurally fair. A trustee who votes on an issue with which they have a conflict may cause the decision of the Board to be viewed as biased and place the Board at risk of judicial review and the resulting legal and court costs.

Therefore, if a trustee is concerned, they may have a personal conflict with a matter about to come

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:



before the Board, the trustee should:

- seek the advice of the Superintendent or Secretary-Treasurer,
- consult with the Chairperson, or
- seek advice from the BCSTA, or request that the Chairperson or Superintendent seek legal advice.

If a trustee is concerned that a fellow trustee is in conflict, they should speak with or ask the Chairperson to speak with the trustee believed to have a conflict.

12.5.1 If the question is not resolved prior to the meeting at which the matter in conflict arises, and the trustee thought to be in conflict does not declare a conflict:

- the trustee may declare for the record the reason they believe there is no conflict, and the discussion may proceed to a vote; or
- the Board may resolve to postpone the discussion of the issue and seek legal advice.

12.5.2 If legal advice confirms there is a high probability a trustee has a disqualifying conflict:

- the Board may resolve that the trustee be disqualified from voting with reasons given. In this case, the Chairperson will then ask the trustee whether they intend to vote on the matter in conflict and if the trustee declares a continued intent to participate:
- the Board may resolve to take legal proceedings to obtain a court declaration regarding the trustee's disqualification and that the matter be postponed, or
- the Board may proceed to vote on the matter and then determine whether to censure the trustee for participation.

Such actions can be divisive and should be avoided in favour of more amicable resolution, provided liability to the district is minimized.

12.6 If a meeting is open to the public, every disclosure of pecuniary interest and the general nature of it shall be recorded in the minutes of the meeting. If a meeting is not open to the public, the fact that a disclosure of pecuniary interest was made, but not the general nature of that interest, shall be reported to and recorded in the minutes of the next meeting that is open to the public.

### **13. Standing Committees**

13.1 Standing Committees exist to provide an opportunity to deliberate on issues of ongoing importance to the District in an open, prolonged, inclusive, and informal manner. The Board will establish an Audit Committee, Education Committee, Facilities and Building Committee, Finance and Legal Committee and a Policy Committee, and any other standing committees it deems appropriate for the routine conduct of its business.

13.1.1 Meetings may be public or, where warranted, in camera.

13.1.2 A standing committee will consider matters referred to it by the Board, and may consider items suggested by staff, committee representatives or members of the community.

### **13.2 Terms of Reference**

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

13.2.1 *Audit Committee* will assist the Board in fulfilling its governance and oversight responsibilities and may consider matters pertaining to:

- Financial reporting;
- Internal control, information systems and risk management;
- External audit; and
- Internal audit.

13.2.2 *Education Committee* may consider matters pertaining to:

- Provision of educational programs for students, including curriculum instruction and assessment;
- Teaching methodology;
- Student learning;
- Learning resources;
- Research on teaching and learning;
- Showcase district programs and effective teaching practices; and
- Other matters referred to it by the Board.

13.2.3 *Facilities and Building Committee* may consider matters pertaining to:

- Building purchase, construction and sale, maintenance and district facilities, transportation and custodial services;
- Develop and recommend to the Board long-term plans for accommodating the District's needs related to sites and buildings;
- Make recommendations to the Board regarding the annual Capital Budget submission to the Ministry of Education;
- Community use of school facilities;
- Naming and renaming of board properties; and
- Other matters referred to it by the Board.

13.2.4 *Finance and Legal Committee* will:

- Consider and make recommendations to the Board on the district's operating, special purpose, and capital budgets;
- Consider and make recommendations to the Board on the school district's business and accounting services;
- Provide advice and information to the Board to support the efficient and effective fiscal management and operations of the school district;
- Where applicable to receive, consider and discuss input from stakeholder groups regarding finance and budget matters referred to the committee;
- Consider, recommend, and provide advice and information to the Board on contracts, collective agreement negotiations/bargaining and legal matters pertaining to school district's business and operations; and
- Consider such other matters as may be referred by the Board and make recommendations thereon as required.

13.2.5 *Policy Committee* will:

- Periodically and systematically review Board policies with the intent of ensuring policies remain useful, accessible, understandable, and up to date; and
- Present recommendations for new and revised policy for Board approval.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

### 13.3 Membership

In December of each year the Chairperson of the Board shall appoint up to three Trustees to each standing committee after consultation with Trustees. The Board shall also appoint one alternate member for each standing committee. If an appointed Trustee is absent from a committee meeting and the alternate is unavailable, the Board Chairperson may act as an alternate committee member.

The Superintendent or designate shall be an ex officio member of all standing committees. In addition, members of the Board's staff may be invited to assist a committee with its business.

Only trustees, District staff and invitees may attend in-camera sessions. Where there are public sessions of a standing committee, the following groups will be invited to appoint a representative:

- Richmond Association of School Administrators
- Richmond District Parents' Association
- Richmond School Board Employees Union, CUPE Local 716
- Richmond Teachers' Association
- Richmond Management and Professional Staff

Student representation may be invited as appropriate.

### 13.4 Conduct

13.4.1 The Trustee named first to a committee shall preside as Chairperson. In the absence of the Chairperson, the second Trustee named to the standing committee shall preside.

13.4.2 No committee shall meet when fewer than two appointed Trustee committee members are present.

13.4.3 All committee members and attendees are able to participate fully in discussion. However, only trustees appointed to the committee will vote on recommendations to the Board.

13.4.4 The dates, times and places of public and in-camera committee meetings shall be established at each committee's first regular meeting following the appointment of committee members in December.

13.4.5 Written notice of committee meetings and agendas shall be available for all Trustees and representative members at least three days before committee meeting dates.

13.4.6 The preparation of the agenda and minutes for a committee meeting shall be the responsibility of the committee's Chairperson in cooperation with staff named to assist that committee. Preference on the agenda will be given to items referred by the Board.

13.4.7 Standing committees shall report to the Board matters for action and information. Committee recommendations shall be made in writing. In the event a committee recommendation is not unanimous, a Trustee member of the committee may attach a minority report.

## 14. Other Board-Established Committees

14.1 The Board may establish advisory committees to study, provide guidance or advice, or report on specific matters.

14.2 The Board shall determine which standing committee the advisory committee shall report to.

Adopted: 02 June 2008

Board Adoption with Amendments: 17 November 2008

Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

14.3 The purpose and terms of reference of an advisory committee shall be defined in writing and approved by the Board before members of the committee are named except when the Board asks the committee to recommend its own terms of reference for Board approval. The recommendations of an advisory committee shall be confined to its terms of reference.

14.4 Membership on an advisory committee shall be limited in number to a minority of Trustees holding office at the time of the committee's appointment, and to members of the Board's staff appointed to the committee by the Chairperson of the Board, in consultation with the Superintendent. In addition, the Board may invite stakeholder groups to appoint a representative and may also include students or members of the community who, in the Board's judgment, may assist the committee in its work.

