

**MINISTRY OF EDUCATION  
DECISION BRIEFING NOTE**

**DATE:** December 19, 2017

**CLIFF:** 198814

**PREPARED FOR:** D. Scott MacDonald, Deputy Minister - **FOR DECISION**

**SUBJECT:** School District No. 44 (North Vancouver) (SD 44)

**PURPOSE:** Seeking approval to enter into short-term contract with Dr. Lee Southern to consult with SD 44 and report on possible governance challenges

**BACKGROUND:**

- Mark Permain, Superintendent and CEO of SD 44, has written to the Ministry of Education seeking support to address a number of concerns about the SD 44 Board of Education.
- He notes the following potential issues that have been raised in the media:
  - Possible allegation of sexual harassment;
  - Dysfunction of the board;
  - Non-attendance of trustees;
  - Bullying; and
  - “Navel gazing” on personal issues.

**DISCUSSION:**

- These serious allegations warrant further investigation by the Ministry.
- Since the next local election is only 10 months away, there may be limited benefit to appointing a special advisor under the *School Act* because there is relatively little time for the current trustees to act on any formal recommendations.
- At this stage of the trustee election cycle, the most effective course would be to engage a consultant to verify the allegations and make recommendations for next steps.
- The Ministry recommends engaging a respected consultant to conduct interviews of the board and senior SD 44 staff and then deliver a verbal and written report to the Deputy Minister. There are three potential ways to engage such a person, as discussed below.
- The Ministry does not have internal resources appropriate for this type of work.
- Early options analysis has identified Dr. Lee Southern as a consultant option. Dr Southern is uniquely qualified and well-positioned to engage in this work for the following reasons:
  - He acted as special advisor to the Cowichan Valley School District in 2008, making recommendations on a range of issues including the need to make student achievement the focus of the board’s efforts and to engage in more public consultation.
  - He has held senior positions in education and government.
  - He has served as the executive director of the British Columbia School Trustees Association.
  - He has worked with boards of education across the province, addressing a wide array of leadership, management and local community education issues associated with school district operations.
  - He can start immediately, and could report back to the Ministry by early February, allowing time for implementation of next steps before trustee campaigning begins

## **OPTIONS:**

**Option 1:** Enter into a direct award, short-term contract with Dr. Lee Southern to verify the allegations and report back to the Deputy Minister on his findings.

s.13

s.13

## **FINANCIAL IMPLICATIONS:**

Dr. Southern charges \$200 per hour and estimates 29 hours required for the proposed work. The cost of the proposed work is not to exceed \$10,000. The Deputy Minister's Office has the budget for this work.

**MINISTRY OF EDUCATION  
DECISION BRIEFING NOTE**

**RECOMMENDATION:**

Option: \_\_1\_\_



Approved / Not Approved  
(D. Scott MacDonald)  
(Deputy Minister)

\_\_December 19, 2017\_\_  
Date Signed

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**Program ADM/Branch:** Keith Godin/Governance & Analytics  
**Program Contact (for content):** Keith Godin /  
**Drafter:** Jennifer Champion  
**Date:** December 18, 2017

Page 004

Withheld pursuant to/removed as

DUPLICATE

**MINISTRY OF EDUCATION  
DECISION BRIEFING NOTE**

**DATE:** December 18, 2017

**CLIFF:**

**PREPARED FOR:** D. Scott MacDonald, Deputy Minister - **FOR DECISION**

**SUBJECT:** School District No. 44 (North Vancouver) (SD 44)

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- He notes the following potential issues that have been raised in the media:
  - Possible allegation of sexual harassment;
  - Dysfunction of the board;
  - Non-attendance of trustees;
  - Bullying; and
  - “Navel gazing” on personal issues.

**DISCUSSION:**

- These serious allegations warrant further investigation by the Ministry.
- Since the next local election is only 10 months away, there may be limited benefit to appointing a special advisor under the *School Act* because there is relatively little time for the current trustees to act on any formal recommendations.
- At this stage of the trustee election cycle, the most effective course would be to engage a consultant to verify the allegations and make recommendations for next steps.
- The Ministry recommends engaging a respected consultant to conduct interviews of the board and senior SD 44 staff and then deliver a verbal and written report to the Deputy Minister. There are three potential ways to engage such a person, as discussed below.

**OPTIONS:**

Option 1: Enter into a direct award, short-term contract with Dr. Lee Southern to verify the allegations and report back to the Deputy Minister on his findings.

Key Considerations:

- The Ministry does not have internal resources appropriate for this type of work.
- Dr. Southern is uniquely qualified and well-positioned to engage in this work for the following reasons:
  - He acted as special advisor to the Cowichan Valley School District in 2008, making recommendations on a range of issues including the need to make student achievement the focus of the board’s efforts and to engage in more public consultation.

- He has held senior positions in education and government.
- He has served as the executive director of the BC School Trustees Association.
- He has worked with boards of education across the province, addressing a wide array of leadership, management and local community education issues associated with school district operations.

s.13

**FINANCIAL IMPLICATIONS:**

Dr. Southern charges \$XX per hour and estimates that the total cost of the proposed work would be \$XXX. This amount is well below the \$25,000 direct award threshold.

**LINKS TO OTHER MINISTRIES:**

N/A

**RECOMMENDATION:**

Option: \_\_\_\_1\_\_\_\_

\_\_\_\_\_  
 Approved/Not Approved  
 (D. Scott MacDonald)  
 (Deputy Minister)

\_\_\_\_\_  
 Date Signed

**MINISTRY OF EDUCATION  
DECISION BRIEFING NOTE**

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**Program ADM/Branch:** Keith Godin/Governance & Analytics  
**Program Contact (for content):** Keith Godin /  
**Drafter:** Jennifer Champion  
**Date:** December 18, 2017

**From:** Lee Southern  
**To:** [Mark Pearmain](#)  
**Cc:** [Godin, Keith EDUC:EX](#)  
**Subject:** Confidential: Consultant Draft Report  
**Date:** Wednesday, January 31, 2018 7:04:46 AM  
**Attachments:** [LS revised report.docx](#)

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Mark

Confidential draft attached for your review and our tele-conference meeting this afternoon.

Lee

Page 009 to/à Page 042

Withheld pursuant to/removed as

NR

**From:** Lee Southern  
**To:** [MacDonald, Scott D EDUC:EX](#); [Godin, Keith EDUC:EX](#)  
**Subject:** Draft NV report  
**Date:** Saturday, January 27, 2018 2:53:13 PM  
**Attachments:** [LS draft report.docx](#)

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Gentlemen:

Attached is a draft of my report for your review and our discussion on our Monday 8:30a telephone call.  
Lee

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Education

Date: December 11, 2017

Date Updated: February 21, 2018

Minister Responsible: Rob Fleming

# **SD 44 Governance Performance**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **The situation in North Vancouver impacting the performance of their board is concerning.**
- **That's why the ministry retained a consultant and experienced board governance expert – Dr. Lee Southern – to meet with North Vancouver trustees to identify the concerns and report back with recommendations for action.**
- **Dr. Southern is providing the district with six recommendations to follow through on to improve the board's governance performance.**
- **The board will provide the ministry with a progress update by April 30 on specific actions they are taking, along with any other steps they are initiating to strengthen their governance performance.**

### **IF ASKED ABOUT ATTENDANCE:**

- **I am glad to hear that the North Vancouver School Board is developing a set of rules for board meeting attendance.**

- **Trustees are permitted to attend board meetings by phone or other means of communication (like video-conference).**
- **Unless it is due to illness, a trustee who fails to attend board meetings (in person or otherwise) for at least 3 months without permission of the board is no longer qualified to hold office.**

## **BACKGROUND:**

A December 9<sup>th</sup> story in the North Shore News outlined concerns raised by school board trustees: <http://www.nsnews.com/news/north-van-school-trustee-no-shows-raise-questions-1.23117567>

The story states that trustees are working on a set of rules for attendance and behaviour at meetings amid allegations of serious dysfunction around the board table.

Trustee Susan Skinner attended only one public board meeting in person since the previous school year began in September 2016, but since this September has been participating by phone. Skinner says the reason she doesn't attend is that she has experienced workplace sexual harassment and bullying.

Dermod Travis, executive director of Integrity BC, called it "incredibly inappropriate" for anyone who's been elected to regularly skip public meetings. Trustees hold office until the next general school election, on Oct. 20, 2018. Trustees are paid between \$23,000 and \$25,000 a year for performing their duties.

Skinner said she has spoken to WorkSafeBC and Board Chair Christie Sacré about the allegations and intends to provide further information to Sacré before requesting another leave from the board. Sacré said Skinner has not provided any specifics and has not filed a formal complaint with the board. Skinner isn't the only unhappy member of the board. Trustee Megan Higgins said the reason she wasn't at the last meeting was "because of my level of frustration with the lack of functioning of the board."

The ministry hired Dr. Lee Southern to investigate the situation and he made six recommendations for actions to improve the performance of the board in his report. The board made a public declaration of receiving the report and stated that they will release it publicly on Feb 28 after having some time to digest it

### **Recommendation 1**

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

### **Recommendation 2**

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

## ADVICE TO MINISTER

- (trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;
- (trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;
- (trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.

### **Recommendation 3**

*That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

### **Recommendation 4**

*That the Chair offer <sup>s.22</sup> voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to <sup>s.22</sup> that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available –in the attached document)*

### **Recommendation 5**

*That, if and when a trustee harassment complaint is filed, the Chair request <sup>s.22</sup> and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

### **Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by April 30, 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

Program Area Contact:	Keith Godin	
File Created:	December 11, 2017	
File Updated:	January 16, 2018	
File Location:		

## **Proposed Process for resolution of Code of Ethics Complaint**

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

### **Conciliatory Measures**

2. Normally a trustee who believes that a fellow trustee has violated the Code is encouraged to seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code. It is recognized that for reasons which may include the nature of the issue of concern or the manner in which it has come to a trustee's attention, conciliatory measures may not be appropriate.
3. Conciliatory measures shall include:
  - (a) The trustee who believes a violation has occurred will engage in an individual private conversation with the trustee affected.
  - (b) Failing resolution through the private conversation the parties will engage the Board Chair, Vice-Chair or designate to gain resolution. If the concern is with the Board Chairperson, the concern should be raised with the Vice-Chairperson.
  - (c) The Chair and at the Chair's option the Chair and Vice Chair will attempt to resolve the matter to the satisfaction of the trustees involved.
4. It is recognized that a contravention of the Code may occur that is relatively minor, or committed inadvertently or due to an error of judgment made in good faith. In such instances the priority shall be to alert the offending Trustee to the breach and his/her obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the official complaint procedure. Both the offending and offended trustee shall seek resolution in a conciliatory fashion marked by mutual respect, seeking to understand and an openness to growth and improvement.

## **Official Complaint Process**

5. A trustee who wishes to commence an official complaint under the Code shall file a letter of complaint with the Board Chair within a reasonable period of time following the alleged event occurring or of knowledge of the same and indicate the nature of the complaint and the section or sections of the Code that are alleged to have been violated by the trustee. The trustee who is alleged to have violated the Code and all other trustees shall be forwarded a confidential copy of the letter of complaint as part of the confidential agenda materials for a closed meeting.
6. When a trustee files a letter of complaint, and a copy of that letter of complaint is forwarded to all trustees, the filing, notification, content and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code hearing.
7. The Board Chair shall convene, as soon as is reasonable, a closed (in-camera) meeting of the Board to allow for a hearing of the alleged violation of the Code. As with any Board meeting, quorum must be established for the meeting to proceed. For efficiency purposes and due to the potentially limited number of individuals who are able to participate in a vote related to a complaint, all trustees will make best efforts to attend such meetings of the Board, even in circumstances where such individuals may be in a conflict of interest or may otherwise wish to abstain. Furthermore, a decision as to whether an individual will be permitted to attend a Board meeting related to a Code complaint by telephone may be made in a meeting held in advance of the meeting in which a complaint will be considered.
8. At the closed (in-camera) meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted. Procedural fairness and the rules of natural justice shall govern the formal inquiry. Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures, which may be adapted by direction of the Board in order to address the circumstances of the complaint, provided that any deviation from this process is consistent with natural justice and procedural fairness:
  - (a) The complaint shall be heard at a Code of Ethics hearing, at a closed (in-camera) Board meeting convened for that purpose.
  - (b) All preliminary matters, including whether adaption to the process for the hearing should be amended or whether one (1) or more trustees may have a conflict of interest in making a decision regarding the complaint, shall be dealt with prior to any submissions about the complaint.

