

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: December 15, 2020
CLIFF: 242973

PREPARED FOR: Honourable Jennifer Whiteside, Minister – **FOR INFORMATION**

SUBJECT: COVID-19 School Exposure Notifications

PURPOSE: Information on health authority school exposure notification processes and related issues.

BACKGROUND:

- A school exposure is an incident where a person who has tested positive for COVID-19 (a “confirmed case”) attended school while they were infectious.
- School exposures are determined by regional health authorities through contact tracing – health authority staff interview the confirmed case to determine how the individual was infected, and who they were in close contact with during their infectious period (generally 48 hours prior to the onset of symptoms).
- Following confirmation of a school exposure, health authorities will notify the school district (for public schools) or school principal (for independent schools), and continue contact tracing activities, including directly notifying confirmed close contacts and advising them to self-isolate for 14 days.
- In September 2020, the Provincial Health Officer asked all health authorities to publicly post school exposures on their regional websites.

DISCUSSION:

- There is no provincial protocol for issuing school exposure notifications. Each regional health authority determines their own specific exposure notification processes, including who receives notifications and when (see summary in Attachment 1).
- Health authorities have made changes to their regional school exposure notification processes since the beginning of the 2020/21 school year, based on the needs of their school communities and available staff capacity.
- Primary differences between the notification processes in each health authority include:
 - Who issues the exposure notifications to members of the school community (health authority or school/district);
 - Whether an “early notification” letter is issued to the entire school community, including those who may not have been exposed, while contact tracing is underway;
 - Whether members of the school community who were not directly exposed receive a notification to inform them that contact tracing has been completed.
- General concerns regarding school exposure notification processes have been raised by parents/caregivers and K-12 staff in several health authorities related to the following issues:

- Delays between when a person who tested positive for COVID-19 is notified and the release of related school exposure notifications;
- Lack of details in the exposure notifications. In order to protect personal privacy, health authorities routinely withhold information that could identify the confirmed case;
- Limited distribution of notifications (e.g. when notifications are not provided to the entire school community); and
- Information being posted to the health authority's school exposure website before the school/district administrator is notified. While health authorities generally wait for school/district administrators to send out exposure notifications to the school community before posting information to the health authority website, there have been occasional breakdowns in that process.
- Recent changes to Fraser Health Authority's (FHA) notification process, which were intended to address requests for more timely notifications to school communities, have received significant criticism from some school districts, independent schools and families. K-12 staff report that the new process, which requires schools/districts to complete and send out multiple letter templates, is onerous to implement and is overwhelming and confusing families who are now receiving several notifications about the same school exposure.
- The K-12 Education Restart Steering Committee has flagged general and FHA-specific school exposure notification issues with the Ministry of Health. The BC Centre for Disease Control (BCCDC) Rapid Response Team is reviewing this issue with school medical health officers from all five regional health authorities, and FHA has confirmed that changes to their notification processes are forthcoming, likely in the New Year.

CONCLUSION:

Regional health authorities continue to update their respective school exposure notification processes in response to school community feedback and staffing capacity considerations. Ministry staff are working with the Ministry of Health and the BCCDC Rapid Response Team to address concerns raised by schools, districts and families, and changes to FHA's notification processes are expected to be implemented in early January 2021.

Attachment 1 – Regional Health Authority School Exposure Notification Processes

Program ADM/Branch: Cloe Nicholls/COVID-19 Internal Team

Program Contact (for content): Scott Beddall

Drafter: Scott Beddall

Date: December 15, 2020

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Attachment 1 – School Exposure Notification Processes by Health Authority

Health Authority	School Exposure Notification Process
Fraser Health Authority (FHA)	<ol style="list-style-type: none"> 1. FHA confirms school exposure has occurred and notifies school/district administrator with basic case details (e.g. school name, exposure dates, student or staff, details on classes attended while infectious) and instructions for the school/district to populate and send out early notification letters using templates provided: <ol style="list-style-type: none"> a. If confirmed case attached to specific class/learning group, school/district required to send out two early notification letters: <ol style="list-style-type: none"> i. <i>Early Notification Letter – Exposed</i>: sent to specific classes/learning groups that may have been exposed ii. <i>Early Notification Letter – Not Exposed</i>: sent out to remaining staff and families in the school community b. If confirmed case not attached to a specific class/learning group (e.g. school counsellor), school/district required to send out <i>Early Notification Letter – All School</i>. 2. FHA continues contact tracing activities to determine nature of interactions with other students and staff, and notifies school/district administrator with directions to populate and send out the following letters (as needed) using templates provided: <ul style="list-style-type: none"> • <i>Self-Monitoring Letter</i> – sent to specific classes/learning groups to advise they self-monitor for symptoms (can still attend school) • <i>Self-Isolation Letter</i> – sent to specific classes/learning groups to advise them to self-isolate for 14 days. • <i>Bulletin</i> – sent to staff and families that did not receive a self-monitoring or self-isolation letter, to advise them that contact tracing has been completed for a specific exposure. 3. Once notifications have been sent out, FHA posts information on their school exposure web page.
Interior Health Authority (IHA)	<ol style="list-style-type: none"> 1. IHA confirms school exposure has occurred and notifies school/district administrator with basic case details – school/district determines if they want to send out a notification letter to their school community (using IHA/Ministry approved messaging) or not. 2. IHA continues contact tracing and notifies school/district administrator with directions to populate and send out self-monitoring letters and/or self-isolation letters if needed, using templates provided. 3. Once notifications have been sent out, IHA posts information on their school exposure web page.

<i>Island Health Authority (VIHA)</i>	<ol style="list-style-type: none"> 1. VIHA confirms school exposure has occurred, notifies school/district administrator with basic case details – VIHA also provides pre-populated notification letter for the school/district to send out to their school community. 2. VIHA continues contact tracing and liaises with school/district administrator to draft self-monitoring and self-isolation letters, if needed. VIHA usually sends out these letters directly, but sometimes asks for schools/districts to send the letters out if VIHA capacity is limited. 3. Once notifications have been sent out, VIHA posts information on their school exposure web page.
<i>Northern Health Authority (NHA)</i>	<ol style="list-style-type: none"> 1. NHA confirms school exposure has occurred and notifies school/district administrator with basic case details – school/district determines if they want to send out a notification letter to their school community (using NHA/Ministry approved messaging) or not. 2. NHA continues contact tracing and coordinates with the school/district administrator to draft self-monitoring letters (if needed) for the school/district to send out as directed. NHA contacts any individuals required to self-isolate directly. 3. Once notifications have been sent out, NHA posts information on their school exposure web page.
<i>Vancouver Coastal Health Authority (VCH)</i>	<ol style="list-style-type: none"> 1. VCH confirms school exposure has occurred and notifies school/district administrator with basic case details – school/district determines if they want to send out a notification letter to their school community (using VCH/Ministry approved messaging) or not. 2. VCH continues contact tracing and notifies school/district administrator with directions to populate and send out self-monitoring letters and/or self-isolation letters, if needed, using templates provided. 3. Once notifications have been sent out, VCH posts information on their school exposure web page.