14.5 Generally, the senior staff member whose portfolio is most closely aligned with the primary focus of the advisory committee shall be its Chairperson. The Chairperson shall preside at all advisory committee meetings.

14.6 Dates, times and places for meetings will be determined by members of the committee. Notice of meeting and agenda will be given to members at least three days prior to the meeting.

14.7 A record will be kept of items discussed and recommendations made and will be available to committee members and the Board.

## **15. Board-Established Working Groups**

15.1 The Board may establish working groups to study, investigate or provide advice on specific matters. Working groups will be time-limited in nature with a clearly defined task relating to a specific matter.

15.2 Working groups shall report directly to the Board. The Board shall determine a period within which a working group shall provide updates and present a report to the Board.

15.3 The purpose and terms of reference of a working group shall be defined in writing and approved by the Board before members of the committee are named except when the Board asks the working group to recommend its own terms of reference for Board approval. The recommendations of a working group shall be confined to its terms of reference.

15.4 Membership on a working group shall be limited in number to a minority of Trustees holding office at the time of the committee's appointment, and to members of the Board's staff appointed to the committee by the Chairperson of the Board, in consultation with the Superintendent. In addition, the Board may invite stakeholder groups to appoint a representative and may also include students or members of the community who, in the Board's judgment, may assist the committee in its work.

15.5 The Board shall direct Trustee members of the working group to report back to the Board on a regular basis regarding the progress of the working group and, as necessary, to seek additional direction from the Board.

15.6 Generally, the senior staff member whose portfolio is most closely aligned with the primary focus of the working group shall be its Chairperson. The Chairperson shall preside at all working group meetings.

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Board Adoption with Amendments: 10 October 2018

Board Adoption with Amendments:

15.7 Dates, times and places for meetings will be determined by members of the working group. Notice of meeting and agenda will be given to members at least three days prior to the meeting.

15.8 A record will be kept of items discussed and recommendations made and will be available to working group members and the Board.

15.9 Upon completion of the task assigned and the presentation of a final report to the Board, the working group shall be disbanded.

## **16. School Liaison Trustees**

In order to enhance communication between the Board of Education and local schools, trustees will be assigned to liaise with specific schools.

The Chairperson will assign each trustee a group of secondary and elementary schools at the first meeting in December each year. The assignment shall be one year's duration unless otherwise determined by the Board. Groups of schools will be rotated among trustees.

Assigning each trustee only a portion of the District's schools helps trustees manage their limited time and increases the likelihood that trustee visits will be effectively dispersed across the District's schools. The purpose of liaison assignments is to enable trustees to attend social functions at the schools, to experience in a focused manner educators and children working and learning together over the school year, to connect with Parent Advisory Committees and to become more familiar with schools and their operation. It is not intended that this bylaw will restrict trustees from participating in functions at any other schools in the District or from visiting any other schools in the District. It is also recognized that trustees will visit when they are able, they are not obligated to attend on any routine basis. In order to ensure that mutually agreeable arrangements can be made, trustees will contact the school principal in advance of all school visits.

Consistent with the corporate and policy-making role of the Board, the liaison trustee carries no administrative responsibility or Board-delegated authority. It is not intended that trustees become involved in the internal operation of the schools, nor is it intended that trustees use this contact as an avenue for bringing routine administrative matters directly to the Board.

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Board Adoption with Amendments:

## Report to the Policy Committee (Public)

**DATE:** May 15, 2023

**FROM:** Cindy Wang, Secretary Treasurer

**SUBJECT:** Creation of Policy 311 – Privacy Management Policy

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### RECOMMENDATION:

**THAT** the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at its May 24, 2023 public meeting that a recommendation for the board's consideration will be presented at the June 21, 2023 public meeting to approve Policy 311.

### INTRODUCTION:

The purpose of this report is to provide background information and a suggested timeline for the creation of Board Policy 311 regarding the district's privacy management program in accordance with the Freedom of Information and Protection of Privacy Act (FIPPA).

### BACKGROUND:

#### Legislative Requirements

In November 2021, the legislature enacted amendments to British Columbia's Freedom of Information and Protection of Privacy Act (FIPPA). One of those amendments is a requirement that public bodies, including school districts, have a privacy management program in place.

The privacy management program should include:

- The development of a privacy policy,
- Appointment of a privacy officer or individual who will be the point of contact for privacy related issues and supporting FIPPA compliance,
- A process for completing and documenting privacy impact assessments,
- A documented process for responding to privacy complaints and privacy breaches,
- Privacy training and education to ensure that employees are aware of their privacy obligations, and
- Regular review and updating of the privacy management program.

Therefore, it is recommended that the district proceed to adopt the following:

- A privacy policy,
- A privacy breach policy and process,
- A privacy impact assessment (PIA) policy and process,
- A personal information management program, and
- A privacy training program for all employees.

## **Privacy Policy**

The main purposes of a privacy policy are to:

- Set out an organization's commitment to privacy and to describe in broad term how it protects personal information,
- Ensure employees clearly understand their obligations to preserve privacy,
- Ensure staff, students and members of the public understand how their personal information may be collected, used and disclosed; and
- Explain to individuals how to make complaints and their rights under FIPPA.

## **Privacy Breach Policy and Process**

A public body can establish a privacy breach policy including procedures in accordance with the privacy policy and FIPPA. Its purposes are to:

- Ensure staff understand their obligations under FIPPA to report privacy breaches,
- Establish accountabilities and a response plan in the event of a privacy breach, and
- Explain how the district will satisfy its obligation to report privacy breaches.

## **Privacy Impact Assessment Policy and Process**

A privacy impact assessment (PIA) is a due diligence process that requires an organization to work through a checklist of FIPPA compliance-related questions in relation to an initiative or program that collects, uses and/or disclose personal information. The process is intended to identify whether an initiative or program is FIPPA compliant.

The 2021 legislative amendments to FIPPA imposed a new requirement on public bodies to perform a PIA on all new or significantly revised initiatives or programs that are enacted effective February 1, 2023. Prior to these amendments, PIAs were required only in a limited number of circumstances, such as data linking and common programs.

The 2021 amendments also introduced a requirement for public bodies to carry out both a PIA and a supplemental review in relation to any initiatives or programs that involve the storage of sensitive personal information outside of Canada.

The purposes of a PIA policy and process are to:

- Ensure all employees understand that there is an obligation to conduct PIAs and that their project planning includes time to complete a PIA,
- Ensure program areas do not commit to initiatives that involve the storage of sensitive personal information outside of Canada unless all required PIAs and supplemental reviews have been completed, and
- Set out the accountability and support for employees to complete the PIAs.

