

SCHOOL DISTRICT 63 (SAANICH)
POLICY DEVELOPMENT COMMITTEE
Agenda

Committee Members:	Trustee VanWell, Chair Trustee Elder Trustee McMurphy
Staff Support:	Dave Eberwein, Superintendent of Schools Jason Reid, Secretary Treasurer
Partner Representatives:	Shannon Toronitz, STA CUPE Sean Kenny, SAA COPACS
Other Attendees:	

**Tuesday, January 6, 2026
1:00 pm**

A. PRESENTATIONS AND QUESTIONS

No Items.

B. ITEMS FOR DISCUSSION

1. Bylaw 11 – Indemnification – Mike Hancock, Harris & Co to join
2. Policy 10 – Delegation of Authority
3. Policy 14 – Role of the Superintendent
4. Policy 20 – Environmental Sustainability

C. ITEMS FOR RECOMMENDATION

1. Policy 13 – Trustee Code of Conduct

As the required Notice of Motion has been provided on October 14, 2025, I, Trustee VanWell move that revisions to Policy 13 (Trustee Code of Conduct) be approved.

2. Policy 21 – Student Transportation

That the Board confirm its consideration of the proposed amendments to Policy 21 (Student Transportation).

D. ITEMS FOR INFORMATION

No Items.

E. FUTURE AGENDA ITEMS

Policies 22, 23 – Feb 2026

Policies 24, 25, 26 – Mar 2026

Policies 18 – Apr 2026

Policies 19 – May 2026

Policies 27, 29 – June 2026

BYLAW 11: INDEMNIFICATION

It is in the interest of a responsive and efficient public service that trustees, officers and employees be protected against a claim of damages arising out of the performance of their duties. None of these individuals should be placed in a position of personal liability for the performance of responsibilities vested in them by the School Act or assigned to them by the Board.

By-Law:

1. The Board will indemnify a Trustee, an officer or an employee of the Board, **or a member of an Indigenous education council**
 1. Against a claim for damages against the Trustee, officer, ~~or employee~~, **or member of an Indigenous education council** arising out of performance of their duties; or
 2. Where an inquiry under **Part 2 of** the Public Inquiry Act or other proceeding involves the administration and conduct of the business of the School District and, in addition, the Board may pay legal costs incurred in proceedings arising out of the claim, inquiry or other proceeding.
2. The Board may, by affirmative vote of a majority of not less than 2/3 of all its members, pay
 1. Any sum required to indemnify a Trustee, an officer, ~~or an employee of the Board~~, **or member of an Indigenous education council** where a prosecution arises out of the performance of their duties with the Board; and
 2. Costs necessarily incurred;
But the Board shall not pay a fine imposed on a Trustee, an officer, ~~or an employee~~ **or a member**, as a result of their conviction.
3. The Board shall not seek indemnity against a Trustee, an officer, ~~or an employee of the Board~~, **or member of an Indigenous education council** in respect of any action by the Trustee, officer or employee that results in a claim for damages against the Board except
 1. Where the claim for damages arises out of the gross negligence of the Trustee, officer, ~~or employee~~, **or member of an Indigenous education council**; or
 2. Where, in relation to the action that gave rise to a claim for damages against an **officer or employee**, the officer or employee willfully acted contrary to:

Commented [MH1]: This amendment, and related amendments below, brings the policy into line with the changes to the School Act which created indigenous education councils.

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Commented [MH2]: Amended to reflect the language of the School Act