A conflict of interest is as defined in the Code and as may be determined by an individual or a majority of those trustees present at a Code of Ethics hearing. A

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Page 2 of 5

conflict of interest is ordinarily raised only in circumstances where a trustee has a personal interest in the outcome. It would not typically be raised in circumstances where a trustee has been a witness to conduct that is the subject matter of a complaint since it is expected that all trustees will conduct themselves in accordance with the Code and in the interests of the District. If it is determined that a trustee is in a conflict of interest, the trustee shall not participate in deliberations or vote in respect of any resolution however the trustee shall be present as required in order to maintain quorum of the Board.

- (c) The sequence of the Code of Ethics hearing shall be in keeping with the following which is intended to provide a fair opportunity for both parties to be heard and to respond as appropriate. Neither party is obligated to make submissions or to respond to questions.
  - (i) The complaining trustee shall provide a presentation which may be written or oral or both. The complaining trustee may opt to rely on the written Complaint in place of this presentation;
  - (ii) The respondent trustee shall provide a presentation which may be written or oral or both;
  - (iii) The complaining trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
  - (iv) The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
  - (v) The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
  - (vi) The complaining trustee shall be given the opportunity to make final comments; and
  - (vii) The respondent trustee shall be given the opportunity to make final comments.
- (d) Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from staff. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or upon staff in respect of any points of information or to provide administrative direction or for assistance in the drafting of a resolution.
- (e) If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both

parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the hearing to a later date.

- (f) If an investigation by an external party is requested by a majority of trustees taking part in the deliberations (the "Voting Trustees"), such investigation will be conducted in accordance with the procedures of natural justice and a report of the same will be made to the Board upon the hearing reconvening, with an opportunity for submissions to be made by the parties in respect of the same. The Board may, in its discretion, call upon legal advisors to assist them in the event an investigation is requested.
- (g) The Voting Trustees in deliberation may draft a resolution(s) indicating what action, if any, may be taken regarding the complaint and any party.
- (h) The presiding Chair shall reconvene the parties and any other trustees to the Code of Ethics hearing.
- (i) The presiding Chair shall call for a resolution(s) to be placed before the Board and a vote will be conducted. Only the Voting Trustees shall be able to vote on any resolution(s). In the event that any of the Voting Trustees requests that the vote occur by secret ballot, the vote will proceed by secret ballot for all Voting Trustees with the exception of any Voting Trustees who participate by telephone. Any Voting Trustees who are permitted to participate by telephone are deemed to waive the right to a secret ballot upon participating by telephone.
- (j) The presiding Chair shall declare the closed (in-camera) Board meeting adjourned.
- (k) All documentation that is related to the Code of Ethics hearing shall be returned to the Superintendent or designate immediately upon adjournment or conclusion of the Code of Ethics hearing and shall be retained in accordance with legal requirements. This includes all notes taken by trustees other than the parties in relation to the submissions or deliberations.
- (l) In the case of an adjournment for any reasons, no discussion by trustees whatsoever of the matters heard at the hearing may take place until the meeting is reconvened. Only those members present for all submissions made in a Code of Ethics hearing will be permitted to deliberate or vote in respect of any resolution of a complaint.

9. A violation of the Code may result in the Board instituting, without limiting what follows, any or all of the following ~~sanctions~~:

- (a) Having the Board Chair write a letter of censure marked "personal and confidential" to the offending trustee, on the approval of a majority of the Voting Trustees at the closed (in-camera) meeting of the Board;

(b) Having a motion of censure passed by a majority of the Voting Trustees at the closed (in-camera) meeting of the Board;

(c) Having a motion to remove the offending trustee from one (1), some or all Board committees or other appointments of the Board passed by a majority of the Voting Trustees at the closed (in-camera) meeting of the Board.

~~(e)~~(d) Having support made available to a party.

10. The Board may, in its discretion and by resolution of the Voting Trustees, make public its findings where the Board has not upheld the complaint alleging a violation of the Code or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

11. If a party to a complaint does not attend a Code of Ethics hearing where appropriate notice has been provided, the matter will be adjourned in the first instance. If a complaining trustee indicates they will not attend a Code of Ethics hearing or does not attend for the second Code of Ethics hearing where appropriate notice has been provided, the complaint will be deemed to be withdrawn. If a respondent trustee indicates they will not attend a Code of Ethics hearing or does not attend for the second Code of Ethics hearing where appropriate notice has been provided, the Code of Ethics hearing will proceed in the absence of the respondent trustee and the respondent trustee will be deemed to have waived participation in the hearing.

12. Any staff support that is necessary or requested under this process is administrative only.

### **Appeal Process**

13. Trustees who have been sanctioned or have had other measures imposed upon them by the Board of Education under this Policy can appeal those decisions through the Courts, at their own expense.

**From:** [Champion, Jennifer EDUC:EX](#)  
**To:** [Shea, Megan EDUC:EX](#)  
**Subject:** BN SD 44 consultant - request for direct award  
**Date:** Monday, December 18, 2017 4:34:36 PM  
**Attachments:** [BN SD 44 consultant - request for direct award.docx](#)  
**Importance:** High

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Hi Megan,

Here is a draft Decision Note, as requested by Keith earlier today. Please let me know how I can help on next steps.

Jennifer

***Jennifer Champion***

*Director | Legislation, Policy and Governance Branch*

*Ministry of Education*

Ph: (250) 889-9097

From: [Champion, Jennifer EDUC:EX](#)  
To: [Godin, Keith EDUC:EX](#)  
Cc: [Duerksen, Dave EDUC:EX](#)  
Subject: FW: Draft DM email to North Vancouver School District  
Date: Tuesday, February 6, 2018 9:00:00 AM

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Good morning Keith,  
Here is the proposed email to NV.  
Jennifer

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**From:** Champion, Jennifer EDUC:EX  
**Sent:** Friday, February 2, 2018 5:12 PM  
**To:** Duerksen, Dave EDUC:EX  
**Subject:** Draft DM email to North Vancouver School District  
Hi Dave,

Based on our discussion with Keith on Wednesday, here's a draft email for your review and comment please. The initial request came from Superintendent/CEO Mark Pearmain, and so I'm proposing that the DM will write to him to convey Lee's recommendations.

Dear Mark,

In response to your request in December for support to address governance challenges facing the North Vancouver Board of Education, the Ministry retained Dr. Lee Southern to inquire into the issues you raised.

Following are Dr. Southern's recommendations which I'm pleased to offer for discussion and consideration with your Board Chair:

***Recommendation 1***

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

***Recommendation 2***

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

- *(trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;*
- *(trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;*
- *(trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.*

***Recommendation 3***

*That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

***Recommendation 4***

*That the Chair offer <sup>s.22</sup> voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to <sup>s.22</sup> that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available –in the attached document)*

***Recommendation 5***

*That, if and when a trustee harassment complaint is filed, the Chair request<sup>s.22</sup> and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

**Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by 31 March 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

In light of Recommendation 6, I am requesting a report by the end of March on the actions the Board has decided to take on the other five recommendations and any other actions taken to strengthen the Board's governance performance.

If you have any follow up questions, you are welcome to contact Keith Godin, Assistant Deputy Minister, Governance & Analytics at [Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca) (250-356-6760).

Etc....

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Duerksen, Dave EDUC:EX](#); [Champion, Jennifer EDUC:EX](#)  
**Cc:** [Shea, Megan EDUC:EX](#)  
**Subject:** FW: IN for review  
**Date:** Thursday, February 22, 2018 9:23:43 AM  
**Attachments:** [IN\\_SD 44 Governance Performance.docx](#)

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Please review

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**From:** Sorochan, Craig GCPE:EX  
**Sent:** Thursday, February 22, 2018 9:11 AM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Leslie, Sean GCPE:EX; Fillion, Corinna GCPE:EX; Shea, Megan EDUC:EX  
**Subject:** IN for review

Hi Keith,

Please see the attached DRAFT note re NVan.

thanks,

Craig Sorochan

Senior Public Affairs Officer

Government Communications and Public Engagement

Ministry of Education

Tel: 250-208-9130

E-Mail: [Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)

**From:** [Godin, Keith EDUC:EX](#)  
**To:** ["Mark Pearmain"](#)  
**Subject:** FW: Ministry of Education Consultant Report: North Vancouver Board of Education Governance  
**Date:** Tuesday, March 6, 2018 9:27:57 AM  
**Attachments:** [Report - redacted.pdf](#)

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Mark,

FYI – rather than make the FOI applicant go through the FOI process, we're going to proactively release Lee's report s.14

Keith

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Shea, Megan EDUC:EX](#); [Duerksen, Dave EDUC:EX](#)  
**Subject:** FW: Invoice  
**Date:** Monday, February 5, 2018 12:19:09 PM  
**Attachments:** [Billable hours account.docx](#)

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PLease process

-----Original Message-----

**From:** Lee Southern s.22  
**Sent:** Monday, February 5, 2018 12:03 PM  
**To:** Godin, Keith EDUC:EX  
**Subject:** Invoice

Good morning Keith

Attached is my January invoice. Receipts will follow under separate cover.

Thanks for your attention.

Lee

Page 058 to/à Page 061

Withheld pursuant to/removed as

NR

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Duerksen, Dave EDUC:EX](#)  
**Subject:** FW: My NV44 report  
**Date:** Tuesday, January 23, 2018 8:45:40 AM

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FYI this is in the works...

-----Original Message-----

**From:** MacDonald, Scott D EDUC:EX  
**Sent:** Tuesday, January 23, 2018 7:13 AM  
**To:** Godin, Keith EDUC:EX  
**Subject:** FW: My NV44 report

Want to be involved?  
I would set up 30 minutes  
Phone is best for me

-----Original Message-----

**From:** Lee Southern [<mailto:leesouthern44@gmail.com>]  
**Sent:** Monday, January 22, 2018 1:43 PM  
**To:** MacDonald, Scott D EDUC:EX  
**Subject:** My NV44 report

I would like to review draft report recommendations with you prior to submission of my final report. A maximum of an hour would be sufficient time.

As to timing, my interviews conclude Wednesday 24 January and my present deadline for submission is Tuesday 30 January. Might we meet Monday 29 January for an advance review and granting a 1 day extension for final report submission on Wednesday 31 January?

Does this work for you?

Sent from my iPad

From: [Champion, Jennifer EDUC:EX](#)  
To: [Duerksen, Dave EDUC:EX](#)  
Subject: FW: North Vancouver school board report  
Date: Wednesday, February 28, 2018 4:41:19 PM

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Dave,

s.13,s.22

Jennifer

Disclosure harmful to personal privacy

22 (1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) In determining under subsection (1) or (3) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the government of British Columbia or a public body to public scrutiny,

(b) the disclosure is likely to promote public health and safety or to promote the protection of the environment,

(c) the personal information is relevant to a fair determination of the applicant's rights,

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people,

(e) the third party will be exposed unfairly to financial or other harm,

(f) the personal information has been supplied in confidence,

(g) the personal information is likely to be inaccurate or unreliable,

(h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant,

-----Original Message-----

From: Godin, Keith EDUC:EX  
Sent: Wednesday, February 28, 2018 9:12 AM  
To: Duerksen, Dave EDUC:EX  
Cc: Champion, Jennifer EDUC:EX; Shea, Megan EDUC:EX  
Subject: FW: North Vancouver school board report

Can you please let me know what would be likely redacted if FOI'd

-----Original Message-----

From: Sorochan, Craig GCPE:EX  
Sent: Wednesday, February 28, 2018 9:11 AM  
To: Godin, Keith EDUC:EX  
Cc: Leslie, Sean GCPE:EX; Filion, Corinna GCPE:EX  
Subject: FW: North Vancouver school board report

Hi,

The reporter is asking for Dr. Southern's report.

