Vancouver School Board
vsb.bc.ca | info@vsb.bc.ca | 604-713-5000
1580 West Broadway Vancouver, B.C., V6J 5K8

December 3, 2025

As part of our commitment to transparency, we are releasing records related to this matter under the *Freedom of Information and Protection of Privacy Act* (FIPPA). Please note that some details have been removed under section 22(1) of the Act, as it requires us to protect personal information when disclosure would be an unreasonable invasion of an individual's privacy.

This means that names, contact details, or other personal identifiers have been withheld to safeguard individuals' personal privacy. At the same time, information connected to stakeholders and/or businesses has been released in line with the Office of the Information and Privacy Commissioner's (OIPC) definition of "*work product*." This refers to information that arises from an individual's professional responsibilities rather than their private life, and encompasses materials created in the course of carrying out official duties or business activities. Unlike personal identifiers such as names or contact details, work product is generally subject to disclosure because it reflects professional actions, decisions, and accountability.

Accordingly, redactions have been applied consistently throughout the records to ensure compliance with the Act.

From:	Vik Khanna
To:	Eby.MLA, David
Cc:	Dix.MLA, Adrian; Davies, Don - M.P.; Taleeb Noormohamed MP; Group Trustees; brenda.bailey.mla@leg.bc.ca; Christine.Boyle.MLA@leg.bc.ca; Sunita.Dhir.MLA@leg.bc.ca; Jagrup Brar; Pablo, Carlito; DM.Education@gov.bc.ca; Minister, EDUC EDUC:EX; Dominato, Lisa
Subject:	Vancouver School Board's Covert Land Asset Strategy – Enrollment Misrepresentation & Public Wealth Transfer
Date:	Tuesday, September 23, 2025 3:17:38 PM
Attachments:	VTC_ODP_Appendix_VSB_Seismic_Schools.pdf

Briefing Note for Premier David Eby

Subject: Vancouver School Board's Covert Land Asset Strategy – Enrollment Misrepresentation & Public Wealth Transfer
Date: September 23, 2025

Introduction (Personal Note)

Premier Eby,

Thank you for receiving me today. I want to begin by apologizing sincerely for my past behaviour in your constituency office. My passion for this issue sometimes shows as intensity, but I assure you it comes from deep concern for our schools and communities.

This matter is serious enough that I could bring 100 parents and constituents into your office if needed—but my preference is to work constructively with you. The evidence I present today is clear, documented, and urgent.

---

1. The "Two Strategies" Enrollment Contradiction

- The Vancouver School Board (VSB) runs two incompatible enrollment strategies simultaneously:
    - **Strategy 1 (to the Ministry):** Submit **growth forecasts** (e.g., 58,000 students by 2031) to secure more per-pupil funding.
    - **Strategy 2 (to the City & Public):** Publish **decline forecasts** (e.g., 43,000 students by 2032) to justify "surplus seats," closures, and land sales.
- This creates a **15,000-student discrepancy** — a mathematical impossibility.

- BC Stats confirms ongoing growth: 52,000+ students in 2025 and rising.

- VSB's claimed capture rate of ~83–85% is inconsistent with Statistics Canada's ~76–78%, creating an artificial **6,000–7,000 student "disappearance."**

---

2. Covert Land Asset Disposition Plan

- **Urban Systems Land Asset Strategy (2020):** secretly identified **60 VSB sites (26% of land portfolio, worth $2.1–$2.3B)** for "surplus" disposition.

- Strategy was **concealed from the public 2020–2025**; revealed only through FOI.

- Executed through **Policy 7 workshops**—private meetings without minutes.

- **Examples:**
  - *Fleming Elementary:* 99-year lease for $8.5M while the school was at **107% capacity** with a kindergarten lottery.
  - *Kingsgate Mall:* Court ruling locked rent at $1.65M/year vs. **$9.86M/year market value**, costing taxpayers $8M+ annually and over $400M by lease expiry.
  - *Carleton Elementary:* 2.5 hectares, 557-student capacity mothballed since 2016 despite repeated community proposals.

---

3. Public-to-Private Wealth Transfer

- Pattern: **VSB sells or leases cheap → private developers profit → public agencies buy back at premium prices.**

- This "loop" systematically transfers wealth out of the public domain.

- No **Right of First Refusal** exists for other public bodies to secure lands before private sale.

---

4. Gerrymandering & Political Influence

- Evidence shows selective removals from the Land Asset Strategy list when political pressure is applied.

- For example: After I raised this issue with my MP **Taleeb Noormohamed**, his riding's schools were removed from the disposition plan.

- This is inequitable—**some ridings are protected, others sacrificed.**

---

5. Governance Breakdown

- **Policy 7 loophole**: Decisions made in "workshops" without minutes, excluding the public.

- Parents forced to use FOI for basic data.

- **Consultations engineered** to show minimal opposition (e.g., 67 of 3,400 families counted in QEA closure).

- **Long Range Facilities Plan out of date by 5+ years**, yet used to justify closures and land sales.

Key Asks for Premier Eby

1. **Immediate moratorium** on VSB's 99-year land leases/sales pending audit.

2. **Independent enrollment audit** reconciling VSB, Ministry, and BC Stats numbers.

3. **Right of First Refusal legislation** to keep public lands in public hands.

4. **Close Policy 7 loophole**: require all land/facility decisions be minuted and public.

5. **Amend the Vancouver Charter** to allow School Site Acquisition Charges (SSACs), bringing Vancouver in line with all other BC municipalities.

Appendix A — VSB Seismically Unsafe Schools (H1–H3)

Compiled September 18, 2025 from VSB 2025–26 Five-Year Capital Plan, BC Ministry SMP reports, and City of Vancouver ODP documentation.

Secondary (11 at High Risk)

- Britannia, David Thompson, Gladstone, John Oliver, Killarney, King George,

Point Grey, Prince of Wales, Churchill, Templeton, Windermere.

Elementary (28 at High Risk)

- Admiral Seymour, Emily Carr, Florence Nightingale, G.T. Cunningham, Graham Bruce, Grandview, Beaconsfield, Queen Alexandra, Quilchena, Renfrew, Mackenzie, Carleton, Franklin, Grenfell, Osler, Southlands, Waverley, X□pey□ (Macdonald), MacCorkindale, False Creek, Brock, Carnarvon, Champlain Heights, A.R. Lord, John Henderson, Mount Pleasant, Nootka, Queen Elizabeth (W 29th), Thunderbird.

Annexes (5 at High Risk)

- Tillicum Community Annex, Selkirk Annex, Queen Elizabeth Annex, Queen Victoria Annex, McBride Annex.

Implication: At least **23,000 students remain in seismically unsafe buildings** while the Board prioritizes land liquidation over student safety.

Prepared by The Visual Thinking Company™ — From Complexity to Clarity

Vik Khanna, Co-founder and graduate of Sir Guy Carleton Elementary, 1983
vik@vikkhanna.com

Appendix A — VSB Seismically Unsafe Schools (H1–H3) & Plan Status

For inclusion in ODP briefing • Prepared Sep 18, 2025 • The Visual Thinking Company™ — From Complexity to Clarity

Legend. H1 = highest seismic risk; H2/H3 = high risk, eligible for SMP.
Year X Priority = included in VSB's 2025–26 Five-Year Major Capital Plan; Under Construction/Design = funded SMP project in progress; No active project (Future Priority) = identified by Province/VSB but not yet funded/scheduled.
Note: Names follow VSB convention. Annexes listed separately.

Annexes

Level	School	Risk	Plan Status
Annex	Tillicum Community Annex	H1	No active project (Future Priority)
Annex	Lord Selkirk Annex	H3	No active project (Future Priority)
Annex	Queen Elizabeth Annex	H3	No active project (Future Priority)
Annex	Queen Victoria Annex	H3	No active project (Future Priority)
Annex	Sir Richard McBride Annex	H3	No active project (Future Priority)

Elementary

Level	School	Risk	Plan Status
Elementary	Admiral Seymour Elementary	H1	Year 5 Priority
Elementary	Emily Carr Elementary	H1	Year 2 Priority
Elementary	Florence Nightingale Elementary	H1	Year 2 Priority
Elementary	G.T. Cunningham Elementary	H1	No active project (Future Priority)
Elementary	Graham Bruce Community Elementary	H1	No active project (Future Priority)
Elementary	Grandview (¿uuqinak'uuh) Elementary	H1	Year 5 Priority
Elementary	Lord Beaconsfield Elementary	H1	Year 4 Priority
Elementary	Queen Alexandra Elementary	H1	No active project (Future Priority)
Elementary	Quilchena Elementary	H1	No active project (Future Priority)
Elementary	Renfrew Community Elementary	H1	Year 1 Priority
Elementary	Sir Alexander Mackenzie Elementary	H1	Year 1 Priority
Elementary	Sir Guy Carleton Community Elementary	H1	No active project (Future Priority)
Elementary	Sir John Franklin Community Elementary	H1	Year 3 Priority
Elementary	Sir Wilfred Grenfell Community Elementary	H1	Under Construction / Design
Elementary	Sir William Osler Elementary	H1	Year 3 Priority
Elementary	Southlands Elementary	H1	Year 5 Priority
Elementary	Waverley Elementary	H1	Year 2 Priority
Elementary	X̱peỷ (Sir William Macdonald) Elementary	H1	No active project (Future Priority)
Elementary	Dr. H.N. MacCorkindale Elementary	H2	Year 4 Priority
Elementary	False Creek Elementary	H1	Year 3 Priority
Elementary	General Brock Elementary	H2	No active project (Future Priority)
Elementary	Carnarvon Community Elementary	H3	No active project (Future Priority)
Elementary	Champlain Heights Community Elementary	H3	Year 4 Priority
Elementary	Dr. A.R. Lord Elementary	H3	No active project (Future Priority)
Elementary	John Henderson Elementary	H3	No active project (Future Priority)
Elementary	Mount Pleasant Elementary	H3	Year 3 Priority
Elementary	Nootka Community Elementary	H3	No active project (Future Priority)
Elementary	Queen Elizabeth Elementary (W 29th Ave)	H3	No active project (Future Priority)
Elementary	Thunderbird Elementary	H3	No active project (Future Priority)

Secondary

Level	School	Risk	Plan Status
Secondary	Britannia Community Secondary	H1	No active project (Future Priority)
Secondary	David Thompson Secondary	H1	Year 1 Priority
Secondary	Gladstone Secondary	H1	No active project (Future Priority)
Secondary	John Oliver Secondary	H1	Year 2 Priority
Secondary	Killarney Secondary	H1	Year 1 Priority
Secondary	King George Secondary	H1	Year 1 Priority
Secondary	Point Grey Secondary	H1	No active project (Future Priority)
Secondary	Prince of Wales Secondary	H1	No active project (Future Priority)
Secondary	Sir Winston Churchill Secondary	H1	Year 2 Priority
Secondary	Templeton Secondary	H1	Year 5 Priority
Secondary	Windermere Community Secondary	H1	Year 4 Priority

Sources. [1] VSB 2025–26 Five-Year Major Capital Plan (Board & Appendix tables). [2] BC Ministry of Education & Child Care — Seismic Mitigation Program (SMP) Progress Report, Mar 2025. [3] VSB district seismic risk tables / school pages (H-ratings). [4] City of Vancouver — Official Development Plan page (public facilities include schools).
Links. [1] https://www.vsb.bc.ca/ (Board → Reports → 2025–26 Capital Plan) • [2] https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/capital/seismic-mitigation-program • [3] https://www.vsb.bc.ca/schools (individual school pages) • [4] https://vancouver.ca/home-property-development/vancouver-official-development-plan.aspx

Data compiled from public sources and VSB/Province documents as cited. This appendix is informational; project statuses are subject to funding approvals and updates by VSB and the Province.

From: Vik Khanna
To: Janet Fraser
Cc: Group Trustees; Minister, EDUC EDUC:EX; DM.Education@gov.bc.ca; josh.white@vancouver.ca; Hrushowy, Neil; Matt Shillito; city.manager@vancouver.ca; Mayor"s Office (COV); AG.Minister@gov.bc.ca
Subject: Vancouver Charter Obligations: Population Denominator
Date: Friday, September 26, 2025 2:43:09 PM
Attachments: VTC_ODP_Appendix_VSB_Seismic_Schools.pdf

Dear Janet,

Good afternoon; I humbly suggest that the VSB's core planning problem is not simply that some schools are full while others sit half-empty—it is that the district is making long-term facility decisions without transparent, integrated data.

- **Opaque enrolment data.** In 2022 the board stopped publishing the number of school-aged children in the district and now only reports a "capture-rate" percentage. Without the population denominator, trustees and parents cannot tell whether a higher capture rate reflects more children choosing VSB schools or simply fewer children living in Vancouver. This obscurity undermines decisions about catchment boundaries and capacity planning and has contributed to a narrative of inevitable enrolment decline.

- **Disjointed facility and land planning.** According to the attached briefing note, 44 schools and annexes are rated H1/H2/H3 for seismic risk yet many lack funded projects. At the same time, the board has altered its list of potential land dispositions—removing some schools and adding others—without public explanation. Leasing portions of land on high-risk sites before there is a coordinated plan could forfeit opportunities to rebuild schools with safer, co-located housing or community services.

- **Missed opportunities for program renewal.** Ambitious ideas such as a Britannia Maritime Academy and other "Regional Skilling Centres," which would retrofit under-enrolled schools for seismic safety while offering trades and technical programs should be pursued instead of dispositions. Under-used facilities can be assets when linked to workforce development rather than liabilities to be sold.

- **Disconnected data and decisions.** The 2024-2039 forecast shows some schools reaching more than 200 % of capacity while others fall below 50 %, yet there is no evidence that VSB has integrated these projections into its land-sale decisions or capital-plan submissions. Without publishing the population denominator or a full register of properties and their seismic status, trustees cannot tell whether crowding will be addressed by new capacity, boundary adjustments or program relocation.

In summary, the central issue with school planning at the VSB is a systemic lack of transparency and integration. Decisions about enrolment, catchment boundaries, seismic upgrading and land sales are being made with incomplete data and without a holistic strategy. To fix this, the district should restore full capture-rate data, publish a comprehensive land and lease register, link enrolment projections with seismic priorities, and explore innovative uses of under-enrolled schools instead of leasing them out for a century in order for private interests to profit.

Best Regards,

Vik Khanna
President, TiE Vancouver (2025–2026)
Co-Founder, The Visual Thinking Company
vik@thevisualthinkingcompany.com
www.thevisualthinkingcompany.com (not live yet; still in stealth)
+1 (604) 230-9708
✦ 2008 BIV Top 40 Under 40 | QuantumShift Fellow

The Visual Thinking Company: Where We Create Impact

VTC delivers value across key sectors:

Education: Smarter school catchment planning and enrollment forecasting

Healthcare: Optimized resource placement and service access

Urban Planning: Aligned housing, transit, and social infrastructure development

Government: Evidence-based decisions, improved public trust, and cost savings via reduced redundancy

Real Estate: Data-informed site selection and accelerated approvals

On Thu, Sep 25, 2025 at 4:23 PM Janet Fraser <Janet.Fraser@vsb.bc.ca> wrote:

> Dear Vik,
>
> This email is in response to your September 24 text:
> *Hi! I am going to send a summary of our conversation onto the record. To confirm; You as a Trustee of the VSB do not know the "show your work" behind the VSB Capture Rate?*
> *[Link}*
> *Call me if you have anything to clarify; thank you for your service.*
>
> I agreed to have a conversation with you on September 23 and we spoke by phone for about 30 minutes. My understanding of having a phone conversation is that it is in fact that, a conversation, and not a minuted meeting. I think it would be reasonable for someone to make notes during a phone conversation but I think it is inappropriate to create a "summary of the conversation onto the record". As such I have not opened the link and I will not comment on your summary or make any confirmation as to your interpretation of my remarks. If you have a recording of our conversation I ask that you delete and destroy it as I did not agree to having our conversation recorded.
>
> If I wish to go on the record as a trustee about an issue I will speak in a public board or committee meeting, or publicly make available my comments.

Given the your actions after our phone conversation I am now very hesitant to speak with you as I worry about my comments being misinterpreted and/or misused.

Regards,
Janet

Janet Fraser *(she/her)*
Trustee
Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8
e: janet.fraser@vsb.bc.ca

vsb.bc.ca | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube
With deep gratitude and respect, I am honoured to be learning and unlearning on the ancestral and unceded lands of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətaɬ (Tsleil-Waututh Nation).

Appendix A — VSB Seismically Unsafe Schools (H1–H3) & Plan Status

For inclusion in ODP briefing • Prepared Sep 18, 2025 • The Visual Thinking Company™ — From Complexity to Clarity

Legend. H1 = highest seismic risk; H2/H3 = high risk, eligible for SMP.
Year X Priority = included in VSB's 2025–26 Five-Year Major Capital Plan; Under Construction/Design = funded SMP project in progress; No active project (Future Priority) = identified by Province/VSB but not yet funded/scheduled.
Note: Names follow VSB convention. Annexes listed separately.

Annexes

Level	School	Risk	Plan Status
Annex	Tillicum Community Annex	H1	No active project (Future Priority)
Annex	Lord Selkirk Annex	H3	No active project (Future Priority)
Annex	Queen Elizabeth Annex	H3	No active project (Future Priority)
Annex	Queen Victoria Annex	H3	No active project (Future Priority)
Annex	Sir Richard McBride Annex	H3	No active project (Future Priority)

Elementary

Level	School	Risk	Plan Status
Elementary	Admiral Seymour Elementary	H1	Year 5 Priority
Elementary	Emily Carr Elementary	H1	Year 2 Priority
Elementary	Florence Nightingale Elementary	H1	Year 2 Priority
Elementary	G.T. Cunningham Elementary	H1	No active project (Future Priority)
Elementary	Graham Bruce Community Elementary	H1	No active project (Future Priority)
Elementary	Grandview (¿uuqinak'uuh) Elementary	H1	Year 5 Priority
Elementary	Lord Beaconsfield Elementary	H1	Year 4 Priority
Elementary	Queen Alexandra Elementary	H1	No active project (Future Priority)
Elementary	Quilchena Elementary	H1	No active project (Future Priority)
Elementary	Renfrew Community Elementary	H1	Year 1 Priority
Elementary	Sir Alexander Mackenzie Elementary	H1	Year 1 Priority
Elementary	Sir Guy Carleton Community Elementary	H1	No active project (Future Priority)
Elementary	Sir John Franklin Community Elementary	H1	Year 3 Priority
Elementary	Sir Wilfred Grenfell Community Elementary	H1	Under Construction / Design
Elementary	Sir William Osler Elementary	H1	Year 3 Priority
Elementary	Southlands Elementary	H1	Year 5 Priority
Elementary	Waverley Elementary	H1	Year 2 Priority
Elementary	X̱peỷ (Sir William Macdonald) Elementary	H1	No active project (Future Priority)
Elementary	Dr. H.N. MacCorkindale Elementary	H2	Year 4 Priority
Elementary	False Creek Elementary	H1	Year 3 Priority
Elementary	General Brock Elementary	H2	No active project (Future Priority)
Elementary	Carnarvon Community Elementary	H3	No active project (Future Priority)
Elementary	Champlain Heights Community Elementary	H3	Year 4 Priority
Elementary	Dr. A.R. Lord Elementary	H3	No active project (Future Priority)
Elementary	John Henderson Elementary	H3	No active project (Future Priority)
Elementary	Mount Pleasant Elementary	H3	Year 3 Priority
Elementary	Nootka Community Elementary	H3	No active project (Future Priority)
Elementary	Queen Elizabeth Elementary (W 29th Ave)	H3	No active project (Future Priority)
Elementary	Thunderbird Elementary	H3	No active project (Future Priority)

Secondary

Level	School	Risk	Plan Status
Secondary	Britannia Community Secondary	H1	No active project (Future Priority)
Secondary	David Thompson Secondary	H1	Year 1 Priority
Secondary	Gladstone Secondary	H1	No active project (Future Priority)
Secondary	John Oliver Secondary	H1	Year 2 Priority
Secondary	Killarney Secondary	H1	Year 1 Priority
Secondary	King George Secondary	H1	Year 1 Priority
Secondary	Point Grey Secondary	H1	No active project (Future Priority)
Secondary	Prince of Wales Secondary	H1	No active project (Future Priority)
Secondary	Sir Winston Churchill Secondary	H1	Year 2 Priority
Secondary	Templeton Secondary	H1	Year 5 Priority
Secondary	Windermere Community Secondary	H1	Year 4 Priority

Sources. [1] VSB 2025–26 Five-Year Major Capital Plan (Board & Appendix tables). [2] BC Ministry of Education & Child Care — Seismic Mitigation Program (SMP) Progress Report, Mar 2025. [3] VSB district seismic risk tables / school pages (H-ratings). [4] City of Vancouver — Official Development Plan page (public facilities include schools).
Links. [1] https://www.vsb.bc.ca/ (Board → Reports → 2025–26 Capital Plan) • [2] https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/capital/seismic-mitigation-program • [3] https://www.vsb.bc.ca/schools (individual school pages) • [4] https://vancouver.ca/home-property-development/vancouver-official-development-plan.aspx

Data compiled from public sources and VSB/Province documents as cited. This appendix is informational; project statuses are subject to funding approvals and updates by VSB and the Province.

From: Collingwood Recreation Society <info@collingwoodrecsociety.com>
Sent: Friday, October 3, 2025 12:44 AM
To: Victoria Jung <Victoria.Jung@vsb.bc.ca>
Subject: It's Official: We Saved Bruce Field — Now Let's Save Carleton!

It's Official !

We Saved Bruce Field

We share this victory as a community.

This was truly a team effort !

Extreme gratitute to everyone who stepped up to Save Bruce Field !

Thank you to every person who signed the petition and took a sign. We showed that our voices matter, and collectively when we stand together we can make change happen.

Our community declared victory in 2023 when the VSB stopped the public engagement for the field.

The VSB made our win official at the October 1, 2025 Board meeting, when it confirmed that it will not re-start the plan.

We are declaring victory again now. But we have some more work to do !

We need to Save Carleton !

Carleton is needed for our growing population. The VSB's plan does not make sense for our community.

Help Save Carleton

We will be making "Hearts for Carleton" at the Renfrew Ravine Moon Festival Harvest Fair
Date: Saturday, October 4, 2025
Place: Slocan Park, Vancouver
Time: 4:00 - 6:45 pm

Come join us and make a heart to show that we care about Carleton.

Help save Fleming's basketball courts!

The VSB has leased Fleming’s basketball courts to a developer. Help the Fleming school community fight back.

Help Save Fleming

From:	DPAC Chair
To:	Group Trustees
Cc:	Superintendent
Subject:	BC Ombudsperson Report No. 35 - Board Policies and Admin Procedures
Date:	Saturday, October 4, 2025 8:12:16 AM
Attachments:	Public-Report-No-35-Fair-Schools.pdf

Hi,

I'm attaching the "Fair Schools" report from the BC Ombudsperson that I came across while reviewing some cases. Although it was published 30 years ago, much of its content remains highly relevant today. I highlighted some provisions, as follows:

- Page 23 states that school buildings should be used to provide social and recreational opportunities for youth during evenings and weekends and emphasizes that making schools a true part of the community requires cooperation between administrators and parents.

- Page 34 at paragraph 2 encourages school districts to consult with community agencies and municipal officials to ensure school facilities are more accessible for use by the broader community for a greater portion of the year.

- Page 34 at paragraph 3 further recommends school districts develop policies and procedures that provide support for volunteer programs, support the formalization of DPAC, and encourage communication between local, district, and provincial Parent Advisory Councils and local school districts.

Given this long standing guidance, the Trustees should consider the following:

1. Updates to AP 553 "Community Use of School Facilities"

The current procedure emphasizes "no cost to the District" and full cost recovery through rentals. But to comply with the "Fair Schools" report, AP 553 should be modified as follows:

- Community uses for youth recreation and parent engagement should qualify for waived fees to encourage low barrier access. Parent-led recreation groups have recently been faced with steep fees and new deposits to rent facilities, creating barriers that make it difficult for them to continue offering affordable programs to families.

- Formal consultation with parent and community groups should be required when reviewing rental policies, rental fee schedules, or when the district is implementing use restrictions.

2. Board Process

Further updates to the Board's Policy 7 should embed clear provisions for parents to be constructively involved in Board processes. In other districts, parents cannot be refused as public delegates and parents are permitted to present their own questions directly to the Board during a Board meeting. We have seen parents rejected as public delegates at the VSB and

parents' questions not being fully read or not read at all.

3. Parent Engagement

The Ombudsperson explicitly recommends at page 34, paragraph 3, that districts develop policies and procedures that encourage communication between PACs, DPAC, BCCPAC, and school boards.

In current times, our digital workspace is the primary infrastructure for communication between all of these parent bodies and the district. It is the “modern equivalent” of the communication the Ombudsperson described. DPAC's digital workspace was recently entirely de-funded by the VSB. Our DPAC parents are currently bearing the out of pocket costs for the district's obligations to encourage communications with PACs and BCCPAC. This is neither consistent with the "Fair Schools" report, nor sustainable for parents.

As you know, I was recently asked to provide feedback for the engagement summary report on the closure of Carleton Elementary. As Chair, I am responsible for representing parents on this critical issue facing families, yet the costs of this engagement are being borne by me personally as well. It is unreasonable that the district is relying on parents to fund the districts' parental engagement framework that the Ombudsperson identified as essential for fair and inclusive decision-making.

The entire budget process for our organization, which used to be transparently and collaboratively made with the VSB each year, no longer exists. I ask that the Board restore funding for DPAC’s digital workspace and re-establish the collaborative yearly budget process which previously existed to support the formalization of our organization and parents' ability to meaningfully participate in decision-making as per the "Fair Schools" report.

We have made these requests previously but received no response. Our next DPAC Executive meeting is on October 9th. I would welcome a response to the issue of DPAC's funding prior to our upcoming meeting.

Kind regards,

Melanie Cheng
程 美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

PUBLIC REPORT NO. 35 / MAY 1995

Fair Schools

- ☑ *Respect*
- ☑ *Listening*
- ☑ *Advocacy*
- ☑ *Participation*
- ☑ *Inclusion*

Ombudsman
PROVINCE OF BRITISH COLUMBIA

PUBLIC REPORT NO. 35 / MAY 1995

Fair Schools

- ☑ *Respect*
- ☑ *Listening*
- ☑ *Advocacy*
- ☑ *Participation*
- ☑ *Inclusion*

Ombudsman
PROVINCE OF BRITISH COLUMBIA

Canadian Cataloguing in Publication Data
British Columbia. Office of the Ombudsman.
Fair Schools

(Public report ; no. 35)

ISBN 0-7726-2524-7

l. Public schools - British Columbia - Administration. 2. School administrators - British Columbia. I. Title. II. Series: British Columbia. Office of the Ombudsman. Public report ; no. 35.

LB2801.A1B74 1995 379.1'54'09711 C95-960238-0

TABLE OF CONTENTS

Open Letter from the Ombudsman 5

Principles of this Report 7

I. The Ombudsman's Role 8

II. Introduction 9
An Investigation into Complaints from a School District 10

III. Role Clarification and Accountability 13
A. Minister of Education 13
B. Ministry of Education 13
C. British Columbia College of Teachers 14
D. School Board 14
E. District Superintendent 15
F. Principal 16
Vice Principal 16
G. Teachers 17
H. Parents 19
I. Students 20

IV. Key Issues that Impact on the Lives of Students 22
A. Advocacy 22
B. Community Involvement in Schools and Education 23
C. Inclusive Education 24
D. Students' Access to Appeal 26
A Guide for School Board Appeal Procedures 28
E. Labour Relations - The Bargaining Process 31
F. Participatory Management 31

V. Summary of Ombudsman's Suggestions 34

VI. Appendices
A. Ombudsman Publication List of Reports Related to Children and Youth
B. Education Policy for British Columbia
C. Advocacy for Children and Youth in British Columbia: An Ombudsman Discussion Paper, October 1993
D. Children Should be Seen AND Heard

OMBUDSMAN
Legislative Assembly
Province of British Columbia

Please respond to:
931 Fort Street
Victoria, British Columbia
V8V 3K3
FAX: (604) 387-0198

Suite 202, 1275 West Sixth Avenue
Vancouver, British Columbia
V6H 1A6
FAX: (604) 660-1691

General Inquiries: (604) 387-5855
Toll Free: 1-800-567-3247
TDD: 1-800-667-1303

FAIR SCHOOLS

Open Letter from the Ombudsman
May 1995

In November 1992 the provincial government proclaimed the section of the ***Ombudsman Act*** that extended my jurisdiction to investigate complaints about public schools and school boards. Until that time, it had been difficult to present an integrated response to complaints about all public services to children and youth. Proclamation was a significant step towards ensuring that the administration of public education to children is fair.

When government announced the extension of my authority to cover public schools, I expressed optimism about working with students, parents, advocates, teachers, administrators, superintendents and school trustees. I have not been disappointed. Although there are undeniably problems and complex issues within our public school system, I believe that many creative solutions have been and continue to be found. I am heartened by those who listen first and foremost to the students they serve, by those adults who model fair practice for others.

Public schools are the ideal place for our children to learn about democracy. We adults have the opportunity to demonstrate to children by example that dignity and respect are the cornerstones of any fair and equitable system. Schools are the logical place for children to learn how to question authority, how to solve problems and how to advocate for themselves and others who need support. We need to encourage children to be participating members of their school communities.

This report reflects the experiences of my staff in the first two years of investigating the complaints and inquiries we have received about public school services. As with other reports emanating from my Office, I hope that this report will serve as inspiration to improve how we meet the challenge of being fair to our children. I trust that it will generate discussion, perhaps debate, among those of you who care about the educational experiences of our

Printed on Recycled Paper

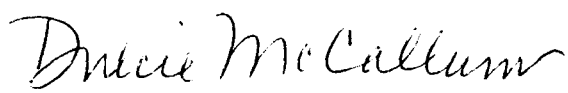
children. I trust it will affirm the appropriateness of the actions taken by those of you who are committed to fair practices for children, and encourage and empower those of you in positions to ensure that all children are treated fairly.

The schedule of the ***Ombudsman Act*** does not include independent schools. This exclusion was a cause of some concern in that students attending independent schools would effectively be denied the opportunity to make a complaint to the Ombudsman's Office when they believed they were treated unfairly. It seemed unfair that students enrolled in an independent school not be entitled to pursue the same remedy for redress as their peers in the public school system.

To resolve this inequity, my staff met with representatives from the Ministry of Education to develop a protocol. It was agreed that a student or an advocate of a student attending an independent school who has a concern about the fairness of a decision or action can take the concern to the Office of the Inspector of Independent Schools. The Inspector will investigate the concern. If the student is not satisfied with the response from the Inspector, she or he can contact the Ombudsman who will review the Inspector's investigation. This protocol ensures that students attending independent schools have access to review mechanisms. The Office of the Inspector of Independent Schools can be reached at 356-2508 from Victoria or toll free from anywhere in the province by first dialing Enquiry BC at 1-800-663-7867 and asking to be transferred to 356-2508.

I submit this report to the Legislature, and to all school board members and officials in the hope it will assist those working to educate our young people to be fair, just and equitable.

Yours very truly,



Dulcie McCallum
Ombudsman for the Province of B.C.

PRINCIPLES OF THIS REPORT

1. All children and youth have the right to be valued and to be treated with respect and dignity.

2. All children and youth have the right to a fair and equitable education.

3. All children and youth have the right to receive appropriate advocacy supports.

4. All children and youth have the right to participate in decisions that affect them, to express their views and to have them carefully considered.

5. All children and youth have the right to the benefit of the fundamental human rights provided in the ***United Nations Convention on the Rights of the Child.***

6. All children and youth have the right to a safe physical and emotional environment.

7. All children and youth have the right to receive appropriate programs from appropriately trained and properly motivated staff.

8. All children and youth should have the opportunity to access publicly funded services in their home communities or as close to their home as possible.

I. THE OMBUDSMAN'S ROLE

The Ombudsman is an independent reviewer of fairness for British Columbians. The Office of the Ombudsman was established in 1979 to investigate complaints from residents of British Columbia who believe that they have been treated unfairly by the provincial government or its related agencies. In November 1992 the Ombudsman was given the authority to investigate complaints about schools and school boards.

The Ombudsman is obviously unable to investigate all complaints herself. She has a staff of trained investigators to whom she delegates her authority. Complaints involving children and youth are investigated by members of the Ombudsman's Child and Youth Team. In addition to school-related issues, the team investigates complaints about programs, resources and services for children and youth provided by a number of authorities.

Young people may contact the Ombudsman themselves if they feel they have been treated unfairly, or may have someone act on their behalf, most often a parent. But teachers, school counsellors, community professionals, community advocates or other concerned persons can act on behalf of a student or parent. All calls are received in strict confidence to protect the anonymity of the caller. The caller's identity is disclosed only with his or her permission and only if it is necessary to resolve the matter for the child or youth. Investigations are usually conducted by telephone in a fairly informal manner. The focus of the investigation is not to find fault but to determine fair process and find a resolution that is reasonable for all parties.

In addition to investigating individual complaints, the Ombudsman will make special reports to the Legislature or comment publicly when she considers it to be in the interest of an individual or an authority. Over the past several years the Office has released a number of public reports and papers about systemic issues involving children (for a complete list please see Appendix A).

II. INTRODUCTION

Since proclamation of schools and school boards the Ombudsman has been learning about the division of responsibilities in the province's education system. The system includes students, parents, teachers, support personnel, non-teaching staff administrators, elected officials and the Ministry of Education. The public is legitimately confused and unsure of who is accountable for what. Approximately six hundred thousand students from kindergarten to grade 12 attend 1600 schools in 75 different school districts. The Ministry of Education provided the school districts across British Columbia with block funding of close to $3.3 billion for the 1994-95 school year.

This complex system is governed by a provincial statute, the ***School Act***. The ***School Act*** is supported by numerous Regulations and Orders in Council. Order in Council No. 1280/89 describes the school system's mandate:

> **The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills, and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy.** (Please see Appendix B for a statement of education policy for British Columbia.)

This report is a summary of our experience in investigating complaints about the public school system since its proclamation as an authority. The observations and suggestions contained in this paper are not definitive and do not touch on all problems in B.C.'s school districts. They are a result of interviews and investigations carried out by the Ombudsman and her staff, and summarize what we have learned from approximately 500 complaints we have received. These complaints cover a few broad categories: lack of services to meet the individual needs of students; transportation; exclusions, suspensions and expulsions. Our observations might be a starting point for discussion, amendments or action by ministry officials, administrators, teachers, staff and students.

AN INVESTIGATION INTO COMPLAINTS FROM A SCHOOL DISTRICT

In 1993, the Ombudsman's Office received complaints about the management and operation of a school district. Three events seem to have caused the most concern:

1. The board terminated some teaching positions mid-year.

2. Teachers rejected the board's suggestion to work three days into the Christmas break, resulting in a labour relations dispute.

3. Students protested when the board reduced the number of days in the spring break. Some were arrested.

Ombudsman staff from the Child and Youth Team investigated the complaints. The first goal of the investigation was to make sure that those in positions of authority were hearing the concerns of students and taking them seriously. The second was to be sure that all parties were honouring the principles of fairness in their dealings with one another. The focus on students was prompted by a review of the complaints received and the discovery that most groups from the school district had contacted the Ombudsman, with the notable exception of students.