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1. The terms of their employment, or
 2. An order of a superior.
4. The Board's obligation to indemnify a Trustee, an officer, ~~or~~ an employee or member of an Indigenous Education Council, in respect of matters occurring during their term of office, ~~or~~ employment or membership on an Indigenous education council shall continue, notwithstanding that the term of office, ~~or~~ employment or membership, as the case may be, has ended.
 5. Where the Board decides to pay legal costs incurred in proceedings out of a claim, inquiry under Part II of the Public Inquiry Act or other proceedings, the Board has the right to conduct the defense of the matter and, in its discretion, to compromise and/or settle the claim.
 6. The Board shall not indemnify a ~~t~~Trustee, officer, ~~or~~ employee, or member of an Indigenous eEducation Council against:
 1. Liability and legal fees incurred as a result of an action or other proceeding taken by the Board against the ~~t~~Trustee, officer, ~~or~~ employee, or member of an Indigenous education council, ~~or~~ as a result of an action or proceeding taken by the ~~T~~Trustee, officer, employee or member or employee against the Board;
 2. Legal fees incurred in responding to a complaint under the Trustee Code of Conduct;
 3. Legal fees incurred in responding to a complaint under AP 403 (Intimidation and Harassment) or a complaint under the bullying and harassment provisions of a collective agreement unless the Board, by an affirmative vote of a majority of its members, so agrees;
 - 1-4. Legal fees incurred in response to a complaint to the Teacher Regulation Branch or an investigation or hearing conducted by the Teacher Regulation Branch;
 - 2-5. Liability to pay a fine, penalty or order imposed as a result of the conviction for an offence;
 - 3-6. Legal fees incurred as a result of a prosecution where the ~~T~~Trustee, officer, ~~or~~ employee, or member of an Indigenous eEducation Council is convicted of an offence or obtains a conditional discharge;

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4.7. Legal fees incurred in an appeal of any conviction, sentence, judgment or order, ~~unless the Board, by an affirmative vote of a majority of its members, so agrees;~~

5.8. Liability and legal fees incurred by a Trustee where the Court determines that the trustee knowingly contravened the School Act;

6.9. Liability incurred by a Trustee, officer, ~~or~~ employee, ~~or member of an Indigenous eEducation Council,~~ where the Court determined that the trustee, officer, ~~or~~ employee, ~~or member~~ knowingly permitted or authorized an expenditure not authorized by an enactment;

7.10. Liability incurred by a Trustee as a result of any restitution ordered pursuant to Section 62 of the School Act; and

11. Those matters for which the Board may seek indemnity from an employee pursuant to its authority under Section 95 of the School Act.

8: ~~unless the Board by majority or other legally required majority established by the School Act expressly determines otherwise and any such indemnity is not otherwise precluded by law.~~

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7. The Board may enter into individual indemnity agreements with its officers and employees not inconsistent with provisions of the School Act or this bylaw.

POLICY 10 – BOARD DELEGATION OF AUTHORITY

The School Act allows for the Board to delegate certain of its responsibilities and powers to others.

The Board authorizes the Superintendent to do any act or thing or to exercise any power that the Board may do, or is required to do, or may exercise, except those matters which, in accordance with provincial legislation, cannot be delegated. This delegation of authority to the Superintendent specifically:

- Includes any authority or responsibility set out in the School Act and regulations as well as authority or responsibility set out in other legislation or regulations;
- Includes the ability to enact Administrative Procedures required to carry out this authority; and also,
- Includes the ability to sub-delegate this authority and responsibility as required.

Notwithstanding the above, the Board reserves to itself the authority to make decisions on specific matters requiring Board approval. This reserved authority of the Board is set out in Board policies, as amended from time to time.

Further, the Board requires that any significant new provincial, regional or local legislation and initiatives must be initially brought to the Board for discussion and determination of decision-making authority.

Specifically

1. The Board expressly delegates to the Superintendent and, at the Superintendent's discretion, a designate, the authority to discipline, suspend or dismiss an employee, subject to the limitations of legislation, collective or contractual agreements and Board policy. Any suspensions or contemplated dismissals shall be reported to the Board as soon as practicable.
2. The Superintendent is directed to develop an Administrative Procedure to fulfill Board obligations created by any federal or provincial legislation.

Reference: • Sections 22, 65, 74, 85 School Act

Approved: • November 2020

Amended: •

POLICY 14 – ROLE OF SUPERINTENDENT

Background

The Superintendent is the Chief Executive Officer of the District. The Superintendent reports directly to the Board and is accountable to the Board of Education for the conduct and operation of the District. All Board authority delegated to the staff of the District is delegated through the Superintendent.

Specific Areas of Responsibility

1. Student Learning

1. Provides leadership in all matters relating to education in the District.
2. Implements directions established by the Minister of Education and provincial government.
3. Ensures that learning environments contribute to the development of skills and habits necessary for the world of work, post-secondary studies, life-long learning and positive citizenship.
4. Reports annually on student results achieved.

