

Policy Committee
Public Meeting Agenda

Tuesday, November 14, 2023 – 11:00 am
via Zoom

<https://sd38.zoom.us/j/68679575231>

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.

- 1. Adopt Agenda**
- 2. Approve Minutes**
Public minutes from meeting held October 16, 2023 attached.
- 3. Policy 102: Diversity and Inclusion**
Update from Assistant Superintendent Brautigam
- 4. Policy 402/402-R: Public Interest Disclosure Policy**
Report from the Secretary Treasurer attached.
- 5. Status of Current and Anticipated Items**
Status Update attached.
- 6. Next Meeting Date – Monday, December 11, 2023 at 11:00 am**
- 7. Adjournment**

Policy Committee
Public Meeting Minutes

Monday, October 16, 2023 – 11:00 am
Via Zoom

Present:

Vice Chairperson
Trustee Member
Trustee Alternate
Trustee

Superintendent

Deputy Superintendent

1st Vice President, Richmond Teachers' Association

2nd Vice President, Richmond Teachers' Association

Vice President, Richmond Association of School Administrators

President, Canadian Union of Public Employees 716

Chairperson, Richmond Management and Professional Staff

Executive Assistant (Recording Secretary)

H. Larson

D. Yang

R. Belleza

A. Wong

C. Usih

R. Ryan

S. Wenglowski

F. Marsic

A. Goulas

S. Robinson

K. Gibson

J. Coronel

*Present for a portion of the meeting

Regrets:

Chairperson

D. Tablotney

The Vice Chairperson called the meeting to order at 11:00 am.

The Richmond Board of Education acknowledged and thanked the First Peoples of the hə́nqəmínə́m 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 September 18, 2023 were approved as circulated.

3. Status of Current and Anticipated Items

An updated status document was provided with the agenda package.

The Deputy Superintendent explained that updated information and timelines have been added to the status document. He then offered to forward questions from RTA and CUPE representatives to the Secretary Treasurer on the revision process of Policy 703.6/703.6-R on Protection of Employees from Violence in the Workplace and how recent data on workplace violence within the district will impact changes to the policy. He also provided context on the nature of the ongoing revisions to policies on Student Behaviour and Discipline and Student Suspensions or Exclusion from School.

The Deputy Superintendent also assured trustees that staff are working on the revision of policies within the anticipated timelines.

4. Next Meeting Date – Tuesday, November 14, 2023 at 11:00 am.

5. Adjournment

The meeting adjourned at 11:14 am.

Respectfully Submitted,

*Heather Larson
Vice Chairperson, Policy Committee*

Report to the Policy Committee Public

DATE: November 14, 2023

FROM: Cindy Wang, Secretary Treasurer

SUBJECT: Policy 402, 402-R, 402-G: Public Interest Disclosure Policy

RECOMMENDATION:

THAT the Chairperson of the Policy Committee bring forward a Notice of Motion to the Board of Education at its November 22, 2023 public meeting that a recommendation for the board's consideration will be presented at the December 20, 2023 public meeting to approve Policy 402/402-R: Public Interest Disclosure.

BACKGROUND:

The *Public Interest Disclosure Act* (the *Act*) came into effect on December 1, 2019. The *Act* was established to protect whistleblowers in the public sector entities, was initially applied to provincial government ministries and independent offices of the legislature. In September 2020, the Ministry of Attorney General informed the British Columbia Public School Employers' Association (BCPSEA) of the government's commitment to extending the coverage of the *Act* to school districts by 2024.

DISCUSSIONS:

There are currently thirty one school districts that have a policy on public interest disclosure or whistleblower protection. Out of these thirty one school districts, twelve have updated their PIDA policies to align with the requirements provided by the provincial government and BCPSEA.

This report presents the draft Policy, including the Regulation, Administrative Guidelines and Public Interest Disclosure Form, which align with BCPSEA's requirements provided to school districts during summer 2023. Please refer to the attachments of this report for the draft policies and related documents.

PROPOSED TIMELINE:

The table below is the proposed timeline for the Board of Education to adopt and implement the Public Interest Disclosure Policy.