With the assistance of the District Superintendent, Ombudsman staff set up interviews with students in two schools. They also met with representatives of all concerned groups: the District Parent Advisory Council; the Canadian Union of Public Employees local, comprising approximately 30% of the district's employees; the District Teachers' Association; district administration; principals and vice principals; the school board; community organizations and individuals.

The strengths of the school district were readily apparent to Ombudsman staff. These strengths held the best hope for resolving the problems and bringing

about positive change. Before any of the problems mentioned above became apparent, the school district had already taken some important steps:

- they appointed a task force to plan for the next decade
- they involved key personnel in a dispute resolution seminar
- they developed a detailed strategic plan
- they hired a consultant to advise on developing a "Participative Management Style"
- they appointed a Participative Management Team to implement the consultant's report.

Although these were all important steps, they had not been in place long enough to be effective in changing things in the district.

When the Ombudsman staff met with the various groups, they found a high degree of consensus on many points. People were concerned about:

- conflict and lack of trust among the educational authorities, including a breakdown in relationships among the school trustees
- protracted contract negotiations
- lack of clarity about respective roles
- their apparent powerlessness to change things.

Those we spoke to believed that local tensions were related to provincial problems such as lack of resources and the challenge of integrating "special needs" students into regular classes. They also believed that information sharing and communication needed to improve.

When the investigation was completed, the Ombudsman noted that a number of the issues that had been raised had province-wide application. She therefore decided to broaden the scope of her report on this specific investigation to provide a review of her Office's experience with British Columbia's public schools and school boards since she received jurisdiction. The Ombudsman believes that such a review will reinforce initiatives to safeguard the rights of students to an education and the right of all partner groups to a voice in providing educational services.

All authorities in the district are to be commended for their support and co-operation during the investigation. Although tensions and conflicts existed, everyone who participated was open, candid and sincere in providing the Ombudsman with valuable information and insights. Students were especially willing, eager and thoughtful participants.

III. ROLE CLARIFICATION AND ACCOUNTABILITY

The Ombudsman's concern is with fairness. To a great extent, the way decisions are made determines whether a system is fair or not. Although decisions are being made daily at every level of the education system, these must be within the guidelines set by the legislature in its statutes or Acts.

Briefly, responsibilities for the education of the children of British Columbia are divided as follows:

A. MINISTER OF EDUCATION

- an elected member of the legislature appointed to the Cabinet by the provincial government
- presides over the Ministry of Education
- presents to the legislature amendments or changes to the ***School Act***

B. MINISTRY OF EDUCATION

- authority and responsibilities outlined by the ***School Act***
- establishes funding levels for school districts
- sets provincial policy for public schools and for independent schools
- has overall responsibility for:
  - provincial curriculum
  - requirements for graduation
  - establishment of evaluation and assessments
  - correspondence programs
  - use of student records
  - approval of property disposition and capital expenditures
  - the number of days in the public school year calendar
  - other matters necessary to administer the ***School Act*** and the ***Independent School Act***

The Ministry of Education provides overall educational leadership in British Columbia. However, contrary to the expectations of the general public, the minister's powers to intervene in school districts are restricted, given the autonomy school boards have under current legislation.

C. BRITISH COLUMBIA COLLEGE OF TEACHERS

- guided by the ***Teaching Profession Act***
- establishes standards and qualifications for certification of teachers and other professionals in the public school system
- a self-regulating professional body with power to discipline its members, to suspend, withdraw or withhold certification.

In public schools, all educational staff must be members in good standing of the B.C. College of Teachers. The college is among the self-regulating professional bodies over which the Ombudsman was given jurisdiction under the ***Ombudsman Act*** on April 1, 1993.

D. SCHOOL BOARD

- powers and responsibilities defined by the ***School Act***
- made up of trustees elected in municipal or civic elections
- an autonomous body accountable to its constituents
- establishes policy for the operation and administration of the schools within the district as well as the management of school property
- employs teachers, administrators and non-teaching staff
- establishes regulations to govern functioning of students, staff and schools
- most boards belong to the B.C. School Trustees Association.

Part 4 of the ***School Act*** provides the mechanism for establishing school boards, the process for electing trustees and the requirements for holding office. The ***Act*** gives the Minister of Education the authority to determine the number of trustees that can be elected within a particular district.

The school board is responsible for ensuring that decision making at all levels within the district embodies all the principles of fairness. The board also is ultimately responsible for protecting the fundamental right of every child and youth to be treated with dignity and respect.

School trustees often must reconcile competing interests. For example:

1. Parents often come to the school board advocating for their child. The board must balance the needs of a child against the needs of the whole school population. Guidelines for parent advocacy would be helpful for both parents and trustees.
2. The budget for each district is set by the provincial government. The task of the board is to decide how to allocate the money in the best interests of all concerned, and in accordance with arbitrated contract settlements. Making these decisions, in consultation with all parties concerned, is often a long and difficult process.
3. In this time of limited resources, trustees must consider whether or not to accept gifts from corporations, since accepting the gifts includes advertising a corporation's products.
4. The school population across the province is highly diversified and changing. Trustees, as well as teachers and administrators, are challenged to adapt the school environment to a more varied group of students.

E. DISTRICT SUPERINTENDENT

- acts as Chief Executive Officer of the district
- appointed by the School Board
- supervises and evaluates educational staff and programs, and operation of schools within the district
- accountable to the School Board
- may be a member of the B.C. Superintendents' Association.

If the school board charts the course of education, it is the superintendent who pilots the ship. The superintendent is ultimately responsible for the administration of the school district's affairs. When the Ombudsman receives a complaint about a school district's decision, she will most often contact the Superintendent's office first to give official notice.

Part of the challenge for superintendents today is to examine their management styles to ensure acceptance of and compatibility with power sharing, participative approaches and a respect for the principles of administrative fairness.

F. PRINCIPAL

- responsible for the overall supervision and management of a school
- meets with the Parent Advisory Council
- disciplines students
- advises the superintendent on discipline of staff
- often the first line of response to a complaint about a school
- a member in good standing of the B.C. College of Teachers.

VICE PRINCIPAL

- assists the principal with administrative duties
- frequently teaches
- a member in good standing of the B.C. College of Teachers
- principals and vice principals may be members of the B.C. Principals' Association
- Both positions are governed by ***School Act*** regulations.

Principals and Vice Principals set the tone and vision for their schools. Many also teach side by side with teachers.

Principals speak of role conflict and confusion since they have been designated middle management. The relationship between teachers and principals shifted as a result of changes implemented in 1987, when teachers obtained the right to bargain. Some principals consider that the collective agreement "rule book" dictates how schools are run. They feel that provincial education policy, the ***School Act*** and school board guidelines give them a better understanding of the working partnership between principal and staff, each with clearly defined and understood roles.

Many districts have shifted to a more participative style of management, one that demands more sharing of power, more consultation, more working as a team. Enthusiastic as some principals are about the new style, many have found the associated changes difficult and challenging.

Principals often take on the role of mediators in attempting to resolve problems that arise between students and teachers, or parents and teachers, or even between staff and senior management. In many instances the principal acts as the "on-site ombudsperson" within the school, receiving complaints, investigating matters to establish the facts and seeking to achieve a fair resolution.

Many principals want to involve parents in the school, but are uncertain how to do so effectively. Many are seeking and finding creative ways to meet the challenges of operating schools in the 90s. Often principals have expressed feeling isolated in trying to deal with these challenges.

G. TEACHERS

- duties are outlined in the ***School Act***
- front line service providers
- instruct students and provide other educational services
- evaluate and report on students' development and progress
- maintain student records
- act as advisors to student councils, clubs, sport teams, and other extracurricular activities
- members in good standing of the B.C. College of Teachers
- members of local collective bargaining units
- may be members of the B.C. Teachers' Federation, the provincial union.

In addition to their being educators, teachers are employees of their local school board. They are professionals licensed under statute by the College of Teachers, and also members of the B.C. Teacher's Federation labour union. They are governed by the ***Teaching Profession Act*** and the ***School Act***, and also by collective agreements negotiated between union and the school board.

The general public often does not have a clear understanding of or tolerance for these seemingly conflicting roles for teachers.

Teachers are constantly challenged to find ways of involving others, especially parents, in the classroom and in the school.

Students have told us that a good teacher is someone who:

- treats you fairly
- listens to you
- tells you why they're doing things
- doesn't tease you in front of the class
- doesn't yell at you
- likes to have fun.

Teachers are faced with significant challenges on a daily basis:

- teaching more children from immigrant backgrounds not so at ease with the English language
- concerns about sexism and prejudice in dealing with children, and in teaching materials, e.g. studies about girls' self-esteem declining in junior and senior high school
- dealing with children and parents from much more varied racial and religious backgrounds
- integrating more "special needs" children into regular classrooms
- taking on role of social worker or counsellor with troubled children, or children from disruptive homes
- increasing numbers of children from families living below the poverty line, hungry and unable to function well in school.

Teachers' aides, learning assistance teachers, occupational, physio, speech, and audiology therapists, school and district counsellors, psychologists and others are part of the "Student Support Services" team that helps make it possible for children to benefit from their classroom experience. Some children need additional help to participate successfully in school, and often undiagnosed physical problems, such as hearing loss, can hamper their learning. Teachers

rely on the specialized skills of support staff to meet the needs of the children in their classrooms and help them learn effectively.

Support services personnel are employees of the school district and may be members of the teachers' union, the Canadian Union of Public Employees, or a professional association.

The Ombudsman frequently hears that there are not enough support staff available to meet the needs of each child in the classroom. Because of the demands on their time, those who are employed are not able to give the attention to each child that parents and teachers believe would be of most benefit.

H. PARENTS

- primary care givers and natural advocates for their children
- defined by the ***School Act*** as the parents or guardians of a student or the persons legally entitled to custody or who usually have care of the student
- authorized by the ***School Act*** to form Parent Advisory Councils (PACs) at the school, district and provincial levels
- through the Parent Advisory Council may advise the school board, principal and staff on matters relating to the school.

Parents continue to be the primary advocates for children in the public school system. They are no longer prepared to restrict their activities to fund raising. The majority of the complaints the Ombudsman receives about schools come from parents with concerns about the quality of their children's education and the treatment they and their loved ones receive within the school system. The Ombudsman supports parental involvement in schools at the local, district and provincial level.

One of the ways parents can be involved in schools is through Parent Advisory Councils. The Ombudsman is encouraged by those school districts that invite greater participation and involvement of parents through PACs. Some schools have provided space for councils to meet, some are helping parents learn to be advocates for students. We believe that British Columbia is one of few

jurisdictions to include the role of parent advisors in its ***School Act***. In one state in the United States, the law requires employers to permit parents to be absent with pay for up to four hours per year to attend their child's school.

The ***School Act*** for Prince Edward Island presents a model for parental involvement in the school. The functions of the Parent Advisory Council listed in that ***Act*** include:

- advising the school principal on such things as curriculum, scheduling, discipline, extracurricular activities and fund-raising
- providing a channel of communication between the school and the community, and building awareness among parents of school programs, activities and issues
- participating in the development of school improvement plans
- advising, where required by the school board, on the hiring of school staff.

I. STUDENTS

Students are the focus of the whole education system and the primary recipients of the service. Every position in the system exists to serve students, to provide them with an education. They are the reason for the existence of the system.

Teachers and administrators can develop structures, at elementary as well as secondary levels, so that students can express their views and participate in decisions that affect them. Students are empowered when adults solicit their opinions and listen to them with respect.

Parent Advisory Councils, which provide valuable support to schools and districts across the province, are authorized and supported by the ***School Act***. Student Councils, however, exist only at the discretion of principals. They are not mentioned in the ***School Act***. Principals and school boards do not routinely consult student councils on matters of school or district policy. Student councils, where they do exist, often have no process to involve or inform the rest of the student body in any meaningful way. They have no real authority or clear function.

A system that professes to be a student-centered partnership will provide an official voice for students. Strengthened student councils would provide that voice. The councils need to be supported by legislation, provided with funds, and advised and encouraged by principals and staff. The British Columbia School Trustees Association, at its 1994 Annual General Meeting, approved the motion:

> **That the BCSTA urge the government, in consultation with students and other education partners, to reconsider the *School Act* with a view to further entrenching the rights and obligations of students by establishing student advisory councils.**

The school can effectively teach young people about democratic principles and processes, in line with Article 12 of the ***United Nations Convention on the Rights of the Child.***

> **States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.**
>
> **For this purpose, the child shall in particular be provided with the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.**

The Ombudsman's conversations with students, and a review of the complaints from students across the province show that a number of students do not feel welcomed or comfortable at school; they do not feel safe; they do not like going to school; and they do not think that their education is useful to them now, nor will be in the future. These concerns cannot be addressed without the direct input or involvement of students. Children and youth must be encouraged to voice their concerns through an appropriate and constructive process.

IV. KEY ISSUES THAT IMPACT ON THE LIVES OF STUDENTS

Children and youth are people.
All persons have the right to be treated with respect and dignity.

In keeping with this principle we highlight the following concerns that have come to our attention as a result of our discussions with schools since 1992.

A. ADVOCACY

The Ombudsman defines child and youth advocacy as:

> ***activities undertaken by self or others intended to ensure that the rights, interests and viewpoints of children and youth are carefully considered and fairly represented in all matters that affect them. These advocacy efforts are particularly in relation to public policies and services and are directed at both individual and systemic issues. (Advocacy For Children and Youth In British Columbia: An Ombudsman Discussion Paper. October 29, 1993.)*** Please see Appendices C and D.

Advocacy emerged as a major concern from discussions with students and a review of complaints received by the Ombudsman's Office. Because children are in a powerless position, some adults consider that they do not need to be consulted or listened to. As a result, children are often unable to represent their interests clearly and strongly to a willing listener. Most young people ***can*** advocate for themselves, and schools can assist students by teaching them the skills of self-advocacy and inviting their participation.

When young people have difficulty expressing their views, for whatever reason, especially when decisions are being made that affect them, adults can help to advocate. In particular, in any kind of administrative hearing or appeal

procedure, young people have a right to be accompanied by an advocate or other support person at every step.

Often peers are excellent advocates, but parents, family friends, teachers and other professionals can be called on as well. The advocate's role is to ensure that the child's point of view is heard and considered regardless of the child's age or abilities. School authorities are responsible for informing children of their right to have an advocate. Parents have told us they often feel that their efforts to advocate for their children are neither welcome nor acted upon and may even be discouraged.

B. COMMUNITY INVOLVEMENT IN SCHOOLS AND EDUCATION

A healthy system is an open and inclusive system. The 1988 Sullivan Royal Commission on Education described the school as the "hub of the community." Many communities see the school as a closed system, with its facilities unavailable to the public each weekend and for many weeks during the year. In turn, schools are often frustrated at the lack of support from other agencies. A child-centered system that is the hub of the community will provide a focus for all child-serving groups to co-ordinate their services.

Parents, students, community groups and service providers for youth, together with school officials, can identify practical and creative ways to use school facilities outside of school hours. School buildings can be used to provide social and recreational services for youth on evenings and weekends--an alternative to "hanging out," playing fields can be used for community sports, and classrooms for continuing education programs. Making the school a more integral part of the community for children and youth requires a commitment from school boards and administrators, as well as parents and teachers. In a time of shrinking resources everyone would benefit from integrating services and making better use of expensive public facilities. Part of promoting fairness is encouraging all participants in a system to co-operate.

C. INCLUSIVE EDUCATION

Most school districts struggle with the question of how to provide the range of services necessary to meet the varied needs of all children. These are not exclusively children with visible disabilities. The teachers and parents Ombudsman staff have spoken to are most concerned about students with behavioral problems. The Ombudsman's Office has been told of six-, seven- and eight-year-old children with "behaviour problems" being suspended from schools. The Ombudsman has also heard from parents whose children have been diagnosed as having Attention Deficit Disorder, Fetal Alcohol Syndrome/Effect, or other emotional difficulties. Often these conditions result in disruptive behaviours and exclusion from classes or from the school. These parents are finding it difficult to obtain suitable educational services for their children.

All children, regardless of their individual needs, have a right to an education. In a sense, every child has special needs. Rather than speaking of integrating "special needs" students into regular classrooms, we could more appropriately speak of "inclusive" schools. Such schools accept all children seeking an education and adapt programs to fit their age, ability and special circumstances. The majority of parents and educators in contact with the Ombudsman's Office support inclusive schools. But, from our experience, inadequate financial resources and support services or inappropriately designed systems often are barriers to total inclusion. Teachers and administrators mention other barriers:

Increased pressure from workload:

Teachers report feeling overloaded and pressured when they are expected to include all children in their classrooms, and accommodate a wide range of learning needs without sufficient supports.

Insufficient training:

Teachers have frequently told Ombudsman staff that their training does not adequately equip them to deal with children who have extraordinary needs. Many also feel ill-prepared to teach alternative dispute resolution procedures to their students.

Lack of integrated services:

Children with unique needs often require additional help in other areas of their lives in order to learn effectively. Since no one ministry in B.C. is responsible for services to children, those attempting to include all children in regular classes must attempt to co-ordinate multi-disciplinary and cross-ministry support. Teachers across B.C. speak of lack of support from social service and mental health professionals in their communities. This lack may be the result of structural deficiencies within systems rather than an attitudinal problem. The Ombudsman has frequently recommended that public services to children be integrated. (See the 1990 Ombudsman ***Public Report No. 22***). The newly created position of Child Advocate, as an Officer of the Legislature, given an appropriate mandate, may begin to bring about this integration.

Many districts are finding creative ways to serve the needs of all children, including those who are exceptionally gifted or talented. Often the most workable plans are a result of parents, teachers and community agencies working together. The Ombudsman recognizes and supports these efforts.

In April 1993, the Minister of Education announced a comprehensive review of "special" education that, in her words, "...will help ensure that services to students with special needs are delivered in an effective, coordinated manner." She further stated that "our schools must provide an education that meets the needs of all students, including students with special needs."

The minister set up a Special Education Advisory Committee, made up of "education partners, parents and interest groups." The Ombudsman applauds this commitment by the ministry. She is pleased to note the inclusion of representatives from the Ministries of Health; Social Services; Advanced Education, Training and Technology; and Aboriginal Affairs.

The views of students, and especially those characterized as having "special needs," are critical if the review is to be truly comprehensive. Young people who have recently dropped out of school are particularly suited to give reasons why the education system did not work for them.

The Ombudsman looks forward to the final report on the committee's work. She suggests that they look for more inclusive terminology for students with unique, identifiable educational needs, and for the name of the policy itself.

D. STUDENTS' ACCESS TO APPEAL

In a series of meetings between Ombudsman staff and students, few students were aware that they were entitled to appeal a school decision, or that complaint resolution procedures existed within both the school and the district. Further investigation showed that this lack of knowledge was common among students in many districts. In addition, in almost all cases, students said that they expected retaliation in some form if they complained that a decision concerning them had been unfair. These perceptions, along with insufficient knowledge, contribute to the powerlessness many students feel.

Failure to provide young people with clear information about the avenues available to express their opinions - including possible dissent - can lead to apathy, resentment and, at times, inappropriate expression of grievances.

Section 11 of the ***School Act*** provides for an appeal procedure for students and parents. The ***School Act*** states:

s. 11(2) Where a decision of an employee of a board ["decision" includes the failure of an employee to make a decision, s.11(1)] significantly affects the education, health or safety of a student, the parent of the student or the student may, within a reasonable time from the date that the parent or student was informed of the decision, appeal that decision to the board.

(3) For the purpose of hearing appeals under this section, a board shall, by bylaw, establish an appeal procedure.

(6) A board may make any decision that it considers appropriate in respect of the matter that is appealed to it under this section and the decision of the board is final.

However, the ***Ombudsman Act*** states:

s.10(2) The powers and duties conferred on the Ombudsman may be exercised and performed notwithstanding a provision in an Act to the effect that
(a) a decision, recommendation or act is final;....

The responsibility of the Ombudsman is to ensure that processes are fair. Therefore, under exceptional circumstances, the Ombudsman will review a decision of a school board if the following criteria apply and the board declines to re-hear the appeal:

a. new information regarding the matter under appeal has arisen; and/or

b. it can be clearly shown that the decision was inconsistent with the principles of administrative fairness and natural justice.

Although school administrators and senior officials are not required to be part of an investigation pending an appeal, they have, without exception, supported the efforts of this Office to resolve complaints in a non-adversarial manner.

In the spring of 1993 the Ombudsman circulated a draft paper entitled, **A Guide for School Board Appeal Procedures**. The draft was intended to inform School Boards and assist them in developing the appeal procedure required by the ***School Act***. Many groups, including students and parents, responded to the draft. The guidelines envision an environment in which individuals receive the dignity and respect they are entitled to, and that ensures the right to fair administrative processes. They make it clear that an appeal is not an effort to determine fault or blame, but a request to reconsider a situation or decision. The Ombudsman believes that applying basic principles of fairness at the primary level of school-based decision making reduces the use of more complex appeals procedures at a higher level.

The following revised version of the guide incorporates many of the suggestions the Ombudsman received.

A GUIDE FOR SCHOOL BOARD APPEAL PROCEDURES

Any effective complaint process is one based on principles of administrative fairness. These principles include:

1. The right to be treated with respect and dignity.

2. The right to speak on your own behalf or to have an advocate speak for or with you.

3. The right to be heard.

4. The right to participate in decisions that affect you.

5. The right to receive clear, complete and appropriate reasons for a decision.

6. The right to obtain all information that led to the initial decision or is being considered in an appeal.

7. The right to an impartial review of a decision that affects you, a review that is accessible, flexible, timely and easy to use.

8. The right to an appeal procedure that has a built-in mechanism to protect against retribution.

THE RIGHT TO BE HEARD is the first principle of administrative fairness for everyone, including young people. Children and youth need to be told of their right to be heard and the way to exercise this right. Teachers, principals and other employees of the school board have a responsibility to actively encourage children, youth and their advocates to express their questions, complaints or concerns to the proper authority, especially if the complainant believes a decision (or lack of decision) is unfair or unreasonable. Schools are expected to provide students and parents with information about appeal procedures, including the statutory right to an appeal under the ***School Act.***

Decision makers must provide **APPROPRIATE REASONS** for a decision affecting a student. The reasons must deal with the student's concerns and be easily understood by the child or advocate. They should be in writing or recorded in a format accessible and understandable to the student and his or her advocate.

The right of a complainant to receive **ALL RELEVANT INFORMATION** is critical. In many cases, providing students, parents and advocates with the information they require will resolve a complaint. The right to receive information, and full disclosure, must be in accordance with the ***Freedom of Information and Protection of Privacy Act.***

The person appealing a decision has a right to have the case reviewed by an **IMPARTIAL INTERNAL AND/OR EXTERNAL AUTHORITY**. This authority must be able, if necessary, to reach a different conclusion. School boards cannot simply endorse the decisions of their administrators.

A fair appeal procedure will have **REASONABLE TIME LIMITS**. These limits will be sensitive to the needs of the particular student and the teacher or principal involved, and the availability of an advocate. The procedure should also clarify what a "reasonable" time period is for any appeal, including an appeal under Section 11 of the ***School Act***.

Many people who want to appeal a decision fear **RETALIATION** for themselves or their children. Appeal procedures must explicitly state that there will be no reprisals. They must specify that where there is evidence of retribution against persons who have exercised their right to appeal, the school board will take steps immediately to remedy the situation. The policy prohibiting retribution must be readily available to students and advocates, perhaps posted in a visible, public place in the school.

In response to the fears expressed by many parents, and to provide protection against retribution for complaining to her Office, the Ombudsman requested a revision to the ***Ombudsman Act***. The new statutory provision passed by the Legislature reads:

15.1 No person shall discharge, suspend, expel, intimidate, coerce, evict, impose any pecuniary or other penalty on or otherwise discriminate against a person because that person complains, gives evidence or otherwise assists in the investigation, inquiry or reporting of a complaint or other proceeding under this *Act*.

Many **COMPLAINTS CAN BE RESOLVED AT THE CLASSROOM OR SCHOOL LEVEL**, in informal sessions with teachers, principals, students and/or parents, depending on the situation. Complaints can be settled in a variety of ways including mediation and internal review, before a person chooses to pursue more formal appeal procedures. The Ombudsman encourages schools and school boards to consider what options best fit their situations. Peers, counsellors, teachers, principals and administrative officers can act as mediators, or "on-site ombudspersons," in resolving classroom level or school disputes.

A student's interests may be jeopardized **WHILE AWAITING THE HEARING OF AN APPEAL**. Fairness requires that the interests of a student be preserved while awaiting the results of an appeal. However, officials must try to find a balance between delaying discipline while waiting for the outcome of an appeal, and dealing swiftly with an offence. Students must know that their actions have consequences. Justice delayed is justice denied. In cases of suspension, some school boards have developed a policy, with due consideration to both health and safety concerns and the rights of the student, to determine when immediate suspension is appropriate.

The appeal process should be **REVIEWED REGULARLY**. Students, parents, advocates, teachers, administrators, as well as other interested parties can participate in the review and in the development of new procedures to ensure that the policy is flexible, user friendly and continues to be appropriate.

The appeals policy and any information provided to students or advocates must include information on how a person can **ACCESS THE OFFICE OF THE OMBUDSMAN**, and when it is appropriate to do so. A brief outline of how to access the Ombudsman, suitable for posting in classrooms, is included with the Ombudsman's Annual Report for 1995.

E. LABOUR RELATIONS - THE BARGAINING PROCESS

Effective and lasting solutions to current tensions within this province's education system have not yet been found. Ministry officials, school trustees and administrators are looking for ways to change the atmosphere of mistrust found among adult authorities in education, especially when disputes are being resolved. The educational needs of children demand prompt and effective action when labour relations disputes interrupt normal school functions, and relationships among adults in the system break down. Students, parents and communities would benefit from a better understanding of the collective bargaining process.

The Ombudsman has received complaints from individuals concerned about the negative impact on students of job action by teachers and other district staff. Above all, parents and students want their concerns and priorities heard and considered alongside those of the other parties. Communication becomes more difficult during negotiations, not only between teachers and administration, but between teachers and parents, and among teachers. Often regular staff meetings and parent-teacher meetings are discontinued. Inevitably tensions arise when two parties negotiate in private items that impact others. Creative and innovative solutions need to be found to address this complex issue.

Although it is clearly not the appropriate role of the Ombudsman to involve herself in the details of the collective bargaining process, she shares the concerns of all citizens when children's education may be negatively affected by job actions on the part of adults. The Ombudsman expects that school boards and teachers will negotiate contracts that take into account the interests of all of the children and youth they serve.

F. PARTICIPATORY MANAGEMENT

We must understand how a school district is governed before we can review how decision making affects students. Many school districts across British Columbia have adopted a "strategic planning" model of decision making. This model emphasizes inclusion, a principle supported and promoted by the Ombudsman. Students, parents, teachers, teacher aides and all others whose

work impacts students must have the opportunity to be heard in decisions that affect them.

Real power sharing is essential if partnerships in education are to become more effective. Giving proper consideration to each partner in the system requires redefining roles and responsibilities and changing the "top down" structure of the organization. Adopting a style of management in which everyone participates requires that people overcome ingrained habits. Employee groups often perceive management to be committed to maintaining strong central control. Management perceives, at times, that unions are more concerned with protecting the rights of their members than meeting the needs of children. Parents and students perceive that teachers and principals are reluctant to include them in the classroom and in the local school. Students often feel like pawns in the power games being played out by adults.

Effective management seeks to:

- empower individuals to make decisions
- foster an atmosphere of trust and risk taking
- accord fair due process to all
- reflect a shared vision in decision making
- communicate openly and honestly
- achieve consensus in decision making
- provide adequate information for decision making

Any type of fair and inclusive management, regardless of the name we give it, challenges administrators and staff to consider the paramount interests of students above and beyond professional self-interest. Board members, administrators and union representatives can delegate to working groups a role in reaching decisions that affect the workplace and the learning environment for students.

School staff require a clear mandate from school boards to carry out their functions. In turn, they need to develop ways of consulting with students, parents and communities, and working in co-operation with them. The onus is on the school board and staff to shift the perception of many citizens that school

district organization is hierarchical and closed, with all decisions coming down from the top level.

Whatever changes are made in the structure and administration of the school system, and however responsibilities are redistributed, all steps in the process must be fair and equitable to all concerned.

V. SUMMARY OF OMBUDSMAN'S SUGGESTIONS

The Ombudsman has had jurisdiction for schools for just over two years. This report is intended to summarize our experiences to date and to make suggestions for improvement in a non-confrontational and constructive way. The following suggestions are made in that spirit.

1. That the government consider an amendment to the ***School Act*** to provide for and require the creation and operation of local, district and provincial student councils so that students can participate more effectively in the education system and have a voice in decisions that affect them.

2. That school districts consult with local community agencies and municipal officials on how to make school facilities more available for the use of the whole community for a greater portion of the year.

3. That school districts improve parental participation in schools at the local, district and provincial levels by:

   - developing volunteer programs to recruit, train, support and supervise volunteers in local schools
   - providing facilities and staff support for volunteer programs
   - supporting the formalization of local and district parent advisory councils
   - developing policies and procedures that encourage communication between local, district and provincial Parent Advisory Councils, and local school districts

4. That school districts, in consultation with government, relevant consumer groups, service providers and professional schools and organizations, review current methods of integrating multi-disciplinary service delivery for children, youth and their families, with the objectives of:

- ensuring easy access to needed services for children and youth with unique or exceptional needs
- reducing the need for multiple assessments when more than one service may be required by a child or youth with unique or exceptional needs
- establishing multi-disciplinary, cross-ministry methods of case management that invite the service recipient to consent to and participate in service planning and decision making
- encouraging multi-disciplinary methods of professional education, research and staff development, paying particular attention to the training needs of front-line service providers who work with students who have unique or exceptional needs
- using the services of child psychiatrists and psychologists in a more flexible and economical way as diagnosticians, consultants, researchers and trainers.

5. That the Ministry of Education and school districts include students with unique or exceptional needs, including students who have "dropped out" of school, on the Student Support Services Committee and the Special Education Advisory Committee, to ensure that the needs and interests of all students are effectively represented.

6. That school districts develop policy to ensure that all students and/or their parent(s) have the freedom to bring an advocate to interviews or meetings with school or district personnel.

7. That the Ministry of Education consider providing direction and guidance to school districts by establishing by regulation under the ***School Act*** a provincial appeal procedure for all districts that satisfies the requirements of natural justice and administrative fairness. Such a procedure should encourage the use of alternative dispute resolution mechanisms such as mediation. Although the ***School Act*** gives the responsibility to school boards for establishing appeal procedures, if these procedures differ from district to district, there may be regional disparities and some may be more fair than others. Students and parents must have access to a fair and equitable appeal process regardless of where they reside, and must be assured that there will be no reprisal for initiating an appeal.

8. That school boards, employees and the Ministry of Education ensure that no collective agreements negatively affect students or violate the principles stated in this report.

9. That the government establish by legislation a Provincial Statement of Principles, specifying the rights of all children, as a guide for all public services to children. The principles must be consistent with the provisions of the ***Canadian Charter of Rights and Freedoms***, the ***United Nations Convention on the Rights of the Child,*** the new ***Child, Family and Community Service Act*** and this report.

10. That school districts ensure that their policies and procedures for maintaining student discipline treat children and youth with behaviour problems as persons with unique or exceptional needs, and that they develop constructive alternatives, based on an integrated model of service delivery, to using out-of-school suspensions for inappropriate or challenging behaviour.

11. That schools explore ways of scheduling teacher-parent consultations to accommodate working parents.

12. That school boards and the Ministry of Education explore training opportunities for teachers and other staff on how to best support children and youth with unique or exceptional needs.

OMBUDSMAN PUBLICATION LIST OF REPORTS RELATED TO CHILDREN AND YOUTH

I. Annual Reports - 1979 - 1993

II. Special Reports to the Legislative Assembly

No. 13 The Willingdon Case, 1985 (Corrections Branch)

III. Public Reports to the Legislative Assembly

No. 17 The Willingdon Youth Detention Centre, 1989

No. 22 Public Services to Children, Youth and Their Families in British Columbia, 1990

No. 24 Public Response to Request for Suggestions for Legislative Change to ***Family and Child Service Act,*** 1991 (Ministry of Social Services and Housing)

No. 32 Abuse of Deaf Students at Jericho Hill School, 1993 (Ministry of Education)

No. 34 Building Respect: a Review of Youth Custody Centres in British Columbia

IV. Ombudsman Discussion Papers

Advocacy for Children and Youth in British Columbia, 1993

Children Should be Seen AND Heard, 1994

STATEMENT OF EDUCATION POLICY ORDER

Contents*

Page

Part A: Mission Statement D-76

Part B: General Policies for the School System D-76
The Educated Citizen D-76
Diversity and Choice D-77

Part C: Policy Statement on Public Schools D-78
Goals of Education D-78
Attributes of the Public School System D-79
Duties, Rights and Responsibilities D-79

Part D: Policy Statement on Independent Schools and Home Schooling D-83
General Policy D-83
Rights and Responsibilities D-83

*Note: Parts A & B are intended to apply to all schools, public and independent.

STATEMENT OF EDUCATION POLICY ORDER

Part A: Mission Statement

The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills, and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy.

Part B: General Policies for the School System

The Educated Citizen

A quality education system assists in the development of human potential and improves the well being of each individual person in British Columbia society.

Continued progress toward our social and economic goals as a province depends upon well-educated people who have the ability to think clearly and critically, and to adapt to change. Progress toward these goals also depends on educated citizens who accept the tolerant and multi-faceted nature of Canadian society and who are motivated to participate actively in our democratic institutions.

Government is responsible for ensuring that all of our youth have the opportunity to obtain high quality schooling that will assist in the development of an educated society. To this end, schools in the province assist in the development of citizens who are:

- thoughtful, able to learn and to think critically, and who can communicate information from a broad knowledge base;
- creative, flexible, self-motivated and who have a positive self image;
- capable of making independent decisions;

- skilled and who can contribute to society generally, including the world of work;
- productive, who gain satisfaction through achievement and who strive for physical well being;
- cooperative, principled and respectful of others regardless of differences;
- aware of the rights and prepared to exercise the responsibilities of an individual within the family, the community, Canada, and the world.

Diversity and Choice

Government is committed to ensuring that parents in every region of the province have access to quality public schooling for their children. For those students unable to attend school because of remoteness or illness, the province will provide appropriate delivery systems to ensure access to the provincial curriculum.

In an effort to accommodate varying parental and student expectations of school services, public schools, within available resources, will provide parents and students with choice of programs.

Government is also committed to the principle that parents have an historic right of choice regarding the schooling of their children. Parents in British Columbia have the right to enroll their children in a public school or in any independent school of their choice.

Part C: Policy Statement on Public Schools

Goals of Education

Prime Goal of Public Schools – Supported by the Family and Community

- *Intellectual Development* – to develop the ability of students to analyze critically, reason and think independently, and acquire basic learning skills and bodies of knowledge; to develop in students a lifelong appreciation of learning, a curiosity about the world around them and a capacity for creative thought and expression.

