



February 12, 2021

Ref: 244339

Suzanne Hoffman, Superintendent
School District No. 39 (Vancouver)
Email: shoffman@vsb.bc.ca

Dear Ms. Hoffman:

I want to begin by thanking you and your District leadership and staff for all your efforts in supporting students throughout the COVID pandemic. It is truly valued and appreciated.

The purpose of this letter is to express our willingness to support your district in further increasing in-class instruction for all students.

As you are aware, the primary objective and focus for Stage 2 of the K-12 Restart is maximizing in-class instruction for all students while ensuring health and safety guidelines are followed.

While I recognize that due to these unprecedented times, delivery of instruction looks different for the 2020/21 school year and may include a combination of face-to-face and online instruction, it is nevertheless important to ensure that opportunities for students to spend time actively engaged with an educator is maximized. Equally important is the need to engage your Board, parents, and other partners to ensure they are satisfied and confident with the delivery of education in your district.

The Ministry has conducted a review of education delivery across all 60 school districts and the Vancouver School Board is one of a few that are providing less than 75 percent of their instruction at the secondary school level in person. We acknowledge that you and your team have undertaken significant consultation with your Board, parents, and other partners to date, but there remains a concern, especially for grades 8 and 9, that students are being asked to complete a large proportion of "remote learning" without access to the support of a teacher. A recent survey of parents conducted by the Vancouver School District Parent Advisory Council corroborates this point, which showed nearly 75 percent of parents are requesting more in-person instruction.

I understand that in response to the feedback of students, parents and staff, your district announced changes to the secondary school schedules for Quarter 3, which began on February 4, 2021. I request that you further review your delivery of secondary education, with the objective to and maximize in-class and online learning with teacher supervision for students with a particular focus on grades 8 and 9.

I recommend that planning for this re-alignment of delivery occurs immediately and is implemented as soon as possible, and request that your district's updated health and safety plans for February 26, 2021 include your plans and timeline to maximize in-class instruction.

.../2

Our Ministry team and resources are here and ready to work with your team to support this important objective for the students and parents of Vancouver School District.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Scott MacDonald', with a long horizontal flourish extending to the right.

D. Scott MacDonald
Deputy Minister

From: [Suzanne Hoffman \(Superintendent\)](#)
To: [MacDonald, Scott D EDUC:EX](#)
Subject: FW: Response to January 15, 2021 Letter
Date: February 1, 2021 2:16:04 PM
Attachments: 2021-01-15 LT VSB Trustees re Breach of School Act.pdf
20210201.SuptOffice.Response to Secondary Hours of Instruction.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Sharing for your files/information.

Suz

From: Donna D. Wong <ddwong@vsb.bc.ca>

Sent: Monday, February 1, 2021 1:09 PM

To: s.22

s.22

Cc: Group Trustees <GroupTrustees@vsb.bc.ca>; Suzanne Hoffman (Superintendent) <shoffman@vsb.bc.ca>; David Green <dgreen@vsb.bc.ca>; David Nelson <dnelson@vsb.bc.ca>; Eby.MLA, David <david.eby.mla@leg.bc.ca>; Heyman.MLA, George <George.Heyman.MLA@leg.bc.ca>; dm.education@gov.bc.ca; EDUC.Minister@gov.bc.ca; AG.Minister@gov.bc.ca

Subject: Response to January 15, 2021 Letter

Sent on behalf of Rob Schindel, Associate Superintendent, Vancouver School District.

Attached, please find the response to your letter dated January 15, 2021.

Thank you.

donna wong
Executive Assistant
Office of the Superintendent
Vancouver Board of Education
email ddwong@vsb.bc.ca
Tel 604-713-5100

 Please consider the environment before printing this e-mail notice. Thank you.

Vancouver School Board Trustees
c/o Vancouver School Board
1580 W Broadway
Vancouver, BC V6J 5K8

January 15, 2021

Via Email

RE: Vancouver School Board Failure to Provide Minimum Instruction Required by Law

Dear Trustees:

The Vancouver School Board (VSB) is in breach of provincial law. Since September, it has been providing secondary students with only 1/3 of the instruction required by law. As the trustees of the VSB, you have an obligation to understand and address this breach. In order to comply with your fiduciary duties, your oath of office, and the VSB Code of Conduct, you must act immediately to bring the VSB into compliance with the law.