September 2023	In-camera Policy Committee meeting	Initial discussion by members of Policy Committee regarding the background and proposed timeline and process to establish the PIDA policy.
October 2023	In-camera Policy Committee meeting	Draft policy shared for feedback from trustees.

November 2023	Public Policy Committee meeting	Draft policy reflecting trustee feedback to be shared with the Committee. Referral to the Board for notice of motion.
November 2023	Public Board meeting	Possible notice of motion for approval at December Board meeting.
December 2023	Public Board meeting	Possible final approval of the new policy.

CONCLUSION:

The Board's policy framework does not currently have a policy addressing public interest disclosure protection or whistleblower protection. It is recommended that the PIDA policy be included in the 400 Human Resources section of the policy framework, as the nature of this policy directly relates to personnel matters within the organization.

According to Board Policy 204-R, it is recommended not to include this policy in the stakeholder review process, since it is a legislatively mandated requirement for a Board of Education to adopt such a policy.

Following the establishment of this Policy, the district will provide training for all employees using the materials provided by BCPSEA. Additionally, the district is also required to align their annual PIDA report with the school year, with the first report covering December 1, 2023 to June 30, 2024, and be finalized by December 31, 2024.

Respectfully Submitted,

*Cindy Wang MSc, CPA-CA
Secretary Treasurer*

Attachments:

1. *Draft Policy 402: Public Interest Disclosure*
2. *Draft Policy 402-R: Public Interest Disclosure*
3. *Draft Policy 402-G: Public Interest Disclosure – Administrative Guidelines*
 - a. *Appendix 1: PIDA Disclosure Form*

HUMAN RESOURCES

Policy 402

PUBLIC INTEREST DISCLOSURE

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

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

Reference: [Public Interest Disclosure Act](#)

HUMAN RESOURCES

Policy 402-R

PUBLIC INTEREST DISCLOSURE

1. Scope of Policy

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

2. Definitions

In this Policy and the Guidelines, the following capitalized terms are defined as indicated:

- 2.1 "**Advice**" means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy or PIDA;
- 2.2 "**Discloser**" means an Employee or Trustee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;
- 2.3 "**Disclosure**" means a report of Wrongdoing made under this Policy and includes allegations of Wrongdoing received by the School District from the Ombudsperson or another government institution for investigation in accordance with PIDA;
- 2.4 "**Employee**" refers to a past and present employee of the School District;
- 2.5 "**FIPPA**" means the *Freedom of Information and Protection of Privacy Act*, and all regulations thereto;
- 2.6 "**Guidelines**" means the School District's Administrative Guidelines associated with this Policy;
- 2.7 "**Investigation**" means an investigation undertaken by the School District under this Policy or by the Ombudsperson under PIDA;
- 2.8 "**Ombudsperson**" means the Ombudsperson of British Columbia;
- 2.9 "**Personal Information**" has the same meaning set out in FIPPA, namely "recorded information about an identifiable individual", and includes any information from which

the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;

2.10 “**PIDA**” means the *Public Interest Disclosure Act* of British Columbia, and all regulations thereto;

2.11 “**Policy**” means the School District’s Public Interest Disclosure Policy;

2.12 “**Reprisal**” means the imposition of, and any threat to impose, discipline, demotion, termination or any other act that adversely affects employment or working condition of an Employee or Trustee because they made a Disclosure, sought Advice, made a complaint about a Reprisal or participated in an Investigation;

2.13 “**Trustee**” means a past or present member of the School District’s Board of Education; and

2.14 “**Wrongdoing**” refers to:

2.14.1 a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;

2.14.2 an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee’s duties or functions;

2.14.3 a serious misuse of public funds or public assets;

2.14.4 gross or systematic mismanagement;

2.14.5 knowingly directing or counselling a person to commit any act or omission described in paragraphs 2.14.1 and 2.14.4 above.

3. Statement of Principles

3.1 The School District is committed to supporting ethical conduct in its operations, and seeks to foster a culture in which Employees and Trustees are encouraged to disclose Wrongdoing, including by receiving, investigating and responding to Disclosures and by providing information and training about PIDA, this Policy and the Guidelines.