**PROPOSED TIMELINE:**

February 2023	In-camera Policy Committee meeting	Initial discussion by members of Policy Committee including feedback on proposed timeline and intent of the proposed policy.
April 2023	In-camera Policy Committee meeting	Draft policy shared for feedback from Policy Committee trustee representatives.
May 2023	Public Policy Committee meeting	Revised policy reflecting trustee feedback shared with the Committee. Referral to Board for notice of motion.
May 2023	Public Board meeting	Possible notice of motion for approval of policy at June Board meeting.
June 2023	Public Board meeting	Possible final approval of new policy.

**CONCLUSION:**

It is recommended that the proposed privacy policy be included in the 300 Administration section of the board policy framework. In accordance with Board Policy 204-R, it is also recommended that the draft policy not be placed into the stakeholder review process as it is a legislative mandated policy and administrative in nature.

*Respectfully Submitted,*

*Cindy Wang MSc, CPA-CA  
Secretary Treasurer*

**Attachments:**

1. *Draft Policy 311 Freedom of Information and Protection of Privacy*
2. *Draft Policy 311-R Privacy Management*
3. *Draft Policy 311-G A Privacy Impact Assessment*
4. *Draft Policy 311-G B Critical Incident and Privacy Breach Procedure*
5. *Draft Policy 311-G C Personal Information Management Program*



## ADMINISTRATION

## Policy 311

### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

The Board of Education of School District No. 38 (Richmond) is committed to ensuring the privacy, confidentiality and security of all personal information that it collects, uses, discloses and maintains in connection with its programs and activities. The Board complies with the *School Act* and the *Freedom of Information and Protection of Privacy Act* in relation to the protection of privacy. This Policy sets out the Board's commitment, standards and expectations regarding the appropriate practices for the collection, use and protection of personal information.

<b>ADMINISTRATION</b>	<b>Policy 311-R</b>
<b>FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY</b>	

## 1. Principles

The Board of Education of School District No. 38 (Richmond) ("District"), Trustees and all District Employees shall uphold the privacy, confidentiality and appropriate use of personal information in compliance with the *School Act*, *Freedom of Information and Protection of Privacy Act (FIPPA)* and the Guidelines, including by:

- being open and transparent about the purposes for which personal information may be collected and used by the District;
- collecting and using personal information only as necessary to carry out the District's authorized programs and activities;
- sharing personal information internally with Employees only on a need-to-know basis;
- sharing personal information with third parties with the knowledge and consent of affected individuals, unless otherwise authorized or required under *FIPPA*, the *School Act* or other applicable laws;
- ensuring personal information is protected against unauthorized access, use, disclosure, loss or destruction; and
- complying with *FIPPA* and all procedures for the accuracy, protection, use, disclosure, storage, retrieval, correction and appropriate use of personal information.

## 2. Transparency and Accountability

The Board strives to be open and transparent with the community about its programs and activities, and has processes in place to support the timely response to access requests submitted under *FIPPA* and the proactive release of information of interest to the community.

## 3. Responsibility

The Superintendent of Schools has been designated by the Board as the "Head" of the District for the purposes of *FIPPA*, and has overarching responsibility for ensuring compliance with this Policy, *FIPPA* and the requirements of the *School Act* pertaining to privacy management.

## 4. Complaints

The District will respond to and, where appropriate, investigate, all complaints that it receives under this Policy concerning its personal information management practices.

Adopted:

## 5. Definitions

- 5.1 “**Employees**” means all employees, contractors and volunteers of the District;
- 5.2 “**FIPPA**” means the *British Columbia Freedom of Information and Protection of Privacy Act*, and regulations thereto;
- 5.3 “**Personal information**” means recorded information about an identifiable individual, that is within the control of the District, and includes information about any student or any Employee of the District. Personal information does not include an individual’s business contact information, such as business address, email address, and telephone number, that would allow a person to be contacted at work;
- 5.4 “**Guidelines**” means procedures enacted by the District under its Policy on Freedom of Information and Protection of Privacy.

## References

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. Part 3  
School Act, R.S.B.C. 1996, c. 412 sections 9, 79(3)  
Student Records Disclosure Order (M14/91)

## ADMINISTRATION

## Policy 311-G (A)

### Privacy Impact Assessments

#### Purpose

The Board of Education of School District No. 38 (Richmond) ("District") is responsible for ensuring that it protects the Personal Information within its custody and control, including by complying with the provisions of the *Freedom of Information and Protection of Privacy Act* ("FIPPA"). FIPPA requires that the District conduct a Privacy Impact Assessment ("PIA") to ensure that all collection, use, disclosure, protection and processing of Personal Information by the District is compliant with FIPPA.

A Privacy Impact Assessment (PIA) is an in-depth review of any new or significantly revised initiative, project, activity, or program to ensure that it is compliant with the provisions of FIPPA, to identify and mitigate risks arising from the initiative and to ensure that the initiative appropriately protects the privacy of individuals.

The purpose of these Guidelines is to set out the District's process for conducting PIAs in accordance with the provisions of FIPPA.

#### 1. Definitions

- 1.1 "**Employee(s)**" means all employees, contractors and volunteers of the District;
- 1.2 "**FIPPA**" means the *British Columbia Freedom of Information and Protection of Privacy Act*, and regulations thereto;
- 1.3 "**Guidelines**" means procedures enacted by the District under its Policy on Freedom of Information and Protection of Privacy;
- 1.4 "**Head**" means the Superintendent of Schools or any person to whom the Superintendent has delegated (in writing) their powers under these Guidelines;
- 1.5 "**Initiative**" means any enactment, system, project, program or activity of the District;
- 1.6 "**Personal information**" means any recorded information about an identifiable individual that is within the control of the District and includes information about any student or any Employee of the District. Personal Information does not include an individual's business contact information, such as business address, email address and telephone number, that would allow a person to be contacted at work;
- 1.7 "**PIA**" means a Privacy Impact Assessment performed in accordance with the requirements of FIPPA;
- 1.8 "**Privacy Officer**" means the Secretary Treasurer who has been designated by the Head as the Privacy Officer for the District;

- 1.9 “**Responsible Employee**” means the Department Head or other Employee who is responsible for overseeing an Initiative, and in the event of doubt, means the Employee designated in the PIA as the Responsible Employee;
- 1.10 “**Supplemental Review**” means an enhanced process for reviewing the privacy and data security measures in place to protect sensitive Personal Information in connection with an Initiative involving the storage of Personal Information outside of Canada.

## **2. Scope & Responsibility**

- 2.1 These Guidelines apply to all new and significantly revised Initiatives of the District.
- 2.2 All Employees are expected to be aware of and follow these Guidelines in the event that they are involved in a new or significantly revised Initiative.
- 2.3 Departments and management employees are responsible to plan and implement new or significantly revised Initiatives in accordance with the requirements of these Guidelines.