2. Fiscal Responsibility

1. Ensures the fiscal management of the District is in accordance with the terms or conditions of any funding received by the Board under the School Act or any other Act or Regulation.
2. Ensures the District operates in a fiscally responsible manner, including adherence to recognized accounting procedures.
3. Prepares and presents the budget which reflects Board priorities.
4. Ensures accepted (PSAB) accounting principles (as modified by government legislation) are being followed.
5. Ensures all deficiencies identified in the previous audit report and management letter have been remediated to the satisfaction of the auditor.
6. Ensures adequate internal financial controls exist and are being followed.
7. Ensures all collective agreements and contracts are being administered and interpreted so staff and contracted personnel are being paid appropriately and appropriate deductions are being made.
8. Ensures that risks related to the fiscal management of the district are monitored and managed.

9. Provides the Board with regular financial accountability reports.

3. Personnel Management

1. Has overall authority and responsibility for all personnel-related matters, except the mandates for collective bargaining and those personnel matters precluded by legislation, collective agreements or Board policy and the selection and appointment of key senior staff positions as determined by Board policy.
2. Provides to the Board through the Human Resources Committee various personnel metrics identified by the Board.
3. Ensures the implementation of current and effective human resource management practices.

4. Policy/Administrative Procedures

1. Provides support to the Board regarding the planning, development, implementation and evaluation of Board Policies.
2. Develops and keeps current an Administrative Procedures Manual that is consistent with Board policy and provincial policies, regulations and procedures.
3. Appropriately involves individuals and groups in the Administrative Procedures development process.
4. Ensures system adherence to Policies and Administrative Procedures.

5. Superintendent/Board Relations

1. Respects and honours the Board's role and responsibilities and facilitates the implementation of that role as defined in Board policy.
2. Provides information and counsel that the Board requires to perform its role.
3. Implements Board decisions with integrity in a timely fashion.
4. Interacts with the Board in an open, honest, proactive and professional manner.
5. Provides the Board with balanced, sufficient, concise information and clear recommendations.
6. Ensures Board agendas and supporting materials, including briefing notes, are prepared and distributed to trustees in sufficient time to allow for appropriate Trustee preparation for the meeting.

6. Strategic Planning and Reporting

1. Leads the development and implementation of the strategic planning process.

2. Involves the Board appropriately and collaboratively in the development of the Board's Strategic Plan (Board identification of priorities and key results, and final Board approval of the plan in conjunction with the annual budget).
3. Reports regularly on key results achieved.
4. Ensures the strategic planning process involves opportunity for stakeholder input.

7. Community and Partner Relations

Reference: • Section 22, 85 School Act

Approved: • November 2020

Amended: •

POLICY 20 – ENVIRONMENTAL STEWARDSHIP & SUSTAINABILITY

The Board is committed to building a culture of environmental learning and sustainability, including recognition of traditional Indigenous ways of knowing and being. It aims to demonstrate its responsibility as a caring leader in environmental stewardship.

The Board is committed to reducing the local and global impact of district activities to a practical minimum through actions based on an increased awareness of human caused environmental impact.

The Board expects that efforts are made to reduce, where practicable, the district's consumption of resources including energy, in order to reduce the district's carbon footprint. It expects that consideration of the environmental impact will occur when planning operational and educational programs or initiatives in the district.

Guiding Principles

1. The Board believes that students must be active in building a society that is socially responsible and environmentally sustainable.
2. The Board supports educational programs and initiatives that build awareness and understanding of conservation and environmental stewardship.
3. The Board expects that district operational decisions will be made in ways that promote energy and resource sustainability.
4. The Board will receive an annual report on sustainability measures and initiatives designed to reduce the district's carbon footprint, as well as their outcomes.
5. The Board will comply with all applicable legislation, regulations and codes of practice and, where practicable, exceed those requirements.

Reference: •

Approved: November 2020

Amended: •

POLICY 13 - TRUSTEE CODE OF CONDUCT

The Board has a strong commitment to ethical conduct. This includes the responsibility of trustees to use authority properly and to conduct themselves with appropriate decorum and professionalism at all times.

Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 13 Appendix – Trustee Code of Conduct Sanctions.