Goals that are shared among Schools, the Family and Community

Schools are expected to play a major role, through learning experiences and supervised practice, in helping students to achieve the following goals:

- *Human and Social Development* – to develop in students a sense of self-worth and personal initiative; to develop an appreciation of the fine arts and an understanding of cultural heritage; to develop an understanding of the importance of physical health and well being; to develop a sense of social responsibility, and a tolerance and respect for the ideas and beliefs of others.
- *Career Development* – to prepare students to attain their career and occupational objectives; to assist in the development of effective work habits and the flexibility to deal with change in the workplace.

Attributes of the Public School System

- *Accessibility* – a variety of programs is available in the province to meet the full range of student needs.
- *Relevance* – programs are current, and relevant to the needs of the learner.
- *Equity* – resources are allocated fairly.
- *Quality* – professional teaching and administration are of high quality.
- *Accountability* – resources are allocated in a cost-effective manner; parents and the community are informed of the progress of schools and are involved as partners in planning.

Duties, Rights and Responsibilities

Students: have the opportunity to avail themselves of a quality education consistent with their abilities, the opportunity to share in the shaping of their educational programs, and the opportunity to determine their career and occupational goals. They have a responsibility to make the most of their opportunities, to respect the rights of others, and to cooperate with fellow students in the achievement of their goals.

Parents: have the right and responsibility to participate in the process of determining the educational goals, policies and services provided for their children. They have a primary responsibility to ensure that children are provided with the healthy and supportive environment necessary for learning. They have a responsibility to help

shape and support the goals of the school system and to share in the tasks of educating their young.

Teachers: have the right to exercise professional judgment in providing instruction to students in accordance with specified duties and powers. They have a corresponding responsibility to ensure that each student is provided with quality instruction, to participate in all normal school activities and to monitor the behavior and progress of each learner in accordance with provincial and local policies. They have a responsibility to communicate with students and parents, and are accountable to the School Board and its delegates.

School Principals: have the right to exercise professional judgment in managing the school in accordance with specified duties and powers. They have a corresponding responsibility to ensure that each student is provided with opportunities for a quality education. Principals are to provide administrative leadership, in consultation with teachers and the community that reflects the aspirations of parents and the school community and that is consistent with provincial and district guidelines. They cooperate with parents and the community in the delivery of non-educational support services to students, and focus on the following areas of school concern: (1) student access and achievement; (2) quality teaching; (3) communication with parents and the community; and (4) accountability to parents and to the Board.

School Boards: have a duty to govern districts and their schools in accordance with specified powers in a fiscally responsible and cost effective manner. They have a responsibility to ensure that schools provide students

with opportunities for a quality education; to set education policies that reflect the aspirations of the community and that are consistent with overall provincial guidelines; to provide leadership and encouragement to schools and the community; to cooperate with the community and social service agencies in the delivery of non-educational support services to students; and to focus on the following areas of district concern: (1) implementation of provincial and local education programs; (2) school finance and facilities; (3) student access and achievement; (4) teaching performance; and (5) accountability to parents, taxpayers, the community and to the Province.

District Officials: have a duty to exercise professional judgment in managing the district in accordance with specified powers and duties. They have a corresponding responsibility to provide professional leadership in the design and implementation of education programs in districts, and are accountable to the local school board.

The College of Teachers: has the duty to establish and apply standards of fitness and qualifications governing admission to the teaching profession. The specific duties of the Council of the College are to approve, for certification purposes, teacher education programs established by provincial Faculties of Education, to define bylaws and policies related to the academic and professional qualifications of teachers, to issue teaching credentials, to investigate allegations of professional misconduct and, if necessary, to exercise professional judgment in disciplining its members. The College has the responsibility for encouraging and facilitating programs of continuing teacher education, professional development and inservice designed to ensure general

teacher competence, and to improve the quality of teaching in provincial schools.

The Community: has the right to expect that every child will have access to quality education provided in a fiscally responsible and cost effective manner. The community, through local volunteer groups and private and public agencies, has a corresponding responsibility to support the family and school by providing children with a healthy and supportive environment in the community.

The Ministry of Education: has a duty to set policies for the British Columbia public school system in accordance with specified duties and powers. The Ministry has a corresponding responsibility to ensure that the education system provides students with opportunities for a quality education in a cost-effective manner; to set standards and overall directions for the education system; to provide leadership and encouragement to all educational agencies in the province; to cooperate with provincial agencies in the delivery of non-educational support services to students; and to focus at a high level of provincial concern on the following areas: (1) finance and facilities; (2) program direction, development and implementation; (3) student access and achievement; (4) teaching performance; and (5) system evaluation and public accountability.

Other Government Ministries and Agencies: have a duty to set policies in accordance with specified powers. They have a corresponding responsibility to ensure that provincial policies and resources support the family and local community in providing a healthy and supportive environment necessary for children's learning.

The Public: The public of British Columbia has the right to expect that schools operate effectively and efficiently and are accountable for evaluating and reporting their progress on a regular basis. The public has the corresponding responsibility to provide schools with the necessary resources and moral support to fulfill their mission.

Part D: Policy Statement on Independent Schools and Home Schooling

General Policy

Government recognizes and supports the principle of independent schooling in order to provide parents with alternatives to public schools. Government provides financial support for those schools that meet specified standards in a number of areas including curriculum and teacher certification consistent with the provisions of the *Independent School Act.*

Rights and Responsibilities

Parents: have a right to enroll their children in a registered independent school of their choice. Parents have a corresponding responsibility to ensure that the curriculum and programs being offered by the school are of suitable quality.

Parents may choose to school their children at home provided that certain conditions are satisfied. If they choose home schooling, they have a responsibility to register their children in a public school, an independent school, or a regional correspondence school. Home schooled students and their parents will be offered educational services including assessment, access to learning materials and record keeping. Parents have a

responsibility to ensure that children are provided with a healthy and supportive environment necessary for learning.

Independent School Authorities: have a duty to determine policies and curriculum in accordance with specified powers. They have a responsibility to register with the Ministry of Education and to provide the Ministry with appropriate information.

The Ministry of Education: has a duty to determine policies for independent education in accordance with specified powers and duties. The Ministry has a responsibility to ensure that these regulations and policies are implemented.

ADVOCACY FOR CHILDREN AND YOUTH IN BRITISH COLUMBIA:

An Ombudsman Discussion Paper

OCTOBER 29, 1993

OFFICE OF THE OMBUDSMAN OF BRITISH COLUMBIA

This discussion paper has been prepared for use as part of an Ombudsman process of consultation with young people. The proposals presented do not necessarily represent the final position of the Ombudsman.

Any child, youth, youth group or organization that advocates with and for young people who wish to participate in the consultation process can do so by contacting any member of the Child and Youth Team:

Office of the Ombudsman
8 Bastion Square
Victoria, British Columbia
V8W 1H9

Toll Free Telephone: 1-800-567-3247
Fax: 387-0198
TDD: 1-800-667-1308

TABLE OF CONTENTS

A. Ombudsman Principles concerning Child and Youth Advocacy 4

B. Overview of Ombudsman Proposals 6

C. Introduction and Background 10
1. What's the purpose of this paper? 10
2. What do we mean by child and youth advocacy? 11
3. Why is child and youth advocacy needed? 12

D. Ombudsman Proposals 14
1. What types of advocacy do young people need? 14
2. Strengthening natural and self-advocacy for young people 15
Ombudsman proposal #1 16
3. Enabling natural advocacy 16
Ombudsman proposal #2 18
4. Effective review processes 18
Ombudsman proposal #3 19
5. Reforming legal advocacy for young people 20
Ombudsman proposal #4 21
Ombudsman proposal #5 24
6. Administrative advocacy for young people 24
Ombudsman proposal #6 25
7. Advocacy for young people in the legislative branch of government 26
Ombudsman proposal #7 29
8. Case advocacy for young people 30
Ombudsman proposal #8 31
9. The entitlements of young people 32
Ombudsman proposal #9 33
A proposed Children's Charter 34
10. Particular concerns for First nations children 36
Ombudsman proposal #10 37

E. Conclusion 38

A. Ombudsman Principles Concerning Children and Youth Advocacy

The Ombudsman believes that young people want, need and deserve the types of reforms that are proposed in this paper. Investing in young people is investing in the future of British Columbia and Canada. Children are indeed our most valuable resource. Adults can no longer risk increasing youth alienation by shutting out young people from the decision making processes. This is a matter of rights, dignity, respect and affection.

The Ombudsman's proposals on child and youth advocacy are guided by the following principles:

- young people should be treated with dignity and respect and should be supported in developing self-advocacy skills in a manner consistent with their interests and abilities;

- when decisions are being made that affect young people, their views must be sought and carefully considered;

- young people should be the paramount concern of families, communities and governments and deserve first priority in the consideration of the public good and in the allocation of resources;

- families and child-care organizations require status and access to community support, resources and information in order to be effective natural child advocates;

- when significant adult disagreements arise involving a young person receiving or applying to receive a public service, the young person must have access to a fair legal and/or administrative hearing and representation intended to ensure that his/her views and interests are fairly and independently represented;

- young people are entitled to a clear statement of their rights and these rights, including those set out in the United Nations Convention on the Rights of the Child, should form a foundation for child and youth advocacy;

- child and youth advocacy services provided in the public sector must span all public agencies, services and departments that serve young people.

B. Overview of Ombudsman proposals

Government is presently reviewing its laws and policies about children, youth and their families. How to improve advocacy for young people is an important part of that review. This discussion paper will be used as part of the Ombudsman's consultation with young people and their nominated advocates throughout British Columbia. This follows up on recommendations about child advocacy in Ombudsman Public Report No. 22 (November 1990).

The paper likens advocacy to "going to bat" for young people (0 - 19 years) who cannot vote and have a restricted power base. Advocacy is seen as necessary to advance young people's rights, interests and viewpoints - particularly in their dealings with government services (schools, health and social services, youth corrections etc.). The paper talks about both

- ***individual, case or personal advocacy, and***
- ***class or systems advocacy.***

Young people, parents, neighbours and friends are often the best ***natural advocates.*** But often, young people and their natural advocates need help from more ***formal (professional) advocates.*** The most important job of advocates is to make sure that young people's individual and collective views are heard and carefully considered - especially when important decisions that affect them are being made by those in authority. Sometimes the issue or conflict requires a particular kind of advocacy which can be ***legal or administrative.***

There are three main ways in which people exercise power and enforce rights. They are self advocacy (personal, natural), political advocacy (legislative) and legal advocacy (courts). Children are caught in the conundrum of being discredited and not listened to, disenfranchised and not able to vote, and considered incompetent and unable to pursue legal remedies. An ***ombudsperson for children and youth*** is seen as a way to put young people's issues on the agenda by accessing the Legislative Assembly directly. This enables the community and all elected officials to consider matters affecting young people in a non-partisan, comprehensive way.

Having an Ombudsman does not negate or excuse the government from taking responsibility for children when it provides services or devotes resources intended to benefit them. No one denies that quality outcomes for children require integration of all services. There appears to be considerable reluctance and confusion about how to do this. A fixed point of responsibility must be developed, given status, and embedded within the public service. What this fixed point of responsibility looks like is a decision that properly rests with government. It may be a separate, stand alone ministry, or a Minister responsible for children, an effective Commissioner or Secretariat, and/or an office of a child advocate.

In this discussion paper, the Ombudsman makes the following proposals to government intended to empower young people and their natural advocates.

Proposals to strengthen natural advocacy

- For government to make sure that no one is fearful about complaining or advocating on behalf of a young person. Young people, parents, teachers, foster parents and other "natural advocates" should not be scared because they go to bat for a young person. Government, provincial and local, and service providers need to reassure people that advocacy for young people is expected and supported.

- For government to work with communities to make sure that "case advocates" are available to young people in their home communities. One option suggested is to look at placing child and youth advocates (not lawyers) in every legal aid office in B.C. so that they are at arms length from Ministries.

- For public services to have fair complaint, review and appeal mechanisms that are easily understood and usable by young people.

- For government to encourage inclusion of young people in mediation and other types of conflict resolution processes - unless there is a very good reason not to do so, such as harm to the child.

- For the provincial and local levels of government to work in partnership to ensure the existence of appropriate advocacy mechanisms for young people in their community.

- For government to set up a fixed mechanism to ensure broad representation of the views and concerns of young people to provincial government policy-makers. It is proposed that local advocacy for young people be supported through, for example, active Student Councils in schools, Child and Youth Advocates in local municipalities and Youth in Care Networks for young people in or from state care. Young people would have direct access to the proposed Ombudsperson for Children & Youth.

Proposals to reform legal advocacy for young people

- For government to reform legal services available to young people so that they are understandable and accessible. It should be easier for young people to be independently represented by their own lawyer in serious matters before the Courts, especially ***Family Relations Act and Family and Child Service Act*** matters.

Proposals to improve administrative advocacy for young people

- For government to establish a "fixed point of responsibility" for young people in (the executive branch of) government - such as a newly created Ministry and/or a Cabinet Commission exclusively concerned about young people and integration of services. This "fixed point of responsibility" would be given the specific mandate of integration of laws, policies, procedures and regulations for all departments responsible for services to children and youth.

Proposal for a Legislative Ombuds Office for Children and Youth

- For government to establish a separate Ombudsperson in the legislative branch of government exclusively concerned with young people. A list of duties of the proposed Child and Youth Ombuds Office are suggested in the discussion paper. This independent Office of the Legislature would represent the views and interests of young people to the Legislative Assembly and make recommendations to ministries and executive government intended to strengthen administrative advocacy.

Proposal for a Children's Charter

- For government to introduce a "Children's Charter" - a law to outline the rights and entitlements of young people in B.C. This law would guide natural advocates, service providers and policy makers in their work with children and youth and should be drafted to be consistent with the ***United Nations Convention on the Rights of the Child,*** as far as is appropriate.

Proposal concerning advocacy for First Nations children

- For the proposed Child and Youth Ombudsperson to enter into discussions with First Nations to discuss the particular circumstances and advocacy needs of Aboriginal young people at this time when self-government is being negotiated and report on those discussions.

C. Introduction and Background

1. What's the purpose of this paper?

In November 1990, the Office of the Ombudsman called on government to strengthen child and youth advocacy in B.C. In response, the Ministries of Attorney General, Health and Social Services provided three seconded staff to the Ombudsman who agreed to assume a limited advocacy role while the newly formed Child and Youth Secretariat was to address longstanding problems of fragmentation among various child-serving Ministries. The Ombudsman committed to follow-up on these initiatives and this discussion paper is one part of that process.

It has been estimated that up to one third of the complaints and inquiries received by the Ombudsman (16,496 in 1992) are from or about young people (under the age of nineteen years). Most of these contacts are about problems being experienced by young people within the education, health, social service and youth justice systems. About one-third of these calls or visits are from young people (as young as 9 years old). The rest are from concerned parents, caregivers, friends, neighbours and professionals who are advocating - or "going to bat" - for a particular child or youth.

Since the Ombudsman's 1990 Public Report No. 22 was released, the government changed and in 1993 a Community Panel report advised the Ministry of Social Services that advocacy for children, youth and their families needed to be strengthened in communities and across the different ministries. A committee was set up, chaired by the Superintendent of Family and Child Service, to suggest ways for government to improve advocacy. The Ombudsman accepted an invitation to participate on condition that there were representatives from all child-serving ministries on the committee. As a member of this committee, the Ombudsman has heard youth and adult representatives speak repeatedly about the need for young people to be

involved and consulted when planning new approaches to advocacy. The Ombudsman has decided to prepare this discussion paper and proposals for consideration by youth, community and government concerning child and youth advocacy that reflects the Ombudsman's experience in investigating complaints from and about young people. The Ombudsman wants her advocacy perspective to accurately reflect the views of young people. This paper is a first step and will be used to consult with young people and their advocates in different regions of the province. Based on these discussions, the paper will then be re-written and given to Deputy Ministers in government for their comments. An Ombudsman public report on child and youth advocacy may be released following those discussions.

2. *What do we mean by child and youth advocacy?*

For the purpose of this discussion paper the Ombudsman defines child and youth advocacy as:

> ***activities undertaken by self or others intended to ensure that the rights, interests and viewpoints of children and youth are carefully considered and fairly represented in all matters that affect them. These advocacy efforts are particularly in relation to public policies and services and are directed at both individual and systemic issues.***

Young people deserve to be treated with dignity and respect by adults in authority. Children are persons in their own right and should no longer be considered as the property of their families. This requires that children and youth be seen ***and heard.*** This does not mean that a five year old child should be unfairly burdened with adult decision making responsibilities. It does mean that the child deserves the respect of having her or his views carefully considered when decisions are made that affect her or him. For an infant or child with whom we have difficulty communicating, independent representation may be necessary as part of a fair decision-making process, especially when adults in authority are in serious disagreement about the child's rights

or interests. Every effort must be made to understand the child's perspective. They cannot be bypassed in the process.

In May 1992, young people in or from state care met at the University of Victoria to tell a government appointed Community Panel how the child, youth and family service system should be improved. They said that a child advocate or ombudsperson was needed, not to look out for their best interests, but to safeguard their legal rights. They said that this should be ***"an independent, outside person"*** because ***"youth often don't trust the system".*** Youth said that the job of the advocate or ombudsperson should include informing young people of their rights, checking up on standards of services provided and investigating complaints from or about young people. Young people, they said, should participate in selecting the advocate or ombudsperson.

This paper talks about ***informal or natural advocacy*** (for example by child, youth, parents, neighbours) and ***formal or professional advocacy*** (for example by lawyers, child and youth care professionals, service providers, Ombudsman). Formal advocates ought to lend support to natural advocates and all advocates should help children and youth learn how to be their own best advocates.

Individual advocacy should be available in the young person's home community. Class or systems advocacy is required at the provincial, territorial and/or federal level where government, through Ministries and the Legislative Assemble or Parliament, make policies and laws that greatly affect young people. Advocates may work for an individual child or youth ***(individual, personal or case advocacy)*** or for a group of children or youth like children in poverty, students with disabilities or youth in or from state care ***(class or systems advocacy).***

3. *Why is child and youth advocacy needed?*

Children and youth are vulnerable, powerless, and have interests and views that sometimes conflict seriously with the views of adults in authority. The vulnerability of young people - within families, within

communities and as recipients of public services - has been well documented. Children and youth comprise a permanent, and vulnerable, minority group within our society. In law, children constitute a dependent and legally "incompetent" group. There are limited legal remedies for children because of their dependency and lack of legal status. Children do not have the personal power, skills or resources of other minority or interest groups. Permanent structures are required to ensure that child and youth issues receive the public attention they deserve.

In its stark from, the vulnerability of individual children is seen daily in provincial courts where adults are in dispute about child maintenance, custody and access under the ***Family Relations Act*** and/or in child protection matters under the ***Family and Child Service Act.*** Less visible, but equally important to young people, are the conflicts that can and do arise from administrative decisions in education, health, social service and justice programs. The sum of all of these areas touches almost every aspect of a child's life.

The vulnerability of groups of children and youth shows itself in issues such as child poverty, access to education for children with disabilities and the treatment of children and youth in state care facilities. Advocacy is needed to ensure that children and youth are treated with dignity and respect. The importance of listening to young people is exemplified by the report resulting from recent consultations undertaken with young people by the Canadian mental Health Association which stated that:

> ***...youth have different values and priorities from the ones society has traditionally implemented in the development of social services and supports for the young. The young people emphasized the importance of emotional and mental well-being over physical comfort and rigid adherence to standards...youth made it very clear that for them, respect is a prerequisite to any service or youth policy.***

D. Ombudsman Proposals

1. What types of advocacy do young people need?

A matrix of advocacy services must be available to children, youth and their natural advocates. An ideal community nurtures the families and children within it. A new born baby, a First nations child, a youth who is deaf, a refugee child, a foster child, a young person in conflict with the law, a student with a disability and a young person in a mental health institution - each of these may at times require the support of an advocate. The type of advocacy required will vary and must be adaptable to individual circumstances. In most circumstances, the advocacy of parents, youth or other natural advocates is enough to resolve concerns. But in a large number of cases children, youth and their natural advocates will require assistance from more formal advocacy services.

An essential part of the matrix is systemic advocacy which is necessary to ensure that young people's opinions and perspectives are inextricably linked. There must be a means to resolve a problem for an individual child and also have the means to address the same unfairness because of a problem within the system. Advocacy for young people should be available in all aspects of the matrix including:

- families and communities where the ***natural advocacy*** of parents, relatives, neighbours and young people themselves must be nurtured and supported;

- courts and tribunals where ***legal advocacy*** should be accessible to children and youth to ensure that their views are heard;

- the administration of provincial and local government services such as recreation, education, health, social and justice services where ***administrative advocacy*** must be available; and

- M.L.A.'s offices and the Legislature where matters of vital importance to young people are decided and where ***legislative advocacy*** should ensure that the views and aspirations of young people are fairly considered in the development of our laws and the allocation of public resources. There must be access to and interest by elected members despite children not having the right exercise their franchise. If this is not done, the other parts of the matrix must receive greater attention and be strengthened.

2. *Strengthening natural and self-advocacy for young people*

The best advocates are young people themselves with assistance provided by parents, friends, neighbours, teachers and other front-line professionals who are in frequent contact with children and youth. Self-advocacy is a vital life-skill that should be taught at an early age and encouraged throughout life. For younger children, the natural advocacy of parents is crucial and the parenting role needs to be given the status it deserves in our society. In the majority of cases, families resolve their differences informally because the parent/child relationship is strong and based on mutual respect. In some cases, however, the parents interests and views can seriously and repeatedly conflict with the views of their children.

Important examples of natural advocacy in action include class efforts by women, First Nations, and persons with disabilities. While each of these advocacy movements includes issues of importance to children and youth, they are not exclusively concerned about children and youth. Of marginalized groups, children and youth are the least well organized because of their lack of status and resources. Groups such as the Federation of Youth in Care Networks, however, are beginning to establish themselves and many municipalities are recognizing the importance of consulting with young people. Vancouver's Child and Youth Advocate is a model that has been admired by other provinces and municipalities and is worthy of replication in other urban centres in B.C.

The provincial government's decision to withdraw funding for the former B.C. Youth Council was regrettable even though the council was limited in terms of representation and in reporting to only one ministry (Advanced Education and Job Training). If government wants to prepare young people for future leadership roles then it should provide meaningful opportunities for youth participation.

Failing to promote the involvement of young people in the decision-making processes in our province and communities will perpetuate the alienation of youth.

Ombudsman proposal #1 to strengthen natural advocacy

Government, through all child and youth-serving ministries, establish a broad representative voice for young people in the formulation and implementation of all relevant government policy and program developments.

Government, through all child and youth-serving Ministries, provide continued and enhanced supports to the Federation of B.C. Youth in Care Networks.

Government, in partnership with municipalities and regional districts, promote youth involvement at the community level and establish appropriate child and youth advocacy mechanisms within local governments.

Government, through the Ministry of Education and School Boards, strengthen student council activities within all schools and school districts and require their existence through an amendment to the ***School Act.***

3. *Enabling natural advocacy*

A major barrier to effective natural advocacy is the fear often felt by young people, parents, foster parents and front-line workers about what will happen to them if they complain - the fear of reprisal. The Ombudsman hears about these fears every day, for example:

- the youth in care who was scared that her social worker and foster mother would be angry at her for complaining about her foster home;

- the single parent who needs additional child care supports but fears that this will be interpreted by her worker as a child protection concern;

- the Ministry worker who is reprimanded or told off by his supervisor for referring a young person to the Ombudsman;

- the contract agency administrator who says that the Ministry is referring inappropriate children to his program but who is fearful of formalizing a complaint because he may lose the contract;

- the young resident of a correctional facility who fears that complaining about conditions in the institution will result in harsher treatment;

- the foster parent who disagrees with the social worker's plan for a child but who fears that her home will not be used if she complains;

- the parent who fears that her child will suffer if she complains about her child's treatment in the classroom.

Recent changes to the ***Ombudsman Act*** are intended to protect advocates and others who complain. This statutory protection is important for vulnerable young people and those acting on their behalf. Section 15.2 of the ***Ombudsman Act*** states:

No person shall discharge, suspend, expel, intimidate, coerce, evict, impose any pecuniary or other penalty on or otherwise discriminate against a person because that person complains, gives evidence or otherwise assists in the investigation, inquiry or reporting of a complaint or other proceeding under this Act.

Ombudsman proposal #2 to strengthen natural advocacy

Government should act to promote natural child and youth advocacy in families and communities and, in consultation with young people, parents, staff, contractors and child advocacy groups, should act to identify and eliminate barriers to effective "natural" advocacy. As a first step, all child and youth-serving Ministries should adopt a common policy, effectively communicated to children, youth, parents and communities that supports front-line child and youth advocacy. Formal assurances must be provided by child and youth serving Ministries that advocacy efforts will ***not*** result in negative consequences but will receive corporate support.

4. Effective review processes

Lack of awareness, like fear of reprisal, acts as a barrier to effective natural advocacy. Too often, the Ombudsman hears from young people and their parents that they are not aware of how to complain to a government authority. In many public service programs, complaint procedures are required in law and routinely communicated to "customers". This is often not the case in the social service sector. In 1990, the Ombudsman said that:

A common objective of service providers is to assist young people to express themselves in age-appropriate ways and to help them develop trust relationships, particularly with persons in authority. Fair administrative review procedures

can assist in the achievement of this goal by empowering young people to challenge, in appropriate ways, decisions of authority figures; by assuring the young person a fair hearing; and through the non-defensive reaction of the person in authority to the challenge. An effective complaint and review mechanism can also act to defuse the angry response of a child or youth when a decision is made with which she or he disagrees.

- Ombudsman Public Report No. 22, (1990, p.111)

The absence of child and youth friendly administrative review and appeal procedures, especially in the child welfare system, has long been a concern to the Ombudsman. The current White Paper on child and family services fails to remedy the situation and does not address the problem of complaints that cross Ministry boundaries. On a positive note, the Ombudsman recently met with an Assistant Deputy Minister (ADM) with the Ministry of Social Services and was informed that a directive was to be sent to all staff supporting front-line advocacy and reinforcing the need to tell young people, parents and other clients about their right to complain and seek review if dissatisfied. This initiative should also take place in other child and youth serving Ministries.

Ombudsman proposal #3 to establish fair review and appeal mechanisms for young people

Government should act immediately to ensure the existence of fair and appropriate statutory-based administrative review and appeal mechanisms in all child/youth-serving sectors. In particular, the ministry of Social Services should ensure that the proposed ***Child, Family and Community Services Act*** includes appropriate provisions for child-sensitive administrative review and appeal. This proposal is in line with Recommendation #16 of Ombudsman Public Report No. 22.

5. Reforming legal advocacy for young people

Historically, children were presumed to be incomplete beings, not fully competent to determine and safeguard their interests. The law did not recognize any legal capacity in children. They were prohibited from suing others or of being sued. An infant had to be represented in court by a male adult "next friend". The father alone had the right as "guardian by nature" of his children, to represent them. At his death, his authority vested in a testamentary guardian he or the Chancery court would have appointed. It was not until the 19th century that a mother could be appointed guardian of her children. However because of other laws at the time such an appointment could be unwise. Women, in the 19th century, did not have legal capacity and therefore could not represent or protect their children very effectively.

In British Columbia today the situation has not significantly changed. The Rules of the Supreme Court of B.C. require that a child be represented by an adult of sound mind in any court action. The law still considers children to be under a legal disability and so they cannot assert their legal rights or defend themselves without the appointment of a guardian ad litem. A guardian ad litem can be a parent, relative or any adult who has no interest adverse to that of the child he or she would be representing. The law has traditionally been concerned and still is concerned that the propriety of the legal proceedings is maintained and that there is someone available to pay costs to the defendant if necessary. The guardian ad litem appears to fulfil the role of a legal and financial guarantor.

The purposes of the guardian are paternal in nature vis-a-vis the child. The wishes of the child are not legally binding on the guardian. The guardian ad litem is supposed to advance or protect the interests of the child as he/she and the legal advisors see those interests. When the guardian is a parent or relative, the interests of the child which may not be identical to that of the parent or family may not be protected or even acknowledged. On the other hand where the guardian is a stranger to the child and there are competing adult interests in a lawsuit it is possible that the guardian is less assertive out of a biassed regard for the adult interests and an insufficient regard for the child's interests. A further impediment to

maximizing the participation of children and youth in the assertion and protection of their legal rights is the fact that the guardian ad litem must be prepared to pay the costs of the litigation if they are the plaintiffs and they lose the action and the court awards costs against them. The child does not pay; the guardian must. This could be a disincentive to a potential guardian in cases where he/she also would not realize any personal benefit from a successful lawsuit on behalf of the child. The enjoyment of a child's full rights therefore can be dependent on finding an altruistic grown-up friend or a competent public institution.

Legal advocacy usually involves lawyers pleading the case of a client before a court or tribunal. By the time matters involving children and youth reach the courts, a harmful adversarial atmosphere often exists. Mediation approaches in the child, youth and family service sector show promise in reducing the level of conflict in some cases. But caution is necessary to ensure that the power imbalance between young people and adults is properly addressed. In matters that directly affect them, young people must be routinely invited to sit at the mediation table. The onus should be on adult parties to mediation to show why a child or young person should be excluded.

Ombudsman proposal #4 to involve young people in mediation

That government promote the involvement of young people in mediation and other problem solving processes that affect them. A young person should always be included unless the adults involved can demonstrate why they should be excluded. The views of the young person should always be sought and where these views differ from those of adult parties to mediation, the young person should be entitled to receive the assistance of an advocate of her or his choosing. The ***Family Relations Act*** and the revised ***Family and Child Service Act*** (and the model proposed in the White Paper) should be reviewed to ensure compliance with the principle of involving young people in mediation and related processes.

Currently children and youth may be eligible for counsel through legal aid for ***Young Offenders Act*** matters, for ***Family Relations Act*** matters if they are a party (on their own or through a "next friend"), or for representation before an administrative tribunal, for example an income assistance appeal under the ***GAIN Act*** or a hearing by a School Board pursuant to the ***School Act.*** However, children's eligibility for legal aid services is dependent on financial eligibility (calculated on the basis of family income?), the seriousness of the case and the discretion of Legal Services.

The ***Young Offenders Act*** is the only piece of legislation that respects the right of a young person to be independently represented by legal counsel. In other matters, the discretion lies with the administering authority - usually Legal Services, the Public Trustee or the Attorney General. For example, the Attorney general may, upon request, appoint legal counsel (called a "Family Advocate") for a child, in matters under the ***Family Relations Act*** (***F.R.A.***), a combined F.R.A. and ***Family and Child Service Act*** action, or the ***Divorce Act*** where the child's interests or views differ from those of the parent(s) or legal guardians. It is interesting to note that as a society we have chosen to guarantee the right to a paid advocate only when there is an allegation that a young person has done something wrong.

Significant gaps exist in current approaches to ensuring that young people are properly represented by legal counsel. Many parents and other natural advocates are unaware of the Family Advocate program and its resources have been seriously limited causing problems of access, availability and adequacy. Also, the mandate of the Family Advocate is to "act as counsel for the interests and welfare of the child." The Family Advocate does not appear to be required in law to represent the child's views. In effect, this can mean that the Family Advocate merely represents yet another adult view about what is in the child's best interests. The Family Advocate's function also overlaps significantly with the functions of Family Court Counsellors who may be appointed by a Court pursuant to the ***Family Relations Act.***

Another form of legal advocacy is practiced by the Office of the Public Trustee who acts as the guardian of the estate of children in the permanent care of the Superintendent of Family and Child Service and of children whose parents have died or are deemed to be incompetent at law. The

Public Trustee may appoint counsel to represent a child who is suing (for example, in a personal injury action) or who is being sued. Payment of counsel's fees and disbursements may be paid out of the child's estate although these expenses are normally recovered in any settlement in favour of the child. The traditional role of the Public Trustee is not, in a broad sense, to advance the rights of young people nor is the Office necessarily concerned with promotion of the rights of children and youth to be heard generally. In fact, the services and duties of the Public Trustee appear to be little understood by permanent wards, caregivers or social workers of the Ministry of Social Services.

Legal services provided to children and youth are fragmented and unevenly accessible. No office is currently mandated or funded to take on important test cases on behalf of young people. As far as we are aware, the Court Challenges Fund approved no cases that dealt specifically with children's issues. Young people, parents and natural advocates often express to the Ombudsman their frustrations with the legal system and its complexities. It is not the purpose of this report to provide a detailed analysis of the legal system. But this paper is concerned with the development of comprehensive and coordinated approaches to advocacy that place paramount importance on the child's right to be heard and appropriate ways to achieve that goal. Legal services form an important piece of the matrix of child advocacy

Even at young ages children have important points of view. But too often these views get lost in well meaning, but paternalistic arguments about what is in the "best interests" of a child. New approaches are required that build on a respect for the inherent dignity and strength of young people. Legal advocacy on behalf of young people must be reformed to reflect the real competence of most young people to give instructions. The best interests test may be appropriate for a court to rely upon in exercising its discretion in disputes between parents. When the state and the child are sorting out their respective interests, however, the child or youth must gain active participation.

Ombudsman proposal #5 to review legal advocacy for young people

Government review all aspects of legal advocacy for children including the Family Advocate program, child and youth services in the Public Trustee's Office and the Legal Services program. The review should discover the way to ensure easier access for children and youth to legal advocacy services that are primarily concerned with the child's right to be heard. This review should explore the feasibility of transferring responsibility for ensuring a young person's access to independent legal advocacy services which have the authority to fund important legal test cases on behalf of children.

6. Administrative advocacy for young people

Administrative advocacy is the term used to describe activities in the executive branch of government - that is, the Ministries, Departments, Boards and Commissions responsible for administering the laws enacted by the Legislature and policies, procedures, programs and regulations formulated and proclaimed pursuant to those laws. For young people, this includes services provided through School and Hospital Boards and the Ministries of Attorney General, Education, Health and Social Services.

As discussed earlier, the role of front-line service providers in these government departments should be defined to include advocacy. When front-line advocacy efforts are not successful or when views seriously differ about what is best for a young person, fair and appropriate conflict resolution processes must be assured including access to an advocate at arms length from the service delivery system. This becomes particularly challenging in a sector where young people's service needs often cross many Ministry and agency boundaries and/or mandates.

Currently, there is no fixed point of responsibility for children and youth within the Executive Branch of government. Child and youth services are scattered across many different departments and agencies. Local and

provincial efforts to integrate approaches through, for example, the Child and Youth Secretariat and Child and Youth Committees, have so far not been very successful. Empowered leadership is required within the Executive Branch of government if advocacy efforts with, and on behalf of, young people are to be effective. The Ombudsman believes in the need for a fixed point of responsibility within government for young people receiving services regardless of from which Ministry. Currently, there is no Minister or Ministry charged with exclusive responsibility to represent the views and concerns of children and youth.

While the Ministry of Education and School Boards are exclusively concerned with the provision of educational services to young people, their mandate and practices are not always child or youth-centred, (for example parent advisory councils are required in the ***School Act*** while student councils are not). Until recent Cabinet changes, the Minister of Advanced Education and Job Training was also called the Minister Responsible for Youth (and the former B.C. Youth Council). This designation has been abandoned. Admittedly that model appeared to be ineffective in its advocacy efforts for young people under the age of nineteen.

Ombudsman proposal #6 to establish a fixed point of responsibility for young people

Government establish a fixed point of responsibility for children and youth within the Executive Branch of government through:

a) a newly created Ministry with an explicit mandate to ensure the existence of effective administrative advocacy with, and on behalf of, children and youth; and/or

b) a newly formed Child and Youth Commission or Secretariat with direct access to Cabinet on matters of concern to, or affecting, young people.