## **3. District Responsibilities**

- 3.1 The Superintendent of Schools is the “Head” of the District for all purposes under *FIPPA*.
- 3.2 The Superintendent of Schools has delegated the administration of these Guidelines to the Secretary Treasurer, who is the “Privacy Officer” of the District for all purposes under *FIPPA*.
- 3.3 The Privacy Officer is responsible to, in consultation with the Head, ensure that all PIAs and Supplemental Reviews are completed in accordance with the requirements of *FIPPA* and these Guidelines.

## **4. Responsibilities of All Employees**

- 4.1 Any Employee responsible for developing or introducing a new or significantly revised Initiative that involve or may involve the collection, use, disclosure or processing of Personal Information by the District must report that Initiative to the Privacy Officer at an early stage in its development.
- 4.2 All Employees involved in a new or significantly revised Initiative will cooperate with the Privacy Officer and provide all requested information needed to complete the PIA.
- 4.3 All Employees will, at the request of the Privacy Officer, cooperate with the Privacy Officer in the preparation of any other PIA that the Privacy Officer decides to perform.

## **5. The Role of the Responsible Employee**

Responsible Employees are responsible for:

- 5.1 ensuring that new and significantly revised Initiatives for which they are the Responsible Employee are referred to the Privacy Officer for completion of a PIA;
- 5.2 supporting all required work necessary for the completion and approval of the PIA;
- 5.3 being familiar with and ensuring that the Initiative is carried out in compliance with the PIA; and
- 5.4 requesting that the Privacy Officer make amendments to the PIA when needed and when significant changes to the Initiative are made.

## **6. Initiatives Involving the Storage of Personal Information Outside of Canada**

- 6.1 Employees may not engage in any new or significantly revised Initiative that involves the storage of Personal Information outside of Canada until the Privacy Officer has completed and the Head has approved a PIA and any required Supplemental Review.
- 6.2 The Responsible Employee or Department may not enter into a binding commitment to participate in any Initiative that involves the storage of Personal Information outside of Canada unless any required Supplemental Review has been completed and approved by the Head.
- 6.3 It is the responsibility of the Privacy Officer to determine whether a Supplemental Review is required in relation to any Initiative, and to ensure that the Supplemental Review is completed in accordance with the requirements of *FIPPA*.
- 6.4 The Privacy Officer is responsible for reviewing and, if appropriate, approving all Supplemental Reviews and in doing so must consider risk factors including:
  - 6.4.1 the likelihood that the Initiative will give rise to an unauthorized collection, use, disclosure or storage of Personal Information;
  - 6.4.2 the impact to an individual of an unauthorized collection, use, disclosure or storage of Personal Information;
  - 6.4.3 whether the Personal Information is stored by a service provider;
  - 6.4.4 where the Personal Information is stored; and
  - 6.4.5 whether the Supplemental Review sets out mitigation strategies proportionate to the level of risk posted by the Initiative.

- 6.5 Approval of a Supplemental Review by the Head shall be documented in writing.

## **7. Inquiries**

- 7.1 Questions or comments about these Guidelines may be addressed to the Privacy Officer at [privacy@sd38.bc.ca](mailto:privacy@sd38.bc.ca). The District will respond to all inquiries in writing.

Adopted:

## **Related Acts and Regulation**

[School Act](#)

[British Columbia Freedom of Information and Protection of Privacy Act \(FIPPA\)](#)

## **Supporting References, Policies, Procedures and Forms**

Policy 311 Freedom of Information and Protection of Privacy

Policy 311-R Privacy Management

Adopted:

## ADMINISTRATION

## Policy 311-G (B)

### Critical Incident and Privacy Breach Procedure

#### 1. Purpose

The Board of Education of School District No. 38 (Richmond) ("District") is committed to ensuring the protection and security of all personal information within its control. That commitment includes responding effectively and efficiently to privacy breach incidents that may occur.

The purpose of these Guidelines is to set out the District's process for responding to significant privacy breaches and to complying with its notice and other obligations under the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

#### 2. Scope & Responsibility

All Employees of the District are expected to be aware of and follow these Guidelines in the event of a privacy breach. These Guidelines apply to all Employees.

#### 3. District Responsibilities

3.1 The Superintendent of Schools is the "Head" of the District for all purposes under the *FIPPA*.

3.2 The Superintendent has delegated the administration of these Guidelines under *FIPPA* to the Secretary Treasurer, who is the "Privacy Officer" of the District for all purposes under *FIPPA*.

3.3 The Privacy Officer is responsible to, in consultation with the Head, ensure that all procedures are completed to respond to privacy breach in accordance with the requirements of *FIPPA* and these Guidelines.

#### 4. Definitions

4.1 "**Employee(s)**" means the employees, contractors and volunteers of the District;

4.2 "**FIPPA**" means the *British Columbia Freedom of Information and Protection of Privacy Act*, and regulations thereto;

4.3 "**Guidelines**" means procedures enacted by the District under its Policy on Freedom of Information and Protection of Privacy;

4.4 "**Head**" means the Superintendent of Schools or any person to whom the Superintendent has delegated (in writing) their powers under these Guidelines;

4.5 "**Personal information**" means any recorded information about an identifiable individual that is within the control of the District, and includes information about any

Adopted:



student or any Employee of the District. Personal Information does not include an individual's business contact information, such as business address, email address and telephone number, that would allow a person to be contacted at work;

- 4.6 **"Privacy Breach"** means the theft or loss of or the collection, use or disclosure of Personal Information not authorized by *FIPPA*, and includes cyber and ransomware attacks and other situations where there are reasonable grounds to believe that any such unauthorized activities have taken place or there is a reasonable belief that they will take place;
- 4.7 **"Privacy Officer"** means the Secretary Treasurer who has been designated by the Head as Privacy Officer for the District;
- 4.8 **"Records"** means books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or other mechanism that produces records.

## **5. Responsibilities of Employees**

- 5.1 All Employees must without delay report all actual, suspected or expected Privacy Breach incidents of which they become aware in accordance with these Guidelines. All Employees have a legal responsibility under *FIPPA* to report Privacy Breaches to the Head.
- 5.2 Privacy Breach reports may also be made to the Privacy Officer, who has delegated responsibility for receiving and responding to such reports.
- 5.3 If there is any question about whether an incident constitutes a Privacy Breach or whether the incident has occurred, Employees should consult with the Privacy Officer.
- 5.4 All Personnel must provide their full cooperation in any investigation or response to a Privacy Breach incident and comply with these Guidelines for responding to Privacy Breach incidents.
- 5.5 Any Employee who knowingly refuses or neglects to report a Privacy Breach in accordance with these Guidelines may be subject to discipline, up to and including dismissal.