3.2 The School District will investigate Disclosures that it receives under this Policy. Investigations under this Policy will be carried out in accordance with the principles of procedural fairness and natural justice.

3.3 The School District will not commit or tolerate Reprisals against any Employee or Trustee who, in good faith, makes a request for Advice, makes a Disclosure, participates in an Investigation or makes a complaint under this Policy.

- 3.4 The School District is committed to protecting the privacy of Disclosers, persons accused of Wrongdoing and those who participate in Investigations in a manner that is consistent with its obligations under PIDA and FIPPA.

4. Privacy and Confidentiality

All Personal Information that the School District collects, uses or shares in the course of receiving or responding to a Disclosure, a request for Advice, a complaint of a Reprisal, or conducting an Investigation will be treated as confidential and will be used and disclosed as described in this Policy, the Guidelines, PIDA or as otherwise permitted or required under FIPPA and other applicable laws.

5. Reporting

Each year, the Superintendent shall prepare, in accordance with the requirements of PIDA, and make available, a report concerning any Disclosures received, Investigations undertaken and findings of Wrongdoing. All reporting under this Policy will be in compliance with the requirements of FIPPA.

6. Responsibility

The Superintendent is responsible for the administration of this Policy, and shall ensure that training and instruction is available to all Employees and Trustees concerning this Policy, the Guidelines and PIDA.

In the event that the Superintendent is unable or unavailable to perform their duties under this Policy, the Superintendent may delegate their authority in writing to the Secretary-Treasurer or other senior members of the School District.

References:

[Public Interest Disclosure Act](#)

[BC Freedom of Information and Protection of Privacy Act](#)

HUMAN RESOURCES

Policy 402-G

Public Interest Disclosure Policy

1. Definitions

In this Guidelines and the Policy, the following capitalized terms are defined as indicated:

- 1.1 **"Advice"** means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy of PIDA;
- 1.2 **"Designated Officer"** means the Superintendent and any other senior member of the School District designated by the Superintendent from time to time, which includes, in accordance with section 5 of this Guidelines, the Secretary Treasurer, and the Chairperson of the Board of Education;
- 1.3 **"Discloser"** means an Employee or Trustee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;
- 1.4 **"Disclosure"** means a report of Wrongdoing made under this Policy and includes allegations of Wrongdoing received by the School District from the Ombudsperson or another government institution for investigation in accordance with PIDA;
- 1.5 **"Disclosure Form"** means the form attached to this Guidelines as Appendix 1.
- 1.6 **"Employee"** refers to a past and present employee of the School District;
- 1.7 **"FIPPA"** means the *Freedom of Information and Protection of Privacy Act*, and all regulations thereto;
- 1.8 **"Guidelines"** means the School District's Administrative Guidelines associated with this Policy;
- 1.9 **"Investigation"** means an investigation undertaken by the School District under this Policy or by the Ombudsperson under PIDA;
- 1.10 **"Ombudsperson"** means the Ombudsperson of British Columbia;
- 1.11 **"Personal Information"** has the same meaning set out in FIPPA, namely "recorded information about an identifiable individual", and includes any information from which the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;
- 1.12 **"PIDA"** means the *Public Interest Disclosure Act* of British Columbia, and all regulations thereto;
- 1.13 **"Policy"** means the School District's Public Interest Disclosure Policy;

1.14 “**Protection Official**” means:

- 1.14.1 in respect of a health-related matter, the provincial health officer,
- 1.14.2 in respect of an environmental matter, the agency responsible for the *Emergency Program Act*, or
- 1.14.3 in any other case, a police force in British Columbia.