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: January 6, 2021
CLIFF: 242914

PREPARED FOR: Scott MacDonald, Deputy Minister – **FOR INFORMATION**

SUBJECT: Disaggregated Demographic Data Collection in BC

PURPOSE: To provide an overview of the BC Human Rights Commissioner's report and FNEC's work with the Office of the Human Rights Commissioner.

BACKGROUND:

- On June 5, 2020, BC's Human Rights Commissioner joined Human Rights Commissions from across the country in calling on all jurisdictions in Canada to start collecting race-based and other disaggregated data in relation to COVID-19.
- On June 16, 2020, Premier John Horgan invited BC's Human Rights Commissioner and the Information and Privacy Commissioner to inform the development of a policy initiative for the collection of race-based, Indigenous and other disaggregated data to address systemic racism.
- On September 15, 2020, BC's Office of the Human Rights Commissioner (BCOHRC) released *Disaggregated demographic data collection in British Columbia: The grandmother perspective*. The Report addresses data disaggregation by many marginalized populations, though focuses primarily on Indigenous peoples. (Attachment 1, Executive Summary, Attachment 2, full report).
- All government mandate letters include commitments on equity and anti-racism. The mandate letter for the Parliamentary Secretary for Anti-Racism Initiatives requires that the Secretary "Conduct a full review of anti-racism laws...launch a stakeholder consultation to inform the introduction of a new Anti-Racism Act that better serves everyone in B.C." and to "Work with B.C.'s new Human Rights Commissioner and other stakeholders to introduce legislation that will help reduce systemic discrimination and pave the way for race-based data collection essential to modernizing sectors like policing, health care and education."
- In Schedule I of the BC Tripartite Education Agreement, BC committed to developing and implementing instruments and/or processes for the analysis of data to inform improvements to education programs and service delivery to support improved First Nation Student outcomes.

DISCUSSION:

- The First Nations Education Steering Committee (FNEC) was engaged in the development of the report and has confirmed they are developing a protocol with the BCOHRC (estimated to be signed in January 2021).

- The BCOHRC recommends the development of legislation that is focused on building respectful relationships with marginalized communities to ensure that community needs and voices are meaningfully included in data collection, use and disclosure processes.
- The legislation proposed would be titled the **Anti-Discrimination Data Act (ADDA)** and would be developed in consultation with BC's Office of the Human Rights Commissioner and the Office of the Information and Privacy Commissioner for British Columbia.
- The Ministry of Education currently collects distinctions-based Indigenous data but reports out on an aggregated Indigenous identifier. We are collaboratively exploring options regarding using and disaggregating distinctions-based data. No other race-based data is collected at this time.
- The implementation of the ADDA and improved collection and leveraging of race-based data would allow the Ministry and boards of education to better understand how the education system is serving First Nations, Métis, Inuit and other ethnicity groups of students.
- GAD is leading work to standardize culturally safe wording for 1701 Indigenous self-identification. The implementation of the ADDA would require further changes to the 1701 student data form.
- Staff at the Office of the Human Rights Commissioner contacted the Indigenous Education Branch during the Interregnum period. There is interest in collaborating on educational initiatives around human rights, and desire to explore ways of aligning BCOHRCs work with Indigenous education. A meeting will be explored in the new year.

CONCLUSION:

The Ministry should meet with the Office of the Human Rights Commissioner to share how we currently prioritize distinctions-based data collection and reporting in collaboration with FNEC and MNBC and to gain insight on how to align our work going forward.

Attachment(s)

1. Executive Summary - Disaggregated demographic data collection in British Columbia: The grandmother perspective
2. Full Report - Disaggregated demographic data collection in British Columbia: The grandmother perspective

Program ADM/Branch: Jennifer McCrea, ADM, Learning Division

Program Contact (for content): Patricia Kovacs, A/Executive Director, Equity, Wellness and Inclusion

Drafter: Francis Recalma, Policy Analyst, Indigenous Education

Date: December 18, 2020



British Columbia's
Office of the Human Rights
Commissioner

Disaggregated demographic data collection in British Columbia: The grandmother perspective

September 2020

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**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: December 29, 2020

CLIFF: 241340

PREPARED FOR: Honourable Jennifer Whiteside – **FOR INFORMATION**

SUBJECT: Audit of K-12 International Education Programs

PURPOSE: Provide Summary of Key Findings from the Auditor General’s Review of International Education Programs in Offshore and Group 4 Schools

BACKGROUND:

- On November 24, 2020, the Office of the Auditor General (OAG) published its report entitled “Oversight of International Education Programs in Offshore and Group 4 Schools.”
- The audit examined more than 2800 documents, spanning a period of over 30 years.
- The audit confirmed that the Ministry of Education (the Ministry) provides effective oversight of both offshore schools and Group 4 schools.
- The audit also acknowledged the Ministry’s work to continuously evolve and improve program oversight.
- The report provides eight recommendations to further strengthen its information collection and administrative processes; four to improve oversight of offshore schools and four to improve oversight of Group 4 schools.
- In August 2020, the Ministry received direction to proactively expand the BC Offshore School Program in support of Government’s economic recovery strategy.

DISCUSSION:

- International education makes significant contributions to British Columbia’s economy. In 2017, 20,438 international students studied at K-12 public and independent schools in BC, creating \$542M in economic impact.
- International education generated \$242M in school district revenue in 2016/17.
- Graduation from a BC education program can offer a successful pathway to a post-secondary education in BC. These pathways can be leveraged to address local labour market and skills gaps.
- International education enriches BC’s K-12 education system and communities, providing students, teachers and citizens with opportunities and access to diverse perspectives.
- OAG staff determined that the Ministry certification and monitoring processes are effective in ensuring that certified offshore and Group 4 onshore schools are delivering BC education programs that meet ministry expectations.
- Auditors concluded that the Ministry needs more business information to assess whether applicant school operators have the capacity to sustainably deliver quality BC education programs within the competitive international education environment.