The VSB is failing to provide secondary students with the minimum hours of instruction required by the *School Act* and the School Calendar Regulation. Under s. 3(2) of the School Calendar Regulation, the VSB must provide secondary students with at least 952 hours of instruction per year (or 25.5 hours per week).

However, the VSB is providing only 8.75 hours of instruction each week. That is the total amount of instruction the VSB currently requires teachers to provide. Many students in Vancouver are receiving no remote instruction at all because the VSB allows schools and teachers to treat unsupervised homework as “instruction.” In addition, many students receive no instruction during so-called “Flex Time” periods. Although the VSB promised students they would receive the full core curriculum this school year, Vancouver teachers have had to make major curriculum cuts to fit within the VSB’s shortened schedule. For some students, this has meant no writing instruction in Grade 8 English and no physics in Grade 8 Science.

Contrary to the claims of VSB staff, the Ministry of Education has never approved this drastic reduction in instructional hours. The VSB Restart Plan submitted to the Ministry in August 2020 makes absolutely no reference to instructional hours, let alone a decrease in those hours. The provincial Cabinet has not granted an exemption to the VSB under the *COVID-19 Related Measures Act* or any other law.

Other school districts of comparable size and complexity are providing much more instruction to their students every week. For example, in Burnaby, Maple Ridge, North Vancouver, Richmond and other districts, students in Grades 8 and 9 are receiving full-time in-person instruction. Every week that the VSB remains in breach of the law only compounds the problem.

Of course, this institutional failure is not just about numbers. It is about students: children who are struggling and suffering unnecessarily. Our children have a right to receive an education, not

only under the *School Act* but also under the UN Convention of the Rights of the Child, which is part of our law in British Columbia. The VSB must respect and uphold those rights.

VSB staff know they are failing to provide the minimum hours of instruction. They have known since August and have confirmed repeatedly in writing and in meetings that the VSB will not provide the full instruction required by law. They have met with senior public health officials and they know they could increase in-person instruction safely. Vancouver Coastal Health has consistently maintained, and even this week reiterated, that our schools are safe and that students should be in class.

VSB staff also know they could increase and improve remote instruction by establishing clear requirements and supporting teachers across the school district. Yet they have done nothing to address this failure.

The VSB could provide all of the instruction required by law without increasing health risks to students or teachers.

In your oath of office, you swore to abide by the *School Act*, which incorporates the School Calendar Regulation. According to Section 8.1 of the VSB Trustee Code of Conduct, you must follow your oath and comply with all applicable legislation, including the *School Act*.

As trustees you also have a fiduciary duty to the VSB itself. You must act in the best interests of the organization, which include taking steps to understand and remedy this failure to comply with the law. For example, we understand the VSB may be considering minor changes to the secondary school schedule for the next “quarter,” which starts in February 2021. If so, before you approve those changes and allow them to take effect, you must fulfill your responsibilities and ensure the VSB fully complies with provincial law.

We are calling on you to uphold your oaths, your duties, and the rights of Vancouver students. The VSB must act immediately to remedy this breach of the law and to provide the full amount of instruction required under the *School Act*.

Sincerely,

s.22

Cc: Suzanne Hoffman, VSB Superintendent
The Honourable Jennifer Whiteside, Minister of Education
The Honourable David Eby, Attorney General

February 1, 2021

Attention:

s.22

Dear Sirs and Mesdames:

Your letter to Trustees dated January 15, 2021, concerning secondary students' hours of instruction in VSB schools has been referred to me for reply. Thank you for taking the time to express your views on this important issue.

As a District, our guiding principles since the beginning of the COVID-19 pandemic have been, and continue to be, to deliver the best educational program possible while:

- ensuring the health and safety of all students, staff and communities;
- communicating in a thoughtful, transparent and timely manner;
- providing connections to ensure all students feel valued and have a sense of belonging and community;
- ensuring continued learning opportunities so that all students can successfully transition to their next phase of learning.