1.15 “**Reprisal**” means the imposition of, and any threat to impose, discipline, demotion, termination or any other act that adversely affects employment or working condition of an Employee or Trustee because they made a Disclosure, sought Advice, made a complaint about a Reprisal or participated in an Investigation;

1.16 “**Respondent**” means a person against whom allegations of Wrongdoing or a complaint of reprisal is made;

1.17 “**School**” means:

- 1.17.1 a body of students that is organized as a unit for educational purposes under the supervision of a principal or vice principal;
 - 1.17.2 the teachers and other staff members associated with the unit, and
 - 1.17.3 the facilities associated with the unit,
- and includes a Provincial resource program and a distributed learning school operated by a board;

1.18 “**Supervisor**” includes:

- 1.18.1 an Employee’s direct management supervisor;
- 1.18.2 for School-based Employees, the Principal or any Vice-Principal at the School where the Employee is assigned; and
- 1.18.3 for Trustees, the Board Chairperson or the Superintendent of Schools;

1.19 “**Trustee**” means a past or present member of the School District’s Board of Education;

1.20 “**Urgent Risk**” arises there is a reasonable belief that a matter constitutes an imminent risk of a substantial and specific danger to the life, health or safety of persons or to the environment.

1.21 “**Wrongdoing**” refers to:

- 1.21.1 a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- 1.21.2 an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee’s duties or functions;
- 1.21.3 a serious misuse of public funds or public assets;

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1.21.4 gross or systematic mismanagement;

1.21.5 knowingly directing or counselling a person to commit any act or omission described in paragraphs 1.21.1 to 1.21.4 above.

2. Who may Make a Disclosure

2.1 Any Employee may report Wrongdoing under this Policy if the alleged Wrongdoing occurred or was discovered while the Employee was employed or engaged by the School District.

2.2 Any Trustee may report Wrongdoing under this Policy if the alleged Wrongdoing occurred or was discovered while the Trustee was holding office.

2.3 Reports received from members of the public or from Employees or Trustees who were not employed by or held office with the School District at the time that the alleged Wrongdoing occurred or was discovered are outside the scope of the Policy and this Guidelines.

3. How to Make a Disclosure

3.1 An Employee or Trustee who reasonably believes that a Wrongdoing has been committed or is about to be committed may make a Disclosure to any of the following:

3.1.1 that person's Supervisor;

3.1.2 the Superintendent;

3.1.3 a Designated Officer other than the Superintendent; or

3.1.4 The Ombudsperson.

3.2 A Disclosure should be submitted in writing using the Disclosure Form or in other written form, and include the following information if known:

3.2.1 a description of the Wrongdoing;

3.2.2 the name of the person(s) alleged to be responsible for or to have participated in the Wrongdoing;

3.2.3 the date or expected date of the Wrongdoing;

3.2.4 if the Wrongdoing relates to an obligation under a statute or enactment, the name of that statute or enactment; and

3.2.5 whether the Wrongdoing has already been reported, and if so, to whom and a description of the response received.

3.3 A Disclosure may be submitted to the School District on an anonymous basis, but must contain sufficient information to permit the School District to conduct a full and fair investigation into the alleged Wrongdoing. If a Disclosure does not contain sufficient detail to permit investigation, the School District may take no action with respect to the Disclosure. Any notices required to be given to a Discloser under this Policy or PIDA will

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not be provided to an anonymous Discloser, except at the discretion of the Designated Officer and where the Disclosure has provided contact information.

- 3.4 A Discloser who is considering making a Disclosure may request Advice from any of their union representative or employee association representative, a lawyer, their Supervisor, a Designated Officer, or the Ombudsperson.
- 3.5 A Discloser should not make a Disclosure to a person if the allegations relate, in whole or in part, to alleged Wrongdoing by that person, and any person who receives a Disclosure and reasonably believes that the allegations of Wrongdoing relate to their own acts or omissions must refer the allegations of Wrongdoing to another person under this Policy with responsibility for receiving a Disclosure.