## **6. Privacy Breach Response**

### **6.1 Step One – Report and Contain**

6.1.1 Upon discovering or learning of a Privacy Breach, all Employees shall:

1. Immediately report the Privacy Breach to the Privacy Officer.
2. Take any immediately available actions to stop or contain the Privacy Breach, such as by:
  - isolating or suspending the activity that led to the Privacy Breach; and

Adopted:

- taking steps to recover Personal Information, Records or affected equipment.
- 3. Preserve any information or evidence related to the Privacy Breach in order to support the District's incident response.
- 6.1.2 Upon being notified of a Privacy Breach the Privacy Officer in consultation with the Head, shall implement all available measures to stop or contain the Privacy Breach. Containing the Privacy Breach shall be the first priority of the Privacy Breach response, and all Employees are expected to provide their full cooperation with such initiatives.

## **6.2 Step Two – Assessment and Containment**

- 6.2.1 The Privacy Officer shall take steps to, in consultation with the Head, contain the Privacy Breach by making the following assessments:
  - 1. the cause of the Privacy Breach;
  - 2. if additional steps are required to contain the Privacy Breach, and, if so, to implement such steps as necessary;
  - 3. identify the type and sensitivity of the Personal Information involved in the Privacy Breach, and any steps that have been taken or can be taken to minimize the harm arising from the Privacy Breach;
  - 4. identify the individuals affected by the Privacy Breach, or whose Personal Information may have been involved in the Privacy Breach;
  - 5. determine or estimate the number of affected individuals and compile a list of such individuals, if possible; and
  - 6. make preliminary assessments of the types of harm that may flow from the Privacy Breach.
- 6.2.2 The Privacy Officer, in consultation with the Head, shall be responsible to, without delay, assess whether the Privacy Breach could reasonably be expected to result in significant harm to individuals ("**Significant Harm**"). That determination shall be made with consideration of the following categories of harm or potential harm:
  - 1. bodily harm;
  - 2. humiliation;
  - 3. damage to reputation or relationships;
  - 4. loss of employment, business or professional opportunities;
  - 5. financial loss;

6. negative impact on credit record;
7. damage to, or loss of, property;
8. the sensitivity of the Personal Information involved in the Privacy Breach;  
and
9. the risk of identity theft.

### **6.3 Step Three – Notification**

- 6.3.1 If the Head determines that the Privacy Breach could reasonably be expected to result in Significant Harm to individuals, then the Head shall make arrangements to:
  1. report the Privacy Breach to the Office of the Information and Privacy Commissioner; and
  2. provide notice of the Privacy Breach to affected individuals, unless the Head determines that providing such notice could reasonably be expected to result in grave or immediate harm to an individual's safety or physical or mental health or threaten another individual's safety or physical or mental health.
- 6.3.2 If the Head determines that the Privacy Breach does not give rise to a reasonable expectation of Significant Harm, then the Head may still proceed with notification to affected individual if the Head determines that notification would be in the public interest or if a failure to notify would be inconsistent with the District's obligations or undermine public confidence in the District.
- 6.3.3 Determinations about notification of a Privacy Breach shall be made without delay following the Privacy Breach, and notification shall be undertaken as soon as reasonably possible. If any law enforcement agencies are involved in the Privacy Breach incident, then notification may also be undertaken in consultation with such agencies.

### **6.4 Step 4 - Prevention**

- 6.4.1 The Privacy Officer in consultation with the Head, shall complete an investigation into the causes of each Breach Incident reported under these Guidelines, and shall implement measures to prevent recurrences of similar incidents.
- 6.4.2 The Privacy Officer may suggest any necessary changes to operating procedures to prevent recurrence of similar Privacy Breach incidents in the future as instructed by the Head.

## **7. Inquiries**

- 7.1 Questions or comments about these Guidelines may be addressed to the Privacy Officer at [privacy@sd38.bc.ca](mailto:privacy@sd38.bc.ca). The District will respond to all inquiries in writing.

Adopted:

**Related Acts and Regulations:**

*School Act*

*British Columbia Freedom of Information and Protection of Privacy Act (FIPPA)*

**Supporting References, Policies, Procedures and Forms**

Policy 311 Freedom of Information and Protection of Privacy

Policy 311-R Privacy Management

Adopted:

PROPOSED - NEW GUIDELINES

Adopted:

## ADMINISTRATION

## Policy 311-G (C)

### Personal Information Management Program

#### Purpose

As a public body that is subject to the *British Columbia Freedom of Information and Protection of Privacy Act* (the "Act" or *FIPPA*), the Board of Education of School District No. 38 (Richmond) ("District") is committed to upholding the principles of privacy, transparency and accountability. This means that the District recognizes the fundamental importance of maintaining the privacy and security of the personal information that it collects, uses and discloses in the course of its operations and programs. The District also acknowledges and supports transparency with the community by facilitating access to District records and information in accordance with the requirements of the Act.

#### 1. Definitions

- 1.1 **"Consent"** means express written consent to the collection, use or disclosure of personal information;
- 1.2 **"Employee(s)"** means the employees, contractors and volunteers of the District;
- 1.3 **"FIPPA"** means the *British Columbia Freedom of Information and Protection of Privacy Act*, and regulations thereto;
- 1.4 **"Head"** means the Superintendent of Schools, or any person to whom the Superintendent has delegated (in writing) their powers under these Guidelines;
- 1.5 **"Privacy Officer"** means the Secretary Treasurer who has been designated by the Head as the Privacy Officer for the District;
- 1.6 **"Personal Information"** means any recorded information about an identifiable individual that is within the control of the District and includes information about any student or any Employee of the District. Personal Information does not include an individual's business contact information, such as business address, email address and telephone number, that would allow a person to be contacted at work;
- 1.7 **"Guidelines"** means procedures enacted by the District under its Policy on Freedom of Information and Protection of Privacy;
- 1.8 **"Records"** means books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or other mechanism that produces records.

#### 2. Principles

- 2.1 Employees are responsible for:

Adopted:

- making reasonable efforts to familiarize themselves with these Guidelines and the requirements of *FIPPA*, including by participating in privacy training initiatives offered by the District;
- following responsible information management practices to ensure that the District collects, uses and discloses Personal Information in compliance with *FIPPA* and other applicable laws;
- seeking at all times to protect Personal Information against unauthorized collection, use and disclosure, including by limiting the sharing of sensitive Personal Information on a need to know basis;
- cooperating with District Guidelines to facilitate the appropriate release of Records within its custody or control in response to access requests received from members of the community under *FIPPA*;
- cooperating with District Guidelines for the completion of privacy impact assessments; and
- reporting privacy breaches to the District in accordance with the District's Guidelines.

### **3. Accountability**

- 3.1 The Superintendent of Schools is the "Head" of the District for all purposes under the *FIPPA*.
- 3.2 The Superintendent has delegated the administration of these Guidelines under *FIPPA* to the Secretary Treasurer, who is the "Privacy Officer" of the District for all purposes under *FIPPA*.
- 3.3 The Head is responsible to appoint, oversee and, if appropriate, delegate responsibility to the Privacy Officer for the District to supervise its Personal Information management program.