- The report's recommendations further focus on:
 - Reviewing and updating the compliance monitoring model for both offshore and Group 4 schools to focus on key risks, and
 - Further evolving its approach to assessing the performance of offshore schools and Group 4 schools to identify and compare performance trends.
- The Ministry has already actioned several of the audit recommendations:
 - Offshore School applicants are now required to submit a 5-year growth plan that includes details about the school's projected enrolment, teacher recruitment plans, grade level expansion and, for purpose-built facilities, a timeline for completion of the campus.
 - Group 4 school applicants are now similarly required to submit 5-year business plans.
 - The Ministry now requires Offshore Schools to report monthly on the status of pending teacher certifications.
- The Ministry will continue to require Offshore Schools to submit documents and translations that demonstrate schools' compliance with local regulatory requirements. The Ministry will also continue to require that offshore schools provide copies of local teacher certification documents and criminal record checks (CRC) for local teachers and teacher assistants.
- Consistent with OAG recommendations the Ministry will introduce additional requirements for offshore schools to demonstrate that local approvals and processes meet BC standards for certification.
- The Ministry's action plan will further focus on addressing OAG recommendations to:
 - Expand upon existing school performance indicators by evaluating the performance of Group 4 and Offshore Schools as unique cohorts of schools.
 - Require Group 4 schools to conduct assessments of English language ability for all new students to improve student outcomes.
 - Review current policy regarding certification and inspection fees for Group 4 schools.
 - Further streamline administrative effort to ensure sufficient capacity exists for the thorough review of issues identified via inspections of Offshore and Group 4 schools.
- The Ministry will be required to submit an action plan to the Public Accounts Committee within six months of the publication of the report (May 2021).

FINANCIAL IMPLICATIONS:

N/A

CONCLUSION:

Auditors concluded that the Ministry's certification process confirms that new school operators meet established requirements before they are certified for the first time. The audit also verified that the Ministry has a robust and documented process to confirm ongoing compliance with certification requirements. Finally, the audit determined that the Ministry uses reported performance data to evaluate the delivery of education programs by individual offshore and

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Group 4 onshore schools. A status update on the Ministry's action plan will be provided in April 2021.

Attachment(s):

1. Final OAG Report – "Oversight of International Education Programs in offshore and Group 4 Schools"
2. Ministry Response to OAG Report

Program ADM/Branch: Keith Godin

Program Contact (for content): Marnie Mayhew, Executive Director

Drafter: Marnie Mayhew, Executive Director

Date: November 6, 2020

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**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: January 4, 2021
CLIFF: 243297

PREPARED FOR: Scott MacDonald, Deputy Minister – **FOR INFORMATION**

SUBJECT: Request to build Olympic Village elementary school

PURPOSE: Background information and rationale for building a new Olympic Village elementary school

BACKGROUND:

- City of Vancouver (City) has land set aside to build a school in Hinge Park within Olympic Village.
- The Vancouver School Board (VSB) has identified a new elementary school at Olympic Village as a top capital priority on their recent capital plan submissions.
- Enrolment forecasts indicate that an elementary school will be needed at Olympic Village in the future.
- During the most provincial election campaign in late 2020, there were promises made by Vancouver based MLA's regarding building an Olympic Village Elementary.

DISCUSSION:

- Recently, a potential new school at Olympic Village was being used as a key negotiating item to try and obtain a school for the Conseil Scolaire Francophone (CSF) on the west side of Vancouver as per Supreme Court of Canada decision and ongoing litigation.
- Former Minister Fleming had a strategy to acquire a school on the west side of Vancouver which involved the Ministry providing funding towards a new school at Olympic Village in exchange for the CSF receiving Queen Elizabeth Annex (currently occupied by VSB students).
- In December 2020, the CSF filed a new notice of civil claim that requests the Ministry to make more progress on finding them a site on the west side of Vancouver.
- Olympic Village Elementary has been the #1 priority for the Vancouver School District (the District) under the Expansion Program in their 5-Year Capital Plan submissions over the past few years.
- The Ministry of Education is currently reviewing and evaluating the most recent 5-Year Capital Plan submissions from school districts for 2021/22 to determine which projects should move forward to a business case.
- The school is anticipated to cost approx. \$60 million and would have capacity for 510 students.
- Ministry of Finance policy is for expansion projects to be cost shared up to 50% by the school districts.

- The City owns the proposed school site which is located at Hinge Park within Olympic Village and a deal is currently being worked on to provide a long-term lease to the District.
- Typically, new school projects in Vancouver have taken at least 4 years to design and build.
- Overall, the District is experiencing declining enrolment and its forecasted that there will be 12,000 empty seats across the District by 2027.
- Certain areas in the District such as the Olympic Village area are experiencing growth.
- The existing elementary schools in the Olympic Village area are currently operating at a capacity utilization of approx. 100%; however, over a 250-seat deficit is forecasted by 2025/26 but this doesn't include local knowledge about future developments which will likely further increase the seat shortage.
- The Ministry requires school districts to maintain a current Long-Range Facilities Plan (LRFP) to ensure proper planning is occurring.
- A LRFP is currently being developed by the District and this should ensure proper planning and allow informed decisions regarding which projects to support.
- Since September 2017, the Ministry has approved 12 seismic projects in Vancouver, with a value of almost \$330 million that will create close to 7,000 safe seats.

CONCLUSION:

- An Olympic Village Elementary school will be required in the near future based on current enrolment trends and forecasted enrolment growth.
- It does not appear that it is critical to approve Olympic Village Elementary school this fiscal year given some of the other priorities in the Province.
- If an Olympic Village Elementary isn't supported this fiscal year, it should be supported in the next couple years given the long timelines (at least 4 years) to build schools in Vancouver.
- It is worth noting that the Ministry's leverage with the District to obtain a CSF school on the west side of Vancouver will likely be reduced should the Ministry fund Olympic Village Elementary without having a deal in place to provide CSF a school or site.

Program ADM/Branch: Reg Bawa/Capital Management Branch
Program Contact (for content): Damien Crowell
Drafter: Damien Crowell
Date: January 4th, 2021

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: December 15, 2020
CLIFF: 241232

PREPARED FOR: Honourable Jennifer Whiteside, Minister – **FOR DECISION**

SUBJECT: Ministerial Appointment to the Independent School Teaching Certificate Standards Committee (ISTCSC)

PURPOSE: To seek the Minister's decision on a reappointment to the ISTCSC. Current appointment expires December 31, 2020.