This fixed point of responsibility for children and youth should assume responsibility for integration of child and youth services including (but not

limited to:

i) ensuring the existence of and adherence to common principles, standards and practices in public services to children, youth and their families.

ii) promoting and reinforcing front-line advocacy with, and on behalf of, young people and their natural advocates;and

iii) common mediation, administrative review and complaint resolution mechanisms that are child and youth friendly;

7. Advocacy for young people in the legislative branch of government

The role of elected members of the Legislative Assembly (M.L.A.'s) includes advocacy on behalf of their constituents. It is custom to define constituents as "voters" - those adults who have the right to vote for the person of their choice who may represent them in the Legislature. Some M.L.A.s attempt to establish connections with young constituents but few have the resources to establish local mechanisms intended to provide a voice for children. The Legislature and its members could benefit from the advice and recommendations of a legislative office exclusively concerned with the interests and views of the large and vital concerned with the interests and views of that large and vital segment of our community that is, by law, too young to vote.

The Office of the Ombudsman was established to assist and complement the role of M.L.A.s in individual and systemic matters of administrative fairness. A similar type of Office of the Legislature is required to provide a voice for disenfranchised young people and assist M.L.A.s in their collective efforts on behalf of this politically ignored, invisible segment of our communities. It is no longer adequate or appropriate to place the exclusive burden of responsibility for representing children's issues on their parents. Parents need support in dealing with complex bureaucracies; they are not

organized to address systemic issues of concern to their children; they have their own needs and agendas that are not always the same as those of their children; and for thousands of children and youth, one of three ministries is their custodial parent, guardian or caregiver.

Recent reports concerning child and youth advocacy in B.C., Alberta, Saskatchewan and Manitoba have reinforced the need for systemic advocacy within the legislative branch of their respective provincial governments. Most reports reinforce the need to focus advocacy efforts on the rights of children and youth and particularly their right to be heard. Too often, children's issues only come to the attention of the public and politicians through a crisis defined from an adult perspective. Youth crime and problems in the school system are among current issues that are rarely reported or analyzed from the perspective of children and youth despite the negative impact on them..

Since 1990, the Ombudsman, as an Officer of the Legislature and advocate for fairness, has operated in an "administrative child and youth advocacy" role. This role has both strengths and limitations. The appointment of a Deputy Ombudsman for Children and Youth by the former Ombudsman helped create an affirmative action focus within the Office and filled an advocacy void within government and the community. But the critical issues and concerns facing young people and the complexity and fragmentation of services intended to serve them suggest the need for the full-time attention of an adequately resourced Officer of the Legislature. Children and youth are our most important resource and they deserve better than Deputy status - within the Office of the Ombudsman or elsewhere. Young people deserve to be heard through an Office of the Legislature that is exclusively devoted to their interests, concerns and viewpoints.

The name of the proposed Office is less important than its exclusive and specialized concern with the entitlements of young people and particularly their right to be heard. Young people use the terms advocate and ombudsman to mean the same thing for their purposes. While B.C.'s Community Panel and Saskatchewan's Task Force on Child and Youth Advocacy preferred the term Advocate the submission to the Task Force by Saskatchewan's Youth in Care Network commented that:

...there has been lengthy discussion regarding the use of the word "advocate" as uninviting and confusing to young people. It is suggested that the title of the advocate is critical to how young people perceive the service...Young people should be consulted through the decision making process for final consensus of an appropriate title. The symbol of an "eagle" was discussed by participants at the workshop signifying "all seeing, hovering, watching, powerful, swoops down, majestic, taking people under their wing, guiding".

The Office of the Ombudsman has strong roots in this province and because of its traditional relationship with and support to the Legislative Assembly, this paper will propose use of the term Child and Youth Ombudsperson. This proposal will be checked out with young people during the upcoming consultations, prior to any final recommendation. Critically, the proposed Child and Youth Ombuds Office will require the same level of all party support that has been afforded to the Office of the Ombudsman. The proposed Office should reflect a provincial commitment and a celebration of our collective concern for young people.

The legislature should appoint the Child and Youth Ombudsperson in a similar manner used in the appointment of the Ombudsman except that young people should be consulted as part of the process. Serious consideration should be given to establishing a community advisory committee comprised of young people and their natural advocates to assist this Office. Protocols with the Ombudsman should establish appropriate links and reduce confusion about access to the respective Offices.

Ombudsman proposal #7 to establish an Officer of the Legislature with exclusive responsibility for child and youth advocacy

Government establish by statute a Child and Youth Ombuds Office with a mandate to represent the rights, interests and viewpoints of young people. The following powers and duties should be included in the statutory mandate:

- the promotion of the child's right to be heard and the provision of support to natural advocates in their efforts to safeguard the rights of young people;

- the ability to access and report to Cabinet, the legislature and the public on matters of significant interest or concern to young people and their natural advocates;

- the power to undertake investigations in all child/youth-serving agencies with appropriate access to information and powers to initiate individual or systemic investigations;

- the authority to ensure that individual children and youth have easy access to an appropriate continuum of community based case advocacy services and the duty to ensure that the views of young people are appropriately and independently represented in legislative, administrative and legal matters that affect them.

- the duty to monitor implementation of the proposed Children's Charter and reporting to and advising the special advisory committee on implementation of the ***U.N. Convention on the Rights of the Child*** pursuant to Article 44 of that Convention;

- the duty to ensure that young people, their parents and communities have the appropriate support and information concerning the rights of children and youth and their entitlements to public services;

- the responsibility to comment on intergovernmental matters affecting British Columbian children and youth (for example First Nations, ***Young Offender Act*** and ***Criminal Code*** matters);

- the duty to review and comment on proposed children's legislation referred by executive government in advance of first reading and the responsibility to bring to the attention of government gaps or other inadequacies in services or legislation or inconsistencies with the ***U.N. Convention on the Rights of the Child,*** the ***Canadian Charter of Rights and Freedoms*** and the proposed ***Children's Charter*** that may negatively impact young people;

- the power and resources to conduct research and gather statistical information concerning children's rights and child and youth advocacy in collaboration with communities and government.

8. Case advocacy for young people

While there is a crucial relationship between individual case and systemic child and youth advocacy, it would be courting disaster to expect that the proposed provincial Child and Youth Ombudsman Office could properly address every individual complaint. Improved review and appeal mechanisms and strengthened front-line advocacy must be complemented with increased access to individual case advocacy services at the community level. Working with communities to strengthen community case advocacy services for young people must be a priority for the proposed Child and Youth Ombuds Office.

Too often, the provincial Ombudsman's Office is involved with a young person's case because there is no identifiable or independent source of advocacy available locally to a young person. Caution is required in raising expectations beyond what is achievable through the proposed model. All of the pieces go to make up the whole. Significant improvements in child and youth advocacy services could be achieved without extravagant additional public expenditures. For example, monitoring and inspection services currently operated within the Ministries of Health, Social Services and

Attorney General may be more effectively done by one authority within the proposed fixed point of responsibility. Regionally, the reassignment of staff (perhaps from supervisory or middle management ranks) from among the four major child-serving Ministries could provide a major stimulus to improved case advocacy services for young people.

One option worth careful review by government is to ensure arms length community case advocacy services through an expanded mandate to the Legal Services Society which funds legal aid offices in communities throughout B.C. This approach would require the addition of multi-disciplinary staff (not necessarily lawyers) with extensive experience in the administration of child and youth services. Their role would include child and youth case advocacy in matters of administration. When individual cases suggest the need for systemic advocacy, community advocates should be assured easy access to the proposed Child and Youth Ombudsperson.

Ombudsman proposal #8 to establish case advocacy for young people in their communities

Government act in partnership with communities to ensure the availability of local and accessible child and youth case advocacy services. Consideration should be given by government to establishing administrative advocacy services for individual young people in local legal aid offices through a model that is child centered, friendly and informed.

9. The entitlements of young people

Young people have the right to be treated with respect, honour and affection. Children and youth also have a right to know what their rights are. Where a young person is surrounded by systems, she or he is entitled to have these rights honoured. Not because of the ***Young Offenders Act*** or the ***Canadian Charter of Rights and Freedoms***, or the policies of public authorities, or the ***United Nations Convention on the Rights of the Child,*** or because the Ombudsman says so, but because they are inextricably linked

to their humanness. Like all inalienable rights, they belong to the person, are not conditional on others declaring their entitlement to them, and belong to them despite their behaviour. Recently as in the ***U.N. Convention on the Rights of the Child*** we have begun to articulate what is inherently theirs.

Recognition of some of the rights and entitlements of young people are currently scattered across the laws, regulations and policies of various government departments. Few, if any, lawyers or child and youth care professionals are fully aware of the array of rights that currently exist in law. Furthermore, the rights and entitlements that do exist are often inconsistent and are not routinely communicated to young people. For example, in the course of a recent investigation in a school district, Ombudsman staff met with hundreds of students. Not one had heard of their recently acquired right to complain to the Ombudsman in matters affecting their health, education and safety. If our injection of rights into the lives of young people is only partial and is not holistic - in other words, young people receive only some of the solution to becoming a whole, respected, and valued citizen - the legal potion may, in the end, prove more dangerous than being given no legal entitlement at all.

Previous Ombudsman reports have recommended to government that all legislation concerning children be consolidated within one Act that includes a statement on the entitlements of young people. The Community Panel reviewing child and family services made a similar recommendation. Efforts to reform the ***Family and Child Service Act*** are hampered because issues such as advocacy, guardianship and community tribunals should be consistently applied across ***all*** children's legislation. The costs of reform may require that this plan be implemented over time. In the meantime, the rights and entitlements of young people should be spelled out in a Children's Charter that forms part of the enabling legislation for the proposed Child and Youth Ombuds Office.

Ombudsman proposal #9 for a Children's Charter

Government introduce a ***Children's Charter*** similar to that proposed below. The Charter should be enabling legislation and refer to the proposed Child and Youth Ombuds Office and be part of consolidated children's legislation. The proposed ***Children's Charter*** should guide the administration of public services to children, youth and families and should be paramount if in conflict with any other provincial legislation.

PURPOSES

1. The following are the purposes of this Charter:

   (a) to regulate the relationship between children, youth, their advocates, and the state; and,

   (b) to ensure that children and youth are treated with dignity and respect as they access public services of the province of British Columbia.

ENTITLEMENTS

1. All children and youth have entitlements which include, but are not limited to, the following:

   a) to be treated as persons with dignity and respect;
   b) to be heard and have their views carefully considered in all matters that affect them;
   c) to initiate appeals, reviews or grievances, and to have independent representation when important administrative or judicial decisions are being made that affect them;
   d) to be informed of their entitlements and of the legislation, policies and procedures that affect them; including the ***Canadian Charter of Rights and Freedoms;***
   e) to be informed about and to have access to advocacy services;
   f) to have access to public services intended to ensure their healthy development;
   g) to an education appropriate to their individual needs;
   h) to receive appropriate health services;
   i) to culturally sensitive services;
   j) to timely decision making;
   k) to have government provide their parents or guardians with appropriate resources, if necessary, in order to properly and

appropriately support their children;

l) to live in a caring, secure, nurturing environment;
m) to be free from abuse and neglect, including corporal punishment; and,
n) to receive guidance and support o maintain their cultural and linguistic heritage;
o) to maintain or develop relationships with family and friends, and to confidential communication with them, unless a court has ordered otherwise;
p) to receive and send mail privately and without censorship;
q) to a service plan designed to meet their needs, and the right to participate in the planning and decision making, and in any changes made to the plan;
r) to privacy in their dealings with government and government funded or regulated agencies;
s) to freedom of expression and association;
t) to reasonable privacy and possession of personal property;
u) to speak in confidence with a law advocate, lawyer, MLA, or the Ombudsman;
v) to be provided with interpretation services where language or disability are barriers;
w) to be consulted upon transfer from one facility to another;
x) to have access to information about them that is held by government and government funded or regulated agencies involved in their lives;
y) to receive the religious instruction of the child or youth's choice; and,
z) to participate in recreational and athletic activities appropriate to the child or the youth's interests and abilities.

This charter should be equipped with appropriate enforcement mechanisms, such as appeal to an administrative tribunal.

10. Particular concerns for First Nations children

It is unnecessary to recite the stark statistical realities facing young First Nations people. As government to government negotiations begin the individual interests and aspirations of young people must be safeguarded. During any period of transition, while an otherwise marginalized, disadvantaged group becomes truly included and integrated, many within the group will require the support of others. Safeguards are required to ensure that individual children and youth do not get lost in the move toward nationhood.

The Report of the Aboriginal Committee of the Community Panel, ***Liberating Our Children, Liberating Our Nations,*** pointed out that even under current child protection legislation the right of the child to be heard is not acknowledged. This may be in violation of Article 12 of the ***U.N. Convention on the Rights of the Child*** which states that:

> ***States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being due weight in accordance with the age and maturity of the child. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceeding affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of natural law.***

In line with the intent of this Article, the Community Panel's Aboriginal Committee recommended that:

> ***A child who is capable of forming his or her own views shall be given the opportunity to be heard at any proceedings affecting his or her care and custody and shall have the right to initiate proceedings to review those decisions, including the right to initiate proceedings to change his or her guardianship; and his or her views shall be given weight in any ensuing deliberations.***

In line with this recommendation, and recognizing the major reforms currently, and about to, take place in Aboriginal child welfare services, personal advocacy services will be required that ensure individual First Nations children and youth are heard when important decisions are being made that affect them. As child welfare services are rightfully transferred to the authority of Aboriginal peoples, the lives of many individual children will be affected. Appropriate arm's length, culturally sensitive advocacy will help ensure the fair and sensitive treatment of each affected young person. To be effective, the nature of advocacy available to young people will require consultation between all levels of government, including Aboriginal self-government, and the proposed advocacy mechanisms.

Ombudsman proposal #10 concerning advocacy for First Nations children

For the proposed Child and Youth Ombudsperson to enter into discussions with First Nations to discuss the particular circumstances and advocacy needs of Aboriginal young people and report on those discussions.

E. Conclusion

Young people, their parents and other natural advocates need a comprehensive, user friendly, locally accessible continuum of advocacy services, perhaps in the form of one stop advocacy centres. This is a long term goal that will require careful planning across different sectors within government and communities. As a first step, the Ombudsman is proposing that a fixed point of responsibility for children and youth be established within the executive branch of the provincial government. A Child and Youth Ombuds Office is also proposed within the legislative branch of government to provide leadership and systemic advocacy supports to communities and the Legislative Assembly. Additionally, the Ombudsman believes that legal advocacy services to children and youth require review and reform. Formal advocacy services must be planned and integrated to ensure that they strengthen the role of self-advocacy and natural advocacy in support of young people.

The establishment of formal mechanisms to provide young people with a direct voice to adult decision-makers is essential. The Ombudsman has already spoken to educators about the need for strengthened student councils in schools. At the provincial level, government's decision to cease funding for the B.C. Youth Council is regrettable. The model had its faults, including its reporting relationship to one Ministry, but the need still exists for formal input to government from a disenfranchised population of young people. It is possible and timely to build this as part of a strengthened provincial approach to child and youth advocacy.

CHILDREN SHOULD BE SEEN *AND* HEARD

Discussion Paper for "Stronger Children - Stronger Families Conference"

June 18 - 23, 1994 - Victoria, British Columbia

"I have found the best way to give advice to your children is to find out what they want and then advise them to do it."

- Harry S. Truman

MESSAGE FROM THE OMBUDSMAN

I urge you to read this paper and to give me your feedback. My Office is responsible for ensuring that children are treated fairly by government. This is a new area and therefore it is important that youth have a say in how government serves you. There is a blank page at the end of this Discussion Paper for you to fill out and deposit in a coalition feedback box at the Conference or mail it to our Office:

931 Fort Street
Victoria, British Columbia
V8V 3K3

Please speak up! We are listening.

LISTENING TO YOUNG PEOPLE: OMBUDSMAN CONSULTATIONS ON ADVOCACY

"To change the system you need information, respect and relationships."

INTRODUCTION

In 1990, in response to Public Report No. 22, government asked the Ombudsman to assume a limited advocacy role for children and provided three seconded staff from the Ministries of the Attorney General, Health, and Social Services to assist. In 1993, as a follow-up to the recommendations concerning child advocacy in Public Report No. 22, the Ombudsman prepared a Discussion Paper, ***Advocacy for Children and Youth in British Columbia,*** as part of her provincial consultation with young people and their advocates. Information from this consultation has been shared with the government's Task Force on Advocacy chaired by the Superintendent of Family and Child Service, and with an ad hoc group of Deputy Ministers assigned to respond to the Ombudsman's follow up to Public Report No. 22.

The Ombudsman's Advocacy Discussion Paper included proposals to:

- strengthen case and systemic advocacy services for children at community and provincial levels;
- establish or improve review and appeal processes that are child-friendly, so that complaints can be made without fear of reprisal;
- establish a fixed point of responsibility for children within the Executive Branch of government;
- establish an Officer of the Legislature with exclusive responsibility for child advocacy and a mandate to represent the rights, interests and viewpoints of young people to the public, executive government and the Legislative Assembly;
- establish a ***Children's Charter*** regulating the relationship between young people, their advocates and government;
- enter into discussions with First Nations to address the particular circumstances and advocacy needs of Aboriginal young people during a time of transition towards self-government.

In her Discussion Paper, the Ombudsman defines child advocacy as:

> ***activities undertaken by self or others intended to ensure that the rights, interests and viewpoints of children and youth are carefully considered and fairly represented in all matters that affect them. These advocacy efforts are particularly in relation to public policies and services and are directed at both individual and systemic issues.***

In keeping with the belief that ***children should be seen and heard,*** the Ombudsman and staff from her Child and Youth Team have, during the past few months, met with hundreds of young people and their advocates in different communities of British Columbia. The advice provided to the Ombudsman by young people and their experiences with education, child welfare, social service, correctional and mental health systems, have strongly reinforced Ombudsman impressions from complaint investigations about the need for major reform of how we plan and organize children's services.

All the children we spoke to gave a failing grade to agencies and services intended for their benefit. The consensus was that the agencies simply did not give the children the opportunity to be heard and have their views considered. There were no notable differences in the way young people rated so-called "intrusive" services - for example, youth corrections and child protection - and so-called "non-intrusive" services, for example schools and health services.

The major themes of messages from young people to the Ombudsman are:

- **Respect us...**
- **Listen to us...**
- **Inform us...**
- **Go to bat for us...**
- **Involve us...**
- **Don't give up on us...**

WHAT WE HEARD: What rights do children have?

Of paramount concern to the Ombudsman is the pervasive lack of awareness or incorrect information among young people and their advocates concerning children's rights. Of symbolic note, when the Ombudsman asked one group of young people about what rights they had, there was no answer for a few moments. Then one young person said, with tongue in cheek, "The right to remain silent!" Other comments by young people about their rights included:

- *I am confused about my rights and at what age I am supposed to be responsible for what.*
- *As far as I'm concerned we don't have any.*
- *Everyone but kids have human rights.*
- *People don't take me seriously about my rights and opinions. They don't believe youths should have rights or opinions. I think they should.*
- *Politically, we are nobodies.*
- *We need to be told about our rights and they should be the same whichever ministry you are involved with.*
- *As a child your rights aren't many...People in authority make decisions for you thinking they know what's best for you but in reality it could screw you up.*
- *I have no privacy or decision-making rights...even though I am a mother and live independently, my doctor keeps calling my parents and grandparents about me...*
- *Rights are taken away from youth and decisions made for them with or without the child's consent.*
- *I needed to be given more information about my rights and the rules of the game when I came into (state) care.*
- *It would be very helpful to have all our rights spelled out in one Act.*
- *Get children into the Human Rights Act.*
- *We don't have any rights we are in jail.*
- *Children in foster homes should have equal rights.*
- *Schools need to teach kids more about their rights and how to advocate better for themselves.*

WHAT WE HEARD: Do you feel respected?

Young people told the Ombudsman that in their dealings with schools and social service systems they are commonly treated as incompetent or as property owned by their parents. This was the message of young people from close, loving families as well as those who were alienated from their families and those who grew up in the care of child welfare systems.

- *Our culture devalues children.*
- *Nobody takes me seriously. I am just a kid.*
- *They think I'm too young, not smart enough to handle the information, too immature.*
- *I hate being talked down to, especially by social workers who are supposed to be my advocates.*
- *Parents want perfect kids...they often side with the teacher and don't listen to my side of the story.*
- *I am just a piece of paper to my social worker and P.O.*

One young person summed up the feeling of many of her peers concerning their need for respect when she said:

- *Adults have to remember that it's hard to learn from someone you don't respect and if you don't respect me I won't respect you.*

Sadly, some young people are close to giving up on the formal helping systems:

- *What's the point of complaining...there's a believability factor...we are kids...*
- *Street Youth Services are on our side...they are not like government services.*
- *I have given up on government.*

Others worried about pressures from some sectors not to listen to children because of their "immaturity." One young person observed that:

- *There is a backlash against disclosure of abuse...the child is not valued.*

WHAT WE HEARD: Do you feel people listen to you?

Young people very much want to participate and to be respected by service providers and adults in general. This desire is too often frustrated by entrenched adult attitudes, for example:

- *You could complain to a supervisor but you are rarely listened to and less often taken seriously.*
- *I am sick of professionals telling me about what is best for me...maybe I know better than they do.*
- *My social worker figures that I'm just a child so anything I say that she doesn't agree with she lets it go in one ear and out the other.*
- *They figure because they work for government they can control you.*
- *Adults tend to do it for us rather than with us.*
- *Talk with us and give us reasons for the decisions you make about us...you may be surprised about how reasonable we can be.*

In the words of one parent advocate:

- *Kids are not the problem...the problem is adult attitudes towards kids.*

Young people are experts at distinguishing the service providers who go to bat for them from those who see them as property or incomplete human beings:

- *A good teacher doesn't mind being corrected by a kid...they try to see things through our eyes as well as their own.*
- *Being heard is more than a social worker asking about how I feel and then ignoring what I say.*

Young people spoke to the Ombudsman about child welfare systems with patronizing tendencies that do not adapt appropriately to the developmental abilities of children. Current trends in child welfare to support families were seen as laudable by young people, (some who are parents), as long as each member of the family is heard and treated with respect and dignity. Young people spoke of their difficulty accessing services, especially when their views or interests seriously diverged from those of their parents:

- *The Ministry of Social Services won't apprehend kids anymore unless their parents agree...kids don't get a say in it.*
- *The system has the power to lock you up for your own good when THEY think you need it but you can't get treatment or into a group home when YOU want help.*

Youth who met with the Ombudsman from within correctional institutions expressed particular frustration about being seen as "write offs" by the public and not being able to get their message out:

- *This system warehouses us it doesn't rehabilitate us...the public doesn't understand that.*
- *I am not allowed to tell my side of the story to the Province because I am a young offender.*

Many young people have experienced that those in authority to listen more carefully to adults whose socio-economic status warrants it. In the words of one young person:

- *Money talks and my family has no money...what more can I say?*

WHAT WE HEARD: Are you given the information you need?

Young people realize that information is power. They told the Ombudsman that they were not routinely provided with adequate or appropriate information by service systems, for example, about service entitlements and what to do if treated unfairly:

- *Tell us how to complain as well as where to complain.*
- *We need more information about services, how to complain and who will go to bat for us when we have a problem.*
- *Kids and their parents could use a one-stop shop to simplify things.*

While sometimes suffering from information overload, many young people felt that adults disempower them by screening too much information. Young people strongly resent service providers and caregivers who "always know what's best for me." This tendency to control can alienate young people and may act to repress the natural inquisitiveness of children. In the long term, this can lead to a diminished learning experience and adult dysfunction. Overprotective professional tendencies have also led to a system that is much more comfortable talking about children when they are not present.

Of particular concern to the Ombudsman is the way children's rights are being introduced to students in many schools. There is an unfortunate tendency among some educators to confuse children's rights with codes of conduct and collective responsibilities. The impression left can be that rights are bestowed upon children by benevolent adults. As stated in her ***Discussion Paper on Child Advocacy.***

> *Children's rights are inextricably linked to their humanness. Like all inalienable rights, they belong to the person, are not conditional on others declaring their entitlement to them, and belong to them despite their behaviour.*

Of course, assuming responsibility is vital in a healthy democratic society. Ironically, meaningful avenues where they can practice increased responsibility are, too often, not available to children in schools or social service systems. The right of children to accurate and comprehensive information about their rights must be more appropriately taught and role modelled within our public schools. It must also be more consistently practiced in all child-serving systems. In the words of one parent advocate:

- ***There is a false assumption that giving students rights is taking away rights from teachers or parents...***

Young people, particularly First Nations and visible minority young people, stressed to the Ombudsman the need for more information within children's services about different cultural traditions. The notion of rights and advocacy for new immigrants may not be well understood in the Canadian context:

- ***Don't assume that new immigrants know all the norms of parent involvement.***
- ***More education around different cultures and family structure is needed.***
- ***Youth Councils need to be multicultural and include kids who have dropped out.***

- *Minority youth are discriminated against on two levels–for their race as well as their age.*

Even within the legal system, where notions of natural justice, administrative fairness and due process are, or should be, well entrenched, young people commonly find that their rights are not always properly explained to them. They experience this with child welfare, mental health and the young offender system. When told by the Ombudsman of their right to complain, many young people did not know of complaint procedures, were fearful of possible reprisal or believed that it wasn't worth it because "the system" would not listen to them. This attitude was common among young people (and their advocates) from all systems and from all walks of life. This is one reason for the existence of an Child and Youth Team within the Ombudsman Office and for our support of efforts to strengthen formal child advocacy in British Columbia.

WHAT WE HEARD: What does advocacy mean to you?

Few dispute the need for child advocacy but what does child advocacy mean to young people? They told the Ombudsman that a child advocate is:

- *someone to give you advice, to speak up for you*
- *someone who takes on your problem when you're too fed up to deal with it yourself*
- *a go-between to fight for my rights*
- *standing up for someone's rights*
- *someone who talks to you and understands you, and has been through similar situations*
- *someone who has the knowledge and means to fight for my rights when they are abuse*
- *someone that points out the good points and not the bad about you*
- *someone that would stick up for me*
- *to work along side*
- *to argue*

For young children, the first line of advocacy is the caring parent who is expert at listening to infants and can adapt to ensure their children are heard at different developmental levels. At a very early age, most children are able to express their views to adults if the adults take the time to listen carefully. When children move out into the community,and into a day care, a school or social service program, the parent role shifts from exclusive caregiver to caregiver/advocate. Many parents told the Ombudsman they could use support and education to develop their advocacy skills:

- *Parents of pre-schoolers need more information and education about the rights and service entitlements of their children.*

- *Parents need to be educated about how to go to bat for their children and then they need to teach their kids.*
- *The provincial Ombudsman should help with the training of community child advocates.*

Professionals working in the early childhood sector, child care workers, public health nurses and pediatricians are usually available to assist parents who want help and will sometimes take up systemic issues of concern to children. For example, one pediatrician-advocate wrote to the Ombudsman:

- *Young infants cannot speak for themselves so I recommend on their behalf that the topic of breastfeeding be addressed...despite the overwhelming evidence of the health and economic benefits of breastfeeding, formula marketing and pervasive misinformation continue to undermine the efforts of mothers to breastfeed their babies.*

Child advocates are very aware of the tendency for children's mental health and social service agencies to define their mandates narrowly and to intervene only after serious breakdown. In different words, the following statements reflect the experience of many young people and their advocates who spoke to the Ombudsman:

- *It's virtually impossible to get help to young children unless they are being sexually abused.*
- *There are many gaps in services to children.*
- *You gotta have a big problem to get the system to help you and then it's on their terms not yours.*
- *Why does the ministry leave kids in homes even when they are being abused?*

As children grow, their views or interests sometimes diverge from those of their caregivers. This is a normal, healthy development and most families adapt comfortably. But young people spoke frequently of a professional tendency in all sectors of public service systems to exclude children and deal only with parents. This problem is particularly acute in schools and social services.

The painful experience of some young people is that their parents, for many complex reasons, may not have the confidence, ability, willingness or resources to go to bat for them:

- *Kids without parents advocating for them give up more easily in school.*
- *They should apprehend parents not kids and make them take alcohol counselling.*

- *My mom has not been able to visit for two months because she lives too far away and can't afford to travel.*

A public health nurse told the Ombudsman:

- *There are 16, 17 and 18 year olds dying in this community...I knew them as neglected babies.*

For other young people, the simple reality is that the interests and views of a child and her parents are not always the same:

- *Mom was a role model for me to show how to advocate for myself, I couldn't do it without her help...But parents go to bat for themselves...their interests are theirs and mine are mine...sometimes their interests include some of mine.*

Front-line professionals wear many hats in the children's service sector. They may be mentors, custodians, counsellors, guardians or child advocates. The decision-making power vested in professionals also means that they are often on the receiving end of advocacy. The credibility and skill of community advocates who go to bat for children or their families becomes an important factor.

- *Social workers have to deal with advocates who are not well trained and who seem to be more interested in their own agendas than the kids.*
- *The danger of advocacy is that it can become adversarial and ends up not helping kids...we prefer a mediative approach.*

It cannot always be assumed that front-line staff play an advocacy role for children. In cases, for example, where the views and interests of a parent and a young person diverge, social workers may be seen as going to bat for the parent. It is difficult to advocate for a young person if they do not see you as their advocate:

- *Front line staff are definitely not advocates in this institution.*
- *Teachers see advocacy as teacher bashing.*
- *Front line workers should be advocates for kids...mine is, but too many aren't.*

Many public services to children are provided through contracts between public authorities and individuals or community organizations. For some children, foster parents and youth outreach workers are the front line of service delivery. These advocates told the Ombudsman about one important barrier to effective child advocacy - the fear of reprisal. In the words of one long-time contracted service provider:

- *We risk biting the hand that feeds us every time we go to bat for a kid...child advocates are seen as pests in this community.*

For many young people, the best advocacy is self-advocacy:

- *If adults gave youth groups the proper support and training we could take over some of the advocacy work...kids should advocate for other kids.*
- *Teach me how to advocate for myself...you don't always have to do it for me you know.*

But a system based on the "professional expert model" does not always appreciate or nurture self-advocacy:

- *I want an advocate to be unbiased...I am sick of professionals telling me what is best for me...maybe I know better than they do...*
- *When I try to advocate everyone thinks I'm trying to be smart so why bother?*
- *Legal Aid lawyers are not listening to kids let alone representing them.*

Also, private and public child care systems need more encouragement and support to prepare young people to be their own best advocates. In part, this failure to do so is rooted in a widespread belief, reflected in laws, policies and practices, about the incompetence of children. There is a tendency for children's services to seek compliance from children rather than engaging in the more onerous, and risky, task of empowering them. Ombudsman consultations with young people and their advocates have reinforced impressions from individual complaint investigations about a deep-seated malaise in this public service sector. As one senior youth service practitioner said at a recent conference on children:

- *(the) sense of joy and play is lost.*

For the sake of children, advocacy must help the system to restore these child-centred values.

WHAT WE HEARD: How can you be involved in decisions that affect you?

Overwhelmingly, young people told the Ombudsman that current structures within all service sectors are inadequate in providing a meaningful voice for young people. In local communities, a few bright spots are apparent, for example:

- Child Advocacy Steering Committee in Victoria
- Federation of B.C. Youth in Care Networks
- Kamloops Youth Advocacy Council
- Parent Advisory Council Advocacy Project in School District No. 61
- Ray Cam Youth Council in East Vancouver
- Youth for Youth Committee in Parksville/Qualicum
- Youth Voice in Campbell River and Vancouver

These types of forums, in the words of one young person "make our community focus on the positive rather than the negative youth attributes."

Increasingly, if unevenly, children's authorities are recognizing the wisdom of consulting with "customers." The "customer" is not usually seen to be the child. Youth are now represented on a number of government-wide committees. However, there is a long way to go before child-serving systems provide adequate and appropriate opportunities for young people to practice democratic, participatory skills. For example, school and district Student Councils should be a positive mechanism for student input to plans and decisions that affect them. But they rarely accomplish this vital objective:

- ***Student Councils have no power, they are figureheads, they are there just to make us feel good.***
- ***Our Student Council doesn't represent all kids just the high flying ones.***
- ***Student Councils are a joke...most students don't know what they do...they mostly organize dances.***
- ***It's a waste of our time to go to (District) Student Council meetings because the superintendent sets the agenda and they don't listen to what we have to say anyway.***
- ***We are a lukewarm Student Council because we have been warned ...we have been put in our place.***

Ombudsman concerns about student input to school systems will be more fully discussed in her upcoming Report on Public Schools.

After a number of meetings with young people in correctional facilities, the Ombudsman informed the Ministry of the Attorney General of her concern about the relative absence of effective Resident Councils. Like their school counterparts, where they exist, Resident Councils in correctional facilities are paid only lip service by administration:

- ***It (Resident Council) is better than a complaint box but you can't question the rules.***

- *All local public institutions that service teenage youth need to seek youth representatives and develop ways to gather youth input in the planning and delivery of services...*

One of the most innovative and productive ways suggested by young people for involving them in a more meaningful way is in the training of professionals who work with them:

- *Kids should be used to hire and train social workers and teachers.*

The Ombudsman supports this idea and urges the relevant professions, employers and training institutions to incorporate this idea into their training programs.

WHAT WE HEARD: Are we supporting you enough?