4. How to Make a Disclosure About Urgent Risk

- 4.1 PIDA permits Employees and Trustees to make public disclosures if the Employee or Trustee reasonably believes that a matter poses an Urgent Risk. An Urgent Risk only arises if there is reasonable and credible evidence of an imminent risk of a substantial and specific danger to the life, health or safety of persons or to the environment.
- 4.2 Before making a public disclosure of an Urgent Risk the Employee or Trustee must:
 - 4.2.1 consult with the relevant Protection Official (public health officer, Emergency Management BC, or police),
 - 4.2.2 receive and follow the direction of that Protection Official, including if the Protection Official directs the Employee not to make the public disclosure,
 - 4.2.3 refrain from disclosing, publishing or otherwise sharing Personal Information except as necessary to address the Urgent Risk;
 - 4.2.4 refrain from disclosing any information that is privileged or subject to a restriction on disclosure under PIDA or any other enactment of British Columbia or Canada, including legal advice privilege, litigation privilege or another ground of common law privilege, and
 - 4.2.5 seek appropriate advice if uncertain about what Personal Information, privileged or other information may be disclosed as part of a public disclosure.
- 4.3 An Employee or Trustee who makes a public disclosure in relation to an Urgent Risk is expected to provide timely notification to their Supervisor or the Superintendent about the public disclosure or submit a Disclosure in accordance with section 3 above.
- 4.4 If the Employee or Trustee decides not to make a public disclosure or is directed by a Protection Official not to do so, the Employee or Trustee is nevertheless expected to report Urgent Risks without delay to the Superintendent or a Designated Officer.

5. Referral to Designated Officer

5.1 Each Supervisor and any other Employee or Trustee who receives a Disclosure under this Policy must promptly refer it, including all Disclosures Forms and other materials supplied, to the appropriate Designated Officer as follows:

5.1.1 Unless the allegations concern alleged Wrongdoing by the Superintendent, the Disclosure shall first be referred to the Superintendent who may delegate their duties under the Policy and this Guidelines to any other Designated Officer;

5.1.2 If the allegations concern alleged Wrongdoing by the Superintendent, then the Disclosure should be referred to Office of the Ombudsperson.

6. Responsibilities of the Designated Officer

The Designated Officer is responsible to:

6.1 Receive and respond to any Disclosure;

6.2 Receive and respond to reports made about Urgent Risks;

6.3 If the Designated Officer reasonably believes that an Urgent Risk exists, the Designated Officer may make a report to the relevant Protection Official;

6.4 Review allegations of Wrongdoing in a Disclosure and determine if they fall within the scope of PIDA or the Policy;

6.5 Refer disclosures or allegations falling outside the scope of PIDA or this Policy to the appropriate authority or dispute resolution process, as applicable;

6.6 If a Disclosure relates to Wrongdoing at another government body that is subject to PIDA, refer the Disclosure to that institution;

6.7 Seek clarification of the allegations of Wrongdoing from the Discloser or referring institution as needed;

6.8 If appropriate, initiate an Investigation into allegations of Wrongdoing in accordance with section 8 below;

6.9 Assess the risk of any Reprisal to the Discloser, and take appropriate action, if any, to mitigate that risk;

6.10 Manage communications with the Discloser and Respondent;

6.11 Notify the Discloser and the Respondent of the outcome of the Investigation in accordance with section 8.7; and

6.12 Ensure that, in accordance with section 9 of this Guidelines, all Personal Information received by the School District related to the Disclosure, request for Advice or any Investigation is appropriately protected against such risks as unauthorized access, collection, use, disclosure, theft or loss in accordance with FIPPA and PIDA.

7. Responsibilities of Employees and Trustees

All Employees and Trustees are responsible to:

- 7.1 Make any Disclosures in good faith and on the basis of a reasonable belief that Wrongdoing has or is expected to occur;
- 7.2 Refrain from engaging in Reprisals and report all Reprisals in accordance with this Guidelines and PIDA;
- 7.3 Maintain the confidentiality of Personal Information received in connection with a Disclosure, request for Advice or Investigation in accordance with the Policy, this Guidelines, and PIDA;
- 7.4 Provide their reasonable cooperation with investigations by the School District or the Ombudsperson;
- 7.5 Seek appropriate advice if uncertain about whether to make a Disclosure or a public disclosure of an Urgent Risk; and
- 7.6 Comply with the requirements of this Guidelines and PIDA concerning Urgent Risks.