### **4. Commitment to Privacy Protection**

- 4.1 The District protects the privacy of students, Employees and individuals whose Personal Information it collects, uses, shares and retains, and expects all Employees to follow responsible information management practices to ensure that the District fully complies with its obligations under *FIPPA* and other applicable laws.
- 4.2 The District and Employees respect the privacy and confidentiality of Personal Information entrusted to them in the course of their duties, and collects, uses and discloses Personal Information only where authorized by *FIPPA*.

### **5. Purposes for Collecting Personal Information**

- 5.1 The District communicates the purposes for which Personal Information is collected at or before the time the information is collected, unless otherwise permitted or required by *FIPPA*.
- 5.2 In the ordinary course of carrying out its programs and activities, the District collects Personal Information of its students for purposes including:

Adopted:

- registration, enrollment and transfer of students;
- to provide and deliver educational programs and services;
- to accommodate students with special needs;
- to communicate with students and respond to inquiries or complaints;
- to prepare and provide assessments of student performance;
- to supervise and ensure the safety and security of the District (such as through the use of video surveillance);
- to investigate and respond to accidents, safety events, misconduct and similar incidents;
- to ensure compliance with applicable District bylaws, policies and other laws;
- to make all required reports and filings to the Ministry of Advanced Education; and
- for other purposes set out in the Guidelines or required under applicable laws.

5.3 In the ordinary course of carrying out its employment programs and activities, the District collects the Personal Information of prospective, current and former Employees for purposes including:

- hiring and recruitment;
- to manage and administer the employment relationship;
- to communicate with authorized union representatives;
- to administer employment compensation and benefits;
- to evaluate performance and manage disciplinary incidents;
- to supervise and ensure the safety and security of the District (such as through the use of video surveillance);
- to investigate and respond to accidents, safety events, misconduct and similar incidents;
- to ensure compliance with applicable District policies and other applicable laws; and
- for other purposes set out in the Guidelines or required under applicable laws.

## **6. Collection, Use and Disclosure Of Personal Information**

- 6.1 The District limits the Personal Information it collects to information to what is related to and necessary in order to carry out its programs and activities or for other purposes authorized by *FIPPA*.
- 6.2 The District seeks to collect Personal Information by fair, lawful and transparent means, including by collecting Personal Information directly from the individual, except where otherwise authorized by *FIPPA*.
- 6.3 The District seeks to inform individuals from whom it collects Personal Information the purposes for which the information is being collected, the legal authority for collecting it and the name and contact information of someone at the District who can answer questions about the collection and use of the information;
- 6.4 The District limits the internal and external use and sharing of Personal Information to what is required and authorized by *FIPPA* or consented to by the individual.
- 6.5 The District only uses or discloses Personal Information for the purpose for which it was collected, except with the individual's consent or as otherwise required or permitted by *FIPPA* or other laws.

## **7. Securing Personal Information**

Adopted:



- 7.1 The District protects Personal Information by ensuring it has reasonable security safeguards in place which are appropriate to the sensitivity of the information. Such security safeguards shall include consideration of physical security, organizational security and electronic security.
- 7.2 All Employees have a duty to protect the privacy and security of Personal Information collected and used by them as part of their ongoing employment responsibilities, including by complying with the terms of these Guidelines, and all related Guidelines.
- 7.3 The District provides training to all Employees to ensure they have the requisite knowledge to ensure compliance with the terms of these Guidelines and the *FIPPA*.

## **8. Retention**

- 8.1 The District does not seek to retain Personal Information longer than necessary to satisfy the District's applicable operational, instructional, financial and legal needs.
- 8.2 Personal information that is no longer required for either administrative, operational, financial, legal or historical purposes shall be securely destroyed in a confidential manner in accordance with District policies and approved record retention protocols.

## **9. Accuracy and Correction**

- 9.1 The District shall make reasonable efforts to ensure the accuracy of the Personal Information that they collect and use in the course of performing their duties.
- 9.2 Individuals have the right to request the correction of their Personal Information, and the District will receive and respond to such requests in accordance with the *FIPPA* and District Guidelines.

## **10. Access to Information**

- 10.1 The District supports appropriate transparency and accountability in its operations by making information available to the public as permitted or required under *FIPPA*.
- 10.2 The Head shall, on at least an annual basis, consider and designate categories of Records that will be made available to the public without the need to make a request in accordance with *FIPPA*.
- 10.3 The District recognizes that individuals may make requests for access to Records within the custody and control of the District, and the District will respond to such requests in accordance with *FIPPA* and the Guidelines.
- 10.4 The District recognizes that individuals have a right to access their own Personal Information within the custody and control of the District, and will facilitate such access in accordance with the requirements of *FIPPA*.

## **11. Inquiries**

Adopted:

- 11.1 Questions or comments about these Guidelines may be addressed to the Privacy Officer at [privacy@sd38.bc.ca](mailto:privacy@sd38.bc.ca). The District will respond to all inquiries in writing.

**Related Acts and Regulations:**

*School Act*

*British Columbia Freedom of Information and Protection of Privacy Act (FIPPA)*

**Supporting References, Policies, Procedures and Forms**

Policy 311 Freedom of Information and Protection of Privacy

Policy 311-R Privacy Management

Adopted:

## Report to the Policy Committee (Public)

**DATE:** May 15, 2023  
**FROM:** Cindy Wang, Secretary Treasurer  
**SUBJECT:** Revision of Policy 621, 621-R and 631-R

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### RECOMMENDATION:

**THAT** the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at its May 24, 2023 public meeting that a recommendation for the board's consideration will be presented at the June 21, 2023 public meeting to approve the amendments to Policy 621, 621-R and 631-R.

### INTRODUCTION:

The purpose of this report is to provide background information, suggested timeline and the proposed amendments to Policy 621, 621-R and 631-R to ensure Richmond School District is fully compliant with the Ministry's K-12 Public Education Financial Planning and Reporting Policy and Accumulated Operating Surplus Policy.

### BACKGROUND:

The district currently follows Policy 621 and 631 to govern financial reporting and management of accumulated surpluses. These policies facilitate a robust budgeting process, which includes consultation, monitoring and financial reporting. While Policy 621 and 631 reflect many elements of the Ministry's policies, the district's policies do not fully comply with the Ministry's requirements. According to the Ministry, all school districts must have financial management policies that align with the directives of the Ministry Financial Planning and Reporting Policy and Accumulated Operating Surplus Policy.

To align with the Ministry's directives, Policy 621-R is required to incorporate the following provisions:

- The Board must develop and implement a three-year financial plan to the Ministry.
- The three-year financial plan should encompass the Board's educational and operational goals, including enhancing student educational outcomes.
- The Board is obligated to publish the budget consultation process on its website.
- The Board is required to provide updates in its financial reports on the alignment of its resources with its strategic priorities.

Policy 631-R is required to include the following provisions:

- The Board's guidelines for establishing internally restricted operating surplus.
- Inclusion of a surplus category labeled "surplus restricted for future capital cost sharing".