We had discussed informing her the report would have to be released via FOI?

Thoughts?

Craig  
250-208-9130

-----Original Message-----

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Wednesday, February 28, 2018 8:59 AM  
To: Sorochan, Craig GCPE:EX  
Subject: RE: North Vancouver school board report

Hi Craig. It's my understanding right now that the school board will be releasing the recommendations from Dr. Southern's report.

I am requesting a copy of the entire report, not just the recommendations.  
Can you provide that for me today?

Jane Seyd  
Reporter  
North Shore News  
Suite 100 - 126 East 15th St.  
North Vancouver, B.C. V7L 2P9  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)  
604-998-3539 (direct)

---

From: Sorochan, Craig GCPE:EX [[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)]  
Sent: Tuesday, February 27, 2018 9:25 AM  
To: Seyd, Jane (LMP)  
Subject: RE: North Vancouver school board report

Hi Jane,

Please see this response from the Ministry of Education:  
The ministry expects SD 44 to release information regarding Dr. Southern's findings on governance performance in SD 44 in the near future.

Please cite/attribute the Ministry of Education.

All the best,  
Craig

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Monday, February 26, 2018 4:25 PM  
To: Sorochan, Craig GCPE:EX  
Subject: RE: North Vancouver school board report

Hi Craig,  
Yes. I am.

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)<<mailto:jseyd@nsnews.com>>  
604-998-3539

From: Sorochan, Craig GCPE:EX [<mailto:Craig.Sorochan@gov.bc.ca>]  
Sent: February-26-18 4:11 PM  
To: Seyd, Jane (LMP) <[JSeyd@nsnews.com](mailto:JSeyd@nsnews.com)<<mailto:JSeyd@nsnews.com>>>  
Subject: RE: North Vancouver school board report

Still waiting to hear back. Are you okay to wait until tomorrow? thanks

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Monday, February 26, 2018 2:22 PM  
To: Sorochan, Craig GCPE:EX  
Subject: North Vancouver school board report

Hi Craig,  
We spoke a few weeks about a report being done for the ministry of education by Dr. Lee Southern about governance issues facing the North Vancouver school board.  
I understand that report is now complete and has been submitted to the ministry.  
I'd like to get a copy of that. Any way you can email it to me?  
Depending on what's in it, I'll likely be interested in getting a response from the ministry.

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)<<mailto:jseyd@nsnews.com>>  
604-998-3539

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Duerksen, Dave EDUC:EX](#); [Shea, Megan EDUC:EX](#)  
**Subject:** FW: North Vancouver School District Board of Education  
**Date:** Thursday, December 14, 2017 10:36:45 AM  
**Attachments:** [image001.png](#)

---

We'll need a small consulting contract for Lee Southern – please action

---

**From:** MacDonald, Scott D EDUC:EX  
**Sent:** Thursday, December 14, 2017 8:39 AM  
**To:** Filion, Corinna GCPE:EX  
**Cc:** Godin, Keith EDUC:EX; Bertrand, Julie EDUC:EX; Charlton, Julie EDUC:EX; Sampson, Laura EDUC:EX; Teng, Zita EDUC:EX  
**Subject:** FW: North Vancouver School District Board of Education

---

**From:** Mark Pearmain [<mailto:MPearmain@sd44.ca>]  
**Sent:** Wednesday, December 13, 2017 3:30 PM  
**To:** MacDonald, Scott D EDUC:EX  
**Cc:** Georgia Allison  
**Subject:** Re: North Vancouver School District Board of Education

Hi Scott,

Please accept this email as a formal request for support from the Ministry of Education for the North Vancouver School District Board of Education. As you are aware there are some challenges within our Board of Education that have been recently raised in the media. The concerns raised are as follows:

- Possible Allegation of Sexual Harassment
- Dysfunction of the Board
- Non-attendance of Trustees
- Bullying
- “Navel gazing” on personal issues

I look forward to talking with you about how the Ministry of Education can support the North Vancouver School District Board of Education and their work in supporting the students of North Vancouver.

Regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)



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**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Filion, Corinna GCPE:EX](#)  
**Cc:** [MacDonald, Scott D EDUC:EX](#)  
**Subject:** FW: Ministry of Education Consultant Report: North Vancouver Board of Education Governance  
**Date:** Monday, March 5, 2018 7:12:47 PM  
**Attachments:** [Report - redacted.pdf](#)

---

As discussed, if MO wishes to proactively release the SD44 governance report and cancel the related FOI request, then the attached can be publicly released.

---

**From:** Champion, Jennifer EDUC:EX  
**Sent:** Monday, March 5, 2018 4:55 PM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Duerksen, Dave EDUC:EX; Shea, Megan EDUC:EX  
**Subject:** Ministry of Education Consultant Report: North Vancouver Board of Education Governance  
Keith,  
s.14

Jennifer

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Filion, Corinna GCPE:EX](#)  
**Subject:** FW: North Shore News  
**Date:** Friday, March 2, 2018 7:02:23 AM  
**Attachments:** [image001.png](#)

---

**From:** Mark Pearmain [mailto:MPearmain@sd44.ca]  
**Sent:** Friday, March 2, 2018 7:02 AM  
**To:** MacDonald, Scott D EDUC:EX  
**Cc:** Godin, Keith EDUC:EX; Lee Southern; Georgia Allison  
**Subject:** North Shore News

Hi Scott,

So you are kept in the loop – please find an article published today in the North Shore News.

<http://www.nsnews.com/news/north-vancouver-school-trustees-to-halt-closed-door-meetings-1.23189384>

Regards,

Mark

Mark Pearmain

Superintendent / CEO

North Vancouver School District

2121 Lonsdale Avenue

North Vancouver, B.C.

V7M 2K6

604 903 3444 (ph)

604 903 3445 (fax)



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Page 069 to/à Page 071

Withheld pursuant to/removed as

DUPLICATE

From: [Godin, Keith EDUC:EX](#)  
To: [Duerksen, Dave EDUC:EX](#); [Champion, Jennifer EDUC:EX](#)  
Subject: Fwd: Consultant Report Attachments  
Date: Friday, February 2, 2018 4:45:14 PM  
Attachments: [Recommended Process for resolution of Code of Ethics Complaint Amended.rtf](#)  
[ATT00001.htm](#)

---

Begin forwarded message:

**From:** Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)>  
**Date:** February 2, 2018 at 12:19:23 PM PST  
**To:** "Godin, Keith Educ:Ex" <[keith.godin@gov.bc.ca](mailto:keith.godin@gov.bc.ca)>  
**Subject:** Consultant Report Attachments

Keith

As discussed, 4 attachments for your incorporation into my Report: Chair Motion, Complaint process, North Shore News Dec article, North Shore News Feb article

Thanks

Lee

Moved by C. Sacré. Seconded by J. Stanley. Carried

that Staff research appropriate consequences used by other Boards of education, municipalities, and elected bodies, that address an individual elected official's neglect of their specified duties, and violation of codes of ethics, and;  
that Staff provide the Board with recommendations on consequences that may be included in the Trustee Handbook to aid the Board in self-governance, and;  
that the proposed recommendations would consider a range of consequences, that are appropriate to the reason and cause for neglect of duties or violation of the Trustee Code of Conduct, and could be employed by the Board, up to and including the garnishment of a Stipend, and;  
that staff update the Board no later than April 2018.  
An amendment to the motion included:  
Moved by M. Higgins. Seconded by B. Forward. Defeated  
...provided that there is no financial cost to the School District.  
The amendment was defeated.

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Duerksen, Dave EDUC:EX](#); [Champion, Jennifer EDUC:EX](#)  
**Subject:** Fwd: Ministry of Education Recommendation / NVSD Board of Education response  
**Date:** Wednesday, February 28, 2018 5:09:48 PM  
**Attachments:** [image001.png](#)  
[ATT00001.htm](#)  
[Ministry Recommendations to NVSD.pdf](#)  
[ATT00002.htm](#)  
[20180228 Public Statement re Ministry Recommendations .pdf](#)  
[ATT00003.htm](#)

---

Begin forwarded message:

**From:** Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)>  
**Date:** February 28, 2018 at 5:06:23 PM PST  
**To:** "MacDonald, Scott D EDUC:EX" <[D.Scott.MacDonald@gov.bc.ca](mailto:D.Scott.MacDonald@gov.bc.ca)>  
**Cc:** "Godin, Keith EDUC:EX" <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)>, Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)>, Georgia Allison <[gallison@sd44.ca](mailto:gallison@sd44.ca)>  
**Subject:** Ministry of Education Recommendation / NVSD Board of Education response

Dear Scott,

Please find the attached documents that have been posted to the NVSD website outlining the Ministry of Education Recommendations to the North Vancouver Board of Education and a public statement from the North Vancouver Board of Education. For your reference I have attached a link to the NVSD website.

<https://www.sd44.ca/Pages/default.aspx>

Regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)

From: [Godin, Keith EDUC:EX](#)  
To: [Duerksen, Dave EDUC:EX](#); [Champion, Jennifer EDUC:EX](#)  
Subject: Fwd: My Report  
Date: Friday, February 2, 2018 5:57:39 PM  
Attachments: [LS revised report.docx](#)  
[ATT00001.htm](#)

---

I think this is the same as report previously sent

Begin forwarded message:

**From:** Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)>  
**Date:** February 2, 2018 at 4:48:20 PM PST  
**To:** "Godin, Keith Educ:Ex" <[keith.godin@gov.bc.ca](mailto:keith.godin@gov.bc.ca)>  
**Subject:** My Report

Keith

Just checked my sent e-mail and it shows my Report attachments were sent just after noon today but no sign of the Report being sent.

So I have attached it to this e-mail with apologies.

Lee

Page 075 to/à Page 084

Withheld pursuant to/removed as

s.14

From: [Godin, Keith EDUC:EX](#)  
To: [Duerksen, Dave EDUC:EX](#)  
Cc: [Shea, Megan EDUC:EX](#)  
Subject: Fwd: North Vancouver school board report  
Date: Wednesday, February 28, 2018 4:58:50 PM

---

Following up on redaction question... please advise

Begin forwarded message:

**From:** "Sorochan, Craig GCPE:EX" <[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)>  
**Date:** February 28, 2018 at 4:30:56 PM PST  
**To:** "Godin, Keith EDUC:EX" <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)>  
**Cc:** "Leslie, Sean GCPE:EX" <[Sean.Leslie@gov.bc.ca](mailto:Sean.Leslie@gov.bc.ca)>, "Filion, Corinna GCPE:EX" <[Corinna.Filion@gov.bc.ca](mailto:Corinna.Filion@gov.bc.ca)>, "Shea, Megan EDUC:EX" <[Megan.Shea@gov.bc.ca](mailto:Megan.Shea@gov.bc.ca)>  
**Subject:** FW: North Vancouver school board report

Hi,

Jane is asking again.

Craig

-----Original Message-----

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Wednesday, February 28, 2018 4:30 PM  
To: Sorochan, Craig GCPE:EX  
Subject: RE: North Vancouver school board report

Hi Craig. What did you find out? Can I have the report?

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)  
604-998-3539

-----Original Message-----

From: Seyd, Jane (LMP)  
Sent: February-28-18 1:06 PM  
To: 'Sorochan, Craig GCPE:EX' <[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)>  
Subject: RE: North Vancouver school board report

Thanks.

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)  
604-998-3539

-----Original Message-----

From: Sorochan, Craig GCPE:EX [<mailto:Craig.Sorochan@gov.bc.ca>]  
Sent: February-28-18 1:03 PM  
To: Seyd, Jane (LMP) <[JSeyd@nsnews.com](mailto:JSeyd@nsnews.com)>  
Subject: RE: North Vancouver school board report

Hi Jane,

I have asked for you.