8. Investigations

- 8.1 Every person involved in receiving, reviewing and investigating Disclosures must carry out those function in an expeditious, fair and proportionate manner as appropriate in the circumstances and as required under PIDA.
- 8.2 The School District shall seek to complete all Investigations within 90 calendar days of receipt of a Disclosure, but the Designated Officer may shorten or extend this time period depending on the nature and complexity of the allegations.
- 8.3 The Designated Officer may expand the scope of any Investigation beyond the allegations set out in the Disclosure to ensure that any potential Wrongdoing discovered during an Investigation is investigated.
- 8.4 All Investigations shall be conducted by an internal or external investigator with sufficient qualifications and experience to carry out the Investigation, though overall responsibility and accountability for the Investigation remains with the Designated Officer.
- 8.5 The Designated Officer may consult with the Ombudsperson regarding a Disclosure or refer allegations of Wrongdoing in whole or in part to the Ombudsperson, provided that notice of the referral is provided to the applicable Discloser.
- 8.6 The Designated Officer may refuse to investigate or postpone or stop an Investigation if the Designated Officer reasonably believes that:
 - 8.6.1 the Disclosure does not provide adequate particulars of the Wrongdoing;

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- 8.6.2 the Disclosure is frivolous or vexatious, has not been made in good faith, has not been made by a person entitled to make a Disclosure under the Policy or PIDA, or does not deal with Wrongdoing;
 - 8.6.3 the Investigation would serve no useful purpose or could not reasonably be conducted due to the passage or length of time between the date of the alleged Wrongdoing and the date of the Disclosure;
 - 8.6.4 the investigation of the disclosure would serve no useful purpose because the subject matter of the disclosure is being, or has been, appropriately dealt with;
 - 8.6.5 the Disclosure relates solely to a public policy decision;
 - 8.6.6 the allegations are already being or have been appropriately investigated by the Ombudsperson, the School District or other appropriate authority;
 - 8.6.7 the Investigation may compromise another investigation; or
 - 8.6.8 PIDA otherwise requires or permits the School District to suspend or stop the Investigation.
- 8.7 Subject to the School District's obligations under FIPPA and section 3.3 above, the Discloser and the Respondent(s) will be provided with a summary of the School District's findings, including:
- 8.7.1 notice of any finding of Wrongdoing;
 - 8.7.2 a summary of the reasons supporting any finding of Wrongdoing;
 - 8.7.3 any recommendations to address findings of Wrongdoing.

9. Privacy and Confidentiality

- 9.1 All Personal Information that the School District collects, uses or shares in connection with a Disclosure, request for Advice, or an Investigation shall be treated as confidential and shall be used and disclosed by the School District only as described in the Policy, the Guidelines and PIDA unless otherwise permitted or required under FIPPA or other applicable laws.
- 9.2 Personal Information that is collected, used or shared by the School District in the course of receiving, responding to or investigating a Disclosure or a request for Advice Reprisal shall be limited to the Personal Information that is reasonably required for these purposes.
- 9.3 Any person who, in their capacity as an Employee or Trustee, receives information about the identity of a Discloser shall maintain the identity of the Discloser in confidence, and may only use or share that information for the purposes described in this Policy or PIDA, except with the consent of the Discloser or as authorized or required by PIDA or other applicable laws.

- 9.4 The School District shall ensure there are reasonable security measures in place to protect all Personal Information that the School District collects or uses in the course of receiving or responding to a Disclosure, a request for Advice, or conducting an Investigation, including by ensuring that such information is subject to appropriate controls to ensure that it is only shared by its employees and trustees internally on a need to know basis.

10. Reprisals

- 10.1 The School District will not tolerate Reprisals against Employees or Trustees.
- 10.2 Any Employee or Trustee who believes that they have been the subject of a Reprisal may make a complaint to the Ombudsperson, who may investigate in accordance with the procedures set out in PIDA.
- 10.3 Any person who engages in any Reprisals shall be subject to disciplinary action up to and including, for an Employee, dismissal for cause.