A common plea to the Ombudsman from many young people was for service providers to "hang in there" with them and help them learn from their mistakes. For many young people, the system gives up on them too easily. The widespread tendency of schools, mental health and social service agencies to screen out young people with difficult behaviour is tragic but common. Rather than develop the staff skills and resource supports necessary to help these young people (many of whom are victims of neglect and abuse), our systems systematically seek ways to exclude them. Ironically, young people who most need the school system, including those who are learning disabled or emotionally disturbed because of neglect or abuse, are the first to be ejected from that system:

- *Schools would rather kick you out than teach you how to handle problems better.*
- *My brother got labelled a misfit...no one went to bat for him...the system gave up on him...actually he was learning disabled.*
- *They kick us out of school for being bad kids...they don't realize that that is exactly what we wanted.*
- *Alternate school students are seen by the school as second class citizens...have you ever wondered why they get put in portables?*

In the words of one high achieving student:

- *Schools should be for all kids not just scholars.*

Young people in the social service systems expressed serious frustrations with the lack of willingness of those systems to stick with them. The exclusion of young people with emotional problems is often achieved through passing them from one system to another:

- *The Ministry of Social Services drops you as soon as you get into the corrections system.*
- *Social workers like to think you have mental problems so that they can pass you off to another agency.*

Shopping for services in a fragmented, mandate bound system is not easy for young people or their advocates:

- *You gotta have a big problem to get the system to help you and then it's on their terms not yours.*
- *I keep getting referred to another counsellor.*
- *Youth have to keep going to different places to get help...that's frustrating...kids don't differentiate between ministries like adults do.*
- *It's hard to figure out who is accountable for what in the children's service sector...it's so inefficient too.*

Some advocates see the problem as professional "buck passing" where:

- *We have overvalued professionals and specialization...We have been driven by our job descriptions not the needs of children and youth.*

Or, in the words of one young person:

- *Teachers have more protection than students do in the school system.*

Although the professional literature acknowledges that children have a different sense of time, practices appear more designed to meet professional needs:

- *When I need help I need it right away...I can't wait for an appointment in two weeks time...*
- *Kids are not nine to five people you know but social services are.*
- *They (professionals) should come to where we are, not expect us to go to their offices all the time.*

According to young people, age discrimination is widespread in our communities and in our public services. The progress of women, aboriginal people, people with disabilities and other marginalized people in addressing various forms of discrimination have far surpassed the progress of children and youth in addressing problems of ageism:

- *The present system is very discriminatory against youth and very ageist...*
- *My community doesn't like children...*

Age discrimination is apparent in unemployment statistics where the rate of unemployment of you people is double that of adults. Also, discrimination against young people is often felt in housing, particularly for those young people who must prematurely leave home:

- ***Landlords don't like kids of any age...housing is a big problem.***
- ***Many young people find themselves living in substandard housing - rooming houses or unfinished basements with dirt, alcohol, drugs and crime as their neighbours.***

Through a meeting with the Ombudsman, one young person pleaded to adults in his community:

- ***Don't be scared of me just because I'm a teenager...that's discrimination...we aren't all the same you know.***

Of particular concern to government, youth from state care spoke positively about initiatives to provide limited continuing services to former wards to the age of twenty-one. But they also pointed out that natural families provide support beyond this age (the average age of young people leaving home is reportedly twenty-four). The commitment to "stick with" young people is no more powerfully apparent than for those who have called the state "parent":

- ***We hoped that post-majority services would go to 24 not just 21.***
- ***There is a big gap in how we deal with 16 to 24 year olds in this province.***
- ***Many youth only start to get their life together in their early twenties.***

From the perspective of young people and their advocates, British Columbia's public services must be reformed to tap the positive energy of young people; to reinforce the high regard in which we should hold them; and to empower them through teaching, role modelling and real consultation so that they become their own best advocates.

As we reform our services and our adult attitudes towards young people, we have a responsibility to take the time to hear them and to be tolerant of the human error that is based often in youthful inexperience:

- ***Don't give up on us so easily...give us a second chance...we don't have a lot of experience.***

PLEASE GIVE US YOUR FEEDBACK HERE!

Office of the Ombudsman, 931 Fort Street, Victoria, British Columbia V8V 3K3,
Telephone No. 387-5855, Fax: 387-0198

From: ccc [redacted]
Sent: October 14, 2025 6:39 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton - Pause Subdivision

Dear Trustees,

I'm a community member writing to ask that you pause the subdivision of Carleton Elementary. Families in the area are already facing crowded classrooms and child-care shortages.

Please:
1. Pause the Carleton subdivision until an integrated school plan is developed.
2. Report publicly on how land and lease funds are used.
3. Coordinate with the City and Province to align schools with housing growth.

Thank you for protecting school lands for students and families.

Sincerely,
[redacted]

From: [redacted]
Sent: October 14, 2025 7:56 PM
To: Janet Fraser <Janet.Fraser@vsb.bc.ca>
Subject: Re: Save Carleton

Hello Janet,
Thank you for your email.
Hopefully Carlton Elementary School will be reopen in the near future rather than monster condos.
Regards,

[redacted]

On Tue, Oct 14, 2025, 4:58 p.m. Janet Fraser <Janet.Fraser@vsb.bc.ca> wrote:

> Dear [redacted]
>
> Thank you for sharing your feedback with trustees and with the engage email address so it will be included in the engagement report.
>
> Kind regards,
> Janet
>
> **Janet Fraser** *(she/her)*
> Trustee
>
> Vancouver School District
> 1580 West Broadway, Vancouver BC V6J 5K8
> **e:** janet.fraser@vsb.bc.ca
>
> **vsb.bc.ca** | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube
>
> *With deep gratitude and respect, I am honoured to be learning and unlearning on the ancestral and unceded lands of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətaɬ (Tsleil-Waututh Nation).*

From: [redacted]
Sent: October 2, 2025 6:48 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton

[redacted]

My question is:
Do you have any update about Carleton?
Is it possible reopening in the future?

So many condos & apartments built-up in every corner in Vancouver.
There aren't enough schools, hospitals and transit.
We do not understand why VSB reopen the Carlton school
I sent email to Adrian Dix while ago
So far no reply.

Thank you
[redacted]

From: [redacted]
Sent: October 20, 2025 9:13 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton - Pause Subdivision

Dear Trustees,

I'm a(n) [redacted] writing to ask that you pause the subdivision of Carleton Elementary. Families in the area are already facing crowded classrooms and child-care shortages.

Please:
1. Pause the Carleton subdivision until an integrated school plan is developed.
2. Report publicly on how land and lease funds are used.
3. Coordinate with the City and Province to align schools with housing growth.

Thank you for protecting school lands for students and families.

Sincerely,
[redacted]

From:	Pierre-Hugo Lecomte
To:	Crowell, Damien ECC:EX
Cc:	Pascale Bernier; ecc.minister@gov.bc.ca; INF.Minister@gov.bc.ca; Amanda.Austin@gov.bc.ca; Victoria Jung; Flavia Coughlan; Marie-Pierre Lavoie; Vincent Tourvieille De Labrouhe; Chafic El Rassi
Subject:	Damian Crowell - Request for response by October 24th
Date:	Tuesday, October 21, 2025 9:10:56 AM
Attachments:	20251020_LT Crowell.pdf

Good morning,

I'm resending the letter from Pascale Bernier, Superintendent of SD 93, as there was an error in the email address in my previous message. My apologies for the oversight.

Kind regards,

Pierre-Hugo Lecomte

Adjoint administratif au bureau de la Direction Générale | Executive Assistant to the Superintendent's office

Conseil Scolaire Francophone de la Colombie-Britannique / BC School District 93

T: 604-214-2635

C: pierrehugo_lecomte@csf.bc.ca

100-13511 Commerce Parkway, Richmond B.C., V6V 2J8

De : Pierre-Hugo Lecomte <pierrehugo_lecomte@csf.bc.ca>
Envoyé : 21 octobre 2025 09:02
À : Damian.Crowell@gov.bc.ca <Damian.Crowell@gov.bc.ca>
Cc : Pascale Bernier <pascale_bernier@csf.bc.ca>; ecc.minister@gov.bc.ca <ecc.minister@gov.bc.ca>; INF.Minister@gov.bc.ca <INF.Minister@gov.bc.ca>; Amanda.Austin@gov.bc.ca <Amanda.Austin@gov.bc.ca>; victoria.jung@vsb.bc.ca <victoria.jung@vsb.bc.ca>; fcoughlan@vsb.bc.ca <fcoughlan@vsb.bc.ca>; Marie-Pierre Lavoie <mariepierre_lavoie@csf.bc.ca>; Vincent Tourvieille De Labrouhe <vincent_tourvieille@csf.bc.ca>; Chafic El Rassi <chafic_elrassi@csf.bc.ca>
Objet : Damian Crowell - Request for response by October 24th

Good morning,

Attached is a letter from Pascale Bernier, Superintendent of SD 93, for your attention.

Sincerely,

Pierre-Hugo Lecomte

Adjoint administratif au bureau de la Direction Générale | Executive Assistant to the Superintendent's office

Conseil Scolaire Francophone de la Colombie-Britannique / BC School District 93

T: 604-214-2635

C: pierrehugo_lecomte@csf.bc.ca

100-13511 Commerce Parkway, Richmond B.C., V6V 2J8

csf.bc.ca |

Collaborer | Engager | Innover

Dans un esprit de réconciliation, nous reconnaissons que notre organisation et nos écoles se trouvent sur les territoires traditionnels des Premiers Peuples de la Colombie-Britannique.

October 20, 2025

***VIA EMAIL*: Damien.Crowell@gov.bc.ca**

Damien Crowell
Executive Director, Education & Child Care Capital Branch
Ministry of Education and Child Care
PO Box 9194 Stn Prov Govt
Victoria BC V8W 9E6

Re: Request for response by October 24, 2025 from the Province to the Conseil's correspondence culminating in its February 12, 2025 letter, notably with respect to the Province being a party to the school site lease of Queen Elizabeth Annex

Dear Mr. Crowell:

I write on behalf of the Conseil scolaire francophone de la Colombie-Britannique ("**Conseil**") to request a response to the February 12, 2025 letter sent by Ms. Marie-Pierre Lavoie (Conseil Chair), to the Honourable Lisa Beare (Minister of Education and Child Care), to the Honourable Bowinn Ma (Minister of Infastructure), and to Ms. Victoria Jung (Chair of the Vancouver Board of Education ("**VBE**")), regarding the negotiation of school site transfers from the VBE to the Conseil. The Conseil's February 13, 2025 letter to the Province and the VBE is the most recent substantive correspondence, and follows correspondence exchanged between the parties since December 2023.

As a reminder, on February 18, 2025, counsel for the Province, Ms. Hunter, advised by letter that a response to the Conseil's February 12, 2025 letter described above would be provided following the close of evidence in the trial. The evidence closed at the end of February 2025.

For ease of reference, the correspondence going back to December 2023 is attached to this letter.

The Conseil and the VBE are now in the process of negotiating lease terms for the transfer of the Queen Elizabeth Annex site. While the Conseil awaits a response from the Province to the entirety of the exchange of letters with the VBE, which were also sent to the Province starting in January 2024, the Conseil asks that the Province please respond to the issue of the Province being a party to the leases and subject to certain terms, which were set out in the Conseil's letter to Minister Beare and Ms. Jung of December 2, 2024 at p. 7 and addressed in Ms. Jung's letter of February 5, 2025 at p. 3.

The Conseil asks that the Province please respond to the issue of it being a party to the leases and the terms related to the Province by **October 24, 2025.**

In addition, the Conseil asks that the Province respond to the balance of the exchange of letters at the earliest opportunity, and in any event by **November 17, 2025**. For instance, in respect of the following matters, the Province's position is required in order to advance negotiations of school sites transfers in Vancouver:

a. The Conseil's request to acquire all or part of the Dr. A.R. Lord school site from the VBE;
b. Collateral funding to enable a subdivision of the Dr. A.R. Lord site, including the VBE's request for a new school facility on the Dr. A.R. Lord site, funding for the construction of underground parking (for both school and municipal uses), and funding for the acquisition of neighbouring properties; and
c. The Conseil's request to acquire the Carleton Elementary school site for the construction of a Conseil secondary school.

As required by Justice Gomery's order, the Conseil also requests the current funded status of the capital envelope established pursuant to paragraph 22 of Justice Russell's order, and requests to be advised of any future additions of funds or withdrawals of funds from the envelope.

Regards,

Pascale Bernier, Conseil Superintendant

Enclosures

Appendix A: Letter from Ms. Hunter dated February 18, 2025
Appendix B: Letter from Ms. Lavoie date February 12, 2025
Appendix C: Letter from Ms. Jung dated February 5, 2025
Appendix D: Letter from Ms. Lavoie dated December 2, 2024
Appendix E: Letter from Ms. Jung dated October 23, 2024
Appendix F: Letter from Ms. Lavoie dated July 9, 2024
Appendix G: Letter from Ms. Jung dated March 11, 2024
Appendix H: Letter from Ms. Lavoie dated January 16, 2024
Appendix I: Letter from Ms. Coughlan dated December 6, 2023

Copy: Honourable Lisa Beare, Minister of Education and Child Care
Honourable Bowinn Ma, Minister of Infrastructure
Amanda Austin, Regional Director, Ministry of Infrastructure
Victoria Jung, Chair, VBE
Flavia Coughlan, CPA, CGA, ICD.D, Secretary-Treasurer/CFO, VBE
Marie-Pierre Lavoie, Chair, Conseil
Vincent Tourvieille, Secretary-Treasurer, Conseil
Chafic El Rassi, Director of Project Office, Conseil

Hunter Litigation Chambers
KAARDAL/SMART/HUNTER

February 18, 2025 File No: 1041.045

BY EMAIL

Gall Legge Grant Zwack LLP
1000 - 1199 West Hastings Street
Vancouver, BC V6E 3T5

Juristes Power Law
401 West Georgia Street, Suite 1660
Vancouver, BC V6B 5A1

Dear Counsel:

Re: ***Conseil scolaire francophone de la Colombie-Britannique v. His Majesty the King in right of the Province of British Columbia, the Minister of Education and Child Care of the Province of British Columbia, and the Board of Education of School District No. 39 (Vancouver)*****, Vancouver Registry No. S2013627**

We write further to the letter dated February 13, 2025 sent by Marie-Pierre Lavoie to Victoria Jung, Minister Beare, and Minister Ma.

Given the timing of the delivery of this letter, that the matters addressed in the letter are presently before the Court, and that all parties are fully occupied by the trial currently in progress, we write to advise that our client anticipates providing a response to this letter following the close of evidence.

Yours truly,

Hunter Litigation Chambers

Per: Claire S Hunter

Claire E. Hunter, K.C.

CEH/SJH

cc. Art Grant, Rod McLennan, and Lauren McClanaghan (counsel for the VBE)

Hunter Litigation Chambers Law Corporation
2100 – 1040 West Georgia Street, Vancouver, BC V6E 4H1
tel: 604 891 2400 fax: 604 647 4554
www.litigationchambers.com

Claire E. Hunter, K.C.
direct: 604 891 2403
email: chunter@litigationchambers.com
PRACTICE CONDUCTED THROUGH A LAW CORPORATION

BY EMAIL: Victoria.Jung@vsb.bc.ca
ECC.Minister@gov.bc.ca
INF.Minister@gov.bc.ca

Richmond, February 12, 2025

Victoria Jung
Chair
Board of Education of School District No. 39 (Vancouver)
1580 West Broadway
Vancouver, BC V6J 5K8

The Honourable Lisa Beare
Minister of Education and Child Care
PO Box 9045 Stn Prov Govt
Victoria, BC V8W 9E2

The Honourable Bowinn Ma
Minister of Infrastructure
PO Box 9055 Stn Prov Govt
Victoria, BC V8W 9E2

Re: Response to the Chair of the Vancouver Board of Education's letter of February 5, 2025

Dear Ms. Jung. Minister Beare, and Minister Ma,

I write on behalf of the Conseil scolaire francophone de la Colombie-Britannique ("**Conseil**") in response to Ms. Jung's letter of February 5, 2025, on behalf of the Vancouver Board of Education ("**VBE**"). The Conseil is also writing to the Minister of Education and Child Care and to the Minister of Infrastructure as the subject matter of this correspondence implicates the Ministry of Education and Childcare and the Ministry of Infrastructure, and requires input from both Ministries.

The Conseil urges the VBE to reconsider its refusal to enter into 99-year leases without prejudice to the Court's resolution of the issue of ownership

The VBE has now clarified that it is only willing to enter into 99-year leases with the Conseil if such leases are *with prejudice* to the Conseil's claim for orders for the transfer of fee simple interests. In other words, the VBE will only enter into leases at this time if the Conseil agrees to abandon its claim that it is entitled to court orders granting it fee simple ownership, just as the VBE owns the vast majority of its school sites.

The Conseil is surprised to learn that this is what the VBE intended to communicate in its letter of October 23, 2024, which merely stated:

> In your letter, it is suggested that the parties consider an alternative arrangement pursuant to which they enter into 99-year leases with provisions that the VBE agree to transfer the lands in question to the Conseil in fee simple

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

in the event that the Court should hold that the Conseil is entitled to hold its schools in fee simple.

There is no question that the VBE is bound by court orders subject to the final disposition of any appeals that may take place.

However, in your most recent letter, it is clear that the VBE would only offer such leases *with prejudice* to the Conseil's claim. The Conseil cannot agree to such terms. The Conseil's duty is to s. 23 families. Section 23 parents and children are entitled to equal treatment and a security of tenure that avoids consigning future generations to the same uncertainty, legal battles, and delayed recognition of rights that s. 23 rightsholders have experienced since the *Charter* was adopted.

The Conseil urges the VBE to reconsider this position, which can only serve to delay the implementation of s. 23 of the *Charter* in Vancouver. For example, if the VBE were willing to proceed with a without prejudice lease, the Conseil and the Province could finally proceed with the construction of substantively equivalent facilities at QEA. That work could start soon, rather than only at the resolution of this litigation and any appeals that parties might take, as mentioned in your letter of October 23, 2024. The VBE has stated that it wishes to promote French language education in British Columbia, and has no other use for the QEA site. The consequence of the VBE's decision will be to delay the construction of a new facility for the Conseil that would address in part the ongoing violation of the *Charter* in Vancouver.

Similarly, the VBE's position effectively halts progress – potentially for many years – on negotiations in respect of other sites. While the parties do not yet see eye to eye on the Laurier site, we have made significant advances towards an agreement that could allow the VBE and the Conseil to share the A.R. Lord site (particularly if provincial and municipal support to expand the site and maximize its useable space are obtained), and the Conseil understands that there is considerable scope for fruitful negotiations in respect of the Guy Carleton Elementary site.

The Conseil accordingly urges the VBE to reconsider its position with respect to these leases.

The Conseil agrees that collaboration is important

The Conseil also agrees that it is of paramount importance that the VBE and the Conseil collaborate.

Following the release of Justice Russell's judgment, the Conseil sought to work collaboratively with the VBE to find a mutually beneficial solution that would allow the Conseil to obtain sites for substantively equivalent schools, while addressing the VBE's problem of having too many schools with low utilization rates. Over the next three years, the staff of the Conseil and the VBE

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

worked closely together to identify a mutually beneficial site to be transferred and agreed on the QEA.

Unfortunately, those years of collaborative work came to nothing because the VBE voted against proceeding with that plan, and indeed gave reasons for refusing to proceed which revealed an uncompromising approach on the part of the VBE. On that occasion, one trustee stated that "[t]he need for a CSF school is a reality, but frankly it's a problem for the Ministry" and expressed concern that s. 23 rights holders would leave VBE schools if the Conseil finally obtained an equivalent facility. Another trustee was concerned that the Conseil would stop leasing the temporary annex sites which the VBE had itself abandoned because they were inadequate, worrying that:

> [T]hey won't need [them] anymore because they'll take the students and place them in the new school. And we'll lose the money for those schools. I believe there are exciting ways in Vancouver for the school board to get new income, and I'm a bit disappointed that we haven't acted on those exciting ways.

Another trustee complained about the fact that (in addition to the revenue that the VBE would receive from a disposition) the Minister of Education had also promised to proceed with the Olympic Village project if the VBE agreed to proceed with the disposition of the QEA. As she put it at the time:

> I don't like making decisions from a position of weakness. So, I have to think carefully, and what is my ultimate goal. If my goal is to tell the province that you don't own me, I'd flip them the bird and walk.

Following the VBE's decision, the Conseil had no choice but to pursue the *Education Mediation Regulation* process, and a year after that, to commence this litigation.

The Conseil certainly regrets that it has had to spend the time and incur the expense of litigation against the VBE. However, it is clear that the litigation has caused the VBE to offer long-term leases of sites to the Conseil. As Trustee Gonzales put it on June 6, 2022 when the VBE voted to close the QEA:

> I acknowledge that the civil case is not about us, but it still takes district resources and staff time. I acknowledge that the problem ultimately is the ministry's to sort out; however, it has now become our problem too.

Indeed, the VBE appears to have only offered the Conseil 99-year leases in the hope that the offer would prevent the VBE from being forced to grant the Conseil fee-simple interests.

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

The Conseil will continue to work collaboratively with the VBE. The Conseil wishes to see both English-language and French-language public education flourish in Vancouver. However, the Conseil will not accept proposals that would entrench existing inequalities and fail to finally protect rightsholders. The Conseil must put the rights and interests of s. 23 families first.

The Conseil reiterates its offer to enter into 99-year leases without prejudice to the positions of the parties in the present litigation.

Proposed lease terms

Lessee control over the site

The VBE's unwillingness to grant the Conseil full discretion to make those tenant improvements it considers appropriate illustrates one of the many ways in which the Conseil would be disadvantaged by a 99-year lease. Notably, for the Conseil, whose schools are particularly important as community centers, autonomy regarding the use of its school sites without needing permission from the VBE is critical. The Conseil may wish to co-locate all manner of community and cultural services on the sites for its schools and the need for permission from the VBE would impede the Conseil's mandate to promote the French language and culture. Further, the need for the Conseil to rely upon the VBE to pursue any needed zoning changes on its behalf would be yet another way in which the Conseil would be disadvantaged by a 99-year lease. The Conseil would be dependant not only on the VBE's permission, but also upon its willingness to devote resources and efforts to rezoning for the benefit of the Conseil.

Renewing the lease

The Conseil is pleased that we have agreement that a lease renewal would be based on the value of the bare land without considering the Conseil's improvements.

The Conseil reiterates that it requires at least 30 years notice of the VBE's intention to renew or not renew the lease. It has already been more than two decades since the Conseil began searching for sites in Vancouver, west of Main Street to replace the current school housing École élémentaire Rose-des-vents. The Conseil will not have new, substantively equivalent schools in this sector for many years still (the Conseil notes that even if it had immediately accepted the VBE's offer of a long-term lease of QEA, which was only made three years after the Conseil sued the VBE, a new substantively equivalent school would still be years away).

The Conseil cannot risk placing its future students at risk of losing their schools without ensuring it has enough time to find an adequate alternative. To be clear, if the VBE is proposing that, at the end of its proposed leases, it will offer its least desirable schools as a temporary accommodation for Conseil students evicted from the schools built by the Conseil, this is not acceptable and will doubtless lead to the Conseil losing students.

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

Indeed, regardless of the notice period, this scenario illustrates how the Conseil is disadvantaged by a 99-year lease. There is a very real risk that, at the time of renewal, the VBE will decide that the Conseil school and its location are more desirable to the VBE than one of its other schools. A 99-year lease allows the VBE to force the Conseil to trade downwards. The offer of a less desirable school could be framed yet again as collaboratively assisting the Conseil, and the Conseil framed as uncollaborative should it protest.

The need for a considerable notice period is heightened by the fact that the Conseil hopes that it will be leasing the Heather Lands – a lease it already knows it will not be able to renew – and may be leasing several sites from the VBE. All of these leases will come to term around the same time, creating tremendous challenges for the Conseil in seeking several alternative sites at the same time.

Purchase of tenants' improvements upon the end of the tenancy

The VBE's February 5, 2025 letter is not responsive to the Conseil's concern that there must be provision for circumstances where the VBE does not obtain support from the Province or its Board of Trustees, or for any other reason is not in a position to pay the market value of the Conseil's improvements. The VBE cannot refuse to renew the lease, while at the same time being unable or unwilling to pay for the Conseil's improvements.

As such, the Conseil reiterates its proposed term that if the VBE does not pay the market value of the Conseil's improvements (e.g., because VBE or provincial approval is not obtained), the Conseil shall have the right to renew the lease for another 99-year term.

A right of first offer

As indicated in the Conseil's December 2, 2024 letter, the Conseil agrees in principle with this proposed term, subject to agreement on its specific drafting.

A right of first refusal

As indicated in the Conseil's December 2, 2024 letter, the Conseil agrees in principle with this proposed term, subject to agreement on its specific drafting.

Request for the position of the Minister of Education and/or the Minister of Infrastructure

Both the Conseil and the VBE agree that the Province should be a party to any long-term lease agreement.

To remove any doubt that the Province's participation in these negotiations is essential, the Conseil's December 2, 2024 letter was specifically addressed to both the Chair of the VBE Board

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

of Trustees and the Minister of Education (whereas previous correspondence had copied representatives of the Province).

The introductory paragraph to the Conseil's December 2, 2024 letter explicitly stated that "[t]he Conseil is also writing to the Minister of Education and Child Care as the proposal in this correspondence requires the support of the Ministry of Education and Child Care."

The Conseil's December 2, 2024 proposed several crucial terms as a starting point for the commitments from the Province the Conseil requires to reduce some of the harms associated with the Conseil leasing its sites long term from the VBE. It also emphasized specific requests and action items directed to the Province and the Minister of Education and Childcare. As the Conseil now understands that at least some of the Minister of Education and Childcare's responsibilities for capital projects have been transferred to the Minister of Infrastructure, this letter is addressed to both Ministers, in addition to the VBE.

The Conseil requests a response from the Minister of Education and/or the Minister of Infrastructure, as appropriate, to the Conseil's December 2, 2024 letter.

The absence of any progress with respect to the VBE's enrolment projections

In its March 11, 2024 letter to the Conseil, the VBE stated that the Board had already passed a resolution directing staff to undertake the study to review the VBE's enrolment projections. Both in its July 9, 2024 letter and its December 2, 2024 letters to the VBE, the Conseil expressed concerns that there was no timeline for when this new round of study would be complete and that this new round of study would significantly delay the implementation of section 23.

Nearly a year after the VBE made this representation, the VBE has still provided no new information concerning how its current enrolment projections impact the Conseil's requests for sites, nor even a timeline for when that information will be provided.

The Conseil reiterates its position in its December 2, 2024 letter, i.e., regarding its continued reliance on the VBE's LRFP updated in May 2022 and addressing the possibility that the VBE's May 2022 enrolment projections were significantly too low.

The Conseil's decision not to renew its lease of Henderson Annex and the Conseil's need for space in Vancouver

In its February 5, 2025 letter, the VBE calls into question the Conseil's need for additional space in Vancouver, given that the Conseil has recently given notice that it will not need Henderson Annex after June 2025.

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

As previously explained, there are a number of considerations that explain why the leased space at Henderson Annex is not responsive to the Conseil's needs and why the Conseil letting go of that space does not provide useful information concerning the Conseil's needs elsewhere.

First, Henderson Annex is **not appropriately located** for the Conseil. Henderson Annex is situated in Southeast Vancouver (east of Main Street) – i.e., in the same sector as École Anne-Hébert. The Conseil's currently projected needs for additional elementary school space are in Vancouver, west of Granville; Vancouver, between Main and Granville (with the eventual need for a school in the South and a school in the North/centre); and in Vancouver Northeast.[1]

Indeed, Conseil parents have complained about the location of Henderson Annex since the moment they learned of that lease. The Conseil never would have leased Henderson Annex had Laurier Annex been made available to it first, instead of being privately marketed to other potential tenants.

Second, **the Conseil's current enrolment in Vancouver is not a reliable metric for determining its projected enrolment needs**. The Conseil's enrolment in Vancouver has been artificially depressed for decades because it has lacked, and continues to lack, substantively equivalent schools in suitable locations.

The number of children eligible for s. 23 education far exceeds the Conseil's current enrolment capacity, and far exceeds the Conseil's projected enrolment capacity – even if the Conseil eventually obtains all of the new schools it is pursuing in Vancouver (which will almost certainly not be the case by 2029, the outer date for the projections). According to an analysis of the 2021 Census data performed by the former Provincial Statistician for the Province of British Columbia, Mr. Don McRae, the total number of children eligible for s. 23 education in Vancouver in 2021 was 5,225, was projected to be 5,830 in 2024. Also according to this analysis, the number of children eligible for s. 23 education in Vancouver aged 5-12 was 3,145 in 2021, and was projected to be 3,311 in 2024.

While the projected enrolment declines in 2029, this is surely because the regional population projections produced by BC Stats in February 2024 for the entire school-aged population declines. As such, the trends for the different age groups of children eligible for s. 23 education track those for the population as a whole.

Put simply, many children eligible for s. 23 education attend VBE schools because the Conseil's schools are unable to offer a substantively equivalent educational experience. This is not difficult to understand when the Conseil's schools, like Henderson Annex, are the VBE's cast-

[1] The Conseil also requires a secondary school in the East of Vancouver that is accessible to those living in the Northeast of Vancouver and Burnaby. However, an elementary annex school site is manifestly inadequate for a secondary school.

offs. Further, even though schools like QEA and Norval Morrisseau provide some educational services in underserved locations, the inability of these schools to provide a full K-6 education means that there is no upper level elementary education offered in these areas; families in these areas with multiple children face serious logistical challenges in sending their children to two different schools. Each family must decide whether it is worth starting their child's education in a Conseil school nearby if it is not feasible to send their child to the farther school for the upper elementary grades.

On the other hand, as of September 2023, the VBE had completed 57 major capital projects in Vancouver since 1996[2] and had six projects currently[3] underway. All over the city, there are new and upgraded VBE schools[4] that represent attractive options for s. 23 parents who struggle to justify sending their children to an inferior Conseil facility.

Third, the Conseil's enrolment projections are based upon a robust methodology agreed to with the Ministry of Education in April 2022, following extensive efforts by the Conseil, as well as comments and verifications from the Ministry of Education.

The Conseil's needs in Vancouver, including its eventual need for both the Laurier Annex site and the Heather Lands site, are based upon the enrolment projections generated by its enrolment methodology.

The Conseil's inclusion of Laurier Annex in its capital plan

The Laurier site was closed by the VBE eight years ago because the VBE had better options to house its students. The Conseil understands that the VBE does not need Laurier Annex, and the VBE has not provided any material to suggest otherwise.

The Conseil included Laurier Annex in its capital plan submissions in order to accelerate the process for that project. It included that project in order to increase the likelihood that the Province would make funds available for the purchase of Laurier Annex and the construction and design of a replacement facility. The Conseil has faced persistent challenges obtaining sufficient funding for its capital projects. In this context, the Conseil has understood that the inclusion of details, such as the identification of a specific site for acquisition, might increase the likelihood of funds being allocated for a project in a specific community.

---

[2] VBE Website, Current Capital Projects, at: https://www.vsb.bc.ca/page/4930/current-capital-projects.
[3] VBE Website, Completed Capital Projects, at: https://www.vsb.bc.ca/page/4918/completed-capital-projects.
[4] VBE Website, Map of Completed Capital Projects (1996-2023), at: https://media.vsb.bc.ca/media/Default/fgg/5/2023%2009%2012%20Completed%20Capital%20Projects.pdf.

The Conseil has long made its position with respect to Laurier clear to the VBE, including in discussions between staff as well in the course of this litigation.

The Conseil, the VBE and the Province have long been in ongoing discussions about sites for the Conseil in Vancouver. They are also in litigation on the subject, through which the VBE had notice of the Conseil's interest in Laurier Annex before the submission of its 2024/2025 capital plan.

Further, I can advise that the Conseil does not have a practice of consulting landowners, whether private or public, about whether to include their sites in the Conseil's capital plans. The Conseil must take every step it can to increase the likelihood that funding will be available at the earliest opportunity – that it has taken such steps in respect of Laurier Annex has nothing to do with its desire to collaborate with the VBE.

The VBE could resolve this dispute tomorrow if it stopped insisting on owning the Conseil's school sites

The Conseil shares the VBE's desire for collaboration and to avoid litigation.

No school board in British Columbia better understands the cost of litigation than the Conseil. The Conseil only came into existence as a result of litigation and has had to spend the better part of its existence successfully fighting in court, including repeatedly finding its way to the Supreme Court of Canada, only to establish its right to operate and to have quality schools for its students.

The current dispute between the VBE and the Conseil could be resolved tomorrow if the VBE agreed to transfer ownership of sites, and portions of sites, it does not need to the Conseil – for at least full market compensation. This dispute is not yet resolved because the VBE insists on keeping the Conseil in a position of dependency on the VBE, and insists on privileging its hypothetical future interests over the Conseil's constitutional rights (or on securing for itself a major financial windfall in the form of lease renewals at full market value).

I look forward to hearing from you.

Marie-Pierre Lavoie
Chair, Conseil scolaire francophone de la Colombie-Britannique

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

Copy: Chris Brown, Assistant Deputy Minister, Resource Management Division, Ministry of Education and Child Care

Damien Crowell, Executive Director, Capital Management Branch, Ministry of Infrastructure

Amanda Austin, Regional Director, Major Capital Projects and Child Care, Ministry of Infrastructure

Flavia Coughlan, CPA, CGA, ICD.D, Secretary-Treasurer/CFO, VBE

Helen McGregor, Superintendent/CEO, VBE

Pascale Bernier, Conseil Superintendent

Chafic El Rassi, Director of Conseil Capital Projects Office

Conseil scolaire francophone de la Colombie-Britannique
100 - 13511 Commerce Parkway, Richmond, B.C. V6V 2J8 | Tél. : 604 214-2600 | Sans frais : 1 888 715-2200
csf.bc.ca

Board of Education Trustees:
Victoria Jung - Board Chair
Janet Fraser – Vice-Chair
Lois Chan-Pedley, Alfred Chien
Preeti Faridkot, Suzie Mah, Jennifer Reddy
Christopher Richardson, Joshua Zhang

February 5, 2025

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britanique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8

By Email: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie,

The Board of Trustees of the Vancouver Board of Education ("VBE") has considered your letter dated December 2, 2024 and this letter is the Board's response.

The VBE reiterates the offer set out in its October 23, 2024 letter with the exception of the proposed changes to the terms set out below. It appears that the Conseil has misunderstood several important points in that letter and we seek to clarify certain points. These are set out below.

Long Range Facilities Plan and Long Range Enrolment Projections

The VBE has begun its work on updating its Long-Range Facilities Plan ("LRFP"). This work is always challenging; however, legislative changes that have occurred in the last 18 months have increased the complexity significantly. Specifically, provincial and municipal changes to land and zoning and specifically to land around transit centres as well as federal changes to immigration rates have a large impact on the VBE's long-term planning.

As the VBE stated, these changes could significantly impact long-term enrolment across Vancouver. The densification around transit centers could impact long-term enrolment projections for Carleton Elementary School and the Laurier Annex family of schools. These enrolment projections may also impact Dr. A.R. Lord's future enrolment.

Therefore, the VBE reiterates its offer set out in the October 23, 2024 letter and states again that the VBE will consider the Conseil's request for Carleton Elementary School once the long-term enrolment projections are complete.

Conseil's Request for Additional Space

The Conseil states that it has a need for additional space in Vancouver. The VBE notes that the Conseil recently gave notice that it will not need Henderson Annex after June 2025. It is difficult to understand

why the Conseil is requesting additional space in Vancouver when it no longer requires the use of Henderson Annex.

Furthermore, the VBE has always understood and advised the CSF that Laurier Annex was provided on a temporary basis since the Cambie Corridor development and densification means that the VBE will need this school site in the future. In recent years, the VBE's decline in enrolment reversed and there has been increasing enrolment in VSB schools. We understand that the Conseil's student enrolment has been declining over that same time period.

Moreover, it was unreasonable that the Conseil included Laurier Annex in its capital planning without consulting the VBE. The VBE continues to work collaboratively with the Conseil but views the unilateral inclusion of Laurier Annex in its capital planning as being contrary to the spirit of collaboration.

99-year Leases Proposed Clauses

We correct your assertion that we have indicated that the VBE is prepared to agree that the 99-year leases contain a condition that the VBE will transfer the fee simple ownership to the Conseil if it is finally determined by a court that a long-term lease of the site from the VBE would not satisfy the requirements of s. 23.

The VBE does not agree that the 99-year leases should contain this condition. Should the court ultimately determine that, notwithstanding the fact that the CSF entered into a long-term lease of the site from the VBE, that lease is contrary to s. 23 and must be nullified, the VBE would comply with that order.

For clarity, the VBE does not agree that there be included in any lease an express term that the Conseil's agreement to a 99-year lease is without prejudice to the Conseil's position in the litigation that the lease is inconsistent with s. 23 of the Charter. The VBE will take the position that such a lease satisfies the declarations made by the Courts in 2016 and 2020 and that the Conseil's claim as against the VBE is therefore compromised.