Craig

-----Original Message-----

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Wednesday, February 28, 2018 8:59 AM  
To: Sorochan, Craig GCPE:EX  
Subject: RE: North Vancouver school board report

Hi Craig. It's my understanding right now that the school board will be releasing the recommendations from Dr. Southern's report.

I am requesting a copy of the entire report, not just the recommendations. Can you provide that for me today?

Jane Seyd  
Reporter  
North Shore News  
Suite 100 - 126 East 15th St.  
North Vancouver, B.C. V7L 2P9  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)  
604-998-3539 (direct)

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From: Sorochan, Craig GCPE:EX [[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)]  
Sent: Tuesday, February 27, 2018 9:25 AM  
To: Seyd, Jane (LMP)  
Subject: RE: North Vancouver school board report

Hi Jane,

Please see this response from the Ministry of Education:  
The ministry expects SD 44 to release information regarding Dr. Southern's

findings on governance performance in SD 44 in the near future.

Please cite/attribute the Ministry of Education.

All the best,  
Craig

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Monday, February 26, 2018 4:25 PM  
To: Sorochan, Craig GCPE:EX  
Subject: RE: North Vancouver school board report

Hi Craig,  
Yes. I am.

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)<<mailto:jseyd@nsnews.com>>  
604-998-3539

From: Sorochan, Craig GCPE:EX [<mailto:Craig.Sorochan@gov.bc.ca>]  
Sent: February-26-18 4:11 PM  
To: Seyd, Jane (LMP) <[JSeyd@nsnews.com](mailto:JSeyd@nsnews.com)<<mailto:JSeyd@nsnews.com>>>  
Subject: RE: North Vancouver school board report

Still waiting to hear back. Are you okay to wait until tomorrow? thanks

From: Seyd, Jane (LMP) [<mailto:JSeyd@nsnews.com>]  
Sent: Monday, February 26, 2018 2:22 PM  
To: Sorochan, Craig GCPE:EX  
Subject: North Vancouver school board report

Hi Craig,  
We spoke a few weeks about a report being done for the ministry of education by Dr. Lee Southern about governance issues facing the North Vancouver school board.  
I understand that report is now complete and has been submitted to the ministry. I'd like to get a copy of that. Any way you can email it to me?  
Depending on what's in it, I'll likely be interested in getting a response from the ministry.

Jane Seyd  
Reporter  
North Shore News  
[jseyd@nsnews.com](mailto:jseyd@nsnews.com)<<mailto:jseyd@nsnews.com>>  
604-998-3539

Page 088 to/à Page 090

Withheld pursuant to/removed as

DUPLICATE

From: [Godin, Keith EDUC:EX](#)  
To: [Champion, Jennifer EDUC:EX](#)  
Cc: [Shea, Megan EDUC:EX](#); [Duerksen, Dave EDUC:EX](#)  
Subject: Fwd: Submission of Consultant Report  
Date: Friday, February 2, 2018 12:59:09 PM  
Attachments: [LS revised report.docx](#)  
[ATT00001.htm](#)

---

Please see below

Begin forwarded message:

**From:** Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)>  
**Date:** February 2, 2018 at 11:59:40 AM PST  
**To:** "Godin, Keith Educ:Ex" <[keith.godin@gov.bc.ca](mailto:keith.godin@gov.bc.ca)>  
**Subject: Submission of Consultant Report**

Keith,

Attached is my Report.

As discussed, under separate cover I will send you the electronic links to the Report attachments that your staff can incorporate into the document. Again, thank you for offering to do this and apologies for my limited computer skill.

Lee

Page 092 to/à Page 123

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NR

Page 124 to/à Page 126

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s.13

Page 127 to/à Page 130

Withheld pursuant to/removed as

s.14

Page 131 to/à Page 134

Withheld pursuant to/removed as

s.13

## **CONFIDENTIAL**

### **Ministry of Education Consultant Report: North Vancouver Board of Education Governance**

Submitted by Dr. Lee Southern - 2 February 2018

In response to a Board request for support, the Ministry retained the Consultant to inquire into “the extent to which trustees are effective in carrying out their duties and identify any actual or potential problems with SD44 Board of Education governance and trustee behaviour.....provide a summary of findings...including developing recommendations to address any problem he identifies.” (Education Ministry Contract No.: C18/3377)

### **Summary of Findings and Recommendations**

\* **Key Finding:** dysfunctional interpersonal trustee relations negatively impact the Board’s performance of its governance duties.

First Case: s.22 bullying behaviour towards staff and elected colleagues impairs the willingness of individual trustees to participate fully in board deliberations particularly in closed meetings (“trustee seminars”), over concern about personal attacks.

The Board is attempting to address interpersonal trustee relations through the development by the Superintendent of a new trustee handbook on trustee governance role, duties and responsibilities, and a Chair motion (23 January 2018-attached below) directing the Superintendent to provide information on current BC board of education practice on disciplining inappropriate trustee behaviour.

### **Recommendation 1**

That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).

## **Recommendation 2**

That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:

- + (trustees only) to clarify and re-inforce the necessity for all trustees' compliance with, the individual trustee's governance role to represent all members of the education community and the larger public; and, to conduct themselves according to standards of acceptable trustee behaviour;
- + (trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent);
- + (trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self evaluation of board governance performance.

## **Recommendation 3**

That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.

Second Case: <sup>s.22</sup> publicly claiming "workplace sexual harassment and bullying" and threatening to file formal complaint with Board (reference: North Shore News article - 9 December 2017- attached below).

## **Recommendation 4**

That the Chair offer <sup>s.22</sup> voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and, reconfirm the Chair's earlier statement to <sup>s.22</sup> that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within board jurisdiction, the Board has an interim formal process available -attached below- which has been used in the above referenced First Case.)

## **Recommendation 5**

That, if and when a trustee harassment complaint is filed, the Chair request <sup>s.22</sup> and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.

### **Other Findings:**

\* Threat to disrupt board performance:

Any continuing media exposure of trustee absences from meetings and harassment claims (reference: December North Shore News articles- attached below) threatens to have a potentially serious, negative impact on the Board's governance performance. As well, Board legal expenditures associated with trustee behaviour, if made public, could also have a deleterious effect on the Board's ability to perform its statutory functions.

\* Generally speaking, the Trustees, Superintendent and Secretary Treasurer are hopeful that the Board's working relations can be improved and each of those individuals provided the Consultant useful information towards that objective.

\* The Board has a very competent Chair and Superintendent both of whom are respected by all trustees and the chair/superintendent working relationship is positive and productive. This is a *sine qua non* element of all high performing boards of education. As well, the collective knowledge, skills and experience of the Board are more than adequate for its governing successfully.

\* Despite the serious inter-personal dysfunction amongst the trustees, the Board is fulfilling its statutory and fiduciary duties. From a governance point of view, and for setting the stage for any further potential action from the Ministry, this is key.

\*The Chair, Superintendent, Secretary Treasurer, and several trustees expressed the view that it would be helpful to have the Minister's continuing interest in and support for mitigating interpersonal trustee dysfunction.

## **Recommendation 7**

That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by 31 March 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.

**Concluding observation:** If the Board can better manage its interpersonal trustee relations - a responsibility of each individual trustee (and the key objective of these recommendations) - its prospects of continuing to fulfil its statutory and fiduciary functions will be improved.

## **Consultant main activities**

Consultant Interviews

Board Chair - 2 interviews

Superintendent - 2 individual interviews plus 2 interviews held jointly with Secretary Treasurer

Secretary Treasurer - 1 interview plus 2 interviews held jointly with Superintendent

Individual interviews views with each trustee (5 in person; 1 via telephone)

Human Resource Director

Consultant board meeting attendance

Board Seminar (closed) 9 January 2018

Board public meeting 16 January 2018

## **Related Documents**

Chair Motion (16 January 2018): Trustee conduct-new trustee handbook

Board Process for Resolution of Code of Ethics Complaints

North Shore News articles: “North Van school trustee no-shows raise questions” (9 December 2017); “Ministry orders probe of North Vancouver school board” (2 February 2018)

Page 140 to/à Page 146

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DUPLICATE

From: Lee Southern  
To: [Godin, Keith EDUC:EX](#)  
Cc: [gallison@sd44.ca](#); [MPearmain@sd44.ca](#)  
Subject: NV Update  
Date: Thursday, February 1, 2018 2:16:07 PM

---

Keith

First, Mark has given me a draft of a revised recommendation #4 as discussed in yesterday's call. I will proceed to finalize my report for submission on Monday.

s.13,s.22

s.13,s.22

They have asked whether I would consider serving that function. Their rationale is that I am the only person who has spoken at length with each trustee and this confidential information could be critical to meet the objective of the in the in-person discussions. I indicated that I am interested.

We agreed that I would ask you if the ministry had any objection to my filling this role. I explained that if the ministry was amenable to this option, it would likely expect me to be retained by NV directly. They would be agreeable with that arrangement.

Is the ministry amenable to my doing this work and, if so, are there any conditions to be applied to the engagement?

Lee

Sent from my iPad

From: Lee Southern  
To: [MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)  
Subject: NV44  
Date: Thursday, February 1, 2018 7:17:58 AM

---

Mark

Thank you for your candid comments and advice yesterday.

I sense your frustration at the MOE limitation of support at this juncture. They are being appropriately respectful of board and trustee responsibilities to manage their own conduct. However, I am certain that there will be continued direct ministry interest in how matters unfold and they will make further decisions as necessary.

Your support of the Chair will be key if you decide to proceed with the recommended individual trustee meetings and closed sessions focussed on trustee behavioural responsibilities. You know this. I think the two of you can get this job done.

**s.13,s.22**

**s.13,s.22**

I think you can and should step in. You are not an elected person but as the organization's senior leader you do have a professional stake in the effective management of the situation.

Lee

PS as to your re-draft of my recommendation, a very rough wording will suffice.

Sent from my iPad

**From:** Mark Pearmain  
**To:** [Godin, Keith EDUC:EX](#)  
**Subject:** NVSD Teleconference call  
**Date:** Wednesday, January 31, 2018 8:55:37 AM  
**Attachments:** [image001.png](#)

---

Hi Keith,

I am looking forward to our call later today re: NVSD Board of Education. I will be having Secretary Treasurer Georgia Allison join us on the call today as well.

Warm regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)



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Page 150

Withheld pursuant to/removed as

NR

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Filion, Corinna GCPE:EX](#); [MacDonald, Scott D EDUC:EX](#)  
**Subject:** RE: Board mtg  
**Date:** Wednesday, February 21, 2018 11:57:25 AM  
**Attachments:** [Re North Vancouver School District Board of Education.msg](#)

---

Not the full report – Mark is referring to the recommendations, sent via email (attached).

---

**From:** Filion, Corinna GCPE:EX  
**Sent:** Wednesday, February 21, 2018 10:06 AM  
**To:** MacDonald, Scott D EDUC:EX; Godin, Keith EDUC:EX  
**Subject:** RE: Board mtg

Just confirming is this Lee Sothern's report that will be released next week?

---

**From:** MacDonald, Scott D EDUC:EX  
**Sent:** Wednesday, February 21, 2018 9:05 AM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Filion, Corinna GCPE:EX  
**Subject:** RE: Board mtg  
Keep Corinna in the loop

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Wednesday, February 21, 2018 7:41 AM  
**To:** MacDonald, Scott D EDUC:EX  
**Subject:** Fwd: Board mtg  
FYI

Begin forwarded message:

**From:** "Godin, Keith EDUC:EX" <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)>  
**Date:** February 21, 2018 at 7:40:59 AM PST  
**To:** Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)>  
**Subject:** Re: Board mtg

Ok thanks - feel free to connect anytime as this works through that process and leading up to report back to Minister.