References:

[Public Interest Disclosure Act](#)

[BC Freedom of Information and Protection of Privacy Act](#)

DISCLOSURE FORM

INSTRUCTIONS

Before filling out this Public Interest Disclosure Form, please review the School District's Public Interest Disclosure Policy and Guidelines [<insert link>](#). Please also ensure that you provide all required details and attach copies of any documents you wish to submit as part of your report. The completed form (together with all attachments) may be submitted by email to PIDA@sd38.bc.ca or by mail to the Office of the Secretary Treasurer, 7811 Granville Ave, Richmond, BC V6Y 3E3 or (604) 668-6008.

PRIVACY STATEMENT

The personal information submitted in this Public Interest Disclosure Form is collected by the School District under sections 26(a) and (c) of the Freedom of Information and Protection of Privacy Act, and will be used to assess, review, investigate and respond to allegations of wrongdoing made under the Public Interest Disclosure Act. If you have any questions about the collection, use or disclosure of your personal information in connection with your disclosure, please contact the Privacy Officer at privacy@sd38.bc.ca, 7811 Granville Ave, Richmond, BC V6Y 3E3 or (604) 668-6008.

CONFIDENTIALITY

Reports made under the Public Interest Disclosure Act are received and held in confidence by the School District. The reports and information received will be used and shared only to the extent reasonable and necessary to assess, investigate and respond to your disclosure and will not be used or disclosed for other purposes except as permitted or required under the Freedom of Information and Protection of Privacy Act and the Public Interest Disclosure Act or other applicable laws.

COMPLETING THE DISCLOSURE FORM

The purpose of this Public Interest Disclosure Form is to assist you in making a disclosure under the Public Interest Disclosure Act. The requested information is to ensure we have sufficient information to carefully review, investigate and respond to your disclosure. If you are unable to provide all requested details at the time you make your initial disclosure, you may ask to submit additional details at a later time.

DISCLOSURE REPORT

1. Are you a current employee of the School District?

☐ Yes ☐ No

2. Were you an employee of the School District when the alleged wrongdoing occurred or was discovered?

☐ Yes ☐ No

3. Please enter your contact information below so that we can communicate with you about your disclosure. Your identity and contact information may be shared with investigators to allow them to communicate with you.

While anonymous disclosures may be accepted under the Public Interest Disclosure Act, we may not be able to investigate if we are unable to contact you to confirm you are a current or former employee or to obtain further details, evidence or clarification about your disclosure.

NAME	ADDRESS
EMAIL	PHONE
ADDITIONAL INSTRUCTIONS e.g. How would you prefer to be contacted? May we leave messages for you?	

4. A report may be made under the Public Interest Disclosure Act for any of the following categories of wrongdoing. Please check any that apply:

- ☐ serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- ☐ an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
- ☐ a serious misuse of public funds or public assets;
- ☐ gross or systemic mismanagement;
- ☐ knowingly directing or counselling a person to commit a wrongdoing described above.

If your report does not fall within one of these categories, you may wish to consider whether your report falls under another policy or guidelines of the School District.

[<Insert Link to District Policies>](#).

5. In the space below, please describe the alleged wrongdoing and the person(s) alleged to have committed the wrongdoing. Please provide as much detail as you are able, including:

- A description of the wrongdoing and any relevant background,
- The names of those responsible,
- When and where the wrongdoing occurred,
- Names of people who witnessed the wrongdoing, if available,
- Any law or legislation that has been breached.

DESCRIPTION OF ALLEGED WRONGDOING

6. Have you previously reported the wrongdoing to the School District?

☐ Yes ☐ No

If yes, please indicate who the report was made to and any actions taken.

REPORT DATE AND PERSON REPORTED TO

7. Please describe any other steps or action that you or others have taken to address, report or prevent the reported wrongdoing.

OTHER ACTION TAKEN

8. Do you know of any other organizations that are investigating the reported wrongdoing or whether other complaints or claims about the wrongdoing have been filed (e.g. court filings, grievance, human rights complaint, privacy complaint, police investigation, etc.). Please explain.