BACKGROUND:

- Section 5 of the *Independent School Act* provides that the mandate of the ISTCSC is to establish standards for independent school certificates and occasionally act in an advisory capacity with respect to certificate applications.
- The *Independent School Act* does not set out a fixed number of members or specify a term length.
- The Crown Agency and Board Resourcing Office's (CABRO) appointment guidelines set out that appointments should not exceed a six-year term.
- The ISTCSC does not meet regularly, usually two times a year, in the fall and spring, and more, if needed.
- The ISTCSC has indicated an interest in meeting in January 2021 to review the independent sector's professional standards of conduct in conjunction with the recently updated public school sector's professional standards.
- There are three members currently appointed to the ISTCSC; Lesya (Donna) Balsevich (representing the Catholic Independent Schools of BC), David Loewen (representing the Society of Christian Schools in BC) and Elizabeth Moore (representing the Independent Schools Association of BC). These individuals are also members of the Federation of Independent School Associations in British Columbia (FISA BC).
- Ms. Moore was initially appointed March 11, 2015. Her current term expires on December 31, 2020, which will leave one vacancy on the ISTCSC. A ministerial appointment is required to fill this vacancy.

DISCUSSION:

- Appointments are made to the ISTCSC with the mutual recommendation of the Inspector of Independent Schools and FISA BC and subject to CABRO's guidance. The aim is for the ISTCSC to represent a diverse membership including members with backgrounds in different types of independent schools.

s.13; s.22

- To align with CABRO guidelines regarding a maximum term of six years, an appointment end date of December 31, 2021 is being requested. This can be revisited in future, if needed.

Option 1 – Sign the attached Ministerial Order and letter reappointing Elizabeth Moore to the ISTCSC for an additional year.

Implications:

- The reappointment is supported by the Inspector of Independent Schools and FISA BC.
- CABRO has raised no concerns with Ms. Moore's reappointment.
- Ms. Moore has expressed interest in being reappointed to the ISTCSC and her reappointment ensures that all major independent school groups will continue to be represented on the ISTCSC.
- Ensures continuity on the ISTCSC and allows for succession planning.

Option 2 – Consider additional nominees along with Elizabeth Moore

- Requires initiation of the nomination process of two additional candidates and could result in a temporary discontinuity in the committee structure, as Ms. Moore's current appointment expires on December 31, 2020.

RECOMMENDATION: Option 1

Option: 1



Approved / Not Approved
Honourable Jennifer Whiteside
Minister

January 6, 2021

Date Signed

Attachments:

1. Ministerial Order – *Minister's signature required*
2. Letter to Elizabeth Moore – *Minister's signature required*
3. Biography of Elizabeth Moore – *for information*
3. Indemnity Form – *Deputy Minister's signature required along with the signature of a witness*

Program ADM/Branch: Keith Godin, ADM, Governance and Analytics

Program Contact (for content): Dave Duerksen, Executive Director, Legislation, Policy and Governance

Drafter: Tracie Carlson

Date: November 4, 2020

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF EDUCATION

Ministerial Order No.

I, Jennifer Whiteside, Minister of Education, order as follows:

- 1 Elizabeth Gwendoline Moore is reappointed to the Independent School Teaching Certificate Standards Committee for a term ending December 31, 2021.
- 2 Ms. Moore is to be reimbursed for transportation, accommodation, meal, and out of pocket expenses in accordance with paragraph 7 of Treasury Board Directive 2/20.

January 6, 2021

Date



Jennifer Whiteside
Minister of Education

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Independent School Act, S.B.C. 2011. c. 216, s. 5

Other (specify): _____



<DATE>

Ref: 241232

Elizabeth Moore
Email: elizabeth.moore@isabc.ca

Dear Ms. Moore:

I am pleased to advise you that, pursuant to section 5 of the *Independent School Act*, you have been reappointed to the Independent School Teaching Certificate Standards Committee (ISTCSC).

The Crown Agency and Board Resourcing Office's appointment guidelines set out that appointments are not to exceed a six year term. In keeping with these guidelines, you have been reappointed for a term ending December 31, 2021, which can be revisited as needed.

Attached please find a copy of my Order concerning your appointment. Also attached is an indemnity form. Please complete this indemnity and return it by email to EDUC.independentSchoolsOffice@gov.bc.ca.

If you require further information, please contact Tracie Carlson, Legislation and Appointments Coordinator, by phone at (250) 415.3925 or by email at Tracie.Carlson@gov.bc.ca.

Congratulations on your appointment and thank you for your willingness to serve on the ISTCSC.

Sincerely,

Jennifer Whiteside
Minister

Attachments: 1. Ministerial Order
2. Indemnity Form
3. Treasury Board Directive

**Ministry of
Education**

Office of the Minister

Mailing Address:
PO Box 9045 Stn Prov Govt
Victoria BC V8W 9E2

Location:
Parliament Buildings
Victoria

pc: Ed Noot, President, Federation of Independent School Associations, British Columbia
ed.noot@scsbc.ca
Shawn Chisholm, Executive Director, Federation of Independent School Associations,
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Theo Vandeweg, Inspector of Independent Schools Theo.Vandeweg@gov.bc.ca
Lianna Olson, Crown Agency and Board Resourcing Office Lianna.Olson@gov.bc.ca
Tracie Carlson, Legislation, Policy and Governance Branch Tracie.Carlson@gov.bc.ca

Biography of Elizabeth Moore

s.22

**GOVERNMENT APPOINTEES TO AGENCIES,
BOARDS AND COMMISSIONS INDEMNITY**

Her Majesty the Queen in Right of the Province of British Columbia (the "Province") has agreed to grant this Indemnity on the terms and conditions hereinafter set forth to Elizabeth Moore (the "Appointee")

who has been appointed to Independent School Teaching Certificate Standards Committee (the "Entity").
(NAME OF ENTITY)