On Feb 21, 2018, at 7:20 AM, Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)> wrote:

Yes. The Board made a public declaration of receiving the report at the Board meeting and stated that they will release it publicly on Feb 28 after having some time to digest it. We will work with them on what their plan is and messaging for the public.

Sent from my iPhone

On Feb 21, 2018, at 6:50 AM, Godin, Keith EDUC:EX  
<[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)> wrote:

Hi Mark - did things go ok for you yesterday?

From: [Godin, Keith EDUC:EX](#)  
To: [Champion, Jennifer EDUC:EX](#)  
Cc: [Duerksen, Dave EDUC:EX](#)  
Subject: RE: Draft DM email to North Vancouver School District  
Date: Tuesday, February 6, 2018 9:08:57 AM

---

Thank you

---

**From:** Champion, Jennifer EDUC:EX  
**Sent:** Tuesday, February 6, 2018 9:01 AM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Duerksen, Dave EDUC:EX  
**Subject:** FW: Draft DM email to North Vancouver School District

Good morning Keith,

Here is the proposed email to NV.

Jennifer

---

**From:** Champion, Jennifer EDUC:EX  
**Sent:** Friday, February 2, 2018 5:12 PM  
**To:** Duerksen, Dave EDUC:EX  
**Subject:** Draft DM email to North Vancouver School District

Hi Dave,

Based on our discussion with Keith on Wednesday, here's a draft email for your review and comment please. The initial request came from Superintendent/CEO Mark Pearmain, and so I'm proposing that the DM will write to him to convey Lee's recommendations.

Dear Mark,

In response to your request in December for support to address governance challenges facing the North Vancouver Board of Education, the Ministry retained Dr. Lee Southern to inquire into the issues you raised.

Following are Dr. Southern's recommendations which I'm pleased to offer for discussion and consideration with your Board Chair:

***Recommendation 1***

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

***Recommendation 2***

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

- *(trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;*
- *(trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;*
- *(trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.*

***Recommendation 3***

*That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

***Recommendation 4***

*That the Chair offer<sup>s.22</sup> voluntary confidential mediation conducted by an external*

*professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to s.22 that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available –in the attached document)*

**Recommendation 5**

*That, if and when a trustee harassment complaint is filed, the Chair request s.22 and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

**Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by 31 March 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

In light of Recommendation 6, I am requesting a report by the end of March on the actions the Board has decided to take on the other five recommendations and any other actions taken to strengthen the Board's governance performance.

If you have any follow up questions, you are welcome to contact Keith Godin, Assistant Deputy Minister, Governance & Analytics at [Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca) (250-356-6760).

Etc....

**From:** [Godin, Keith EDUC:EX](#)  
**To:** ["Mark Pearmain"; MacDonald, Scott D EDUC:EX](#)  
**Subject:** RE: FOIPPA Request  
**Date:** Tuesday, March 13, 2018 1:21:19 PM

---

Thanks Mark. As you know, we have a similar request and will process within the next three weeks.  
Keith

---

**From:** Mark Pearmain [<mailto:MPearmain@sd44.ca>]  
**Sent:** Tuesday, March 13, 2018 12:35 PM  
**To:** Godin, Keith EDUC:EX; MacDonald, Scott D EDUC:EX  
**Subject:** FW: FOIPPA Request  
**Importance:** High

Hi Scott / Keith,

To keep you in the loop, please see the email that was sent to all North Vancouver Board of Education members today advising of a FOIPPA request ranging from 2014 – 2018.

If you have any questions, please don't hesitate to contact me.

Regards,

Mark

Mark Pearmain

Superintendent / CEO

North Vancouver School District

2121 Lonsdale Avenue, North Vancouver, BC V7M 2K6

Office: 604-903-3449 | Fax: 604-903-3448

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[www.sd44.ca](http://www.sd44.ca)

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**From:** Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)>  
**Date:** Tuesday, March 13, 2018 at 12:06 PM  
**To:** Trustees <[trustees@sd44.ca](mailto:trustees@sd44.ca)>  
**Cc:** Georgia Allison <[gallison@sd44.ca](mailto:gallison@sd44.ca)>, Chris Atkinson <[CAtkinson@sd44.ca](mailto:CAtkinson@sd44.ca)>, Pius Ryan <[pryan@sd44.ca](mailto:pryan@sd44.ca)>, Scott Stanley <[sstanley@sd44.ca](mailto:sstanley@sd44.ca)>, Taralee Hallson <[thallson@sd44.ca](mailto:thallson@sd44.ca)>  
**Subject:** FOIPPA Request

Dear Trustees,

Late on Friday, March 9<sup>th</sup> we received an FOI request from Jane Seyd of the North Shore News. The FOI request is included below. We would like to outline the approach to this request that is in keeping with our normal practice in responding to an FOI request.

- We are required to conduct a thorough search for records responsive to the request. Staff will commence identifying responsive records within their files, emails, and documents.
- We have taken a snapshot of all Trustee SD44 emails in order to identify responsive records on your behalf. We will be reviewing to locate school district records only. Records that do not relate to Board business can be excluded from the scope of the request and will not be used in responding to the request. Responsive records containing any sensitive personal

information of a trustee or other third parties will be appropriately redacted as required under the Act in order to protect privacy interests.

- We may be following up with individual Trustees, should we have any questions or require input on disclosure decisions.
- Prior to the information being released to the North Shore News, we will give each Trustee an opportunity to review any records obtained from their email accounts which are responsive so the request, so that each trustee has an opportunity to know, understand and provide input into the disclosure process.
- All responsive records will be inventoried, duplicates removed, and redactions identified per the requirements of the Act.

The Act requires that we provide the requested information, with appropriate redactions, within 30 business days of receipt of the request, with the possibility for an extension. We have engaged Harris & Co. to ensure that all materials are managed in accordance with the Act.

*Dear Georgia Allison,*

*I am writing under the auspices of British Columbia's Freedom of Information and Protection of Privacy Act to request records from the North Vancouver School District.*

*I am requesting a copy of all memos, emails, reports and complaints received or sent by school district staff or trustees between December 2014 and March 8, 2018 which concern issues or allegations of bullying, harassment, sexual harassment, absenteeism, personal attacks or unprofessional conduct by board of education trustees.*

*My request includes any materials created in the course of an interim formal process conducted by the school district into allegations of a trustee's bullying behaviour towards staff and elected colleagues during that same time frame.*

*I am also requesting all memos, emails, reports or contracts received or sent by school district staff or trustees or the board chair regarding legal expenses associated with trustee behaviour.*

*I am requesting copies of all contracts, emails, memos or memorandums of understanding received or sent by school district staff or trustees or the board chair detailing costs, anticipated costs, scope of work or terms of reference for lawyers, consultants, governance experts or other outside professionals hired to help the school district investigate, examine or work on issues of trustee behaviour.*

*I am requesting these records in the public interest, in light of recent revelations about allegations of inappropriate trustee behaviour, and in light of public comments made by trustees and in a consultant's report voicing concern about legal costs associated with these issues.*

*I would like to receive copies of the documents electronically. Depending on the size of the file, I can receive materials by email, by zip file or by dropbox.*

*Please don't hesitate to contact me if you have questions about my request.*

*Jane Seyd*

*Reporter*

*North Shore News*

If you have any questions or concerns, please let me know.

Regards,

Mark

Mark Pearmain

Superintendent / CEO

North Vancouver School District

2121 Lonsdale Avenue, North Vancouver, BC V7M 2K6

Office: 604-903-3449 | Fax: 604-903-3448

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**From:** [Sorochan, Craig GCPE:EX](#)  
**To:** [Godin, Keith EDUC:EX](#)  
**Subject:** RE: IN for review NVan  
**Date:** Thursday, February 22, 2018 12:09:21 PM

---

Hi Keith,  
Would it be okay to add a line saying:  
I'm confident these recommendations will help the board focus on their top priority – supporting student success in SD 44.  
Please advise.  
Thanks,  
Craig

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Thursday, February 22, 2018 10:59 AM  
**To:** Sorochan, Craig GCPE:EX  
**Subject:** FW: IN for review

---

**From:** Champion, Jennifer EDUC:EX  
**Sent:** Thursday, February 22, 2018 10:51 AM  
**To:** Godin, Keith EDUC:EX; Duerksen, Dave EDUC:EX  
**Cc:** Shea, Megan EDUC:EX  
**Subject:** RE: IN for review  
A suggestion from me, tracked in the attached doc.  
Jennifer

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Thursday, February 22, 2018 9:24 AM  
**To:** Duerksen, Dave EDUC:EX; Champion, Jennifer EDUC:EX  
**Cc:** Shea, Megan EDUC:EX  
**Subject:** FW: IN for review  
Please review

---

**From:** Sorochan, Craig GCPE:EX  
**Sent:** Thursday, February 22, 2018 9:11 AM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Leslie, Sean GCPE:EX; Fillion, Corinna GCPE:EX; Shea, Megan EDUC:EX  
**Subject:** IN for review

Hi Keith,  
Please see the attached DRAFT note re NVan.  
thanks,  
Craig Sorochan  
Senior Public Affairs Officer  
Government Communications and Public Engagement  
Ministry of Education  
Tel: 250-208-9130  
E-Mail: [Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Leslie, Sean GCPE:EX](#)  
**Cc:** [Filion, Corinna GCPE:EX](#); [Tackaberry, Emily GCPE:EX](#); [Duerksen, Dave EDUC:EX](#)  
**Subject:** RE: IN\_SD 44 Trustee Attendance(v2)  
**Date:** Monday, December 11, 2017 8:00:00 PM

---

Yes – although this note may need to evolve as the story does...

And thanks Dave.

---

**From:** Leslie, Sean GCPE:EX  
**Sent:** Monday, December 11, 2017 3:24 PM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Filion, Corinna GCPE:EX; Penner, Emily GCPE:EX; Duerksen, Dave EDUC:EX  
**Subject:** IN\_SD 44 Trustee Attendance(v2)

Hi Keith, our thanks to Dave for the help on this—does this note look okay to you?

Thanks.

**Sean Leslie**  
Communications Manager  
Ministry of Education  
(250) 356-8485(o)  
(250) 893-4403(m)

**From:** [Duerksen, Dave EDUC:EX](#)  
**To:** [Tackaberry, Emily GCPE:EX](#)  
**Cc:** [Godin, Keith EDUC:EX](#)  
**Subject:** Re: Info please - North Van school board  
**Date:** Monday, December 11, 2017 9:56:55 AM

---

Hi Emily, I'm in a meeting until noon. Can I talk to you after that?

Sent from my iPhone

On Dec 11, 2017, at 9:47 AM, Penner, Emily GCPE:EX <[Emily.Penner@gov.bc.ca](mailto:Emily.Penner@gov.bc.ca)> wrote:

Great. Dave, give me a call or come on up when you get a chance.

Emily

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Monday, December 11, 2017 9:45 AM  
**To:** Penner, Emily GCPE:EX  
**Cc:** Duerksen, Dave EDUC:EX; Shea, Megan EDUC:EX; Leslie, Sean GCPE:EX  
**Subject:** RE: Info please - North Van school board  
Please start with Dave

---

**From:** Penner, Emily GCPE:EX  
**Sent:** Monday, December 11, 2017 9:44 AM  
**To:** Godin, Keith EDUC:EX  
**Cc:** Duerksen, Dave EDUC:EX; Shea, Megan EDUC:EX; Leslie, Sean GCPE:EX  
**Subject:** Info please - North Van school board

Hey Keith,

I am drafting an IN on the story out of North Van on trustee attendance:

<http://www.nsnews.com/news/north-van-school-trustee-no-shows-raise-questions-1.23117567>

Looking for some info to help develop KMs. If you or someone from your team could give me a call that would be helpful, thanks!