OTHER INVESTIGATIONS

POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

	POLICY	STATUS	DATE/TIMELINE
1	Policy 101: Goals and Objectives	Approved in May 2023	
2	Policy 102: Diversity and Inclusion Senior Staff Responsible: Christel Brautigam	Requires revision	<ul style="list-style-type: none"> • DEI Advisory Committee Policy Update (Dec 2022) • Public report on revised policy checklist from DEI Advisory Committee; Revised policy checklist approved by Policy Committee (Jan 2023) • Anticipate submission of revised policy to public meeting in 2024
3	Policy 103 Bylaw: Complaints by Students, Parents & the Public Senior Staff Responsible: Rick Ryan	Requires revision	<ul style="list-style-type: none"> • Anticipate submission of revised policy to public meeting in 2024
4	Policy 105-R: District Code of Conduct: How we Learn and Work Together Personal Use of District Supplies, Equipment and Facilities Senior Staff Responsible: Cindy Wang	Requires revision	<ul style="list-style-type: none"> • Public report on draft revised policy (Feb 2021) <ul style="list-style-type: none"> - Committee agreed that there would be more discussion and review around process for the revision to be brought back at a later date • Anticipate submission of revised policy to public meeting in 2024
5	Policy 201: Board Operations	Approved in June 2023	
6	Policy 311/311-R: Freedom of Information and Protection of Privacy	Approved in June 2023	
7	Policy 402/402-R: Public Interest Disclosure Policy [New] Senior Staff Responsible: Cindy Wang		<ul style="list-style-type: none"> • Public report on draft policy; Referral to the board for notice of motion (Nov 2023)

Updated to November 14, 2023

POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

	POLICY	STATUS	DATE/TIMELINE
8	Policy 502: Student Behaviour and Discipline Policy 502.1: Maintenance of Orderly Conduct Policy 502.2/502.2-R: Student Suspension or Exclusion from School Policy 502.3/502.3-R: Student Possession of Weapons Senior Staff Responsible: Jane MacMillan	Requires revision	<ul style="list-style-type: none"> 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 (Jan 2021) Anticipate submission of revised policy to public meeting in 2024
9	Policy 522/522-R: Transportation Senior Staff Responsible: Cindy Wang/Jane MacMillan	Requires revision	<ul style="list-style-type: none"> Anticipate submission of revised policy to public meeting in 2024
10	Policy 621/621-R: Financial Planning and Reporting and Policy 631-R: Accumulated Operating Surplus and Capital Reserves	Approved in June 2023	
11	Policy 701.11/701.11-R: Naming and Renaming of Board Owned Facilities or Parts of Board Owned Facilities Senior Staff Responsible: Rick Ryan	Revision placed on hold	<ul style="list-style-type: none"> Update for information from the Deputy Superintendent (Mar 2022) Policy revision and development placed on hold to allow for the Anti-Racism Working Group Report to the Board Policy 102 will be reviewed/refreshed to inform and ensure alignment with a redrafted Policy 701.11/701.11-R
12	Policy 701.12/701.12-G: Official School Openings Senior Staff Responsible: Cindy Wang	Removed from Phase 1 Section 700 Policies package; under review	<ul style="list-style-type: none"> Anticipate submission of revised policy to public meeting in 2024
13	PHASE 3 - Policy Section 700: Facilities: 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	Under review	<ul style="list-style-type: none"> Anticipate submission of revised policy to public meeting in 2024

Updated to November 14, 2023

POLICY COMMITTEE: STATUS OF CURRENT AND ANTICIPATED ITEMS

	POLICY	STATUS	DATE/TIMELINE
	<p>Policy 703.6 and Regulation 703.6-R - Protection of Employees from Violence in the Workplace</p> <p>Policy 705 and Regulation 705-R - Telephones</p> <p>Policy 706 - Smoke Free Environments</p> <p>Policy 703.7 and Regulation 703.7-R - Closure of Schools Due to Emergent Conditions</p> <p>Policy 707 and Regulation 707-R - Post Disaster Procedures</p> <p>Policy 708 and Regulation 708-R - Video Surveillance</p> <p>Senior Staff Responsible: Cindy Wang</p>		