1. Notwithstanding the actual date of execution and delivery of this Indemnity, the term of this Indemnity will be conclusively deemed to commence on the day upon which the appointment first became effective and will end on the effective date of termination of the appointment, provided however, this Indemnity will remain in full force and effect in respect of all acts or omissions covered hereunder occurring during the term.
2. Subject to sections 3, 4, and 6 of this Indemnity, the Province will indemnify and save harmless the Appointee from and against any and all claims, liabilities, losses, damages, costs, charges and expenses which the Appointee may sustain, incur or be liable for in carrying out the duties as Appointee to the Entity.
3. The Province will not be obligated to indemnify or save harmless the Appointee from and against any claim, liability, loss, damage, cost, charge, or expense arising out of any act, error or omission of the Appointee that results from the Appointee failing to act honestly or in good faith or in the best interests of the Entity, or that arises out of any act, error or omission outside the course of the Appointee's duties, or for any fine or penalty imposed on the Appointee by law, or arising out of a dishonest, fraudulent, criminal or malicious act.
4. The Province will not be obligated to indemnify or save harmless the Appointee in respect of any liability against which the Appointee is entitled to be indemnified pursuant to any valid and collectible policy of insurance. Where a partial indemnity is provided by such insurance, the obligation of the Province will be limited to that portion of the liability for which an indemnity is not provided by such policy, subject to the conditions of this Indemnity.
5. In the event the Province indemnifies the Appointee in accordance with this Indemnity, the Province will be subrogated to all rights of the Appointee.
6. Upon the Appointee becoming aware of any pending or threatened claim, action, suit or proceeding by which the Province could become liable under this Indemnity, written notice will be given by or on behalf of the Appointee to the Province as soon as is practicable.
7. Subject to section 6 of this Indemnity, the Province will defend, at its expense, any suit, action or proceeding, against the Appointee that, if successful, would result in a liability contemplated by section 2 (except in respect of criminal proceedings or any liability for which the Appointee is entitled to be indemnified pursuant to any valid and collectible policy of insurance).
8. Any notice, statement, other document or payment that either party may be required or may desire to give or deliver to the other will be conclusively deemed validly given or delivered to and received by the addressee, if delivered personally, on the date of such personal delivery or, if mailed, on the fifth business day after the mailing of the same in British Columbia by prepaid post addressed, or if sent by fax, on the day of transmission, if to the Province at:

PO Box 9405 Stn Prov Govt
Victoria BC V8W 9V1

Fax Number: 250 356-6222
Attention: Executive Director
Risk Management Branch
Ministry of Finance

and, if to the Appointee, at the address or fax number as shown on this Indemnity, or at such changed address/fax number as the parties will have duly notified one another.

9. This Indemnity will be construed in accordance with and be governed by the laws of the Province of British Columbia.

This indemnity is given on behalf of the Province by a duly authorized representative of XXX XXX,
(LIEUTENANT GOVERNOR IN COUNCIL OR MINISTER),
the form of which has been approved by the Executive Director, Risk Management Branch, Ministry of Finance.

X _____ X _____
(WITNESS SIGNATURE) (AUTHORIZED REPRESENTATIVE OF THE PROVINCE SIGNATURE)
The Appointee, Elizabeth Moore, of s.22,
(PRINT NAME OF APPOINTEE) (ADDRESS OF APPOINTEE AND FAX NUMBER, IF ANY)

hereby agrees to the terms of this Indemnity.

The Appointee represents and warrants to the Province that, to the best of the Appointee's knowledge, there are no actions, suits or proceedings pending or threatened that could lead to a claim, liability, loss, damage, cost, charge or expense described in section 2 of this Indemnity except:
(INSERT "NONE" OR DESCRIPTION)

Dated this _____ day of _____, 20____.

X _____ X _____
(WITNESS SIGNATURE) PRINT NAME AND ADDRESS (APPOINTEE SIGNATURE)

THIS INDEMNITY CONTAINS CLAUSES THAT LIMIT COVERAGE AND REQUIRE CERTAIN PERFORMANCE BY THE APPOINTEE

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: November 16, 2020
CLIFF: 228119

PREPARED FOR: Scott MacDonald, Deputy Minister – **FOR DECISION**

SUBJECT: Independent Schools Onboarding to MyEducation BC

PURPOSE: To determine approach, communications, timeline and costs for onboarding remaining independent schools to MyEducation BC

BACKGROUND:

- MyEducation BC is a comprehensive web-based student information service that provides secure access to a single educational record for each student in BC, supporting student success and improved educational outcomes throughout a student's K-12 journey.
- The concept of *One Student, One Record*, enables rapid programming, efficient and effective transitions within and between programs, schools and/or districts and the ability to standardize and streamline the collection and use of data to inform and support student success, strategic planning, programming and policies.
- As of Dec 2019, all 60 public school Districts have onboarded to the MyEducation BC service.
- Currently ~173 of 366 Independent Schools using MyEducation BC.
- In 2019/2020, there were ~86,893K independent students, primarily designated within Group 1 and Group 2 schools. Of these students:
 - ~41,125K students were attributed to schools *currently* using MyEducation BC
 - ~45,768K students were attributed to schools *not currently* using MyEducation BC
- The Services and Technology Division and Independent Schools Branch has engaged with the Federation of Independent Schools (FISA) to communicate the benefits, increasing functional adoption and broader use of MyEducation BC amongst their members.
- Technology leads from various Independent Schools Association of BC (ISABC) schools have also been engaged and some have expressed interest in establishing an independent schools technical working group and/or engaging within MyEducation BC committee and working group structures to help inform and understand planned improvements (e.g. data integration) that may facilitate their transition to MyEducation BC.
- FISA contracts iGroup to provide centralized Level 1 HelpDesk, onboarding, training and support services for all Independent Schools using MyEducation BC.
- Independent schools have invested in the use of a variety of student information systems, many of which are integrated and/or provide services that are unique to independent schools and not available in MyEducation BC. For example, this may include; recruitment, tuition payment, alumni or fundraising applications.

MINISTRY OF EDUCATION DECISION BRIEFING NOTE

- The Ministry is modernizing its legacy systems resulting in innovative solutions that will seamlessly integrate with MyEducation BC, enable cost-effective and efficient service delivery and improved quality and access to student data (e.g. BC Services Card, real-time PEN retrieval and assignment, self-serve and augmented data and analytics services).
- Technical integration and/or administrative processes required to receive, collect and transmit data from non-MyEducation BC student information systems would be more costly to develop, support and maintain.

DISCUSSION:

To realize the full benefits of the MyEducationBC Platform, and to minimize resource and budget impacts of supporting integration of multiple and/or disparate student information systems, it is recommended that all independent schools onboard, at a minimum, the core functionality of MyEducationBC (student demographics, attendance and achievement) on or before September 2022.