The VBE is offering 99-year leases to the Conseil to further the francophone education of the rightsholders the CSF serves despite the litigation that the Conseil commenced against the VBE. The VBE prefers to work collaboratively rather than spend its limited resources on litigation. The VBE will continue to work collaboratively despite the Conseil's litigation against the VBE. The VBE is committed to francophone education in Vancouver; however, it views litigation as counterproductive and prefers a collaborative approach because it allows the parties to speak more freely and saves legal fees which are substantial as a result of the current trial.

The Participation of the Province

The Conseil has suggested that the Province be included in any agreement. The VBE views having the Province be a party as being beneficial because the Conseil's requests will require provincial commitments, commitments that the VBE cannot make.

Conseil's position regarding long-term leases

The VBE's letter dated October 23, 2024 in fact states that this was the first time the Conseil took the position that long-term leases were inconsistent with s. 23. The Conseil has certainly insisted that long-term leases were not sufficient for the CSF's purposes before July 9, 2024. The VBE's letter of October 23, 2024, however, noted that the Conseil had not articulated until July 9, 2024 the Conseil's position that long-term leases were inconsistent with s. 23. To be clear, the VBE does not share this position.

In any event, the VBE does not view a 99-year lease as being inconsistent with providing excellent educational programming. All of the VBE's new schools are being built on long-term lease school sites. The VBE currently provides equivalent educational services to its students on school sites with long-term leases and even in one case, a licence. The VBE does not view these school sites as providing educationally inferior experiences for its own students and specifically does not consider that the form of land tenure dictates the sort of educational experience that is provided to the students.

Proposed Lease Terms

Again, the VBE does not agree that the 99-year lease would be without prejudice to the Conseil's position in the litigation. If the Conseil and the VBE conclude a lease or leases for 99 years, the VBE will take the position that very long security of tenure has been provided for the benefit of the francophone rightsholders in Vancouver.

The VBE also proposes the following in response to the Conseil's proposal.

1. **Lessee control over the site:** The Conseil would certainly be entitled to make tenant improvements for educational purposes. The VBE does not agree that the Conseil could "make any tenant improvements it deems appropriate without prior approval or conditions." Tenant improvements that fall outside of educational purposes would require the VBE to change the zoning of QEA property. Therefore, the VBE does not agree that the Conseil can make <u>any</u> tenant improvements it deems appropriate without prior approval or conditions.

2. **Renewing the Lease:** The VBE is prepared to give the Conseil notice of 20 years of the VBE's intention to renew or not renew the lease. The rent for the new term would be based on market value for the ground lease. In other words, it would be based on the value of the bare land without considering the Conseil's improvements.

Board of Education Trustees:
Victoria Jung - Board Chair
Janet Fraser – Vice-Chair
Lois Chan-Pedley, Alfred Chien
Preeti Faridkot, Suzie Mah, Jennifer Reddy
Christopher Richardson, Joshua Zhang

3. **Purchase the tenants' improvements upon the end of the tenancy:** Only the value of the improvements would be considered under these proposed terms - not the value of the improvements and the land together. All of the terms outlined in our previous letter respecting this issue, including the requirement for proper Ministerial and Board approvals, remain.

4. **A right of first offer:** The VBE reiterates this term.

5. **A right of first refusal:** The VBE reiterates this term.

The VBE continues to support francophone education in Vancouver. The students of both of our school districts are entitled to receive excellent educational experiences. The VBE reiterates its preference to work collaboratively with the Conseil, emphasizing that its limited resources are being strained. The current legal proceedings are diverting crucial staff time away from their primary educational responsibilities. Instead of focusing on enhancing student achievement and educational programs, staff members are being redirected to support litigation efforts. This shift not only impacts the quality of education but also places additional stress on the already limited resources of the VBE. The funds that could have been allocated to improving classroom experiences, hiring more educators, or investing in educational materials are now being used to cover legal fees. This diversion of resources ultimately hampers the VBE's ability to fulfill its mission of providing high-quality education to all students in the district.

Sincerely,

Victoria Jung,
Chair, The Board of Education of School District No. 39 (Vancouver)

cc. The Honourable Minister of Education and Child Care Lisa Beare
Chris Brown, Assistant Deputy Minister, Resource Management Division
Damien Crowell, Executive Director, Capital Management Branch
Pascale Bernier, Conseil Superintendent
Chafic El Rassi, Director of Conseil Capital Projects Office
Flavia Coughlan, Secretary-Treasurer, VBE
Helen McGregor, Superintendent, VBE

Conseil scolaire francophone de la Colombie-Britannique

BY EMAIL: Victoria.Jung@vsb.bc.ca

ECC.Minister@gov.bc.ca

Richmond, December 2, 2024

Victoria Jung
Chair
Board of Education of School District No. 39 (Vancouver)
1580 West Broadway
Vancouver, BC V6J 5K8

The Honourable Lisa Beare
Minister of Education and Child Care
Ministry of Education and Child Care
PO Box 9045 Stn Prov Govt
Victoria, BC V8W 9E2

Re: Response to the Chair of the Vancouver Board of Education's letter of October 23, 2024

Dear Ms. Jung and Minister Beare,

I write on behalf of the Conseil scolaire francophone de la Colombie-Britannique ("**Conseil**") in response to Ms. Jung's letter of October 23, 2024 on behalf of the Vancouver Board of Education ("**VBE**"). The Conseil is also writing to the Minister of Education and Child Care as the proposal in this correspondence requires the support of the Ministry of Education and Child Care ("**Ministry of Education**").

A. Points of Agreement

It is helpful to begin by noting the areas of agreement.

i. 99-year leases without prejudice to the Conseil's position in the litigation

First, the Conseil understands that the VBE agrees, in substance, with the Conseil's proposal that the parties enter into 99-year leases, containing a condition that the VBE will transfer the fee simple ownership to the Conseil if it is finally determined by a court that a long-term lease of the site from the VBE would not satisfy the requirements of s. 23.

While there may be some nuance as between the Conseil's proposal and the VBE's position expressed in its October 23, 2024 letter, in the Conseil's view, the position of both parties would be adequately captured by an express term to the effect that **the Conseil's agreement to a 99-year lease is only to avoid further delay and is without prejudice to the Conseil's position in the litigation that the lease is inconsistent with s. 23 of the *Charter***.

ii. A transaction in respect of the QEA site should proceed promptly

Second, subject to the negotiation of mutually agreeable terms, the parties should be able to promptly conclude a transaction in respect of the Queen Elizabeth Annex ("**QEA**") site.

The Conseil sets out below its response to the VBE's proposed lease terms and adds some terms that the Conseil considers essential at this stage to advance the discussions. These terms would apply to any long-term lease agreement involving the VBE and the Conseil. **Significantly, the Conseil requires that the Province be a party to the agreement as its proposed additional terms primarily concern the Province.**

The VBE and the Province's prompt input on these terms would assist with concluding a transaction in respect of the QEA site as soon as possible, and also with advancing the remainder of the negotiations.

B. Clarifications regarding the Conseil's position that it cannot accept to lease sites long-term from the VBE

At the outset, it is important to address the VBE's incorrect assertion that the Conseil only advised the VBE that leasing long-term from the VBE was unacceptable in its July 9, 2024 letter, and that the VBE assumed before this date that the Conseil was pursuing a 99-year lease of QEA. The VBE's Third Amended Response to Civil Claim – which was filed on November 30, 2023 – pleads at Part 1, Division 2, paragraph 69 that "The VBE says that the CSF's insistence on fee simple ownership over long-term lease has been an impediment to the VBE transferring sites or facilities to the CSF." In other words, more than eight months before the Conseil's July 2024 letter, the VBE pleaded that the Conseil had insisted on fee simple before that time.

In its January 16, 2024 and its July 9, 2024 letters, the Conseil explained in detail why it could not agree to lease sites long-term from the VBE. The Conseil will not reiterate those points here. However, based on the VBE's own pleadings, it is clear that the VBE understood the Conseil's position well before those letters.

In its October 23, 2024 letter, the VBE refers to an October 25, 2019 letter from the Conseil to the VBE in which the Conseil proposed a 99-year lease of the QEA site as a "win-win" compromise that would have been acceptable to the Conseil at that time.

As the VBE well knows, the VBE soundly rejected the Conseil's offer only three days later. On October 28, 2019, the VBE trustees voted to take no further action towards proceeding to public consultation to consider the closure of QEA. The comments of several VBE trustees demonstrated, to say the least, a lack of concern for s. 23 rights. For instance, one trustee expressed a concern that allowing the opening of a Conseil school would result in rights-holders transferring from the VBE to the Conseil. The VBE's rejection of the Conseil's offer terminated the offer and ended the discussions.

Moreover, the VBE rejected the Conseil's compromise despite the years of collaborative work between the Conseil and the VBE in relation to QEA (including the Partnerships BC process), during which the Conseil made clear that it wanted fee-simple ownership of the site.

More significantly, this compromise was offered before the Supreme Court of Canada released its landmark decision in the Conseil's previous action against the Province. Among the numerous significant holdings and declarations made in that decision, writing for the majority, Chief Justice Wagner notably found that that the courts below had "adopted an inordinately narrow interpretation of s. 23 and its role in the Canadian constitutional order."[1] The majority of the Court stressed the need for "an interpretation of that section that takes its remedial purpose fully into account."[2] In line with these observations, the majority of the Court elaborated:

> Our decision in this case must not be limited to making schools available to the appellants as if the case were one of a kind, as **it is also necessary to ensure that future claimants are not forced to undertake interminable judicial proceedings in order to have their rights protected, recognized and enforced**. To disregard the problems raised by an erroneous interpretation and application of s. 23, in particular the **inevitable judicialization and lengthy delays** that are characteristically involved in exercising language rights, is to undermine access to justice and could slow Canada's historical progress toward the ideal being sought in s. 23: that of "giv[ing] effect to the **equal partnership** of the two official language groups in the context of education" (*Arsenault-Cameron*, at para. 26).[3] [emphasis added]

These passages are illustrative of the broad rejection of the narrow approach of Justice Russell and the Court of Appeal. Following the Supreme Court of Canada's decision, the Conseil has sought to give effect to the broad interpretation of s. 23 of the *Charter* adopted by the Supreme Court of Canada.

It is now clear that the Conseil should not accept inferior status or unequal arrangements simply because it is offered an improvement to the *status quo* and because the Conseil lacked the power to insist upon equal treatment. For example, the Conseil cannot accept long-term leases from the VBE as satisfying s. 23, because this would not give effect to the equal partnership of the two official languages in the context of education and would place future generations at risk of losing established schools and force them to pursue the same interminable judicial proceedings that the French-speaking community in British Columbia has faced since the adoption of s. 23 over 40 years ago.

[1] *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, 2020 SCC 13 at para 3.
[2] *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, 2020 SCC 13 at para 3.
[3] *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, 2020 SCC 13 at para 20.

Indeed, the VBE only took steps towards the closure of QEA after the Conseil had sued the VBE for the transfer of that site and only voted to close QEA four days after Bill 22 received Royal Assent.

Respectfully, the VBE's assertion that the Conseil has only very recently taken the position that it cannot accept to lease sites from the VBE long-term is not consistent with the facts.

On December 21, 2020, the Conseil sued the VBE (and the Province and the Minister of Education). In its Notice of Civil Claim filed on that day, the Conseil notably sought the following relief against the VBE:

> [2] The Conseil seeks the following declarations and orders in relation to the VBE:
>
> a. A declaration that the VBE is bound by section 23 of the *Charter*;
>
> b. A declaration that the VBE's failure to transfer the QEA site to the Conseil infringes section 23 of the *Charter* in a manner not justified by section 1 of the *Charter*;
>
> c. An order requiring the VBE to **promptly transfer** the QEA site to the Conseil; and
>
> d. A declaration that the requirement in Policy 20, Disposal of Land or Improvements **that the VBE "not sell school lands** but maintain or increase [its] current number of school sites to preserve neighbourhood sites for current and future educational and community use", to the extent that it applies **to the transfer of sites** and facilities to the Conseil, infringes sections 23 in a manner not justified by section 1, and is therefore of no force or effect. [Emphasis added]

The Conseil's suit was (and still is) plainly for the transfer of sites and was (and still is) challenging the constitutionality of Policy 20's prohibition on the sale of school lands to the extent that it applies to the transfer of sites to the Conseil. If the Conseil was merely seeking a lease in line with the offer made on October 25, 2019 and rejected on October 28, 2019, it would not have challenged the VBE's prohibition on selling school lands.

That a site transfer is not the same thing as a lease was also clear from Justice Russell's order, which the Conseil quoted (and still quotes) in its Notice of Civil Claim:

> [8] Rather, "[t]o ensure that the various declarations [be] effective", the Court made specific orders, including an order that:
>
> > The Province and/or the Ministry [of Education] must craft a policy or enact legislation to either resolve or ensure the Ministry [of Education]'s active participation in the resolution of issues

> concerning the [Conseil]'s need for space and the types of disputes that arise between the [Conseil] and majority school boards: *site identification; implementation and operation of the transfer of assets*; the co-management of shared assets; **lease negotiations of any facilities that are not transferred**; and any other dispute that may arise between the [Conseil] and a majority school boards [*sic*] (2016 BCSC 1764, para 6833) [emphasis added].
>
> [Italics in original; bold added]

The VBE's own pleading draws a distinction between a transfer and a long-term lease, pleading, for example, that Partnerships BC's report "recommended property transfer or long-term lease of QEA to the CSF" (para. 30) and that "There have been and are ongoing discussions between the VBE, CSF and the Ministry of Education regarding the lease, permitting or transfer of VBE school sites to the CSF, including in relation to the QEA site and Vancouver Northeast (para. 170).

At least since December 20, 2020, the Conseil has never indicated that it would accept a long-term lease from the VBE. The Conseil's position has instead been entirely consistent with its position in the lawsuit.

Furthermore, the VBE's assertion that the Conseil's position on long-term leases changed between the Conseil's January 16, 2024 letter and its July 9, 2024 letter is not correct, and is based upon a mischaracterization of the content of those two letters.

In its January 16, 2024 letter, the Conseil said "The Conseil cannot, however, agree to a long-term lease of the QEA site as the appropriate means to address ongoing violations of s. 23" and provided many reasons why a long-term lease from the VBE was not acceptable, with reference to s. 23 of the *Charter*. In its January 16, 2024 letter, the Conseil also said that while its strong preference was for fee simple ownership, "the Conseil would accept an "Ownership Interest" that meets the following definition:

> Fee simple ownership, ownership with a right of first refusal to the VBE should the Conseil decide to sell, lease with option to acquire fee simple ownership, or any other form of transaction conferring title, or the right to obtain title, agreed to by the Conseil and the VBE, without limiting the form of tenure in advance.[4]

Consistent with the January 16, 2024 letter, the Conseil's July 9, 2024 letter stated "For the many reasons set out in this letter and in the Conseil's January 16, 2024 letter, the Conseil considers it to be inconsistent with section 23 of the *Charter* for the Conseil to accept operating its schools out of sites leased long-term from the VBE." The Conseil's July 9, 2024 letter also reiterated the Conseil's proposal to acquire an Ownership Interest

[4] The Conseil would also consent to any Ownership Interest that confers the right to obtain title on a deferred basis, conditional on the Province's agreement, in advance, that it will provide sufficient funding for the acquisition of such title. [This footnote was also included in the Conseil's January 16, 2024 letter.]

(as previously defined) for each of the QEA site, the AR Lord Elementary ("**Lord**") site (now modified as a proposal to allow the division of that site), the Sir Guy Carleton Elementary ("**Carleton**") site, and the Sir Wilfred Laurier Annex ("**Laurier**") site.

Finally, contrary to the VBE's assertion, long term leases do not give both parties flexibility. Instead, it preserves the VBE's flexibility at the expense of the Conseil. It allows the VBE to decide to take the school back and force the closure of the Conseil's school. Alternately, as explained by one of the VBE trustees who voted against proceeding with the potential closure of the QEA on October 28, 2019, one of the objectives of 99-year lease is to give the VBE the option to receive a steady stream of income from the rising rents that the VBE could choose to charge.

C. Terms of any 99-year lease

The Conseil appreciates the VBE's suggestion of certain lease terms that could reduce some of the harmful effects on s. 23 rightsholders leasing long-term from the VBE. The Conseil stresses that the proposed lease terms do not render the 99-year leases from the VBE under consideration compliant with s. 23 of the *Charter*.

Without analysing the impact of each proposed term in detail, the vast majority of the harms caused by a long-term lease that the Conseil has previously identified are either not addressed at all by these terms or not materially mitigated.

Nevertheless, as the Conseil's proposal is that the parties enter into a 99-year lease without prejudice to the positions of the parties in the litigation between them, the Conseil offers the following comments on the VBE's proposed lease terms:

1. **Lessee control over the site:** In general, the Conseil agrees in principle with this proposed term, subject to agreement on its specific drafting. However, the Conseil should be entitled to make any tenant improvements it deems appropriate without prior approval or conditions.

2. **Renewing the lease:** The Conseil requires at least 30 years notice of the VBE's intention to renew or not renew the lease. The rent for the new term must not exceed market value minus the market value of any improvements made by the Conseil (note that this is consistent with the VBE's next proposed term, but applies in the event the lease is renewed, such that the Conseil is not forced to pay the VBE for improvements made by the Conseil).

3. **The landlord will purchase the tenants' improvements upon the end of the tenancy:** To be acceptable to the Conseil, this term must provide that if the VBE does not pay the market value of the Conseil's improvements on the site (e.g., because VBE or provincial approval is not obtained), the Conseil shall have the right to renew the lease for another 99-year term.

4. **A right of first offer:** The Conseil agrees in principle with this proposed term, subject to agreement on its specific drafting.

5. **A right of first refusal:** The Conseil agrees in principle with this proposed term, subject to agreement on its specific drafting.

The Conseil also requires the addition of several terms to the agreement. The Conseil has not completed its review of all necessary terms, but has identified the following as essential to advancing the discussions:

1. **Province a party:** The Province must be a party to the lease agreement.

2. **Province to guarantee funding associated with the lease agreement and its renewal:** The Province must guarantee that it will fully fund all future renewals of the lease, and the exercise of any right to acquire a fee simple interest in the property, and will pay for all costs associated with the lease and its renewal (including all associated legal fees).

3. **Province to indemnify the Conseil for the value of the site:** The Province must guarantee that, if at any future time the Conseil must relocate its program to another site (e.g., because the lease is not renewed by the VBE), the Province will promptly and fully fund the acquisition of a site and construction or renovation of a school of equal or greater market value to the fee simple value of the VBE owned site and facilities, and that allows the Conseil to offer a substantively equivalent education.

4. **Province to guarantee that future expenditures under the lease agreement or a subsequent lease will not impact funding available to the Conseil:** The Province must guarantee that any costs incurred by the Province pursuant to the agreement or any subsequent lease are separate from the ordinary capital planning process for the Conseil and will have no impact on that process; in particular, the Conseil will not be required to prioritize the expenditures arising under this agreement against any of its capital project requests and any funds required for the Province to comply with this agreement will be separate from, and in addition to, the Conseil's capital envelope – in perpetuity; for greater certainty, the Province must also guarantee that no other funds allocated to the Conseil (including operational funding) will be drawn upon or reduced in any way to cover such costs incurred by the Province.

The Conseil notes that none of the above terms would be necessary if the VBE transferred a fee simple interest to the Conseil. Each of the above terms at most reduces some of the harms associated with the Conseil leasing its sites long-term from the VBE. Notably, none of them addresses the inherent insecurity of tenure of a long-term lease, nor the inherent privileging of the future contingent interests of the English-speaking majority over the long-term needs and vitality of the French-speaking community.

D. The VBE's position that its Long-Range Facilities Plan is not up-to-date

In its October 23, 2024 letter, the VBE indicated that the student enrolment numbers and projections contained in its Long-Range Facilities Plan ("**LRFP**") updated in May 2022 are no longer up date. The VBE also reiterated that a study is currently underway to determine the impacts on projected VBE student enrolment of recent provincial and City densification mandates. The VBE cautioned the Conseil against using its latest LRFP data and indicated that it would be more efficient to engage on such matters school board to school board in a collaborative manner.

In its March 11, 2024 letter, the VBE stated that the Board had already passed a resolution directing staff to undertake the study to review the VBE's enrollment projections. The Conseil raised concerns in its July 9, 2024 letter that there was no timeline for when this new round of study would be complete and that this new round of study would significantly delay the implementation of section 23.

Despite the Conseil's expression of concern, in its October 23, 2024 letter, the VBE still offered no timeline for the completion of its new round of student enrolment projections. Despite the VBE's insistence that the Conseil rely on board to board communications about enrolment needs, the VBE has provided no new information concerning how its current enrolment projections impact the Conseil's requests for sites.

On the VBE's approach, any study is likely be out of date by the time it is published, and certainly by the time it is used in making planning decisions. For the VBE to insist upon having the most up-to-date information is not a justified basis for delaying the implementation s. 23 of the *Charter*.

Given that the VBE's LRFP was updated only two and a half years ago, and given the absence of any new information, the Conseil reiterates its reliance on that information in its July 9, 2024 letter. However, in this letter the Conseil also addresses the possibility that the VBE's 2022 enrolment projections were significantly too low.

E. The Lord site

The Conseil reiterates its observations from its July 9, 2024 letter in respect of the Lord site.

In its July 9, 2024 letter, the Conseil explained that the Lord site is currently too small to fit two wholly distinct schools (i.e., without the need to share space) and proposed that the VBE, the Province and the Conseil work together to expand the site by acquiring the following adjacent properties: (a) a parking lot owned by the City of Vancouver (on the northwest portion of the site) and (b) the residential properties located in the southeast portion of the site (the "**July 9, 2024 Proposed Expanded Lord Site**").

In its October 23, 2024 letter, the VBE indicated (i) that it considered the current Lord site to be sufficient for a Conseil school and a VBE school; (ii) that it was willing to approach

the City of Vancouver with the Conseil to request usage of the parking lot to build on; and (iii) that it did not view it as necessary to acquire the eight residential properties to the southeast of the site.

The Conseil's proposal for expanding the Lord site was based upon three core considerations: first, the Conseil's need for a homogeneous school to satisfy s. 23 *Charter* rights in Vancouver (Northeast), which precludes sharing space with the VBE; second, the Conseil's assessment of its space needs for its planned school in Vancouver (Northeast); and third, the VBE's proposed equal division of the Lord site.

In light of the VBE's October 23, 2024 letter, the Conseil has revisited these considerations. While the Conseil cannot sacrifice homogeneity, as it is a constitutional requirement, a more creative solution may be available by working with the other two considerations.

The Conseil projects the need to build an elementary school in Vancouver (Northeast) capable of accommodating at least 410 students.

According to the VBE's LRFP updated in May 2022, the VBE had 193 students enrolled at Lord in 2021 and was projected to have only 158 students enrolled in 2031.

The VBE states in its October 23, 2024 letter that the VBE has experienced enrolment growth across the district for the last two years and that the VBE's LRFP updated in May 2022 is no longer up-to-date. However, in its March 11, 2024 letter to the Conseil, the VBE stated that Lord "currently has approximately 190 students enrolled." As such, while it is unclear what enrolment growth the VBE has been experiencing, it is clear that it has not impacted Lord.

Since the VBE has not provided any information concerning its new enrolment projections for Lord, the Conseil's view is that it is very generous to assume that Lord's enrolment will, at best, remain stable for the foreseeable future, instead of the significant enrolment decline that was projected two and a half years ago.

Given that the Conseil's projected enrolment for its Vancouver (Northeast) school is more than **two times** this generous projection for Lord's enrolment, it is not at all surprising that the VBE considers half the current Lord site to be sufficient for the VBE's needs, whereas the Conseil does not consider half the current Lord site to be sufficient for the Conseil's needs.

The current Lord site is 2.3 hectares (5.68 acres) in size. **The Conseil would compromise and accept a minimum of 1.4 hectares (3.46 acres) for its school.** This is a reduction from half the July 9, 2024 Proposed Expanded Lord Site (which as a whole would likely total at least 3.2 hectares or 8 acres). Assuming no additional land was secured, this would leave **0.9 hectares (2.22 acres) for the VBE**.

The Conseil notes that these site sizes are substantially less than those contemplated in the provincial Area Standards. However, again, treating the VBE's enrolment projections

generously and the Conseil's conservatively, these site sizes split the Lord site according to a ratio corresponding to the Area Standards. In particular, the Area Standards provide for a site size of 1.5 hectares for 200 students (more than the VBE is likely to have) and 2.3 hectares for 400 students (less than that Conseil is projected to have). The ratio of 1.5/2.3 closely corresponds to the ratio of 0.9/1.4.

Given the relative projected student populations for the two schools, the Conseil considers this to be a fair allocation of the current Lord Site. That being said, the Conseil continues to support the VBE, the Conseil and the Province jointly approaching the City of Vancouver in order to acquire the parking lot owned by the City of Vancouver. **Should the parking lot be acquired, the Conseil would support the entirety of that space being added to the VBE's 0.9 hectare (2.22 acres) portion of the site**.

In light of the very close alignment of the interests of the City of Vancouver and the VBE, the Conseil strongly suspects that such a request would be much more likely to succeed if it were made for the benefit of the VBE, as proposed.

In order to strengthen the likelihood that such a request will be successful and to maximize the use of the site, **the Conseil requests confirmation that the Province and the Ministry of Education will support the construction of underground parking facilities to serve the Conseil and the VBE's schools, and that such parking facilities be made available for City parking when not required by the Conseil or the VBE.** The Conseil notes that the need for parking in this area is primarily driven by factors that complement the school year and school hours (e.g., the Pacific National Exhibition, Playland Amusement Park, and concert and event venues).

F. The Carleton site

The Conseil reiterates its observations from its July 9, 2024 letter in respect of the Carleton site. Given the sheer volume of current excess capacity and the projections only two and a half years ago that enrolment numbers would significantly decrease, there is no reasonable basis to suggest that the VBE needs the Carleton school. Even on the very generous assumption that enrollment in the schools currently housing students from the former Carleton catchment area will stay stable instead of decreasing significantly, the VBE has space for 434 additional students.

The Conseil sincerely hopes that the VBE, the Province and the Conseil can come to an agreement to implement the right to s. 23 secondary education in Vancouver (East) without unnecessary delays or the need to resort – yet again – to litigation.

The Conseil requests that the VBE provide a more detailed update and a timeline for the VBE's consideration of its request for the Carleton site.

G. Ministry of Education Action Item: confirm support for the acquisition of a site and construction of a new Conseil secondary school in Vancouver, east of Main Street

In its July 9, 2024 letter, the Conseil specifically requested that the Ministry of Education confirm its support for the Conseil's request to acquire a site and construct a new secondary school in Vancouver, east of Main Street by letter in response to both the Conseil and the VBE.

The Conseil has received no response to this request.

The Conseil reiterates its request that the Ministry of Education write jointly to the Conseil and the VBE to confirm that it supports the Conseil's acquisition of the Carleton site for the construction of a new secondary school.

H. The Laurier site

The Conseil reiterates its observations from its July 9, 2024 letter in respect of the Laurier site.

The Conseil adds the following. Although the Conseil is making progress towards entering into a 99-year lease for the Heather Lands, there are still many uncertainties and delays associated with this complex development project. In the best-case scenario, the Conseil may be able to open a school on the Heather Lands early in the next decade – but best-case scenarios in complex real estate developments often do not materialize.

The Conseil has needed a site for a new elementary school between Main and Granville Streets for two decades. The Laurier Site still represents the most certain and fastest way to remedy this decades-old ongoing violation of the *Charter*.

Finally, and in any event, if as a result of delays in the present negotiations, the Conseil were only able to build a new school on the Laurier site in the next decade, the Conseil projects that by that time it will require both the Heather Lands and Laurier Annex to accommodate its students.

Although the Conseil's plans, since 2022, and as expressed in its Capital Plans submitted since June 2023, have been for a new school on the Heather Lands to follow sequentially after a new school on the Laurier site, the Conseil's need for both sites is not rendered less urgent by the VBE's refusal to transfer the Laurier site to the Conseil and consequent delays.

I. Resolution and Collaboration

The Conseil would also like to move towards a resolution. Indeed, the Conseil is highly motivated to secure remedies for s. 23 violations without further delay. The Conseil cannot, however, sacrifice those same s. 23 rights in the process.

The Conseil is grateful for this ongoing dialogue and hopeful that the parties can come to an agreement with respect to at least some of the above issues.

The Conseil also thanks the VBE for encouraging City of Vancouver representatives to work with the Conseil. While the Conseil has already made and will continue to make its own overtures to the city, the VBE's support can only help in that regard.

I look forward to hearing from you.

Marie-Pierre Lavoie
Chair, Conseil scolaire francophone de la Colombie-Britannique

Copy: Chris Brown, Assistant Deputy Minister, Resource Management Division
Damien Crowell, Executive Director, Capital Management Branch
Amanda Austin, Regional Director, Major Capital Projects and Child Care
Helen McGregor, Superintendent/CEO, VBE
Flavia Coughlan, CPA, CGA, ICD.D, Secretary-Treasurer/CFO, VBE
Pascale Bernier, Conseil Superintendent
Chafic El Rassi, Director of Conseil Capital Projects Office

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Victoria Jung - Board Chair, Preeti Faridkot, Janet Fraser, Suzie Mah, Joshua Zhang – Vice-Chair, Jennifer Reddy, Christopher Richardson,

October 23, 2024

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britanique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
E: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie,

The Board has considered your letter dated July 9, 2024 and this letter is the Board's response.

The Conseil's Alternative Proposals for 99-Year Leases with Provisions to Transfer in Fee Simple if a Court Should Order

In your letter, it is suggested that the parties consider an alternative arrangement pursuant to which they enter into 99-year leases with provisions that the VBE agree to transfer the lands in question to the Conseil in fee simple in the event that the Court should hold that the Conseil is entitled to hold its schools in fee simple.

There is no question that the VBE is bound by court orders subject to the final disposition of any appeals that may take place.

The Conseil's Proposals for an Ownership Interest

As it did at the time of its March 11, 2024 letter to you, the Board has considered the ownership interest proposal of the Conseil, now reiterated by the Conseil in your letter of July 9, 2024. The Board is not prepared to transfer the title to the lands in question as suggested by the Conseil in its January 16, 2024 and July 9, 2024 letters.

The Board remains committed to enabling the furtherance of section 23 education by facilitating access to French-first language programming for Conseil students and parents in brand new schools on certain VBE sites. Again, for the reasons outlined in its March 11, 2024 letter, the Board views a 99-year lease as providing sufficiency of tenure for the Conseil.

Until very recently, the Conseil's position was that a long-term lease was a win-win solution for the Conseil and the VBE. However, for the first time in the history of the negotiations and discussions between the Conseil and the VBE, your July 9, 2024 letter stated that the "Conseil considers it to be inconsistent with section 23 of the *Charter* for the Conseil to accept operating its schools out of sites leased long-term from the VBE."

This is a significant change in the Conseil's position. We note that in your letter dated October 25, 2019 to the VBE, you stated that: "[t]here is no doubt that a long-term lease of Queen Elizabeth Annex will benefit CSF students. CSF students living west of Granville Street will finally have access to a facility that meets their immediate, basic needs...Parents whose rights have been violated for years due to a lack of access to French-first language programming will finally be able to exercise them."

Over the course of the latter half of 2021 and the first half of 2022, the VBE took the necessary steps to close the QEA, culminating with the Board's decision to close the school in June 2022. The VBE was working under the understanding during that timeframe that, if the VBE chose to close the QEA, the VBE would then offer the QEA on a long-term lease to the Conseil. That understanding was drawn from the previous discussions between the Ministry, the VBE and the Conseil and from the Conseil's letter of October 25, 2019.

In January 16, 2024, the Conseil's position was that "the Conseil's strong preference is for fee simple ownership...". The Conseil explained in its January 16, 2024 letter why it had a strong preference for fee simple ownership but it was not until the July 9, 2024 letter that the Conseil changed its position to be that a long-term lease was inconsistent with section 23 of the *Charter* and that the Conseil would not accept anything less than fee simple ownership from the VBE.

The Board reiterates that it views 99-year leases as being a win-win solution. The Conseil will have security of tenure until at least 2123. The VBE clearly stated in its proposal that the VBE is not foreclosing the prospect of renewing the lease at the end of its 99-year term. A 99-year lease will provide a security of tenure for a century and potentially longer. Again, the VBE reiterates that there is no reason for the Conseil to suspect that the VBE will not negotiate another lease after the expiry of the 99-year lease. The VBE views this approach as providing security of tenure for the Conseil and flexibility for both parties.

While they were always intended to be temporary solutions to the overcrowding that the Conseil is encountering in its Ecole Rose-des-vents and Ecole Anne Hebert, the leases of the Henderson, Maquinna and Laurier Annexes have been mutually beneficial to the Conseil and the VBE. The VBE has had significant pushback from its constituents regarding the closure and disposal of QEA. Again, the VBE has defended the judicial review and the appeal of these decisions with vigour. It has also entered into a short-term lease of the QEA with the Conseil to assist the Conseil with its immediate needs for seats and classrooms west of Granville Street until such time as a long-term resolution can be arrived at with the Conseil for that site. It is disappointing that the Conseil does not view these short-term leases in the spirit of cooperation that was intended.

VBE and Conseil as School Boards

In response to the Conseil's comparison between the VBE and the Conseil regarding their respective assets, the VBE notes that facilities and assets vary significantly for each school board in British Columbia. For example, the VBE has some of the oldest school buildings in the Province. Additionally, the VBE has many facilities in need of seismic upgrading that it is working on securing provincial funding to upgrade and make safe for its students and staff. With a current enrollment of approximately 50,000 students, the VBE is also planning for the significant growth it has experienced in recent years by applying for provincial funding to create new spaces in areas of high growth. Finally, unlike the Conseil, the VBE does not have access to the same levels of funding from the Provincial or Federal government.

Each school board has unique requirements and considerations, and the Conseil is aware of this. The VBE seeks to work collaboratively with the Conseil to address the interests of both the VBE's and the Conseil's constituents.

Queen Elizabeth Annex ("QEA") and provisions for any long-term lease

The VBE proposes that the parties include the following provisions in the QEA 99-year lease. Of course, the form of lease and any of its various provisions (including the ones proposed below) would be subject to approval of the terms and conditions of the proposed QEA 99-year lease in the form of a bylaw adopted by the Board of Trustees of VBE ("VBE Board Bylaw Approval"). To be clear, the VBE cannot legally or practically bind or fetter in advance the Board's discretion to adopt or reject such a bylaw. Moreover, not only would all of these provisions and the entirety of the lease be subject to VBE Board Bylaw Approval but they would be subject to similar approval by your board and, if required, the Minister's prior approval:

1. ***Lessee control over the site.*** The VBE understands that the Conseil would like full management and control over the property. Therefore, the VBE is prepared to offer that the 99-year lease provide that the Conseil does not need any prior approval from the VBE before making tenant improvements so long as the Conseil is providing educational services for its constituents.

2. ***Renewing the lease***. The VBE proposes that 15 years before the end of the term lease, in 2108, that the Conseil and the VBE provide their intention to renew or not renew the lease. Provisions for the determination of rent for a new term can be included in the lease document.