Specifically, Trustees shall:

1. Carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with reasonable diligence.
2. Keep confidential any personal, privileged or confidential information obtained in their capacity as a trustee and not disclose the information except when authorized by law or by the Board to do so. Trustees shall not divulge the contents of closed (in-camera) meetings, recognizing that a disclosure could seriously harm the Board's ability to conduct its business.
3. Be fully conversant with conflict of interest provisions of the School Act. Disclose in open meeting prior to discussion of the subject matter which may place the trustee in conflict, the nature of any pecuniary interest, and may leave the room. In addition, such a trustee in conflict shall not discuss the matter outside the meeting with other trustees and shall not exert influence on the decision in which the trustee has a conflict of interest. The trustee is responsible for declaring themselves to be in possible conflict of interest, however, it is the fiduciary duty of all trustees, the Superintendent and the Secretary Treasurer to protect the Board and they have a duty to point out apparent, potential or perceived conflict of interest when it appears. Additionally, a trustee may request guidance from other trustees or the Board on this matter. Such declaration of conflict of interest shall be recorded in the minutes of the meeting and the trustee shall not in any way discuss the associated topic at any time outside the Board table.
4. Not use their influence to obtain employment within the District for family members or friends and will not use their position for personal advantage or the advantage of friends and/or family.
5. Not attempt to exercise individual authority over the organization except as explicitly set forth in policies of the Board. Trustees' interaction with the Superintendent or with staff shall recognize the lack of authority vested in individual trustees except when explicitly authorized by the Board;

6. Respect that only the corporate Board as opposed to individual Trustees shall exercise individual authority over the Superintendent. In particular, only the corporate Board shall make judgments regarding the Superintendent's performance.
7. Abide by the policies of the Board, all applicable legislation and regulations, in particular the School Act, the Oath of Allegiance and the Oath of Office.
8. Respect and abide by the majority decisions made by the Board in legally constituted meetings.
9. Endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion which may arise during debate.
10. Ensure fiduciary responsibility to the Board supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other Boards or staffs.
11. Represent the Board in all Board-related matters, **including Board and Committee meetings**, with proper decorum and respect for others.
12. Use discretion at all times to minimize the impression that the individual trustees' statements reflect the corporate opinion of the Board.
- ~~13. Ensure the use of electronic devices at Board meetings are for the purposes of the meeting.~~
- ~~14. Refrain from engaging in private communications while at Board meeting.~~

To: Policy Committee

Prepared By: Jason Reid
Secretary Treasurer

Subject: Policy 21 – Student Transportation

Date: December 16, 2025

Purpose

The purpose of this briefing note is to recommend revisions to Policy 21 (Student Transportation) related to service for First Nations Students living on reserve and related to the administration of fees. These two areas for recommended revision are unrelated.

Service for First Nations Student Living on Reserve

Beginning with the 2019/20 school year, the school district receives targeted funding for First Nation Student Transportation through the BC Tripartite Education Agreement: Supporting First Nation Student Success (“BCTEA”). Each year the district submits a transportation plan for BCTEA for approval. In Saanich, the BCTEA funds are used for:

- Two Indigenous bus routes serving Tsawout, Pauquachin and Tsartlip students. These routes are in addition to preexisting routes that served Tseycum and other Indigenous students.
- Extracurricular transportation (provided through bus field trips and the Indigenous Education van driven by Indigenous Support Liaison (ISL) staff.

Each year the district submits a transportation plan to BCTEA for approval. A condition of receiving BCTEA funding is that the district cannot charge fees for the transportation of First Nations students living on reserve as outlined in the transportation plan. Our Local Education Agreement (LEA) also includes transportation fees within the tuition sent for each Nominal Roll student; therefore, fees cannot be charged under the LEA.

Bill 40, the School Amendment Act 2023, was enacted in late 2023 and effective April 2024. These legislative changes mandated Indigenous Education Councils (IECs) in all school districts for Indigenous student support and introduced a framework for Model Local Education Agreements (MLEAs) to give First Nations choice in schooling (determining a school of choice for each Nation). With these legislative changes also came increased expectations regarding how the district’s transportation plan will support First Nation student success.

While Board Policy does not govern how targeted funding received through the BCTEA is used, when developing the overall transportation plan there may also be alignment of pre-

existing routes to serve students on reserve, such as by adding or moving a bus stop. These changes could potentially conflict with existing policy, which states that routes will be optimized solely to serve students attending their catchment school from outside the designated walk limit.