Impacts of not onboarding to the MyEducation BC service includes:

Stakeholder	Description of Impact
Student	<ul style="list-style-type: none"> • Delayed access to transcripts and/or graduation results • Delays and/or impacts to student scheduling, programming and/or transition within and between schools • Inability to provide timely, consistent and critical services to vulnerable students; e.g. Individual Education Plan (IEP), Children and Youth in Care
Parent	<ul style="list-style-type: none"> • Inconsistent processes for accessing student information such as attendance, reporting, courses, timetables
Sector	<ul style="list-style-type: none"> • Complexity of using different student information systems • Delays in enrollment and inability to effectively and efficiently manage student transitions and specific programming needs • No access to data for students cross enrolled between public and independent schools • Does not support overall sector model for collaboration and equity
Ministry	<ul style="list-style-type: none"> • Increased costs for data collection, validation and administration • Increased technology and administrative costs • Inability to ensure data quality, standards and eliminate duplicate records • Lack of timely and critical real-time and historical data to support student success and strategic program and policy development

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

OPTIONS:

- 1. Independent schools will be sent a letter requesting they onboard, at a minimum, all core functionality of MyEducation BC on or before September 2022. If they elect not to onboard, they will be assessed an additional per student administration and service fee of \$15 per student for expenses incurred by the Ministry to collect, transmit and/or administer their data.**

Pros

- Expands implementation of the vision and objectives of MyEducation BC; *One Student, One Record*, promoting a common platform and experience for all students, parents and teachers across B.C.
- Will facilitate rapid programming and transition within and between programs, schools and/or districts, supporting student success and improved educational outcomes.
- Provides independent schools with adequate lead time to budget and plan for training, onboarding and management of associated implementation and ongoing costs.
- Allows schools to continue using complementary services and/or systems that are unique to independent schools (e.g. tuition, fundraising and recruitment).
- Eliminates additional technology and administration costs that would be borne by the Ministry to support alternative methods of data collection, transmission and analytics services arising from multiple student information systems.
- Allows independent schools to fully leverage new and innovative services that will be developed as part of Ministry Transformation Program (e.g. BC Services Card integration, real-time PEN assignment, student achievement, transcript services, e-Assessments etc.).

Cons

- Schools will incur migration, training, implementation and ongoing support costs, which will vary dependent on data conversion requirements and size of student, school authority, teacher and parent population.
- Perception the Ministry is not providing flexibility or choice to maintain existing systems and related processes.
- If COVID-19 prevents Stage 1 operations (e.g. regular, in-person on-campus instruction), new fees may exacerbate the impact of declining enrolments and loss of revenue in some schools, potentially impacting some schools' viability.

2. s.13

s.13

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

s.13

FINANCIAL IMPLICATIONS:

s.17

INFORMATION TECHNOLOGY AND PRIVACY IMPLICATIONS:

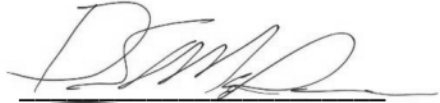
Cost and complexity of integrating multiple student information systems as part of the Ministry technology and business transformation program that is underway, would be eliminated.

One of the key benefits of the MyEducation BC service includes secure, timely and reliable role-based access to student data through a secure, web-based portal. Privacy and security implications related to the onboarding of Independent schools into MyEducation BC will be examined through the Privacy Impact Assessment process.

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

RECOMMENDATION:

Option: 1



Approved/Not Approved
Scott MacDonald, Deputy Minister

January 7, 2021

Date Signed

Program ADM/Branch: Eleanor Liddy, A/ADM Services & Technology

Program Contact (for content): Jennifer Wray, Executive Director, Student Information, Data and Network Services

Drafter: Christine Lervold **Date:** June 26, 2020

**MINISTRY OF EDUCATION
DECISION BRIEFING NOTE**

DATE: December 16, 2020
CLIFF: 243082

PREPARED FOR: Scott MacDonald, Deputy Minister – **FOR DECISION**

SUBJECT: ShareEdBC

PURPOSE: Seeking to extend approval of direct award contract to existing developers of ShareEdBC for Azure AI Search to include operational hosting during RFP process.

BACKGROUND:

- ShareEdBC is a Strategic Innovation Fund (SIF) project that is designed as a digital platform and resources hub for BC educators to connect in a safe environment and share peer-reviewed resources that are aligned with the new curriculum. ShareEdBC is working to provide all educators with access to resources that can be used in learning environments including remote, online, classroom and blended learning in this changing environment.
- Through the SIF agreement with TELUS, the current ShareEdBC development work is subcontracted to IBM/Softlanding through the Telecommunications Services Master Agreement (TSMA). The Ministry has already approved a direct award to IBM/Softlanding for additional development and implementation of the Azure AI Search (DN 241565).
- The SIF project and funding will end March 31, 2021. The Ministry owns the intellectual property of ShareEdBC and will be operationalizing this service as an addition to the Digital Services package for the sector. Ongoing operations, maintenance and hosting vendor must be selected to continue the service April 1, 2021.

DISCUSSION:

- Ongoing development, implementation and stabilization of the ShareEdBC platform continues to be completed by the current contractors IBM/Softlanding until March 31, 2021. After that date, the Ministry requires a vendor to provide the following services:
 - Hosting and user support (helpdesk)
 - Feature enhancement and bug fixes
 - Monitoring and reporting on usage and service performance
- To ensure that ShareEdBC can maintain uninterrupted operations a direct award to the current vendor IBM/Softlanding for operational management and hosting of the service from April 1, 2021 to June 30, 2021 (with an optional 2-month extension clause) is being considered. The vendor is familiar with the application can continue to efficiently operate

and host ShareEdBC, enabling educators to continue use the tool to find desired content/resources and make connections in ShareEdBC.

- This period will allow the Ministry adequate time to complete a competitive procurement process to determine the best qualified vendor to operate the application on a longer-term basis.
- We propose to combine both the Azure AI Search development work with the short-term hosting, maintenance and support into one direct award contract.
- Upon approval of the direct award, the Ministry will issue a notice to vendors that a contract will be directly awarded to IBM/Softlanding in the short term while a full procurement process is completed. This mitigates the risk of vendors taking issue with the short-term direct award.
- Due to the short timeframe and limited staff capacity, there is risk that the procurement process may not be complete in time to transition the service to a new vendor by July 1, 2021. To mitigate this, we will include an option to extend the contract for two 1-month terms.