3. ***The landlord will purchase the tenant's improvements upon the end of the tenancy.*** If the lease is not renewed by the VBE, the VBE proposes that the lease provide that, subject to written funding approval from the British Columbia Ministry of Education and Child Care (or its successor), in its sole, absolute and completely unfettered discretion, and subject to VBE receiving approval of the terms and conditions of the purchase of improvements in the form of a bylaw adopted by the Board of Trustees of VBE, in its sole, absolute and completely unfettered discretion, the VBE pay for the value of the Conseil's improvements on the site, which improvements will be valued within six (6) months of the date of purchase.

4. ***A right of first offer.*** Should the VBE decide to sell the land in fee simple, the VBE proposes that, so long as the tenant under the Lease is the Conseil, the lease provides that the Conseil has the right to make the first offer to purchase the lands. For greater certainty, any offer made by the Conseil to the VBE under this right will be subject to approval of the terms and conditions of the proposed Offer in the form of a bylaw adopted by the future Board of Trustees of VBE, in its sole, absolute and completely unfettered discretion, and such other approval requirements under the *School Act* (British Columbia) or any regulations or orders thereunder during such time.

5. ***A right of first refusal.*** The Lease will contain a right of first refusal to purchase in favour of the Conseil, which term will be filed as a separate charge with the Land Office Title that would stipulate that if the VBE receives an offer to purchase for the lands that the VBE is willing to accept, the VBE must give the Conseil the right to purchase the land on the same terms set out in the offer received by VBE. If the Conseil does not exercise the right of first refusal to purchase, then VBE will be free to sell the lands on the terms and conditions set out in the offer received by VBE. For greater certainty, any third party offer that the VBE is willing to accept under this right will be subject to VBE receiving approval of the terms and conditions of the proposed Offer in the form of a bylaw adopted by the Board of Trustees of VBE, in its sole, absolute and completely

unfettered discretion, and such other approval requirements under the *School Act* (British Columbia) or any regulations or orders thereunder during such time.

The VBE proposes Provision 1 to ensure that the Conseil can provide substantively equivalent educational services while it operates on the QEA site without interference from the VBE.

The VBE proposes Provision 2 to provide assurance to the Conseil that, in the event that the VBE does not wish to renew the lease, there will be sufficient time to enable the Conseil to find a new site and that, in the event that the parties do seek to renew, there is a mechanism for determining rent.

The VBE proposes Provision 3 to ensure that the Conseil will be able to recuperate the value of any improvements made by the Conseil on the land. This will mitigate the issue raised at pages 2 to 3 of the Conseil's letter dated July 9, 2024 regarding tenant improvements.

The VBE proposes Provisions 4 and 5 to provide assurance to the Conseil that, in the event that the VBE considers selling the land, the Conseil is given priority in any contemplated sale.

Dr. A. R. Lord Elementary School ("A.R. Lord")

The VBE has experienced enrollment growth across the school district for the last two school years and this trend appears to be continuing for the 2024/2025 school year. There have been significant developments that impact the VBE's management of its assets since 2022 including immigration rates and changes to zoning of residential density. Previous capacity reduction decisions reflect past VBE determinations of future enrollment and school capacity requirements. These are some of the reasons why the VBE cannot simply close schools and dispose of school sites without significant consideration.

This is why the VBE proposed that the current A.R. Lord site be subdivided with two schools built on it. The VBE will not have to undergo its school closure process in this case. The VBE views this as expediting the process to ensure that the Conseil will be able to have an elementary school in Vancouver Northeast.

As a fellow school district, the Conseil can appreciate that the Long Range Facilities Plan (LRFP) is updated periodically to ensure that the VBE makes decisions that align with current needs of the District. The LRFP is designed to reflect up to date information and ongoing planning processes that advance the strategic goals of the school district. Further, the Ministry's capital planning instructions require school districts to have an up to date and accurate LRFP to help guide any decisions for capital asset management. This is not a static document and reflects changes that may impact the school district and it can take time for changes to be reflected in the LRFP. For example, the VBE is currently undertaking an analysis of the impact of the new densification legislation on projected student enrolment. The VBE cautions the Conseil against using VBE data that is not up to date; instead, it would be more efficient to engage school board to school board in a collaborative manner.

The current A.R. Lord site is sufficient for a Conseil school and a VBE school. However, the VBE is willing to approach the City of Vancouver with the Conseil to request usage of the parking lot in the Northwest portion of the site to build on. If the Conseil is unwilling to share a playing field with the VBE, the VBE suggests that the usage of the parking lot will potentially enable two playing fields on this site. Again, the VBE reiterates that the VBE will work to ensure homogeneity for Conseil students. If the footprint of both schools can be minimized by building multilevel facilities then the parties can work together to maximize the site to the benefit of both school districts.

The VBE does not view it as necessary to acquire the eight residential properties to the Southeast of this site. Moreover, the VBE could only exercise its expropriation powers to acquire such sites if it is deemed necessary for the VBE's purposes. It would be difficult to make that argument in these circumstances.

The VBE requests confirmation that the Conseil is willing to move forward with subdivision of the current A.R. Lord site without the eight residential properties and without the guarantee of the redevelopment of the parking lot owned by the City of Vancouver.

The VBE would propose the same five provisions for the 99-year lease as has been proposed for QEA.

Sir Guy Carleton Elementary School ("Carleton")

In the letter dated March 11, 2024, the VBE explicitly indicated that a judicial pronouncement regarding the Conseil's entitlement is not required. However, practically, the VBE understands that the Province must approve funding for the acquisition of sites. As stated before, the January 16, 2024 was the first time the Conseil provided any formal request to the VBE regarding Carleton. The VBE must reiterate that disposing a school site takes significant resources for the VBE. Therefore, the VBE will only undertake these considerations if it is a Ministry-supported project.

Again, the VBE cautions the use of the 2022 LRFP instead of discussing directly with VBE representatives. The VBE can assure the Conseil that the study of the recent provincial and City densification mandates and the impacts on projected student enrolment are currently underway. These changes in both municipal and provincial legislation and policy are unlike any the VBE has seen. Again, the VBE must reiterate that it is ultimately responsible for its own constituents. Managing assets and facilities is extremely challenging when external forces outside of the VBE's control puts pressure on the school district.

While the Board is committed to furthering francophone education and promoting the interests of section 23 rights holders, it cannot dispose of sites without significant consideration of these future enrolment pressures. As well, the VBE must follow its processes for disposal in keeping with Ministerial Orders and VBE Policies. The Board cannot prejudge its determinations in advance of required public consultation for the closure and disposal of any school site, Carleton included. These consultations have not yet occurred. The VBE is not prioritizing its "hypothetical interests", the VBE is carefully balancing the current realities for the school district along with the needs of section 23 rights holders when disposing of its assets.

Therefore, these challenging factors should not be viewed as a reflection of the VBE's willingness or unwillingness to renew a long-term lease with the Conseil on other sites where the VBE has offered a long term lease. Once the studies are completed, the VBE will review the Conseil's request regarding Carleton.

Laurier Annex ("Laurier")

The VBE reiterates its offer to allow the Conseil to lease Laurier Annex until the completion of the Conseil school in the Heather Lands. The support of the Ministry would be required to allow the VBE to extend past the limit of ten years without being considered a "disposal" and invoking the disposal policy requirements. The VBE understands that the Conseil has been in negotiations with CLC/MST for an extended period of time and that the City of Vancouver Council unanimously approved the Heather Lands rezoning application on May 24, 2022, which included the Conseil's new school. The VBE further understands that the CLC/MST and Conseil are close to finalizing a 99-year lease of the Heather Lands.

The VBE has consistently communicated to the Conseil that Laurier Annex would be leased on a temporary basis to reduce enrollment pressures on the Conseil. The Conseil and VBE entered into the short-term lease on the basis that the Conseil would use Laurier Annex to temporarily relieve enrollment pressure.

From the outset, however, the VBE has indicated that future enrolment pressures will mean that the VBE will likely need the use of Laurier Annex again. It therefore respectfully declines to transfer an ownership interest or a 99-year lease of this facility to the Conseil.

Resolution and Collaboration

The VBE would like to move towards a resolution of this issue. The VBE's revised offer for a long term 99-year lease for the Conseil, including the recommended provisions that would afford increased security for the Conseil, will allow for stable, long-term security of tenure for the provision of French first-language education for multiple generations of children of francophone rights holders. As stated earlier, the VBE is committed to the promotion of a healthy and vigorous francophone community in the City of Vancouver.

The VBE also continues to be committed to collaborating with the Conseil. The VBE reiterates its offer of swing-space when the Conseil builds its new schools. This offer also extends to any projects that the Conseil may undertake for upgrades to its existing schools and that may require displacement of Conseil students during the period of upgrade work.

In the spirit of collaboration and in keeping with its commitment to French first-language education, VBE staff advised City of Vancouver representatives that the Conseil should be invited to participate in the engagement activities related to the development of the City of Vancouver Official Development plan and noted that future facilities needs of the CSF need to be included in the city's future plans specifically in relation to section 23 *Charter* rights for francophone students to have access to French-first language education in Vancouver. If you have not already, we recommend that the Conseil reach out directly to the City of Vancouver and ask to be involved so that the Conseil may raise its future needs directly to the City of Vancouver and can be included in the City's future Official Development Plan.

We look forward to your response.

Victoria Jung
Chair, The Board of Education of School District No. 39 (Vancouver)

cc. Office of The Minister of Education and Child Care
Chris Brown, Assistant Deputy Minister, Resource Management Division
Damien Crowell, Executive Director, Capital Management Branch
Pascale Bernier, Conseil Superintendent
Chafic El Rassi, Director of Conseil Capital Projects Office
Flavia Coughlan, Secretary-Treasurer, VBE
Helen McGregor, Superintendent, VBE

BY EMAIL: Victoria.Jung@vsb.bc.ca

Richmond, July 9, 2024

Victoria Jung
Chair
Board of Education of School District No. 39 (Vancouver)
1580 West Broadway
Vancouver, BC V6J 5K8

Re: Response to the Chair of the Vancouver Board of Education's letter of March 11, 2024

Dear Ms. Jung:

I write on behalf of the Conseil scolaire francophone de la Colombie-Britannique ("**Conseil**") in response to your letter of March 11, 2024 on behalf of the Vancouver Board of Education ("**VBE**"), in which you conveyed the VBE's offer to the Conseil of "a long-term lease of the [Queen Elisabeth Annex ("QEA")] site for 75 years subject [to] reasonable negotiated commercial and business terms and subject to ultimate approval of the lease by the Board and the Minister." I also write further to my email of December 7, 2023, and your response of December 21, 2023 regarding a meeting in the new year, and further to discussions held between senior staff of our respective school districts over the last few years regarding the CSF's interest in acquiring certain VBE school sites to remedy various Charter breaches in Vancouver.

Your March 11, 2024 letter responded to my January 16, 2024 letter on behalf of the Conseil, in which the Conseil proposed to acquire a permanent property interest in four VBE sites:

a. Queen Elizabeth Annex (the whole site) (the "**QEA site**") for a K-6 school;

b. Sir Wilfrid Laurier Annex (the whole site) (the "**Laurier Annex site**") for a K-6 school;

c. Sir Guy Carleton Elementary (the whole site) (the "**Carleton site**") for a 7-12 school; and

d. a site in the Conseil's Northeast Vancouver catchment area for a K-6 school, either:

    i. Dr. A. R. Lord Elementary site (the whole site) (the "**Lord site**"); or

ii. perhaps a 3.1-acre polygonal portion of the south-east portion of the approximately 22-acre Vancouver Technical Secondary School site, if it is determined that such a portion can in fact serve as the location of a Conseil elementary school notably given its considerable elevation and slope vis-à-vis Slocan Street and Central Valley Greenway.

To be more precise, in my January 16, 2024 letter, I indicated on behalf of the Conseil:

> The Conseil's strong preference is for fee simple ownership. However, the Conseil is prepared to accept a number of alternatives as a compromise. In particular, **the Conseil would accept an "Ownership Interest" that meets the following definition:**
>
> > Fee simple ownership, ownership with a right of first refusal to the VBE should the Conseil decide to sell, lease with option to acquire fee simple ownership, or any other form of transaction conferring title, or the right to obtain title, agreed to by the Conseil and the VBE, without limiting the form of tenure in advance.[1] (emphasis and footnote in original)

The Conseil reiterates this definition of Ownership Interest as it was nowhere addressed in your March 11, 2024 letter.

General comments regarding why the Conseil cannot accept to lease sites long-term from the VBE

Before addressing the aspects of your March 11, 2024 letter that deal with specific sites, the Conseil would like to offer some more general comments.

In its January 16, 2024 letter, the Conseil explained the vital importance of **permanent** school sites to the preservation and development of the French-speaking community.

While the Conseil appreciates the VBE's offer to extend its proposed lease term from 75 to 99 years, for the reasons set out in its January 16, 2024 letter, **the Conseil similarly cannot accept a long-term lease with a 99-year term**.

The VBE's March 11, 2024 letter raises one point that is more specifically tied to the 99-year term. It notes that **99 years exceeds the lifetime of a well-maintained school** and suggests that this means that a 99-year lease provides stability for the Francophone community. On the contrary, the mismatch between the lifespan of a school building and the term of a long-term lease is a significant factor contributing to the instability of the Conseil's position in a long-term lease scenario. Given this mismatch, there would be a

[1] The Conseil would also consent to any Ownership Interest that confers the right to obtain title on a deferred basis, conditional on the Province's agreement, in advance, that it will provide sufficient funding for the acquisition of such title.

predictable need for a major capital expenditure to enable the Conseil to continue to offer a substantively equivalent education – long before the expiry of the lease term. The Conseil could not responsibly proceed with such a major investment (to say nothing about whether the Province's support would be forthcoming) without securing a lease renewal; failing such a renewal, the Conseil would have to make every effort to secure an alternative site, where it could hope to enjoy the full benefit of its capital investment. Conversely, if the Conseil owned the site, the periodic need for significant construction projects would pose no such difficulty.

The VBE stated in its March 11, 2024 letter that "[t]he VBE must balance the Conseil's preferences with the VBE's institutional obligations." As explained in the Conseil's January 16, 2024 letter, what is at stake is not the Conseil's "preferences" – but the Conseil's legal obligation to secure the constitutional rights of its current and future constituents and, indeed, the survival and flourishing of the French-speaking community in Vancouver.

The VBE's March 11, 2024 letter makes very clear that the VBE is offering the Conseil 99-year leases, as opposed to permanent ownership, because the VBE anticipates that it will take back the sites for itself at the end of the lease terms, placing the Conseil once again in the untenable position of searching for schools for its students. As the VBE put it generally, "[t]he VBE considers that a 99-year long term lease is a good compromise between ensuring that the Conseil has very long term security of tenure for the schools, for its students, **and the need for the VBE to look out for the long term interests of its constituents**." The Conseil understands that the "long-term interests of the VBE's constituents" are set out in more detail in the following factors, quoted from your letter, that the VBE says it has accounted for:

a) the long term requirements of the VBE and its constituents for educational facilities and school sites;

b) the present and future circumstances and numbers of its constituents and their geographic placement;

c) the availability or lack thereof of sites for future schools;

d) the long term potential for population growth and therefore for educational facilities;

e) the financial costs of future site acquisitions; and

f) the requirements of Policy 14 School Closure and Policy 20 Disposal of Land or Improvements.

The identification of these interests confirms that the VBE intends to preserve, in the long term, its ability to use the sites for itself and/or monetize the future value of the sites

(e.g., by developing all or a portion of the sites or extracting full market value from the Conseil as a condition of renewal) to meet its future needs.

The Conseil therefore takes no comfort from the statement in your letter that "the VBE does not agree that the Conseil would need to initiate a search to secure a new site decades before a long-term lease would expire: it should not be taken as a given that the VBE would not agree to a renewal of the lease at the end of its 99 year term."

Of course, the theoretical possibility of renewal does not address the Conseil's concerns about security of tenure. At minimum, the Conseil would need to enter such negotiations long before the term of the lease, and with sufficient time to enable the Conseil to search for a new site in the event that the Conseil and the VBE could not agree on a renewal. The fact that the VBE does not, today, entirely exclude the possibility that it would be willing to renew the lease on terms favourable to it in 99 years is cold comfort to the Conseil.

Indeed, each of factors (a)-(e) identified by the VBE, are also reasons why the Conseil requires Ownership Interests as opposed to merely long-term leases. However, these factors are more significant to the Conseil for at least three reasons. First, public bodies like the City of Vancouver and the University of British Columbia have consistently agreed to set aside lands for the VBE to enable it to construct schools to satisfy its enrolment needs. The Conseil has never been offered such lands. Second, the VBE has the power to expropriate land if necessary to enable it to build schools where it needs them. The Conseil has no such power. Third, the VBE already has an Ownership Interest in more than 100 school sites in Vancouver. Even if it could not obtain additional lands when needed – which has never happened – it could continue to serve its students with the lands it owns. This is simply not true of the Conseil.

Furthermore, the VBE's proposal that the Conseil lease for 99 years a subdivided portion of the Lord site suggests that the VBE has made a policy decision to only offer the Conseil long-term leases, and not permanent property interests. The harms to section 23 parents and children, as well as the French-speaking community, of long-term leases would be far more severe if numerous Conseil schools in Vancouver were on sites leased long-term. Such a scenario would set the Conseil up for a space crisis across Vancouver in the last decades of the leases – the Conseil would find itself scrambling to accommodate students (hundreds per school) throughout the city.

Indeed, the Conseil expects that, if it is able to secure a portion of the Heather Lands for a Conseil school, it will be leased long-term. The Conseil accepts this due to the highly exceptional circumstances of the Heather Lands, including the Conseil's deep commitment to contributing to reconciliation with the Musqueam, Tsleil-Waututh, and Squamish Nations. Far from suggesting the Conseil should similarly lease long-term from the VBE, this reality only heightens the importance of the Conseil securing permanent property interests for the remainder of its schools in Vancouver.

The VBE's apparent shift towards offering the Conseil long-term leases instead of fee-simple ownership is also a concerning departure from past practice. As you note in your letter, the VBE sold (i.e., transferred fee simple interests in) both the Oakridge site and the Anne Hébert site to the Conseil. The Conseil cannot understand why the VBE is now departing from this past practice.

The VBE's own leases are not comparable to the leases it is offering to the Conseil

In its March 11, 2024 letter, the VBE states that it itself leases sites, which the Conseil understands as suggesting that there is no inequality arising from circumstances in which the Conseil leases sites from the VBE. However, the circumstances of the VBE and the Conseil are far from equal.

To begin, **from a purely numerical perspective**, the VBE leases a far smaller proportion of its sites in Vancouver than the Conseil would lease, even if the VBE agreed to transfer to the Conseil fee simple interests in each of the QEA, Lord, Laurier Annex and Carleton sites. In such a case, if the Conseil obtained a 99-year lease for the Heather Lands, the Conseil would lease one out of its seven sites for schools in Vancouver (i.e., adding the Oakridge site and the Anne-Hébert site). That is, the Conseil would lease 14% of its schools in Vancouver. According to the VBE's LRFP updated in May 2022, the VBE then had 12 annexes, 77 elementary schools, and 18 secondary schools, for a total of 107 schools; the VBE's total owned land-area was 242 hectares and it owned 122 sites. Even excluding the sites that the VBE owns, but is not using for schools (almost certainly an unduly generous assumption), the VBE would have to lease the sites for **15** of its schools to be in a **numerically** comparable position to that the Conseil seeks to be in by acquiring Ownership Interests in the QEA, Lord, Laurier Annex, and Carleton sites. **For the VBE, any instability of tenure that might arise from it leasing is numerically marginal at most. Conversely, the VBE would have the Conseil be a tenant in the vast majority of its schools in Vancouver.**

In any event and more fundamentally, **the VBE does not experience any meaningful insecurity of tenure from its leases**. Neither the VBE, nor any other English-language school board in the Province, as far as the Conseil is aware, lease schools from other school boards. The Conseil certainly never leases school sites ***to***, but often leases them ***from***, English-language school boards. In its letter, the VBE identifies only one school that is currently on lands leased long-term (Queen Elizabeth Elementary School, which the City of Vancouver leases from the Province) and one site for a future school that the VBE leases long-term from the City of Vancouver (the Olympic Village school site). **In both cases, the VBE's interests are aligned with those of the landowner and cannot reasonably be expected to conflict in the future: so long as there is a need for English public education in the area, one cannot seriously doubt that the Province and the City of Vancouver will support the VBE's continued tenure.**

Indeed, the price paid for the lease of Queen Elizabeth Elementary School shows that, unlike any lease the VBE has offered the Conseil, it is purely for the benefit of the lessee; though originally leased at $100 per year, it was amended to $1 prepaid for the final 33 years of the lease (April 1, 2004 to April 1, 2037).

Notably, the VBE's short-term leases of facilities to the Conseil have generated considerable revenue for the VBE and have enabled it to monetize school facilities that the VBE does not need for educational purposes. While the VBE did need to close a programme at QEA (and accommodate QEA students at a nearby school that is seismically upgraded and has excess capacity) to make it available to the Conseil, each of Chief Maquinna Annex, Laurier Annex and Henderson Annex had **no enrolment** when they were leased to the Conseil. Further, the VBE did not initially offer Laurier Annex to the Conseil, but was privately marketing the site on Colliers when the Conseil became aware of it. With the exception of QEA, it is difficult to characterize any of these short-term leases as animated by a concern for the Conseil's interests, as opposed to simply the VBE's self-interest.

A proposed way forward on the issue of long-term leases versus permanent property interests

For the many reasons set out in this letter and in the Conseil's January 16, 2024 letter, the Conseil considers it to be inconsistent with section 23 of the *Charter* for the Conseil to accept operating its schools out of sites leased long-term from the VBE. I sincerely hope that this letter will persuade the VBE to reconsider its position and pursue negotiations for the transfer of Ownership Interests to the Conseil.

With that being said, the constitutionality of a situation where the French-speaking minority is forced to lease from the English-speaking majority is currently before the courts. If the Conseil and the VBE cannot agree on this point, it will eventually be decided for us.

However, it may be years before this matter is finally resolved by the courts. It serves no one for the Conseil and the VBE's negotiations to be stalled in the interim – least of all the families the Conseil serves who have been waiting for decades to have their court-declared *Charter* rights in Vancouver vindicated.

The Conseil accordingly proposes the following in any case where the VBE is otherwise unwilling to transfer an Ownership Interest in a site to the Conseil: the Conseil and the VBE enter into a 99-year lease for the site, subject to an agreement that the VBE will transfer fee simple ownership to the Conseil if it is finally determined by a court that it would be contrary to section 23 of the *Charter* for the Conseil to lease the site long-term from the VBE.

This agreement would allow the Conseil to immediately begin construction of a suitable school on the site and avoid further delays to the implementation of section 23 of the *Charter*. Further, although the time it would take for a final resolution by the courts would be devastating in terms of additional delays to the implementation of section 23, such a final resolution can be expected long before the point in time in a 99-year lease when the Conseil would have to consider renewal or securing an alternative site.

To be clear, the Conseil is making this offer solely to avoid the harm of further delay, since it allows the Conseil to begin to open schools more quickly. The Conseil maintains its position that a 99-year lease from the VBE does not satisfy the requirements of section 23. This offer is made on the strict condition that it is entirely without prejudice to the Conseil's position that a 99-year lease from the VBE is constitutionally inadequate and that the current litigation must proceed to allow the Court to decide the issue.

For further clarity, this proposal is also subject to the Conseil and the VBE arriving at mutually agreeable terms for the 99-year leases.

QEA

The Conseil reiterates its offer to acquire an Ownership Interest in the QEA site.

If the VBE is not willing to transfer an Ownership Interest in the QEA site to the Conseil, the Conseil proposes that the Conseil and the VBE immediately enter into a 99-year lease for the site, including a provision providing that the VBE will transfer fee simple ownership to the Conseil if it is finally determined by a court that it would be contrary to section 23 of the *Charter* for the Conseil to lease the QEA site long-term from the VBE.

Lord

The Conseil was surprised to read in the VBE's letter, that "To close A.R. Lord (which is not part of the VBE's district-wide operational plans) and to arrange for its disposal, the VBE would have to assess capacities of neighbouring schools, enrolment projections, seismic safety of different school sites, its plans for seismic upgrades of the same, the Long Range Facilities Plan, and many other factors."

The VBE recently updated its Long-Range Facilities Plan ("**LRFP**") in May 2022. That LRFP studied the factors the VBE now says it needs to assess – and makes clear that the VBE does not need Lord to accommodate its students.

According to the LRFP updated in May 2022, the enrolment at Lord in 2021 was less than 60% of operating capacity (193/330) and was projected to decline to less than 50% (158/330) in 2031. Taking together the Templeton Secondary family of elementary schools ("**Templeton FOS**"), which includes Lord, 2021 enrolment was significantly less than

operating capacity (at 1910/2344) and was projected to decline further by 2031 (to 1625/2344). Lord's current and projected enrolment can easily be accommodated in the Templeton FOS. Indeed, the excess space across the seven elementary schools in the Templeton FOS was well over the operating capacity of Lord in 2021 and will be more than double Lord's operating capacity in 2031.

Strikingly, there is so much excess capacity in this region that the VBE deliberately and substantially reduced the capacity of wəkʷaṅəs tə syaqʷəm Elementary (formerly Sir Matthew Begbie Elementary) when it was recently replaced. The number of classrooms was reduced from 20 to 14, reducing its operating capacity from 457 (as reported in the VBE's May 2016 LRFP) to 307 (as reported in the VBE's LRFP updated May 2022).

Conversely, the Conseil has an urgent need for a site for an elementary school in Vancouver Northeast – in order to finally implement section 23 rights that were declared by the Supreme Court of Canada nearly four years ago. The Conseil requested the whole Lord site because VBE schools in the area are typically located on sites of a similar size.

Nevertheless, the Conseil wishes to collaborate with the VBE and is willing to compromise. The Conseil knows all too well how difficult it is for families when they cannot count on stability in their children's educational experience – relocating educational programs is hard on students, parents, educators, and the broader community. This, of course, is part of why the Conseil seeks permanent sites for its schools. For this reason, the Conseil is very motivated to avoid disruptions for VBE students and families, to the extent possible.

At the same time, there are significant challenges with your proposal for the Conseil and the VBE to share the Lord site. Again, subject to the Conseil's proposed way forward, the Conseil cannot accept the offer of a 99-year lease.

Further, contrary to the suggestion in your letter, it is not consistent with the section 23 right to a homogeneous school for the Conseil to share green space or common space with an English-language school. The 2020 *CSFCB* Supreme Court of Canada decision stressed "the importance of homogeneous schools **as linguistic islands in a minority environment**" and explained that "where the official language minority is entitled to a homogeneous school, **that minority has control over every aspect of the premises** and of the provision of instruction" (paras 74 and 122, emphasis added).

The Conseil therefore makes the **following counter-proposal** with a view to ensuring that the Conseil can offer an education compliant with section 23, and the Conseil and the VBE can both take advantage of the Lord site to provide high quality educational services:

While the Lord site is currently too small to fit two wholly distinct schools (i.e., without the need to share space), the amount of available space could be sufficiently expanded to achieve this if adjacent lands were acquired to supplement the land currently held by the VBE. In particular, the Conseil **proposes** that:

(a) the VBE, the Conseil and the Province jointly approach the City of Vancouver in order to acquire the parking lot owned by the City, (the northwest portion of the site), so that it may serve the far more valuable purpose of education; and

(b) the residential properties located in the southeast portion of the site be acquired, ideally with the consent of the current owners, but if such consent cannot be obtained, through expropriation by the VBE.

The site expanded as set out in (a) and (b) (the "**Expanded Lord site**") could then be subdivided into two roughly equally-sized sites – one for the VBE and one for the Conseil. The Conseil is amenable to the VBE occupying the eastern portion of the site where the Lord school is situated, as the VBE suggests in its letter, and the Conseil occupying the western portion of the site.

The Conseil proposes that the Conseil, the VBE and the Province immediately enter into an agreement to collaboratively use best efforts to acquire the above-described parking lot and residential properties to be jointly held (or if expropriated, held in trust by the VBE) for the purpose of giving effect to either Proposal 1 or the alternative Proposal 2, as follows:

Proposal 1

> **The Conseil proposes that the VBE retain ownership of the eastern portion of the Expanded Lord site, and that the Conseil would acquire an Ownership Interest in the western portion of the Expanded Lord site.**
>
> **Additionally, the Conseil proposes that the VBE and the Conseil grant to one another a right of first refusal should either decide to sell their respective portion of the Expanded Lord site.**

Proposal 2

> **If the VBE is not willing to grant to the Conseil an Ownership interest in the western portion of the Expanded Lord Site, the Conseil proposes that the Conseil and the VBE immediately enter into a 99-year lease for that portion of site including a provision providing that the VBE will transfer fee simple ownership to the Conseil if it is finally determined by a court that it would be contrary to section 23 of the *Charter* for the Conseil to lease the western portion of the Expanded Lord site long-term from the VBE.**

<u>Sir Guy Carleton Elementary School ("Carleton")</u>

It is unclear what meaning the VBE gives to the fact that there is no court-declared entitlement to a secondary school in Vancouver East. Obviously, it would be extremely

detrimental to the Francophone community if it had to prove every violation of section 23 in court before it could obtain a new school. As I am sure you know, the Supreme Court of Canada admonished the Province for requiring "interminable judicial proceedings" to assert language rights, as a result of which "the exercise of those rights is too often delayed, if not diminished" (*CSFCB 2020* at para 56).

Although the Conseil has not spent – and should not have to spend – a decade in litigation to obtain a court declaration (as it has to obtain declarations of entitlement to elementary schools in Vancouver), the Conseil does desperately need a secondary school in Vancouver, east of Main Street.

École secondaire Jules Verne ("**Jules Verne**") is the only secondary school located in Vancouver and serves students residing in Vancouver, Richmond, parts of Burnaby and New Westminster. It was built to accommodate 350 students. In the 2023-24 school year, 527 students are enrolled. To accommodate the additional students, the Conseil has divided the woodworking shop to create additional classrooms (eliminating its ability to offer a woodworking course). Students at Jules Verne are accommodated in portables on the school site (that were meant to serve École Rose-des-Vents elementary students) and use classroom space in the École Rose-des-Vents elementary school facility. The Conseil also leases the basement of the 7th Day Adventist Church to provide additional classroom space.

Further, enrolment at Jules Verne is depressed by the long travel times experienced by most students who attend. The vast majority of section 23 parents living in the Jules Verne catchment area live much closer to an English-language secondary school. A secondary school on the Guy Carleton Elementary School site would be far more accessible to many of those families – such that the Conseil's secondary enrolment numbers would increase.

Once École Rose-des-Vents is relocated, Jules Verne will take over the entire site. However, the site will still be inferior to VBE sites as it is significantly smaller than all VBE secondary sites and there is no sports field.

The Conseil has asked the Province to support its request to acquire a site and construct a new secondary school in Vancouver, east of Main Street. I have copied representatives from the Ministry of Education on this letter **– and request that the Ministry of Education confirm its support by letter in response to both the Conseil and the VBE.**

In its letter, the VBE indicates that it would need to undertake a vigorous review of the long-term implications of the *Housing Statutes (Residential Development) Amendment Act, 2023* and the City of Vancouver's relaxed approach to multiplex housing before it could make any commitments in relation to the formal closure of Carleton or the possible disposal of the site (which the VBE notes is not currently part of its district-wide operational plans).

The Conseil finds this response difficult to understand. **The Conseil has an immediate need for a site for a second secondary school in Vancouver to deliver constitutionally**

guaranteed educational services. Conversely, the VBE is not using and does not need the Carleton site, nor does the VBE currently have any plans to use the site to offer educational services. Indeed, Carleton has been considered for permanent closure three times in less than fifteen years. Just last summer (July 7, 2023), VBE staff recommended the permanent closure of Carleton effective January 1, 2024. The many reasons cited included:

(a) No VBE students have been accommodated at Guy Carleton Elementary School since the 2015-2016 school year.

(b) Since September 2016, students originating from the Carleton catchment have been readily accommodated at nearby schools (principally: Dr. George M. Weir ("Weir"), Dr. H.N. MacCorkindale ("MacCorkindale"), and G.T. Cunningham ("Cunningham") elementary schools). Enrolment from Carleton catchment students has declined since 2016 in alignment with the decline in youth population in the catchment. A further enrolment decline is forecast. Weir, MacCorkindale, and Cunningham all have surplus capacity.

(c) The VBE has reduced the catchment area of Carleton and increased the catchment areas of Weir, MacCorkindale, and Cunningham, such that there are now no residences in the Carleton catchment area. No VBE students reside in the current Carleton catchment area.

(d) The Carleton site presents potential opportunities for alternate community use and capital revenue generation for the Board. Some of these opportunities can only be realized through a long-term lease of the site or fee simple sale of a portion of the site which require a site surplus declaration by the Board.

Indeed, according to the VBE's LRFP updated in May 2022, enrolment is declining throughout the VBE's Southeast Vancouver region. Total elementary capacity utilization in this region was 77% (7295/9437) in 2021 and was projected to decline to 69% (6501/9437) in 2031. Total secondary capacity utilization in this region was 68% (4682/6850) in 2021 and projected to decline to 60% (4099/6850) in 2031.[2]

The VBE's LRFP updated in May 2022 also provides further details of just how much extra space there is across Carleton and the three schools where former Carleton catchment

[2] The VBE's LRFP updated in May 2022 provides the number of fee-paying international students for secondary schools only, not for elementary schools. For consistency, the numbers included in this letter are totals including international students. However, these numbers systematically overstate the VBE's capacity needs (which do not include accommodating fee-paying international students). For example, in 2021, there were 4575 British Columbia resident students enrolled in the VBE's secondary schools in the Southeast Vancouver region. If this number were used, the total secondary capacity utilization rate would be 66.8% (instead of 68.4%) in 2021.

students are now accommodated. The Conseil has consolidated the relevant data, drawn from the LRFP, in a table for ease of reference:

School	Operating Capacity	2021 Enrolment	2021 Capacity Utilization	2031 Enrolment	2031 Capacity Utilization
Weir	420	354	84%	284	68%
MacCorkindale	443	254	57%	167	38%
Cunningham	597	338	57%	333	56%
Carleton	556	80	14%	64	12%
Total	**2016**	**1026**	**51%**	**848**	**42%**
Adjusted Total (including all enrolment and excluding Carleton capacity)	**1460**	**1026**	**70%**	**848**	**58%**

Quite apart from the capacity to accommodate thousands more students than are currently enrolled and projected to be enrolled in the VBE's schools in Southeast Vancouver, the schools that are currently accommodating Carleton catchment students themselves have far more capacity than they need. Without Carleton, the capacity utilization of those schools was only 70% percent in 2021 – and there was space to accommodate 434 additional students. Without Carleton, the capacity utilization of those schools was projected to be only 58% in 2031 – and it was projected that there would be space to accommodate an additional 612 students.

The VBE's March 11, 2024 letter points to provincial and municipal measures designed to promote densification and indicates that the VBE Board has already directed staff to study the impact of these measures on the VBE's LRFP. Worryingly, the VBE's letter suggests no timeline for when this new round of study will be complete.