- Reporting of accumulated operating surplus and capital reserves.

District staff have been working collaboratively with Ministry officials to review and modify Policy 621 and 631, ensuring adherence to Ministry policies and directives. The proposed amendments to Policy 621 and 631 can be found in the attachments accompanying this report.

**PROPOSED TIMELINE:**

April 2023	In-camera Policy Committee meeting	Initial discussion by members of Policy Committee including feedback on proposed timeline, draft revisions of Policy 621, 621R and 631R, and intent of the proposed revisions.
May 2023	Public Policy Committee meeting	Revised Policy 621, 621R and 631R, reflecting trustee feedback. Referral to Board for Notice of Motion.
May 2023	Public Board meeting	Possible notice of motion for approval at June Board meeting.
June 2023	Public Board meeting	Possible final approval of the policy revisions.

**CONCLUSION:**

As per Board Policy 204-R, it is recommended that the draft amendments not be placed into the stakeholder review process, as the changes are ministry mandated policy changes and administrative in nature.

It is therefore recommended that the proposed amendments to Policy 621, 621-R and 631-R be brought forwarded to the Board at its May 24 public meeting for Notice of Motion, and be subsequently approved by the Board in its June 21 public meeting.

*Respectfully Submitted,*

*Cindy Wang MSc, CPA-CA  
Secretary Treasurer*

**Attachments:**

*Amended Policy 621, 621-R: Financial Planning and Reporting*

*Amended Policy 631-R: Accumulated Operating Surplus and Capital Reserves*

## FINANCE

## Policy 621

### Financial **Planning and** Reporting

The *School Act* requires that the school district's funds be accounted for "in a manner consistent with recognized public sector accounting practices, and specific funds shall be designated in accordance with the requirements specified by the Minister."

The Board of Education (Richmond) recognizes the need for fiscal responsibility while ensuring accountability and transparency. Financial reporting strengthens financial governance.

## FINANCE

## Policy 621-R

### Financial **Planning and Reporting**

#### Annual and Amended Annual Budgets

On or before June 30 of each year, the Board is required by legislation to adopt the following year's annual budget bylaw for all funds held by the school district, as prescribed by the Minister.

On or before February 28 of each year, the Board is required by legislation to adopt an annual amended budget for the current fiscal year, as prescribed by the Minister.

The Board will develop and implement a three-year financial plan that reflects the implementation and maintenance of the Board's educational and operational objectives including enhanced student educational outcomes.

To comply with the Ministry of Education and Child Care Financial Planning and Reporting Policy and the Accumulated Operating Surplus Policy when the Board is developing its three-year financial plans, it will post information on its website about how, where and when the local community and education partner groups, including local First Nations and the Metis Nation BC, can participate in developing the financial plans.

The Board will also report its progress on aligning funding and resources with their strategic priorities and other operational needs of the school district by posting annual information on its website as part of its report to the education partners and the public.

#### Quarterly Financial Results and Projections

Quarterly financial results and projections reports shall be presented to the Finance and Legal Committee. These reports will provide a "macro" (summarized) status of the performance against budget. These reports will include an identification of budget variances with explanations.

The schedule of the quarterly financial results and projections reports will be provided to the Financial and Legal Committee in September of each year.

#### Annual Financial Statements

On or before September 15 of each year, the Board is required by legislation to have its Secretary Treasurer prepare annual financial statements about the preceding fiscal year. These statements must include for each fund a statement of financial position, a statement of operations and any other information that the Minister of Education may direct or the regulations prescribe.

As per the *School Act*, the annual financial statements are subject to annual audit.

Following Board approval, the annual financial statements shall be signed by the Board Chairperson and the Secretary Treasurer. No later than September 30 of each year, the Secretary Treasurer shall forward to the Minister a copy of the financial statements together with the auditor's report. No later than December 31 of each year, the financial statements shall be published for distribution to the public, together with the auditor's report.

In addition to these annual financial statements, the Board shall prepare other financial reports and statements as may be required by the Ministry.

## **Financial Statement Discussion and Analysis**

The Financial Statement Discussion and Analysis (FSD&A) should be read in conjunction with the audited financial statements and accompanying notes of the school district. The purpose of the FSD&A is to highlight information and provide explanations which enhances the reader's understanding of the school district's financial statements as well as the factors that influenced the financial results presented in these statements.

While The preparation and presentation of the FSD&A is not a legislative Ministry requirement. ~~FSD&A is recommended by the Ministry of Education.~~ The FSD&A, along with the audited financial statements, will be presented annually to the Audit Committee.

## FINANCE

## Policy 631-R

### Accumulated Operating Surplus and Capital Reserves

By continually measuring progress towards achieving its accumulated operating surplus and capital reserves objectives, the School District can attain greater fiscal stability and better support the success of all students.

The Board will target to maintain an unrestricted accumulated operating surplus and local capital reserve balance of between 2% and 4% of the district's annual operating expenditures. Allocation of funds from the accumulated operating surplus and local capital reserves will be approved by the Board through the district's budget process. The projected accumulated operating surplus and local capital reserve will be reported to the Board, when presenting the Annual and Amended Annual Budgets, as well as, the year-end Audited Financial Statements.

### Authority

Boards of Educations are required, by legislation, to prepare balanced annual operating budgets, which may include the use or appropriation of prior year accumulated surplus. The Secretary Treasurer shall be responsible for recommending the necessary increases/decreases and transfers so that the School District's accumulated operating surplus is maintained in accordance with this Policy and Regulation.

### Accumulated Operating Surplus

The accumulated operating surplus allows the District to:

- Manage the District's financial risks and mitigate short-term volatility.
- Create a contingency fund for unforeseen circumstances. The Board recognizes that any operating revenue, not expended in a fiscal year, is added to the accumulated surplus which is presented as either internally restricted or unrestricted surplus.
- Budget for one-time and/or multi-year funding of student learning initiatives, operations projects and education programs.

The accumulated operating surplus can either be internally restricted or unrestricted. Internally restricted surplus is any accumulated operating surplus that has been designated, through a board motion or bylaw, for a specific purpose or uses. Unrestricted surplus is any accumulated operating surplus that has not been designated for a specific purpose or use.

### Internally Restricted Operating Surplus

To support long-term financial planning the Board can restrict operating surplus for use in future years within ministry specified guidelines. Restrictions can be made for items that are identified by the Board, have defined timelines, are directly related to the Board's priorities and goals outlined in its Strategic Plan, or that meet the operational needs of the District. The three streams of internally restricted operating surplus are:

Board Adoption: December 16, 2020  
Board Approval with Revisions:



- Restricted due to the nature of constraints on the funds;
- Restricted for anticipated unusual expenses identified by the board; and
- Restricted for operations spanning multiple school years.