FINANCIAL IMPLICATIONS:

s.17

OPTIONS:

Option 1: Direct award a contract to existing vendor IBM/Softlanding for Azure AI Search development and operational management and hosting of ShareEdBC from April 1, 2021–June 30, 2021 (with two one-month extension options) until a competitive full procurement process can be completed.

Pros:

- The current vendor IBM/Softlanding has the expertise and knowledge of ShareEdBC to operate, host and support for the required term with limited risks.
- No transition time or disruption to the service as the current vendor IBM/Softlanding can continue to operate and host starting April 1, 2021.
- This allows additional time for the Ministry to competitively procure a longer-term contract with a vendor who can efficiently operate and host ShareEdBC.

Cons:

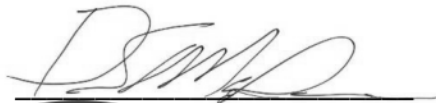
- Risk that other vendors may object to the direct award.
- Risk that a competitive procurement process will not be completed by June 30, 2021.

Option 2: s.13

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RECOMMENDATION:

Option: __1__



Approved / Not Approved
Scott MacDonald
Deputy Minister

January 11, 2021

Date Signed

Program ADM/Branch: Eleanor Liddy, Services and Technology
Program Contact (for content): Linda Dun
Drafter: Linda Dun
Date: December 16, 2020

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: January 18, 2021
CLIFF: 243296

PREPARED FOR: Honourable Jennifer Whiteside, Minister – **FOR INFORMATION**

SUBJECT: Litigation update

PURPOSE: To provide an update on litigation involving the Ministry of Education

BACKGROUND:

- Legal representation and advice are provided by the Ministry of Attorney General (AG) on any matters arising from the Ministry's work, including advice on matters concerning public and independent schools.
- From time to time, AG retains external counsel as circumstances necessitate.

DISCUSSION:

The following provides a brief summary of the ongoing education-related litigation involving the Province:

Constitutional Challenges:

1) Conseil Scolaire Francophone (CSF) v. British Columbia

- This case relates to the provision of lands and facilities by the Province to the CSF to support their provision of Francophone educational programs.
- On July 25, 2018, the BC Court of Appeal dismissed the CSF's appeal of the 2016 decision and granted the ministry's cross-appeal. The CSF was granted leave to appeal to the Supreme Court of Canada (SCC). The SCC issued its judgement on June 12, 2020, allowing the majority of the CSF's appeal and finding that the lower courts erred in their application of the *Charter*.
- The Court found minority language rightsholders are entitled to homogenous schools substantively similar to the majority of schools in 16 of the 17 communities at issue and awarding both damages and costs to the CSF.
- Status: In December 2020, the CSF filed a new civil claim against the Province and Vancouver School District for the alleged failure to remedy the unjustified breach of s. 22 of the *Charter* in Vancouver. AG counsel is working closely with Ministry staff on this new claim; staff will provide additional briefings as necessary going forward.

(2) Servatius v. School District No. 70 (Pacific Rim) and British Columbia

- This case involves a petition filed by a parent alleging the Pacific Rim School District breached her right to freedom of religion under the *Charter*, when Indigenous cultural practices were integrated into the curriculum and school events. The judgement was released January 2020; the ruling found no breach of *Charter* rights.

- Status: An appeal to the BC Court of Appeal is being sought; the Nuuchahnulth Tribal Council was granted intervenor status in December 2020. The Province is awaiting a hearing date.

Employment-Related Claims:

(1) Bickerton et al. v. British Columbia

- 11 former BC College of Teachers employees are bringing claims regarding termination without severance when the College was dissolved, and the College's functions were absorbed by the Province.
- Status: s.14
s.14

(2) Pineau v. Conseil Scolaire Francophone

- The CSF's former Secretary Treasurer has filed a claim against the CSF respecting their termination. The claimant alleges the Superintendent did not have the authority to terminate their employment under the *School Act*;^{s.14}
s.14
- Status: s.14
s.14

Human Rights Proceedings:

s.14; s.22

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

s.14; s.22

Contractual Disputes:

Taylor v. British Columbia et al.

- There is one claim against the Ministry arising from an agreement under which the Ministry provided student information for research purposes.
- Status: This case is currently dormant.

Actions in Negligence:

(1) Madadi v. British Columbia

- A teacher is pursuing a negligence/breach of contract action against the Province, as well as individual actions of misfeasance against members of the former BC College of Teachers and discipline tribunals. The former College and panel members are indemnified under the *Teachers Act*.
- The action relates to what the plaintiff deems unreasonable delay in the resolution of his professional conduct matters, which prevented him from renewing his teaching certificate from 2005 to 2012. It also relates to the Province's delay in removing all publications of a discipline outcome as per a consent order of the Supreme Court of British Columbia.
- The former panel members appealed the decision to allow the plaintiff to add them as parties to the action, and the BC Court of Appeal dismissed the appeal on January 12, 2021.
- Status: s.14
s.14

(2) White/Brandi, Henton/Jenica v. School District No. 83 (North Okanagan-Shuswap) and British Columbia

- This claim relates to an alleged failure to provide adequate funding for supports for a child with special needs.
- Status: This case is currently dormant.

Other Litigation:

Columbia College et al. v. British Columbia

- This is a tax-related claim involving Columbia College; the petitioner is seeking orders from the court relating to the status of the independent school authority owning and operating the educational program.
- Status: Columbia College recently amended its petition to the court to remove any relief sought against or in respect of the Ministry. s.14

s.14

Fiscal Implications

- The estimated cost of legal services relates to routine legal matters and includes an allowance for major litigation cases. Cost projections are revised throughout the year as necessary.
- The Ministry's current budget for legal services from the Ministry of Attorney General for 2020/21 is \$1,100,000.

CONCLUSION:

Going forward, Ministry staff can provide the Minister with periodic updates regarding litigation involving the Ministry as needed.

Program ADM/Branch: Keith Godin, ADM, Governance and Analytics

Program Contact (for content): Dave Duerksen, Executive Director; Nell Hodges, Director

Drafter: Sarah Loveday, Senior Legislative Analyst

Date: January 8, 2020

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

DATE: December 21, 2020
CLIFF: 243040

PREPARED FOR: Honourable Jennifer Whiteside, Minister - **FOR INFORMATION**

SUBJECT: Delegation of Ministerial Authority under the *School Act*

PURPOSE: To formally designate Ministry of Education staff to act on behalf of the Minister of Education, specifically regarding the approval of a board of education's use of its restricted capital funds and the signing of Capital Project Funding Agreements.