Emily

250 818-9862

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Duerksen, Dave EDUC:EX](#); [Sorochan, Craig GCPE:EX](#)  
**Cc:** [Filion, Corinna GCPE:EX](#); [Leslie, Sean GCPE:EX](#)  
**Subject:** RE: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
**Date:** Tuesday, January 30, 2018 1:15:05 PM

---

Perfect thanks

---

**From:** Duerksen, Dave EDUC:EX  
**Sent:** Tuesday, January 30, 2018 1:14 PM  
**To:** Godin, Keith EDUC:EX; Sorochan, Craig GCPE:EX  
**Cc:** Filion, Corinna GCPE:EX; Leslie, Sean GCPE:EX  
**Subject:** RE: Media Request: Jane Seyd, North Shore News, North Van trustee issues

I have the following excerpt from a briefing note we wrote a while ago:

Dr. Southern holds a doctoral degree in education leadership and administration and has lectured and provided consultation services on the topic. Dr. Southern was executive director of the BCSTA from 1995 to 2007 and in 2008 was appointed Special Advisor to inspect, evaluate and make recommendations regarding the governance of the Cowichan Valley School District's board of education.

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Tuesday, January 30, 2018 12:55 PM  
**To:** Sorochan, Craig GCPE:EX  
**Cc:** Filion, Corinna GCPE:EX; Leslie, Sean GCPE:EX; Duerksen, Dave EDUC:EX  
**Subject:** Re: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
I don't...

Dave - have anything?

On Jan 30, 2018, at 12:29 PM, Sorochan, Craig GCPE:EX <[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)> wrote:

The reporter can't find any info on Lee Southern. Do you have info on Lee we can provide?

Thanks

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Tuesday, January 30, 2018 11:31 AM  
**To:** Sorochan, Craig GCPE:EX  
**Cc:** Shea, Megan EDUC:EX; Leslie, Sean GCPE:EX; Filion, Corinna GCPE:EX  
**Subject:** Re: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
Yes - and only if helpful... can say we currently don't see any undue harm to students.

On Jan 30, 2018, at 11:29 AM, Sorochan, Craig GCPE:EX <[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)> wrote:

Ok, thanks. Can I call the reporter and let her know we hope to hear back from Lee in a few weeks?

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Tuesday, January 30, 2018 11:28 AM  
**To:** Sorochan, Craig GCPE:EX  
**Cc:** Shea, Megan EDUC:EX; Leslie, Sean GCPE:EX; Filion, Corinna GCPE:EX  
**Subject:** Re: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
Lee is close to completing his interviews with trustees and senior

staff, which given the allegations we want to ensure due diligence is taken, and we expect the report to be provided in about two weeks. And just for you - we want to be able to brief Minister next week.

On Jan 30, 2018, at 10:36 AM, Sorochan, Craig GCPE:EX  
<[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)> wrote:

Any word back on this front yet? I will need to touch base by noon or so with the reporter.

Thanks

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Monday, January 29, 2018 7:25 PM  
**To:** Sorochan, Craig GCPE:EX  
**Cc:** Shea, Megan EDUC:EX; Leslie, Sean GCPE:EX; Fillion, Corinna GCPE:EX  
**Subject:** Re: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
I'm talking with Lee first thing tomorrow morning... will advise shortly after

On Jan 29, 2018, at 4:16 PM, Sorochan, Craig GCPE:EX  
<[Craig.Sorochan@gov.bc.ca](mailto:Craig.Sorochan@gov.bc.ca)> wrote:

Hi,

The reporter out of North Van has followed up and is wondering if there is a timeline for Lee Southern to report back to the Ministry?

Thanks,

Craig

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Friday, January 26, 2018 1:39 PM  
**To:** Sorochan, Craig GCPE:EX; Shea, Megan EDUC:EX  
**Cc:** Leslie, Sean GCPE:EX; Fillion, Corinna GCPE:EX; Tackaberry, Emily GCPE:EX  
**Subject:** RE: Media Request: Jane Seyd, North Shore News, North Van trustee issues  
Looks good Craig – my only suggestion is to prop up Lee just a bit... ie he's a consultant "and experienced board governance expert"

---

**From:** Sorochan, Craig GCPE:EX  
**Sent:** Friday, January 26, 2018 1:17 PM  
**To:** Godin, Keith EDUC:EX; Shea, Megan EDUC:EX  
**Cc:** Leslie, Sean GCPE:EX; Fillion, Corinna GCPE:EX; Tackaberry, Emily GCPE:EX  
**Subject:** Media Request: Jane Seyd, North Shore News, North Van trustee issues  
Hi Keith,  
We have a media request regarding the situation in North Van.  
The messages below are the same

pretty much as the ones Emily sent the other day in our note on this.

Do the responses look okay to send as background?

Please advise.

thanks,

Craig

250-208-9130

---

**Media Request**

**Date:** Friday, January 26, 2018 1:09 PM

**Subject:** EDUC Media Request: North Van trustee issues

**Reporter :** Jane Seyd, North Shore News

[jseyd@nsnews.com](mailto:jseyd@nsnews.com)

604-998-3539

**Request:** The reporter is wondering if the Ministry is taking any steps or actions regarding the situation involving a trustee who has not been attending meetings in person. The reporter asked for an interview if possible.

What is expected of trustees from the Ministry? What if anything is being done about the situation in NVan?

**Recommendation: Send information from the Ministry of Education:**

The allegations raised out of North Vancouver are concerning.

However, the Ministry is not aware of any formal complaints have been made to the Board, WorkSafeBC or the police.

As always, we want to ensure any concerns are addressed.

That's why the ministry has retained a consultant – Lee Southern – to meet with North Vancouver trustees to identify the concerns, and report back to the ministry with any recommendations for further action.

The North Vancouver School Board is also developing a set of rules for board meeting attendance, as they are empowered to do under the School Act.

However, the School Act is clear that trustees are permitted to attend board meetings by phone or other means of communication (like video-conference).

Unless it is due to illness, a trustee who fails to attend board meetings (in person or otherwise) for at least 3 months without permission of the board is no longer qualified to hold office.

**Deadline** Monday, January 29, 2018  
3:30 PM

**From:** [Godin, Keith EDUC:EX](#)  
**To:** [Mark Pearmain](#)  
**Subject:** Re: Ministry of Education Consultant Report: North Vancouver Board of Education Governance  
**Date:** Tuesday, March 6, 2018 12:03:37 PM

---

The application does not specify (as allowed for under the Act).

On Mar 6, 2018, at 9:33 AM, Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)> wrote:

Ok. Who is the applicant?

Sent from my iPhone

On Mar 6, 2018, at 9:27 AM, Godin, Keith EDUC:EX <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)> wrote:

Mark,  
FYI – rather than make the FOI applicant go through the FOI process,  
we’re going to proactively release Lee’s report, <sup>s.14</sup>  
<sup>s.14</sup>  
Keith

Page 165 to/à Page 167

Withheld pursuant to/removed as

DUPLICATE

From: [Champion, Jennifer EDUC:EX](#)  
To: [Godin, Keith EDUC:EX](#)  
Subject: RE: North Vancouver School District Board of Education  
Date: Thursday, February 15, 2018 4:15:08 PM  
Attachments: [image002.jpg](#)  
[image003.png](#)

---

Thanks for keeping me in the loop.

Jennifer

---

**From:** Godin, Keith EDUC:EX  
**Sent:** Thursday, February 15, 2018 4:13 PM  
**To:** Duerksen, Dave EDUC:EX; Champion, Jennifer EDUC:EX  
**Subject:** Fwd: North Vancouver School District Board of Education

Begin forwarded message:

**From:** "MacDonald, Scott D EDUC:EX" <[D.Scott.MacDonald@gov.bc.ca](mailto:D.Scott.MacDonald@gov.bc.ca)>  
**Date:** February 15, 2018 at 3:28:49 PM PST  
**To:** Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)>  
**Cc:** "Godin, Keith EDUC:EX" <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)>  
**Subject:** Re: North Vancouver School District Board of Education

Mark,

In response to your request in December for support to address governance challenges facing the North Vancouver Board of Education, the Ministry retained Dr. Lee Southern to inquire into the issues you raised.

Following are Dr. Southern's recommendations which I'm pleased to offer for discussion and consideration with your Board Chair:

**Recommendation 1**

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

**Recommendation 2**

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

- *(trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;*
- *(trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;*
- *(trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.*

**Recommendation 3**

*That, prior to holding the above recommended closed meetings, the Chair meet with*

*each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

**Recommendation 4**

*That the Chair offer<sup>s.22</sup> voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to<sup>s.22</sup> that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available –in the attached document)*

**Recommendation 5**

*That, if and when a trustee harassment complaint is filed, the Chair request<sup>s.22</sup> and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

**Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by 31 March 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

In light of Recommendation 6, I am requesting a report by the end of March on the actions the Board has decided to take on the other five recommendations and any other actions taken to strengthen the Board's governance performance.

If you have any follow up questions, you are welcome to contact Keith Godin, Assistant Deputy Minister, Governance & Analytics at [Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca) (250-356-6760).

Scott



**D. Scott MacDonald**

Deputy Minister  
BC Ministry of Education

☎ 250-387-2026 | ✉ [D.Scott.MacDonald@gov.bc.ca](mailto:D.Scott.MacDonald@gov.bc.ca)

**From:** Mark Pearmain [<mailto:MPearmain@sd44.ca>]

**Sent:** Wednesday, December 13, 2017 3:30 PM

**To:** MacDonald, Scott D EDUC:EX

**Cc:** Georgia Allison

**Subject:** Re: North Vancouver School District Board of Education

Hi Scott,

Please accept this email as a formal request for support from the Ministry of Education for the North Vancouver School District Board of Education. As you are aware there are some challenges within our Board of Education that have been recently raised in the media. The concerns raised are as follows:

- Possible Allegation of Sexual Harassment
- Dysfunction of the Board
- Non-attendance of Trustees
- Bullying
- “Navel gazing” on personal issues

I look forward to talking with you about how the Ministry of Education can support the North Vancouver School District Board of Education and their work in supporting the students of North Vancouver.

Regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)



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From: [Godin, Keith EDUC:EX](#)  
To: [Mark Pearmain](#)  
Subject: Re: Recommendations  
Date: Monday, February 26, 2018 4:53:31 PM

---

Thanks

On Feb 26, 2018, at 4:24 PM, Mark Pearmain <[MPearmain@sd44.ca](mailto:MPearmain@sd44.ca)> wrote:

Wednesday Feb 28 is the publicly stated date.

We are just working on our coms plan.

M

Sent from my iPhone

On Feb 26, 2018, at 3:46 PM, Godin, Keith EDUC:EX  
<[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)> wrote:

Hi Mark – we're getting media inquiries for report/recommendations.  
Can you please let me know when you plan to publicly release the email  
from Scott?

From: Lee Southern  
To: [Godin, Keith EDUC:EX](#)  
Subject: Re: Revised Report  
Date: Tuesday, January 30, 2018 7:34:54 PM

---

Keith

I am fine with your suggested change which I will make and send Mark and you a confidential copy tomorrow morning.

Quite often, as you well know, the mills of the government gods grind exceedingly slow. I am happy working with you and Scott who move matters speedily forward when it is possible.

Best,  
Lee

Sent from my iPad

> On Jan 30, 2018, at 7:08 PM, Godin, Keith EDUC:EX <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)> wrote:  
>  
> Lee,  
>  
> Thank you for the quick changes. In my view, this reflects our discussion, and I suggest you send a confidential draft to Mark in advance of our call tomorrow.

s.13

>  
> Regards,  
> Keith  
>  
> -----Original Message-----  
> From: Lee Southern [<mailto:leesouthern44@gmail.com>]  
> Sent: Tuesday, January 30, 2018 11:26 AM  
> To: Godin, Keith EDUC:EX  
> Cc: MacDonald, Scott D EDUC:EX  
> Subject: Revised Report  
>  
> Keith  
>  
> Attached is a revised report based on this morning's teleconference. Talk with you at noon about next steps.  
>  
> Lee

**From:** Lee Southern  
**To:** [Godin, Keith EDUC:EX](#)  
**Cc:** [MacDonald, Scott D EDUC:EX](#)  
**Subject:** Revised Report  
**Date:** Tuesday, January 30, 2018 11:25:53 AM  
**Attachments:** [LS revised report.docx](#)  
[ATT00001.txt](#)

---

Keith

Attached is a revised report based on this morning's teleconference. Talk with you at noon about next steps.