Examples of internally restricted surplus:

- School programs and school generated fund carry-forwards.
- Educational programs or initiatives.
- Purchase order commitments.
- Impact of emerging events. Future years operating budget expenditures Contingency Reserve. The allocation of surplus towards contingency is a prudent measure which will enable the district to manage unexpected costs that may arise during the school year.
- The elimination of any deficit arising at the end of a fiscal year of operations.

## Transfer of Funds

It is expected that the annual operating budget will allow transfers to local capital which are sufficient to allow efficient acquisition and replacement of assets. Transfer to or from local capital shall be authorized through the budget bylaw process or by separate Board motion.

The Secretary Treasurer will recommend the necessary allocations and transfers so that the District's restricted operating surplus and unrestricted operating surplus are maintained in accordance with this Policy and Regulation.

## Local Capital Reserve

Local capital reserve includes accumulated capital funds, generated from Board allocation by motion or through the budget bylaw process, and disposition of capital assets originally acquired with local capital funds and investment income generated on holding funds on deposit.

Local capital reserve funds support local capital expenditures as defined in the *School Act*, such as the following categories:

- Furniture and equipment acquisition.
- Technology equipment acquisition.
- Building improvements, renovations and additions.
- Vehicle acquisition.
- Other capital initiatives and projects.
- Contingency for unanticipated capital expenditures.

## Restricted for Future Capital Cost Sharing

To support major capital projects that are identified in the Board's Five-year Capital Plan and approved by the Ministry for concept plan or business case development, the Board may restrict operating surplus to satisfy capital project cost share expectations at the time the project is brought forward for funding approval.

## **Unrestricting Internally Restricted Surplus Funds**

Internally restricted surplus is any accumulated surplus that has been designated for a specific purpose or use. The Board shall have the authority to unrestrict surplus funds, that have been previously internally restricted, through the budget bylaw process or by separate Board motion.

### **Reporting**

The Board will use the Ministry financial reporting framework and template to provide an annual report on the budget allocation decisions, including operating surplus and local capital, demonstrating that approved allocations support the Board's strategic objectives.

## POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

	POLICY	STATUS	DATE/TIMELINE
1	<b>Policy 101:</b> Goals and Objectives	Requires revision upon completion of District Strategic Plan.	<ul style="list-style-type: none"> <li>Oct 3 2022 – Report from the Superintendent</li> <li>Dec 12 2022 - Draft revised policy for preliminary feedback from trustees/stakeholder representatives</li> <li>Jan 23 2023: Public report on Recommendation to refer revised initial draft of Policy 101 and proposed new Regulation 101-R to stakeholder input process</li> <li>Currently under stakeholder review process from January 26 to March 6</li> <li>Apr 17 2023: Public Report for possible Notice of Motion to Apr 26 Board meeting</li> <li><b>For possible final approval in May board meeting</b></li> </ul>
2	<b>Policy 102:</b> Diversity and Inclusion	Requires revision	<ul style="list-style-type: none"> <li>Dec 12 2022: DEI Advisory Committee Policy Update</li> <li>Jan 23 2023: Public report on revised policy checklist from DEI Advisory Committee</li> <li>Revised policy checklist approved by Policy Committee</li> </ul>
3	<b>Policy 103 Bylaw:</b> Complaints by Students, Parents & the Public	Requires revision	2022
4	<b>Policy 105-R:</b> District Code of Conduct: How we Learn and Work Together Personal Use of District Supplies, Equipment and Facilities	Requires revision	<ul style="list-style-type: none"> <li>Feb 8 2021 – Executive Director presented Report and proposed Draft revised Regulation to Policy Committee. Guideline and Policy were reviewed at the Nov 18, 2020 F&amp;L Committee</li> </ul>

*Updated to May 15, 2023*

## POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

			meeting, that advised it be brought to Policy for review.
5	<b>Policy 201:</b> Board Operations	Requires revision	<ul style="list-style-type: none"> <li>Dec 12 2022 - Initial public report outlining rationale for policy revision and timeline; Opportunity for preliminary feedback from trustees/stakeholder representatives</li> <li>Feb 13 2023: Revised policy reflecting preliminary feedback shared with committee. Possible referral to Board for entry into stakeholder review process. Potential Board approval for entry into stakeholder review process.</li> <li>Currently under stakeholder review process from Feb 23 to Apr 28</li> <li>May 15 2023: Public Report for possible Notice of Motion to May 24 Board meeting</li> </ul>
6	<b>Policy 311/311-R: Freedom of Information and Protection of Privacy [New]</b>		<ul style="list-style-type: none"> <li>May 15 2023: Revised policy reflecting trustee feedback shared with the Committee. Possible Notice of Motion to May 24 board meeting</li> </ul>
7	<b>Policy 502:</b> Student Behaviour and Discipline <b>Policy 502.1:</b> Maintenance of Orderly Conduct <b>Policy 502.2/502.2-R:</b> Student Suspension or Exclusion from School <b>Policy 502.3/502.3-R:</b> Student Possession of Weapons	Requires revision	<ul style="list-style-type: none"> <li>Jan 18 2021 – Update provided by Deputy Superintendent. Policies and regulations will be updated in with District Code of Conduct and brought back to the Committee for further review and feedback.</li> </ul>
8	<b>Policy 522/522-R:</b> Transportation	Requires revision	2022

*Updated to May 15, 2023*

## POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

9	<b>Policy 621/621-R:</b> Financial Planning and Reporting and <b>Policy 631-R:</b> Accumulated Operating Surplus and Capital Reserves		<ul style="list-style-type: none"> <li>May 15 2023: Revised policy reflecting trustee feedback shared with the Committee. Possible Notice of Motion to May 24 board meeting</li> </ul>
10	<b>Policy 701.11/701.11-R:</b> Naming and Renaming of Board Owned Facilities or Parts of Board Owned Facilities	Requires revision	<ul style="list-style-type: none"> <li>Mar 7 2022 - Update for information from the Deputy Superintendent; To be aligned with the Diversity &amp; Anti-racism Working Group Report</li> </ul>
11	<b>Policy 701.12/701.12-G:</b> Official School Openings	Removed from Phase 1 Section 700 Policies package; under review	To be re-submitted in Spring 2023
12	<b>PHASE 3 - Policy Section 700: Facilities:</b>  Policy 703.1 - Accident Prevention and Safety Procedure  Policy 703.2 - First Aid and Accident Reports  Policy 703.5 and Regulation 703.5-R - Health and Safety  Policy 703.6 and Regulation 703.6-R - Protection of Employees from Violence in the Workplace  Policy 705 and Regulation 705-R - Telephones  Policy 706 - Smoke Free Environments  Policy 703.7 and Regulation 703.7-R - Closure of Schools Due to Emergent Conditions  Policy 707 and Regulation 707-R - Post Disaster Procedures  Policy 708 and Regulation 708-R - Video Surveillance	Under review	To be submitted in Spring 2023
13	<b>Document Management Policy</b>	On hold	

*Updated to May 15, 2023*