The proposed amendments to Policy 21 clarify that transportation service for First Nations Students living on reserve is in addition to the core transportation service provided by Policy 21. This proposed change will provide the flexibility needed to provide for both the transportation of students to and from their nearest catchment school and transportation service for First Nations Students living on reserve.

Transportation Fees

When the transportation policy was last amended in February 2024, the amendments included the addition of a registration fee and a late registration fee. During the consultation informing these February 2024 amendments, it was communicated on several occasions that the registration fee was intended to be less significant than a transportation service fee. In briefings to the policy committee at that time I reported that registration fees charged by other school districts ranged between \$25 and \$100.

In recent years the possibility of implementing a more significant transportation fee has arisen as a potential means of offsetting unfunded inflationary pressures. The Sooke School District recently implemented a \$300 fee for the 2025/26 school year in addition to a \$25 safety fee.

As the possibility of a more substantial transportation fee will be a budget option for consideration in 2026/27, I recommend amending “registration fee” to “transportation fee” in Policy 21.

Staff Recommendation

That the Board confirm its consideration of the proposed amendments to Policy 21 (Student Transportation).

Respectfully submitted,



Jason Reid
Secretary-Treasurer

Attachment: 1 – Proposed Amendments to Policy 21 (Student Transportation)

POLICY 21 – STUDENT -TRANSPORTATION

The Superintendent shall establish an efficient and effective student transportation system to provide for the transportation of students to and from their nearest catchment school [and for First Nations Students living on reserve](#). Support for active student travel is an important part of a comprehensive approach to student transportation. Student safety shall be the highest priority in the provision of student transportation by the district.

The transportation system shall be provided in accordance with the following Guiding Principles:

1. Routes, subject to being economically viable, will be established to ensure:
 1. Transportation to their regular program catchment school for those students living outside the following walk limits by traveled road or walkway from their regular program catchment school:
 1. Kindergarten – Grade 5 Students: 2.5 kilometres
 2. Students of Grades 6 – 12 inclusive: 4.8 kilometres
 2. Students entitled to transportation in paragraph 1.1 will not have to travel further than 2.5 kilometres by traveled road or walkway to the nearest bus stop.
 3. Travel times are optimized for students being transported to their regular program catchment school from outside the walk limits established in paragraph 1.1.
2. The district will endeavor to establish routes that serve as many students eligible for service under guiding principle 1 as possible. A minimum of 15 students eligible for transportation services under guiding principle 1 are required for a route to be considered economically viable.
3. Additional transportation may be considered if there are significant safety concerns, such as a major highway crossing, or in support of students with exceptional transportation needs.

4. The transportation routes shall be established to operate within the operating budget established by the Board. Bus routes shall be published in August of each school year.
5. Consideration shall be given to providing service when a student is directed to attend a school other than the nearest school in their catchment area.
6. Courtesy riders are district students not otherwise addressed in guiding principles 1 to 5, and may be transported if the legal seating capacity of the bus has not been reached. Seating priority is reserved for those students entitled to transportation by guiding principles 1 to 5. Courtesy riders attending District Programs (as defined in Administrative Procedure 560) will be prioritized over other courtesy riders.

6.7. In addition to the transportation service provided pursuant to guiding principles 1 to 6, transportation services will also be provided for First Nations students living on reserve.

7.8. As transportation routes are established to provide optimal service in accordance with paragraphs 1 to 5, transportation routes and bus stops will not be altered to enhance service for courtesy riders.

8.9. Active transportation will be promoted through a variety of means including, but not limited to:

1. Working with local governments to address road safety concerns as well as identify opportunities to create active transportation routes to school;
2. Providing communication to students, parents/guardians and the community on road safety issues; and
3. Building student awareness on various active transportation options for arriving to school.

9.10. Riders will be charged a registration-transportation fee and an additional fee for late registrations. Late fees are intended to encourage timely registration and improve the effectiveness of route planning prior to

school start-up. The establishment of fees and any required revisions will be approved by the Board.

40.11. The Superintendent will establish and keep current, safety procedures for the district's transportation system and for the rental of commercial buses or vans for student transportation.

44.12. Passenger vans shall be limited to a maximum of 10 passengers.