Lee

From: [McPhee, Rita EDUC:EX](#)  
To: [Champion, Jennifer EDUC:EX](#)  
Cc: [Duerksen, Dave EDUC:EX](#); [Shea, Megan EDUC:EX](#)  
Subject: Southern direct award BN aproved  
Date: Tuesday, January 2, 2018 11:58:45 AM  
Attachments: [198814 BN for DM SD 44 Consultant - request for direct award Approved.pdf](#)

---

This briefing note has been approved, for your action. Rita

*Rita J. McPhee*

Administrative Coordinator | Governance and Analytics Division | Ministry of Education  
4th Floor, 620 Superior St. | PO Box 9146 Stn Prov Govt Victoria, BC V8W 9H1  
Phone: 250-356-1404 | FAX: 250-953-3225  
Email: [rita.mcphee@gov.bc.ca](mailto:rita.mcphee@gov.bc.ca)

*Merry Christmas and Happy New Year*

**From:** Lee Southern  
**To:** [Godin, Keith EDUC:EX](#)  
**Subject:** Submission of Consultant Report  
**Date:** Friday, February 2, 2018 12:00:57 PM  
**Attachments:** [LS revised report.docx](#)

---

Keith,

Attached is my Report.

As discussed, under separate cover I will send you the electronic links to the Report attachments that your staff can incorporate into the document. Again, thank you for offering to do this and apologies for my limited computer skill.

Lee

**From:** [Sampson, Laura EDUC:EX](#)  
**To:** [Bertrand, Julie EDUC:EX](#)  
**Subject:** FW: Urgent Request for Telephone Call Discussion  
**Date:** Friday, December 8, 2017 10:11:00 AM

---

Just booked this call for 12:45pm today.

---

**From:** Taralee Hallson [mailto:[thallson@sd44.ca](mailto:thallson@sd44.ca)]  
**Sent:** Friday, December 8, 2017 9:06 AM  
**To:** Sampson, Laura EDUC:EX  
**Subject:** Re: Urgent Request for Telephone Call Discussion

Hi Laura, I have some more information to share...it has to do with some challenges within the Board that are now being investigated by the media.

Thanks again Laura,  
Taralee

Sent from my iPhone

On Dec 8, 2017, at 8:39 AM, Sampson, Laura EDUC:EX <[Laura.Sampson@gov.bc.ca](mailto:Laura.Sampson@gov.bc.ca)> wrote:

Hi Taralee,

Scott will be in transit at 12:45, but I think he should be able to take a call. Let me just check with him and then I can confirm with you around 10am today.

In the meantime, are you able to provide any other info about the matter in question?

Thank you,

**Laura Sampson | Senior Executive Assistant**  
Deputy Minister's Office | Ministry of Education  
Ph: 250-387-2026 E: [laura.sampson@gov.bc.ca](mailto:laura.sampson@gov.bc.ca)

---

**From:** Taralee Hallson [mailto:[thallson@sd44.ca](mailto:thallson@sd44.ca)]  
**Sent:** Friday, December 8, 2017 8:34 AM  
**To:** Sampson, Laura EDUC:EX; EDUC DM EDUC:EX  
**Subject:** Urgent Request for Telephone Call Discussion

Good morning Laura,

Superintendent Mark Pearmain has asked me to reach out first thing this morning to see if Deputy Minister Scott MacDonald could be available for a phone call discussion at 12:45pm today? It is regarding an urgent Board-related matter.

Could you please let me know if this is possible? Mark suggests it could be a 30 min conversation, and he can be reached on his cell:<sup>s.22</sup>

Thank you in advance for your assistance,

Taralee Hallson

Executive Assistant, Superintendent's Office

North Vancouver School District

2121 Lonsdale Avenue, North Vancouver, BC V7M 2K6

Office: 604-903-3449 | Fax: 604-903-3448

"the natural place to learn"

[www.sd44.ca](http://www.sd44.ca)

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From: Lee Southern  
To: [MacDonald, Scott D EDUC:EX](#)  
Subject: Re: North Vancouver  
Date: Tuesday, December 12, 2017 12:31:45 PM

---

Scott

A quick scan of their bios indicates that each trustee appears to be a strong “advocate” for different elements of schooling- i.e. potential personal agendas. If this is actually one of the impediments to their working together, they need to know and accept that trustees do not get to do the things on which they campaign for election - unless they can form a consensus with their colleagues on their specific preferred courses of action.

With closer examination, however, this may not turn out to be a critical factor in their dysfunction.

Look forward to talking with you further.

Lee

Sent from my iPad

On Dec 12, 2017, at 11:53 AM, MacDonald, Scott D EDUC:EX  
<[D.Scott.MacDonald@gov.bc.ca](mailto:D.Scott.MacDonald@gov.bc.ca)> wrote:

Lee,

The board is meeting tonight for the last time before Christmas.

Mark Pearmain (Superintendent) will meet with the Board Chair (Christie Sacre) prior to the meeting tonight and will discuss your engagement.

I will debrief with Mark tomorrow and then re-engage with you.

Media link below:

<http://www.nsnews.com/news/north-van-school-trustee-no-shows-raise-questions-1.23117567>

Scott

**From:** [Sampson, Laura EDUC:EX](#)  
**To:** [MacDonald, Scott D EDUC:EX](#)  
**Subject:** RE: North Vancouver School District Board of Education  
**Date:** Monday, December 18, 2017 8:47:00 AM  
**Attachments:** [image001.png](#)

---

Do you want me to set up a call with you and Mark or will you cold call him?

---

**From:** MacDonald, Scott D EDUC:EX  
**Sent:** Sunday, December 17, 2017 9:40 PM  
**To:** Bertrand, Julie EDUC:EX; Charlton, Julie EDUC:EX; Sampson, Laura EDUC:EX; Teng, Zita EDUC:EX  
**Subject:** FW: North Vancouver School District Board of Education

Pls log this as an incoming letter so we have on our records  
I will also file in my email  
Scott

---

**From:** Mark Pearmain [<mailto:MPearmain@sd44.ca>]  
**Sent:** Wednesday, December 13, 2017 3:30 PM  
**To:** MacDonald, Scott D EDUC:EX  
**Cc:** Georgia Allison  
**Subject:** Re: North Vancouver School District Board of Education

Hi Scott,

Please accept this email as a formal request for support from the Ministry of Education for the North Vancouver School District Board of Education. As you are aware there are some challenges within our Board of Education that have been recently raised in the media. The concerns raised are as follows:

- Possible Allegation of Sexual Harassment
- Dysfunction of the Board
- Non-attendance of Trustees
- Bullying
- "Navel gazing" on personal issues

I look forward to talking with you about how the Ministry of Education can support the North Vancouver School District Board of Education and their work in supporting the students of North Vancouver.

Regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)



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From: Lee Southern  
To: [Sampson, Laura EDUC:EX](#)  
Subject: Re: FW:  
Date: Thursday, December 28, 2017 11:47:38 AM

---

Hello Laura

What ever time works best for you is fine by me.

Lee'

Sent from my iPad

> On Dec 28, 2017, at 11:33 AM, Sampson, Laura EDUC:EX <[Laura.Sampson@gov.bc.ca](mailto:Laura.Sampson@gov.bc.ca)> wrote:

>

> Hello Lee,

>

> While there is currently a meeting scheduled with Scott, Jennifer and yourself for January 9th, I understand that it should be moved to the 8th so that the discussion can take place before your meeting with North Van Board on the 9th.

>

> Scott can be available at any time before 12pm on Jan 8th, do you have a preferred time for that morning?

>

> Thanks,

> Laura

>

>

> -----Original Message-----

> From: Godin, Keith EDUC:EX

> Sent: Thursday, December 28, 2017 10:34 AM

> To: 'leesouthern44@gmail.com'

> Cc: MacDonald, Scott D EDUC:EX

> Subject: RE:

>

> Lee,

>

> Responding on Scott's behalf...

>

> First, in response to your earlier request for a pre-amble to collect information, please see below for your consideration and use.

>

>

s.13

s.13

>  
> Scott returns January 8th but I am off that week, so will request a touch base meeting with you and Scott (and Jennifer Champion) on the 8th.  
>  
> Keith  
>  
>  
> -----Original Message-----  
> From: Lee Southern [<mailto:leesouthern44@gmail.com>]  
> Sent: Friday, December 22, 2017 11:13 AM  
> To: MacDonald, Scott D EDUC:EX  
> Subject:  
>  
> Scott  
>  
> I understand you are setting up a meeting for the week of 8th January which may occur after the North Van Board meeting scheduled for 9 January.  
>  
> Chair Christie Sacré was hopeful that some information about Ministry assistance might be given to the board at that meeting. May I suggest that you, Keith or me pass to her some words that she might convey to her trustee colleagues- even if it just something along the lines of:

>  
s.13

>  
> Lee  
>  
>  
>  
>  
>  
>  
>  
> Sent from my iPad

From: Lee Southern  
To: [Godin, Keith EDUC:EX](#)  
Cc: [MacDonald, Scott D EDUC:EX](#); [Champion, Jennifer EDUC:EX](#); [Filion, Corinna GCPE:EX](#)  
Subject: Re: Advice request  
Date: Friday, January 19, 2018 8:17:02 AM

---

Will do. Thanks for the prompt response.

Sent from my iPad

> On Jan 19, 2018, at 7:35 AM, Godin, Keith EDUC:EX <Keith.Godin@gov.bc.ca> wrote:

>

> Thanks for letting us know, Lee.

> We're ok with option 1 provided Board Chair is also ok with this approach.

> I've cc'd Corinna Fillion, our communications director, for any media related questions.

>

>> On Jan 19, 2018, at 5:31 AM, Lee Southern <leesouthern44@gmail.com> wrote:

>>

>> When I attend the public NV Board meeting next Tuesday evening it is possible that local community media will be there following up the North Shore News December story.

>>

s.13

>>

>> I would propose to give advance notice to the board chair, superintendent and ST of my intended response.

>>

>> Please advise.

>>

>> Sent from my iPad

**From:** [Sampson, Laura EDUC:EX](#)  
**To:** [leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)  
**Subject:** RE: My NV44 report  
**Date:** Monday, January 29, 2018 9:31:00 AM

---

Hello again Lee,

Would it be possible to have a copy of the draft report (or recommendations) for Scott's reference during this call?

Thank you,  
Laura

---

**From:** Sampson, Laura EDUC:EX  
**Sent:** Friday, January 26, 2018 10:18 AM  
**To:** 'Lee Southern'  
**Subject:** RE: My NV44 report

Thank you Lee. I appreciate you accommodating Scott and the Minister.

---

**From:** Lee Southern [<mailto:leesouthern44@gmail.com>]  
**Sent:** Thursday, January 25, 2018 4:59 PM  
**To:** Sampson, Laura EDUC:EX  
**Subject:** Re: My NV44 report

Laura

Are you saying that the Minister's meeting request has a higher priority for Scott than mine?  
Quelle surprise! Ha! Ha!

9:00a on the 29th is preferable to 8:30a on the 30th but I am available for either.  
Lee

Sent from my iPad

On Jan 25, 2018, at 4:41 PM, Sampson, Laura EDUC:EX <[Laura.Sampson@gov.bc.ca](mailto:Laura.Sampson@gov.bc.ca)> wrote:

Hi Lee – I'm afraid we'll need to reschedule this phone call as Scott now required to attend a meeting with our Minister at this time.

Scott may be available at 9am on the 29<sup>th</sup> or on the 30<sup>th</sup> at 8:30am. Would either of these options work for you?