BACKGROUND:

- Section 168 (1) (c) of the *School Act* provides that the Minister of Education may designate a member of the public service to act on their behalf.
- To assist operational efficiency, in September 2019, former-Minister Rob Fleming provided written notification to authorize the Assistant Deputy Minister, Resource Management Division, and the Executive Director, Capital Management Branch, Resource Management Division, to approve requests from boards regarding the use of their restricted capital funds and to sign Capital Project Funding Agreements (CPFA) on his behalf.
- Restricted capital funds are used by boards as a part of their approved cost share for major capital projects, approved under a Ministry of Education capital plan.
- Restricted capital funds may also be used by boards to fund lesser-valued capital projects, which are not eligible for funding under any of the Ministry's capital programs.
- The delegated authority to approve a board's use of restricted capital funds specifically relates to sections 100 (4) (b) and 156 (10) (b) of the *School Act*.
- Those sections provide the two ways in which boards of education may generate restricted capital funds, namely:
 - Proceeds from the disposal of a board-owned property; and
 - Cost-savings incurred from an approved capital plan project.
- A CPFA is a formal agreement between the Minister and a board of education that provides the terms and conditions for the undertaking of a capital project approved by Treasury Board.

DISCUSSION:

s.14

- A Minister's letter, to be held in EDUC administrative records system, has been drafted to replace the current authorization for the positions of Assistant Deputy Minister and Executive Director to act on behalf of the Minister in the two noted instances:
 - Under s. 100 (4) (b), to provide approval for a board of education's use of "money allocated to the minister", which the board has received in respect of the disposition of an asset that was the subject of a capital expenditure; and
 - Under s. 156 (10) (b), to provide approval for a board of education to expend "surplus capital funds" obtained in respect of a capital project.
- In both instances, a board may only use its restricted capital funds for capital projects.

CONCLUSION:

Attached for signature is a letter that formally delegates statutory authority to the Assistant Deputy Minister, Resource Management Division, and Executive Director, Capital Management Branch, Resource Management Division, to act on behalf of the Minister of Education.

Attachment(s)

1. Sections of the *School Act*
2. Letter of Delegation of Minister's Authority

Program ADM/Branch: Reg Bawa/Capital Management Branch

Program Contact (for content): John Woycheshin, Regional Director

Drafter: John Woycheshin, Regional Director, Capital Programs Unit

Date: December 21, 2020

**MINISTRY OF EDUCATION
INFORMATION BRIEFING NOTE**

Enclosure 1: Sections of the *School Act*

Definitions and interpretation

1 (1) In this Act:

"capital plan expenditure" means a capital expenditure with respect to a project that is included in a board's capital plan bylaw, and includes a capital expenditure that was a capital plan expense under this Act, as it read immediately before this definition was enacted, and was included in a capital plan;

"capital plan project" means a project that is budgeted for as a capital plan expenditure;

"capital project" means an undertaking that requires capital expenditures to be incurred.

Disposition of proceeds on alienation 100 (1) In this section:

"board's contribution" means the percentage of the capital expenditure that was a local capital expenditure or was not paid for by the minister under a former Act;

"capital expenditure" does not include an annual facility expenditure;

"minister's contribution" means the percentage of the capital expenditure that was not a board's contribution.

- (2) Subject to subsection (3), if a board receives money in respect of the disposition of any asset that was the subject of a capital expenditure, the money must be allocated between the board and the minister according to the board's contribution and the minister's contribution to the capital expenditure.
- (3) The minister may allocate the money between the minister and the board if
 - (a) the minister is not able to determine the board's contribution or the minister's contribution to the capital expenditure, or
 - (b) in the opinion of the minister, the allocation under subsection (2) is not appropriate in the circumstances.
- (4) Money allocated to the minister must be used by the board only
 - (a) for capital projects, and
 - (b) with the minister's approval.
- (5) Money allocated to the board must be used by the board only for capital projects.

Accounting practices

156 (10) A surplus in respect of a capital plan may be spent only

- (a) on capital expenditures, and
- (b) with the minister's approval.

Jurisdiction of minister

168 (1) The minister, subject to this Act and the regulations,

- (a) may designate a member of the public service to act on behalf of the minister.



December 21, 2020

Ref: 243040

Reg Bawa
Assistant Deputy Minister
Resource Management Division

Re: Delegation of Ministerial Authority under the *School Act*

This letter provides the delegation of various ministerial approval authorities to designated members of the Ministry of Education, as is permitted under s. 168 (1) (c) of the *School Act*.

Firstly, in accordance with s. 168 (1) (c), I hereby delegate to the positions of Assistant Deputy Minister, Resource Management Division, and Executive Director, Capital Management Branch, Resource Management Division, the power to act on behalf of the Minister of Education under s. 100 (4) (b) of the *School Act*.

The Assistant Deputy Minister and Executive Director may therefore approve a board of education's use of money allocated to the Minister, which the board has received in respect of the disposition of an asset that was the subject of a capital expenditure. Section 100 (4) (a) of the *School Act* provides that such money allocated to the Minister must be used by the board only for capital projects.

Secondly, in accordance with s 168 (1) (c), I further delegate to the positions of Assistant Deputy Minister, Resource Management Division, and Executive Director, Capital Management Branch, Resource Management Division, the power to act on behalf of the Minister of Education under s. 156 (10) (b) of the *School Act*.

The Assistant Deputy Minister and Executive Director may therefore approve a board of education's expenditure of surplus capital funds obtained in respect of a capital project. Section 156 (10) (a) of the *School Act* provides that such funds may only be spent by the board on capital expenditures as may be required for a capital project.

Thirdly, in accordance with s. 168 (1) (c), I also delegate to the positions of Assistant Deputy Minister, Resource Management Division, and Executive Director, Capital Management Branch, Resource Management Division, the power to approve Capital Project Funding Agreements with boards of education on behalf of the Minister of Education.

.../2

These delegations will continue until expressly replaced by the Minister of Education, in writing.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Whiteside", written in a cursive style.

Jennifer Whiteside
Minister of Education

pc: Scott MacDonald, Deputy Minister
Keith Godin, Assistant Deputy Minister, Governance and Analytics Division
Francois Bertrand, A/Executive Director, Capital Management Branch

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Withheld pursuant to/removed as

s.12