We continue to receive feedback and to review and revise how we are delivering educational programming. Through our outreach we have heard from over 6,100 families representing all of our secondary schools. This feedback was instrumental in guiding recently announced adjustments to educational programming starting in the third quarter. Starting on February 4 the District will be making several key and significant adjustments to educational programming in order to reflect feedback, ensuring and maximizing student engagement and learning opportunities while continuing to adhere to stringent health and safety protocols. Starting in quarter 3 the District will be increasing the amount of attendance in remote classes, changing school schedules to a one-week rotation between remote and in person classes, increasing in-person learning for grade 8 students, and providing increased opportunities

for social interaction. Details about these changes can be found on the District website <https://www.vsb.bc.ca/News/Pages/Q3Q4secondary.aspx>.

The District is closely monitoring student learning outcomes. Information collected from the first quarter demonstrated that students are succeeding at similar rates to the previous three years in core academic classes with the exception of grade 8 students in the areas of science and literacy where we noted a slight decrease in outcomes. As a result, the District has made adjustments to program delivery for quarter three to address the specific needs of grade 8 learners. Instruction in remote classes, for all grade 8 students, will shift to in-person instruction a minimum of two periods per week during flex time. The District has also put structures and supports in place to help our most vulnerable learners. Teachers, principals and support staff continue to work incredibly hard in an effort to provide the best educational program possible in these challenging times.

In designing the current educational model, we have been mindful of the Minister's expectation of flexibility in how Districts deliver their programming as well as health and safety guidelines during the COVID-19 pandemic. As part of stage 2 of the BC K-12 Education Restart Plan, the Ministry stipulated that self-directed learning can supplement in class instruction. The District model implemented by the District was reviewed and approved by the Ministry of Education. Key to the District plan is keeping in person attendance to class sizes of 15 and staying within cohort size limits while preserving original course choices made by students for the 2020/2021 school year. The District model was also developed to maximize our flexibility in shifting, with minimal disruption, to a different stage as outlined in the BC K-12 Education Restart Plan.

We acknowledge the concerns you are raising and want to assure you that the District is doing all it can within the resources it has been allocated and the constraints upon it. Should the Ministry of Education move Districts to Stage 1 of their Education Restart Plan, the District will be able to quickly pivot educational programming to full in-person learning.

Yours truly,



Rob Schindel
Associate Superintendent

cc. Vancouver School Board Trustees
Suzanne Hoffman, Superintendent
David Nelson, Deputy Superintendent
J. David Green, Secretary Treasurer

s.22

From:

Sent: Friday, January 15, 2021 12:49 PM

To: Carmen Cho <Carmen.Cho@vsb.bc.ca>; Estrellita Gonzalez <estrellita.gonzalez@vsb.bc.ca>; Fraser Ballantyne <Fraser.Ballantyne@vsb.bc.ca>; Lois Chan-Pedley <Lois.Chan-Pedley@vsb.bc.ca>; Janet Fraser <Janet.Fraser@vsb.bc.ca>; Oliver Hanson <Oliver.Hanson@vsb.bc.ca>; Barbara Parrott <Barbara.Parrott@vsb.bc.ca>; Jennifer Reddy <Jennifer.Reddy@vsb.bc.ca>; Allan Wong <Allan.Wong@vsb.bc.ca>; Ricky Huang <rhuang@vsb.bc.ca>

Cc: s.22

s.22

<shoffman@vsb.bc.ca>; AG.Minister@gov.bc.ca; EDUC.Minister@gov.bc.ca; Eby.MLA, David <david.eby.mla@leg.bc.ca>; Heyman.MLA, George <George.Heyman.MLA@leg.bc.ca>; dm.education@gov.bc.ca

Subject: Trustees Must Act to Correct VSB's Breach of the School Act

Dear Vancouver School Board Trustees:

I have attached a letter regarding the VSB's failure to provide secondary students with the minimum amount of instruction required by law. As trustees, you must immediately take steps to understand and correct this ongoing breach of the law.

Sincerely,

s.22