---

**From:** Lee Southern [<mailto:leesouthern44@gmail.com>]  
**Sent:** Tuesday, January 23, 2018 10:19 PM  
**To:** Sampson, Laura EDUC:EX  
**Subject:** Re: My NV44 report

Hi Laura

Confirmed. Give me a number to call or have them call me<sup>s.22</sup>  
Thanks  
Lee

Sent from my iPad

On Jan 23, 2018, at 1:31 PM, Sampson, Laura EDUC:EX  
<[Laura.Sampson@gov.bc.ca](mailto:Laura.Sampson@gov.bc.ca)> wrote:

Hi Lee,

Scott and Keith would be happy to discuss the recommendations with you over the phone, and are available on Jan 29<sup>th</sup> at 10:30am.

Can you please confirm if this time is suitable for you?

Thank you,  
Laura

-----Original Message-----

From: Lee Southern [<mailto:leesouthern44@gmail.com>]  
Sent: Monday, January 22, 2018 1:43 PM  
To: MacDonald, Scott D EDUC:EX  
Subject: My NV44 report

I would like to review draft report recommendations with you prior to submission of my final report. A maximum of an hour would be sufficient time.

As to timing, my interviews conclude Wednesday 24 January and my present deadline for submission is Tuesday 30 January. Might we meet Monday 29 January for an advance review and granting a 1 day extension for final report submission on Wednesday 31 January?

Does this work for you?

Sent from my iPad

**From:** [Sampson, Laura EDUC:EX](#)  
**To:** [Bertrand, Julie EDUC:EX](#)  
**Subject:** FW: Draft NV report  
**Date:** Monday, January 29, 2018 11:42:00 AM  
**Attachments:** [LS draft report.docx](#)  
[ATT00001.htm](#)

---

For NV44 call tomorrow.

---

**From:** Lee Southern [mailto:[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)]  
**Sent:** Monday, January 29, 2018 10:22 AM  
**To:** Sampson, Laura EDUC:EX  
**Subject:** Fwd: Draft NV report

Hi Laura  
As requested.  
Lee

Sent from my iPad

Begin forwarded message:

**From:** Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)>  
**Date:** January 27, 2018 at 2:50:20 PM PST  
**To:** "MacDonald, Scott D Educ:Ex" <[d.scott.macdonald@gov.bc.ca](mailto:d.scott.macdonald@gov.bc.ca)>, "Godin, Keith Educ:Ex" <[keith.godin@gov.bc.ca](mailto:keith.godin@gov.bc.ca)>  
**Subject: Draft NV report**

Gentlemen:

Attached is a draft of my report for your review and our discussion on our Monday 8:30a telephone call.  
Lee

Page 12 to/à Page 14

Withheld pursuant to/removed as

s.13

From: [MacDonald, Scott D EDUC:EX](#)  
To: [Mark Pearmain](#)  
Cc: [Godin, Keith EDUC:EX](#)  
Subject: Re: North Vancouver School District Board of Education  
Date: Thursday, February 15, 2018 8:46:00 PM  
Attachments: [image002.png](#)

---

Mark,

In response to your request in December for support to address governance challenges facing the North Vancouver Board of Education, the Ministry retained Dr. Lee Southern to inquire into the issues you raised.

Following are Dr. Southern's recommendations which I'm pleased to offer for discussion and consideration with your Board Chair:

***Recommendation 1***

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

***Recommendation 2***

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

- (trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;*
- (trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;*
- (trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.*

**Recommendation 3**

*That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

**Recommendation 4**

*That the Chair offer Trustee A voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to Trustee A that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available –in the attached document)*

**Recommendation 5**

*That, if and when a trustee harassment complaint is filed, the Chair request Trustee A and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

**Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by April 30, 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

In light of Recommendation 6, I am requesting a report by the end of March on the actions the Board has decided to take on the other five recommendations and any other actions taken to strengthen the Board's governance performance.

If you have any follow up questions, you are welcome to contact Keith Godin, Assistant Deputy Minister, Governance & Analytics at [Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca) (250-356-6760).

Scott



**D. Scott MacDonald**

Deputy Minister  
BC Ministry of Education

☎ 250-387-2026 | ✉ [D.Scott.MacDonald@gov.bc.ca](mailto:D.Scott.MacDonald@gov.bc.ca)

**From:** Mark Pearmain [<mailto:MPearmain@sd44.ca>]

**Sent:** Wednesday, December 13, 2017 3:30 PM

**To:** MacDonald, Scott D EDUC:EX

**Cc:** Georgia Allison

**Subject:** Re: North Vancouver School District Board of Education

Hi Scott,

Please accept this email as a formal request for support from the Ministry of Education for the North Vancouver School District Board of Education. As you are aware there are some challenges within our Board of Education that have been recently raised in the media. The concerns raised are as follows:

- Possible Allegation of Sexual Harassment
- Dysfunction of the Board
- Non-attendance of Trustees
- Bullying
- "Navel gazing" on personal issues

I look forward to talking with you about how the Ministry of Education can support the North Vancouver School District Board of Education and their work in supporting the

students of North Vancouver.

Regards,

Mark

Mark Pearmain

Superintendent / CEO

North Vancouver School District

2121 Lonsdale Avenue

North Vancouver, B.C.

V7M 2K6

604 903 3444 (ph)

604 903 3445 (fax)



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Page 19 to/à Page 20

Withheld pursuant to/removed as

DUPLICATE

From: [Godin, Keith EDUC:EX](#)  
To: [MacDonald, Scott D EDUC:EX](#)  
Cc: [Filion, Corinna GCPE:EX](#)  
Subject: FW: Confidential update  
Date: Monday, February 26, 2018 9:13:07 PM

---

FYI

Board Chair plans to make recommendations public Feb 28

-----Original Message-----

From: Lee Southern [<mailto:leesouthern44@gmail.com>]  
Sent: Monday, February 26, 2018 5:47 PM  
To: Godin, Keith EDUC:EX  
Subject: Re: Confidential update

Keith

A good point.....to paraphrase Samuel Johnson, nothing concentrates the mind so wonderfully as knowledge of a hanging in a fortnight!

Not that you, Scott or daresay the Minister are hangmen! But noting the trustees accountability for reporting back to MOE will be a useful nudge for getting them to realize they have individual and collective responsibility to act to resolve this issue.

Thanks.

Lee

Sent from my iPad

> On Feb 26, 2018, at 4:57 PM, Godin, Keith EDUC:EX <[Keith.Godin@gov.bc.ca](mailto:Keith.Godin@gov.bc.ca)> wrote:

>

> Thank you Lee.

> Only piece to maybe mention is report back to Minister will be required.

>

>> On Feb 26, 2018, at 2:51 PM, Lee Southern <[leesouthern44@gmail.com](mailto:leesouthern44@gmail.com)> wrote:

>>

>> Keith

>>

>> Following one of the report's recommendations, it has been confirmed that the chair will be meeting individually with each trustee. She wishes me to attend these meetings with her which I have agreed to do.

>>

>> As you well know, the objective here is to convince all of them that they each have a responsibility to make governance work and to step up their individual and collective performance.

>>

>> My approach that I will propose to Mark and the Chair will involve a general but firm message to all of them about their governance duty joined with particular focus on how each trustee can contribute, individually designed for each of them.

>>

>> Any advice you may have is very welcome.

>>

>> Lee

>>

>> Sent from my iPad

**From:** Mark Pearmain  
**To:** [MacDonald, Scott D EDUC:EX](#)  
**Cc:** [Godin, Keith EDUC:EX](#); [Lee Southern](#); [Georgia Allison](#)  
**Subject:** Ministry of Education Recommendation / NVSD Board of Education response  
**Date:** Wednesday, February 28, 2018 5:06:31 PM  
**Attachments:** [image001.png](#)  
[Ministry Recommendations to NVSD.pdf](#)  
[20180228 Public Statement re Ministry Recommendations .pdf](#)  
**Importance:** High

---

Dear Scott,

Please find the attached documents that have been posted to the NVSD website outlining the Ministry of Education Recommendations to the North Vancouver Board of Education and a public statement from the North Vancouver Board of Education. For your reference I have attached a link to the NVSD website.

<https://www.sd44.ca/Pages/default.aspx>

Regards,

Mark

Mark Pearmain  
Superintendent / CEO  
North Vancouver School District  
2121 Lonsdale Avenue  
North Vancouver, B.C.  
V7M 2K6  
604 903 3444 (ph)  
604 903 3445 (fax)



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## Ministry of Education Recommendations:

### **Recommendation 1**

*That the Chair and Superintendent cease holding any further closed meetings of trustees until the end of current trustee term of office (exceptions: official in-camera meetings as legally required).*

### **Recommendation 2**

*That the Chair hold three closed board meetings (February-June period) focussed on specific governance subjects:*

- *(trustees only) to clarify and re-inforce the necessity for all trustees' compliance with the individual trustee's governance role to represent all members of the education community and the larger public; and to conduct themselves according to standards of acceptable trustee behaviour;*
- *(trustees, superintendent and secretary treasurer) to deliberate on the new handbook of trustee governance conduct currently being drafted by the Superintendent;*
- *(trustees, superintendent and secretary treasurer) to conduct an end of term, informal, self-evaluation of board governance performance.*

### **Recommendation 3**

*That, prior to holding the above recommended closed meetings, the Chair meet with each trustee individually to re-inforce their personal responsibilities for improving board working relations.*

### **Recommendation 4**

*That the Chair offer<sup>s.22</sup> voluntary confidential mediation conducted by an external professional mediator to resolve her harassment complaint; and reconfirm the Chair's earlier statement to<sup>s.22</sup> that a written complaint must be submitted before the Board can formally act. (If a claim is filed and the Board determines its substance is within Board jurisdiction, the Board has an interim formal process available – in the attached document)*

### **Recommendation 5**

*That, if and when a trustee harassment complaint is filed, the Chair request<sup>s.22</sup> and any trustee named in the complaint to take a leave of absence from board duties until any complaint process concludes.*

### **Recommendation 6**

*That, being respectful of board autonomy and recognizing board governance responsibilities, the Ministry communicate these recommendations to the Chair and Superintendent with a request for a progress update by April 30, 2018 on what actions the Board decides to take on them along with any other steps the Board may initiate to strengthen its governance performance.*

February 28, 2018

Public Statement from the North Vancouver School District on the Ministry of Education Recommendations

After a public newspaper report in the North Shore News in November 2017, the Ministry of Education was contacted to provide support for the North Vancouver Board of Education. Dr. Lee Southern, former Executive Director of the British Columbia School Trustees Association, was contracted by the Ministry of Education to provide recommendations to the Minister of Education to support the governance of the North Vancouver School District. Six recommendations were provided by the Ministry of Education to the Superintendent of Schools on February 15, 2018 (see attached). The Board of Education was provided the recommendations for their consideration on February 20, 2018.

After meeting and discussing as a whole, the North Vancouver Board of Education has accepted, and will implement Recommendations #1, #3, #4, #5, #6 and Bullet 2 of Recommendation #2. The Board will not implement Bullets 1 and 3 of Recommendation #2 at the current time for the following reasons:

Recommendation #2 – Bullet 1:

The North Vancouver Board of Education appreciates the recommendation to formally review Trustee governance roles and standards of acceptable Trustee behaviour. In this term the Board has participated in governance workshops facilitated by the British Columbia School Trustees Association, Eli Mina (Parliamentarian consultant), and other experts in the field. The Board believes a further meeting and/or presentation would not provide any new information for review. Instead the Board believes it would be more beneficial to focus its efforts on Bullet 2 of Recommendation #2 which is the new Handbook of Trustee governance.

Recommendation #2 – Bullet 3:

The North Vancouver Board of Education believes at this time it would be premature to schedule a Trustee review meeting prior to the completion of the implementation of the Recommendations. The Board will revisit Bullet 3 at a later date.

The Board continues to focus on fulfilling its fiduciary duties as outlined in the School Act in support of Public Education in North Vancouver. We appreciate the support and guidance that the Ministry of Education has provided and look forward to providing an update to the Ministry at the end of April on the work that is being completed.

Sincerely,

NORTH VANCOUVER  
BOARD OF EDUCATION



Christie Sacré  
Chair