The Conseil is concerned, however, that this new round of study will significantly delay the implementation of section 23 for secondary students in Vancouver. Governments are likely to adopt measures aimed at increasing densification to promote housing affordability from time to time for the foreseeable future. Such measures cannot, each time they are adopted, require the VBE to return to the drawing board to reassess its prior assessments that make clear that the VBE needs a site much less than the Conseil does.

More importantly, to the extent that policies promoting densification do dramatically increase the population of Vancouver and the Lower Mainland, **such measures will only make the Conseil's currently critical need for space more dire.**

Further, unlike the Conseil, the VBE can count on the City of Vancouver to consider its needs as part of overall urban development plans. As neighbourhoods change, the City of

Vancouver has ensured and will ensure that land is set aside for VBE schools. As such, if ever the VBE does need additional capacity for its students in Vancouver southeast, it can rest assured that those needs will be met – as has been the case in Olympic Village and Coal Harbour, for example.

In its approach to Carleton, the VBE is prioritizing its hypothetical interests in the distant future over the Conseil's immediate and critical needs. This approach does not give due consideration to the preservation and development of the French-speaking community, nor can the English-speaking majority and the French-speaking minority be considered equal partners in such a skewed dynamic.

Moreover, the VBE's approach to Carleton is illustrative of the Conseil's broader concerns regarding long-term leases. The Conseil has no confidence that it will be able to persuade the VBE to renew a long-term lease if the VBE is so reticent about transferring a school it has not used for nearly a decade to the Conseil, when neighbouring VBE schools all have surplus capacity. Rather, the VBE's approach to Carleton suggests that the VBE will have no compunction about evicting the Conseil from sites leased long-term if the VBE considers it possible that it might want the site several decades in the future.

Concretely, the Conseil reiterates its offer to acquire an Ownership Interest in the whole Carleton site.

If the VBE is not willing to transfer an Ownership Interest in the whole Carleton site to the Conseil, the Conseil proposes that the Conseil and the VBE immediately enter into a 99-year lease for the site, including a provision providing that the VBE will transfer fee simple ownership to the Conseil if it is finally determined by a court that it would be contrary to section 23 of the *Charter* for (i) the Conseil to lease sites for its schools long-term from the VBE (e.g., as a general conclusion in the present litigation between the Conseil, the VBE and the Province) or (ii) the Conseil to lease the Carleton site long-term from the VBE (i.e., in litigation subsequent to the present litigation between the Conseil, the VBE and/or the Province).

<u>Laurier Annex</u>

The Conseil is seeking to acquire an Ownership Interest in the Laurier Annex site to remedy long-standing court-declared section 23 breaches. The Conseil has been pursuing a site for a new section 23 elementary school west of Granville Street as early as 2001, and a site other than the Oakridge site for École Rose-des-vents since at least 2004. It has been more than a decade since the Supreme Court of British Columbia confirmed that École Rose-des-vents did not meet the constitutional standard of equivalence (confirmed by the Supreme Court of Canada in 2015).

Despite the critical need for timely implementation of section 23 rights to avoid assimilation and the loss of section 23 rights, the Conseil still does not have a substantively

equivalent school between Main and Granville streets. Generations of elementary school students have already been denied a constitutionally guaranteed quality French-language education. In this context, the Conseil urgently needs a secure and durable solution between Main and Granville streets.

While the VBE correctly notes that the Conseil is working to secure a one-acre portion of the Heather Lands, the Conseil has no reliable timeline whatsoever for the completion of these negotiations. The Conseil will also need to acquire three additional private properties adjacent to the Heather Lands in order to move forward with building a school on the site. While the Heather Lands are important to accommodate the Conseil's enrolment in the medium term, they cannot provide a timely remedy for the longstanding section 23 breach in Vancouver between Main and Granville streets.

While the Conseil urgently needs a permanent site for a school in Vancouver between Main and Granville streets – which acquiring an Ownership Interest in Laurier Annex would provide – the VBE does not currently need Laurier Annex to accommodate its own enrolment.

Although the VBE's LRFP updated in May 2022 makes clear that VBE school space is more limited in the vicinity of Laurier Annex than it is in the vicinity of Lord or Carleton, it nowhere indicates that the VBE will require additional elementary school sites in this area or that it will need to re-occupy leased sites. On the contrary, the VBE's LRFP updated in May 2022 states that "As needed, surplus seismically safe capacity in nearby schools, including Osler and Trudeau elementary schools may be used to accommodate overflow from the Churchill FOS [i.e., Laurier, Sexsmith and Lloyd George elementary schools]."

Should the VBE ever need additional sites for elementary schools in the area, it can rely on assistance from the City of Vancouver, can use its expropriation powers, or consider re-occupying the Shannon Park Annex (currently leased to the Vancouver Hebrew Academy).

Again, the Conseil asks that the VBE put the Conseil's immediate needs to remedy court-declared constitutional breaches that have been ongoing for more than a decade ahead of the VBE's hypothetical future needs – which needs the VBE has many other ways to meet.

Accordingly, the Conseil reiterates its offer to acquire an Ownership Interest in the Laurier Annex site.

If the VBE is not willing to transfer an Ownership Interest in the Laurier Annex site to the Conseil, the Conseil proposes that the Conseil and the VBE immediately enter into a 99-year lease for the site, including a provision providing that the VBE will transfer fee simple ownership to the Conseil if it is finally determined by a court that it would be contrary to section 23 of the *Charter* for the Conseil to lease the Laurier site long-term from the VBE.

I look forward to hearing from you.

Marie-Pierre Lavoie

Chair

Copy: The Honourable Rachna Singh, Minister of Education and Child Care
Chris Brown, Assistant Deputy Minister, Resource Management Division
Damien Crowell, Executive Director, Capital Management Branch
Amanda Austin, Regional Director, Major Capital Projects and Child Care
Flavia Coughlan, CPA, CGA, ICD.D, Secretary-Treasurer/CFO, VBE
Pascale Bernier, Conseil Superintendent
Chafic El Rassi, Director of Conseil Capital Projects Office

March 11, 2024

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britannique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
E: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie

Re : Response to Conseil scolaire francophone de la Colombie-Britannique's ("Conseil") letter of January 16, 2024

On behalf of the Vancouver Board of Education ("VBE"), I write in response to the letter sent by you on behalf of the Conseil dated January 16, 2024.

In the January 16, 2024 letter, the Conseil rejected the offer of the VBE made by our letter dated December 6, 2023 to lease Queen Elizabeth Annex ("QEA") school site to the Conseil for a period of 75 years. Instead, the Conseil countered that it required a permanent interest in the QEA site and offered to acquire ownership from the VBE in:

a. QEA (the whole site);

b. Sir Wilfrid Laurier Annex ("Laurier") (the whole site);

c. Sir Guy Carleton Elementary ("Carleton") (the whole site); and

d. a site in the Conseil's Northeast Vancouver catchment area, being either:

   i. Dr. A.R. Lord Elementary ("A.R. Lord") site (the whole site); or

   ii. a 3.1 acre polygonal portion of the south-east portion of Vancouver Technical Secondary School site (subject to review by the Conseil as to its suitability).

Your letter indicated that, in order to collaborate with the Conseil, the VBE must provide sites in fee simple to the Conseil and not simply offer long term leases and that the Conseil had requested these sites previously.

The VBE will address these points in this letter in reply.

The VBE has collaborated with the Conseil

The VBE has a long history of cooperating with the Conseil while balancing the VBE's own obligations. The VBE's willingness to lease sites to the Conseil, both historically and currently, is evidence of its cooperation with the Conseil. The VBE must balance the Conseil's preferences with the VBE's institutional obligations.

The VBE leased and then sold the sites on which the Conseil now operates its Écoles Rose-des-vents ("RDV"), Anne-Hébert and Jules Verne. The VBE leases Chief Maquinna Annex ("Maquinna") (now École Norval-Morrisseau), Laurier (now École des Colibris), Henderson Annex ("Henderson") and, more recently, QEA to the Conseil. The VBE entered into the leases for Maquinna, Laurier and Henderson with the Conseil in 2017 and 2018 and has extended these leases when the Conseil requested lease extensions.

In order to be able to lease QEA to the Conseil, the VBE had to undertake the processes of both a school closure and a surplus determination. Both the closure decision and surplus determination were challenged through a protracted and expensive judicial review, the results of which are currently subject to an appeal process. The VBE vigorously defended the closure decision and surplus determination in order to dispose of QEA to the Conseil.

As stated above, leasing is evidence of the VBE's collaboration, cooperation and partnership with the Conseil. The VBE itself leases sites from other organizations. The future Olympic Village school site is being leased by the VBE for 99 years. Queen Elizabeth Elementary School is on leased lands. Other majority school boards also lease school sites.

The VBE does not agree that a long-term lease creates an unequal relationship. In support of this point the VBE is mindful of the finding in the 2016 Action where Russell J. held "that the fact that the [Conseil] leases facilities is not presumptively contrary to s. 23 of the *Charter*" (para. 5947).

Accordingly, the VBE does not consider its December 6, 2023 offer of a long term lease of QEA to the Conseil as a sign that the VBE does not wish to work collaboratively with the Conseil. Rather, this offer is an indication of the VBE's strong continued collaboration and cooperation with the Conseil.

The balancing of interests and statutory mandate of the VBE

The VBE understands that the Conseil is an integral part of British Columbia's French-speaking community.

The Conseil mentions in its letter the following factors for consideration:

a) to support the long-term linguistic and cultural vitality of the French-speaking community;

b) to redress past injustices and promote the development of the French-speaking community;

c) to counter the assimilation of the French-speaking community; and

d) the preservation and development of the French-speaking community in Vancouver.

The VBE has considered these factors in making its offer to you. The VBE has also deliberated over its statutory obligations under the relevant legislative framework under the *School Act*, Ministerial Orders, and VBE Policies. The VBE ultimately has a responsibility to its constituents in Vancouver. The *School Act* mandates that a board is responsible for the management of the schools in its school district and for the custody, maintenance and safekeeping of all property owned or leased by the board.

The VBE has accounted for factors raised by its explicit statutory obligations such as:

a) the long term requirements of the VBE and its constituents for educational facilities and school sites;

b) the present and future circumstances and numbers of its constituents and their geographic placement;

c) the availability or lack thereof of sites for future schools;

d) the long term potential for population growth and therefore for educational facilities;

e) the financial costs of future site acquisitions; and

f) the requirements of Policy 14 *School Closure* and Policy 20 *Disposal of Land or Improvements*.

The extension of the offer of term from 75 years to 99 years

In order to address the Conseil's concern with adequate security of tenure, the VBE is prepared to extend the term of the proposed lease outlined in its December 6, 2023 letter, namely, from 75 to 99 years.

The VBE views a 99-year lease as providing stability for the francophone community. As noted by the Conseil, a school is a core institution for the francophone community's linguistic and cultural vitality. A lease term of 99 years exceeds the lifetime of a well-maintained school and will provide generations of Conseil students with a long-term interest that will promote the vitality of the French-speaking community to strengthen its roots. A 99-year lease means that many generations of students of the francophone community will be able to attend a Conseil school in the leased location.

The VBE is willing and eager to negotiate terms with the Conseil that allow the Conseil to have control over the leased property and any school facility that the Conseil wishes to build on such leased property.

Furthermore, the VBE does not agree that the Conseil would need to initiate a search to secure a new site decades before a long-term lease would expire: it should not be taken as a given that the VBE would not agree to a renewal of the lease at the end of its 99 year term.

The VBE considers that a 99-year long term lease is a good compromise between ensuring that the Conseil has very long term security of tenure for the schools, for its students, and the need for the VBE to look out for the long term interests of its constituents.

The Conseil's expansion from one site to four sites

In its January 16, 2024 letter, the Conseil requested four sites from the VBE, not just one. Of the four, only one has been formally requested by the Conseil: QEA. The amendments in July 2023 to the Notice of Civil Claim in the action brought by the Conseil against the Province and VBE is how the VBE learned of the current "formal requests" for A.R. Lord and Laurier. This fact has been confirmed by the January 16, 2024 letter. The VBE does not consider amendments to pleadings to be formal requests. Carleton has never been formally requested by the Conseil – that is, not until the January 16, 2024 letter.

In the future, the VBE requests that the Conseil make its formal requests of the VBE by correspondence to its secretary-treasurer. As a fellow school board, the Conseil can understand the large expenditure of resources that must be undertaken by the VBE in considering whether to close, render surplus and dispose of a school site. This is why the VBE has asked for formal, rather simply informal requests.

The VBE responds to the counter-proposal of the Conseil as set out below.

1. Queen Elizabeth Annex

The VBE is prepared to offer to the Conseil a 99-year long term lease of the QEA site, subject to the negotiation of reasonable business and commercial terms. As noted above, this provides a very long term security of tenure for the Conseil. The Conseil would be able to build a new school on the site provided Ministerial support is provided. To proceed with the 99-year lease disposition of QEA, the VBE requires that:

a) the Conseil provide a written confirmation of its interest in obtaining a 99-year long term lease of the QEA site; and

b) the Conseil provide written confirmation from the Ministry that it will support the 99-year long term lease of the QEA site and that it will support the construction of a new K-6 school on the site.

2. Dr. A.R. Lord Elementary School

While at one time the VBE considered closing A.R. Lord, the VBE decided not to proceed with that course. Today, A.R. Lord is an elementary school serving its local community and currently has approximately 190 students enrolled. To close A.R. Lord (which is not part of the VBE's district-wide operational plans) and to arrange for its disposal, the VBE would have to assess capacities of neighbouring schools, enrollment projections, seismic safety of different school sites, its plans for seismic upgrades of the same, the Long Range Facilities Plan, and many other factors. It would also require the VBE to relocate an entire program located on the site. Public consultations would have to be undertaken. Not only are the closure and disposal of A.R. Lord outside the VBE's current plans, they also involve an unnecessary and large expenditure of VBE time and resources.

Nevertheless, the VBE understands and appreciates the Conseil's need for a K-6 school in its Northeast Vancouver catchment area and would like to support the Conseil and the francophone community to the extent possible. While the VBE has leased and continues to lease to the Conseil the Maquinna (now École

Norval-Morrisseau), it understands from the Conseil that Maquinna, alone, is too small and does not meet the Conseil's needs in this catchment area.

Accordingly, the VBE proposes that the VBE and the Conseil consider subdividing the A.R. Lord site roughly in two and redeveloping the site with two new schools. Under this possible solution, the VBE would occupy the eastern portion of the site where the A.R. Lord school is presently situated and the Conseil could occupy the western portion of the site, with a 99-year lease which would be subject to the negotiation of reasonable business and commercial terms.

The VBE recognizes that this proposal may require that the two school boards coordinate the use of "green space" or common space that would be between the two new schools and the VBE is prepared to cooperate and collaborate with the Conseil to ensure that the interests of both the VBE and Conseil and of their respective students are addressed. Furthermore, the VBE will cooperate with the Conseil to ensure staggered start-times, recesses, and dismissal times if the Conseil wishes. The VBE is prepared to consider other operational and design factors that would help the Conseil create and operate a truly homogenous francophone school on the A.R. Lord site.

The VBE considers that this proposal would provide the Conseil with long term stability and security of tenure in its Northeast Vancouver catchment area which in turn supports the vitality of the francophone community and culture in Vancouver, all while allowing the VBE to continue to provide its educational program to the children of its constituents who presently attend A.R. Lord. The VBE views this proposal as meeting the goal of countering the assimilation of French speakers as it provides the Conseil with a homogenous school.

In order to proceed further with the investigation of this possible solution, the VBE requests that the Conseil provide written confirmation that it is interested in pursuing a possible subdivision of the A.R. Lord site. It should be noted that the VBE would have to undertake its normal processes for a surplus determination if the proposed subdivision and lease were to proceed. As well, the staff of the VBE and Conseil would have to prepare a joint submission to the Ministry to ensure that there is support for the subdivision and redevelopment of the site.

3. Sir Guy Carleton Elementary School

The January 16, 2024 letter was the first time that the Conseil provided any formal request to the VBE regarding Carleton. While not a necessary condition precedent to any consideration of such a formal request, the VBE notes that there is not currently a judicial pronouncement on the Conseil's entitlement to a second secondary school within the geographic boundaries of the City of Vancouver. The VBE requests that the Conseil provide confirmation that the Province has expressly supports the acquisition of a site and construction of a second secondary school for the Conseil in eastern part of the City of Vancouver.

As you know, Carleton is not presently populated by students and has not been since August 2016 when it sustained a severe fire. The VBE is not currently operating Carleton as a school. Nevertheless, on November 30, 2023, the Provincial Legislature passed Bill 44, namely, the *Housing Statutes (Residential Development) Amendment Act, 2023* (the "*HSRDAA*"). The *HSRDAA* will require that Vancouver provide

for increased densification around transit centres, including Skytrain stations. The Carleton site is the closest VBE site to the Joyce Skytrain Station.

As well, in 2023, the City of Vancouver changed its approach to low density housing zoning by opening up neighbourhoods across the city to allow for multiplexes ("City multiplex housing").

The VBE needs to undertake a vigorous review of the long-term implications of the *HSRDAA* and the City multiplex housing before it can make any commitments in relation to the formal closure of Carleton or the possible disposal of the site (which is not currently part of the VBE's district-wide operational plans). The Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites.

While the VBE is supportive of the Conseil and of the francophone community that it represents, the formal closure, surplus and disposal process of any school property represents a large expenditure of time and resources. Therefore, in addition to completing its review of the implications of the *HSRDAA* and City multiplex housing for the Carleton site, the VBE would require confirmation from the Province of its support for the Conseil's proposal before proceeding to consider it at any length.

4. Laurier Annex

The VBE has leased Laurier to the Conseil since 2018. In 2023, the VBE entered into an extension of this lease with the Conseil for three years with an option to renew for a further two more years.

The VBE has always understood that the Conseil sought to lease Laurier to alleviate overpopulation in the Conseil's RDV and to provide temporary space for the Conseil's students while the Conseil finalized its arrangements in relation to the Heather Lands for a 99-year lease of a portion of those lands and the construction of a new, larger school for RDV. The VBE understands that adjacent properties to the Heather Lands property have been purchased by the Conseil and that a lease has been prepared, at least in draft, for 99 years.

The VBE notes that the Conseil has security of tenure for Laurier until 2028. By then, assuming that the Conseil has acquired the QEA site as proposed above, there will be a new school there for Conseil students. As well, the Conseil may be well underway if not completed its construction of the new RDV school at the Heather Lands site.

In the event that either or both of those two eventualities has not transpired by 2028, the VBE will be willing to work with the Conseil to bridge the necessary time for completion of its schools and to ensure that the Conseil's students have adequate facilities to attend. The support of the Ministry would be required to allow the VBE to extend past the limit of 10 years without being considered a "disposal" and invoking the disposal policies and requirement.

The VBE has advised the Conseil in the past that the VBE must be conscious of the increased densification around the Laurier site and this concern has only been heightened by the *HSRDAA* and the City multiplex housing. It is anticipated that, in the longer term, the VBE will be facing more students in the area around

Laurier and that it will need to be able to provide community based schools to accommodate that future student population.

5. Availability of VBE Swing Space

For all of the proposed Conseil projects, the Conseil will likely need to find temporary places to house its students. The VBE is prepared to offer for short term lease to the Conseil, on reasonable terms, the VBE's unused swing space. To the extent that the VBE does not require such space, the VBE would be prepared to assist the Conseil and by extension the francophone community by making this swing space available while the Conseil builds out these various new schools. This can be discussed on a staff-to-staff level and coordinated between the two boards.

The VBE looks forward to the Conseil's response and to working with the Conseil to support the francophone community and its students in Vancouver.

Yours truly,

Victoria Jung, Chair
Board of Education of School District No. 39 (Vancouver)

cc. Flavia Coughlan, Secretary Treasurer, VBE
The Honourable Rachna Singh, Minister of Education and Child Care

By Email: Victoria.Jung@vsb.bc.ca

Richmond, January 16, 2024

Victoria Jung
Chair
Board of Education of School District No. 39 (Vancouver)
1580 West Broadway
Vancouver, BC V6J 5K8

Re: Formal response to the Vancouver Board of Education's Secretary Treasurer's letter of December 6, 2023 and follow up to previous discussions regarding the Conseil's interest in certain sites of the VBE with a view to remedying section 23 *Charter* violations in Vancouver

Dear Ms. Jung:

I write on behalf of the Conseil scolaire francophone de la Colombie-Britannique ("Conseil") in response to the Vancouver Board of Education's ("VBE") Secretary Treasurer's letter of December 6, 2023 (attached), in which she conveyed the VBE's offer to the Conseil of "a long-term lease of the [Queen Elisabeth Annex ("QEA")] site for 75 years subject [to] reasonable negotiated commercial and business terms and subject to ultimate approval of the lease by the Board and the Minister." I also write further to my email of December 7, 2023, and your response of December 21, 2023 regarding a meeting in the new year, and further to discussions held between senior staff of our respective school districts over the last few years regarding the CSF's interest in acquiring certain VBE school sites to remedy various *Charter* breaches in Vancouver.

As a reminder, the Conseil is a publicly funded school board that offers kindergarten to grade 12 education in French. The Conseil does not offer any French immersion programmes. All programmes and courses offered by the Conseil are taught in French, save and except for the teaching of English and other languages. The Conseil's student population is culturally diverse and includes a number of students of First Nations or who are Inuit or Métis. The Conseil's curriculum includes and valorises First Nations, Inuit and Métis history, cultures, and traditions. The Conseil is managed by and for the broad French-speaking community, and functions internally in French.

On behalf of the Conseil, I wish to thank the VBE for its December 6, 2023 offer and to express the Conseil's desire to collaborate with the VBE to ensure that both school boards are able to offer a high-quality public education in Vancouver. In this regard, the Conseil

particularly appreciates the VBE's efforts culminating in it closing QEA and declaring it "surplus", so that the site can be made available to the Conseil.

The Conseil cannot, however, agree to a long-term lease of the QEA site as the appropriate means to address ongoing violations of s. 23.

To ensure the preservation and development of the French-speaking community in Vancouver, the Conseil requires permanent school sites and facilities for the provision of education and community services. The Conseil accordingly counter-offers a compromise form of ownership, which provides a global solution to the Conseil's capital needs in Vancouver for the foreseeable future.

To begin, a long-term lease is not acceptable to the Conseil for many reasons. While 75-years may seem considerable at first blush, when it comes to the provision of French-language education in British Columbia, past experience shows that the time it takes to implement s. 23 rights is measured in decades, not years. The Conseil has been seeking to secure a site for an elementary school capable of offering a substantively equivalent educational experience in Vancouver, west of Main Street since its creation in 1998. The Conseil has been seeking to secure a second elementary site in Vancouver, west of Main Street since at least 2009. In the case of QEA, assuming that our negotiations are efficient and fruitful, it will still be years before a new homogeneous school capable of offering a substantively equivalent educational experience can be opened on the QEA site. As such, decades before any long-term lease would expire, the Conseil would have to reinitiate the search to secure a new site, with no certainty that its efforts would be successful prior to the expiry of the lease.

More fundamentally, the Conseil must plan for the successful implementation of s. 23 in Vancouver – not for its failure. Section 23 is intended not only to prevent the erosion of official language communities, but also to redress past injustices and promote the development of those communities. Indeed, one of the purposes of s. 23 is to counter the assimilation of the French-speaking community.

A permanent interest in property is crucial for the Conseil to achieve this objective: it means that Vancouver's French-speaking community can count on the stability of its core institutions (i.e., its schools) to support its long-term linguistic and cultural vitality. An interest in the lease of a property which expires has the opposite effect: the core institutions the French-speaking community needs for its linguistic and cultural vitality are not, ultimately, secure. In turn, each type of property interest sends a strong and corresponding message to the French-speaking community. A permanent interest valorizes Vancouver's French-speaking community and encourages it to strengthen its roots by investing in its linguistic and cultural institutions in Vancouver. Conversely, a temporary interest conveys that the community itself is assumed to be fragile and in an inevitable decline, or that its long-term interests are simply not important enough to protect.

The Conseil calls upon the VBE to collaborate with the Conseil. Leases, even long-term ones, are incompatible with a true partnership. This is because they ultimately privilege the VBE's future and hypothetical desire for a site over the Conseil's immediate and concrete need for both a site and long-term stability on that site. The relationship between landlords and tenants is not a relationship of equals. It places the Conseil both legally and symbolically in a position of subservience to the VBE. As long as the Conseil is a tenant, all of its capital improvements are for the benefit of the landlord, the VBE, and not for the Conseil. Since the coming into force of Bill 22, the *School Act* contemplates the transfer of ownership in fee simple, and not a lesser interest.

The Conseil understands that the VBE's preference is for long-term leases because it wishes to retain title to its school sites. This is obviously advantageous to the VBE from a financial perspective and also from the perspective that the VBE may one day want the site for itself. The Conseil asks that the VBE compromise on its preference because of the significant negative impacts on s. 23 rightsholders that long-term leases entail (which go beyond the loss of mere financial and planning advantages).

The Conseil's strong preference is for fee simple ownership. However, the Conseil is prepared to accept a number of alternatives as a compromise. In particular, **the Conseil would accept an "Ownership Interest" that meets the following definition:**

> Fee simple ownership, ownership with a right of first refusal to the VBE should the Conseil decide to sell, lease with option to acquire fee simple ownership, or any other form of transaction conferring title, or the right to obtain title, agreed to by the Conseil and the VBE, without limiting the form of tenure in advance.[1]

Further, if the VBE accepts this counter-offer, the Conseil favours robust compensation for the VBE for transferring Ownership Interests to the Conseil in Vancouver, which could exceed the amount to which the VBE would be entitled under the *School Land Transfer Regulation*, BC Reg 81/2023 if the province used its powers under Bill 22 to require the transfer of a site from an English-language school board to the Conseil.

Finally, **the Conseil proposes a more global agreement** that would enable the VBE and the Conseil, working together, to give effect to a true partnership for the foreseeable future. In particular, the Conseil offers to acquire from the VBE Ownership Interests in the following sites:

a. QEA (the whole site) for a K-6 school,

b. Sir Wilfrid Laurier Annex (the whole site) for a K-6 school,

[1] The Conseil would also consent to any Ownership Interest that confers the right to obtain title on a deferred basis, conditional on the Province's agreement, in advance, that it will provide sufficient funding for the acquisition of such title.

c. Sir Guy Carleton Elementary (the whole site) for a 7-12 school; and

d. a site in the Conseil's Northeast Vancouver catchment area for a K-6 school, either:

   i. Dr. A. R. Lord Elementary site (the whole site); or

   ii. perhaps a 3.1-acre polygonal portion of the south-east portion of the approximately 22-acre Vancouver Technical Secondary School site, if it is determined that such a portion can in fact serve as the location of a Conseil elementary school notably given its considerable elevation and slope vis-à-vis Slocan Street and Central Valley Greenway.

The Conseil understands that the VBE's acceptance of the Conseil's offer will, for Sir Wilfred Laurier Annex, be subject to the VBE completing the processes to declare it "surplus" and, for Sir Guy Carleton Elementary and the site in the Conseil's Northeast Vancouver catchment area, be subject to the VBE completing the processes to close the schools and/or declare the sites "surplus". Subject to the outcome of those processes, the date for the transfer of an Ownership Interest to the Conseil in these sites would be August 31, 2024.

For clarity, this counter-offer is a formal request by the Conseil for each of the above sites, which formal requests have (except in the case of the Vancouver Technical Secondary School site) already been communicated in discussions between senior staff of the VBE and the Conseil. For example, the Conseil has been formally requesting the QEA site for at least a decade (which site is the subject of a lawsuit involving our boards since December 2020). The Conseil has been formally requesting from the VBE a second site west of Main Street for years, and has requested the Sir Wilfrid Laurier Annex site since at least July 2023, when the Conseil filed amendments to the lawsuit involving our boards. The Conseil has been formally requesting from the VBE the Dr. A.R. Lord Elementary site since at least 2016, and has requested the Dr. A.R. Lord Elementary site or an alternative since at least July 2023, when the Conseil filed amendments to the lawsuit involving our boards.

I look forward to hearing from you.

Marie-Pierre Lavoie, Chair

Enclosed: Letter from VBE Secretary Treasurer to Conseil Assistant Superintendent and Acting Secretary-Treasurer, dated December 6, 2023

Copy: The Honourable Rachna Singh, Minister of Education and Child Care
Flavia Coughlan, CPA, CGA, ICD.D, Secretary-Treasurer/CFO, VBE
Pascale Bernier, Conseil Superintendent
Chafic El Rassi, Director of Conseil Capital Projects Office

Vancouver School District
OFFICE OF THE SECRETARY TREASURER

Vancouver School District
1580 West Broadway
Vancouver, B.C. V6J 5K8

vsb.bc.ca
info@vsb.bc.ca
604-713-5000

December 6, 2023

Board of Education
Conseil scolaire francophone de la Colombie-Britannique, SD No. 93
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
Attention: Fariba Daragahi, Assistant Superintendent and Acting Secretary Treasurer

Dear Fariba:

Re: Queen Elizabeth Annex Long-term Lease

The Vancouver Board of Education, School District No. 39 (the "Board") has worked collaboratively with the Conseil scolaire francophone de la Colombie-Britannique ("Conseil") to aid the Conseil in its mandate of offering French language education to section 23 rightsholders throughout Vancouver.

The Board is aware of the Conseil's need to have a school on the west side of Vancouver. Through the 2017-2018 then "PartnershipsBC" process that the Board, the Conseil and the Ministry of Education undertook together, it was determined the Queen Elizabeth Annex ("QEA") would be a suitable school for the Conseil west of Granville Street.

Since then, the Board and its staff have worked to close QEA and declare it surplus. As you know, the Board voted to declare the QEA site surplus on April 11, 2023, after having voted to close QEA. Before the surplus decision, however, on February 23, 2023, a group of parents filed a Petition for Judicial Review in opposition of the closure of QEA and the decision to declare it surplus. As a result of the judicial review, the Board was unable to proceed with disposing QEA at that time. However, the Board provided the Conseil with a short-term lease of QEA on June 2, 2023 to allow the Conseil to immediately utilize the site. On December 1, 2023, Justice Gomery issued reasons dismissing the petition for judicial review.

I am very pleased to tell you that on December 4, 2023, the Board voted to authorize me to offer to the Conseil, on the Board's behalf, a long-term lease of the QEA site for 75 years subject reasonable negotiated commercial and business terms and subject to ultimate approval of the lease by the Board and the Minister.

The Board understands that the Conseil's intention is to demolish the current school and rebuild a new school on the site. We are very pleased to make this offer to advance public education in Vancouver and to help section 23 rightsholders' receive French language education. We look forward to hearing from you.

Sincerely,

Vancouver Board of Education

Per: Flavia Coughlan, CPA, CGA, ICD.D
Secretary Treasurer/CFO, Vancouver School District
Vancouver Board of Education

From: Chair (Vancouver DPAC) <chair@vancouverdpac.org>
Sent: Monday, November 3, 2025 9:57 PM
To: STOffice <stoffice@vsb.bc.ca>; Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: DPAC Submissions Re: Carleton for the Facilities Standing Committee - URGENT

Dear all,

On October 30, I submitted Vancouver DPAC's materials regarding Carleton to the Facilities Standing Committee.

Although I stated that I was submitting them in my capacity as Chair, the VSB questioned my authority and asked the DPAC Executive to confirm that I was authorized to submit these documents, because my personal email and website were included on the submissions. The Executive was given until 4:00 p.m.

not possible. As a result, my submissions (attached) **were excluded from the VSB's agenda package.**

Please be advised that my authority to make these submissions is clear and grounded in multiple provisions:

1. **Chair's Authority – DPAC Bylaw 7.05(a):**
   I am the official spokesperson for Vancouver DPAC. This empowers me to communicate and represent the organization publicly and in correspondence with external bodies such as the VSB.
2. **Working Group Authority – DPAC Bylaw 6.02(b):**
   As Coordinator of the Facilities Working Group, I determine how the group involves parents in district-wide discussions. I have engaged parents across the district on the Carleton issue since the summer, and this community based engagement is reflected in my submissions.
3. **Democratic Mandate – 2023 DPAC Facilities Resolution:**
   In February 2023, a district-wide motion was passed at a General Meeting attended by nearly all DPAC 109 voting members. This motion directed that:

   - An updated **Long Range Facilities Plan** be completed before any school closure or subdivision;
   - **No subdivision of schools** occur;
   - **Community input** be mandatory before decisions are made; and
   - **No private or closed-door decisions** be made regarding school lands.

   Our submissions are entirely consistent with these democratically adopted resolutions through a district wide vote.

4. **Interpretation of Administrative Procedure 111 (AP 111):**
   While VSB AP 111 provides that the Chair should express the majority Executive opinion where possible, it

must be read together with DPAC’ s bylaws, which designate the Chair as the official spokesperson and empower the working group to engage parents and make submissions, and comply with binding motions on behalf of the voting members.

There was no need to require proof of my authority to act as spokesperson for Vancouver DPAC. My authority to represent the entire organization, including the Executive, is established under our bylaws made pursuant to the *School Act* and remains valid regardless of differing Executive views. **That authority derives from the voting members, whose decisions at a General Meeting supersede those of the Executive.** Our bylaws clearly outline how such decisions are made and how the Chair represents them to external bodies.

These bylaws, enacted under the *School Act,* must be read together with your Administrative Procedure 111, and the interpretation of bylaws rests solely with DPAC. By excluding my submissions, Vancouver DPAC has been prevented from providing advice under the *School Act* on this matter.

Please find attached my submissions for the November 5 Facilities Standing Committee meeting. Kindly add the attached to the agenda package and confirm receipt of this request by reply email.

Regards.

Melanie Cheng
程美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

- *Please note: This message is intended for you only. Kindly do not forward or share without permission.*
- Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

From: Melanie Cheng
email: [redacted] | website: melaniecheng.ca

October 29, 2025

To:
Secretary Treasurer (*via email*)
Minister of Education and Child Care (*via email*)

Dear all,

Re: Request to Terminate the Carleton Elementary School Closure Consultation and commence a new Long Range Facilities Plan for the Vancouver School District # 39

I serve as the Vancouver DPAC Chair and as a community leader in Joyce-Collingwood, where I represent as a member of the Area Services Team and a Director of the Collingwood Recreation Society.

The land at Carleton Elementary ("**Carleton**") holds deep historical and cultural significance for many, including Indigenous and other minority families who call this area home. This is the 4th attempt in 15 years to close Carleton. The school's survival reflects the community's commitment to fight for greater equity in an area where families have lived, learned, and raised children for over 125 years.

Since this past summer, I have met with hundreds of families in Joyce-Collingwood and have listened to their views in relation to the VSB's plan to close Carleton. The community started the "Hearts for Carleton" campaign, and hundreds of hearts have been made by residents to show their love for this school even though it's been closed for 9 years since the fire in 2016. The hearts are on display in the community, and many are filed here for the public record.

Based on the information available to me, I am writing to stop to the Board's plan to close Carleton. The community's need for Carleton is clear, and there also appear to be significant concerns with the VSB's process, rationale, policy framework, and compliance with statutory obligations, as outlined below.

1. **Problems with the Board's Plan to close Carleton**

(a) **Absence of an Updated Long Range Facilities Plan (LRFP)**

In its public engagement regarding the proposed closure of Carleton, the Board references the May 23, 2025 decision in *Conseil scolaire francophone de la C.-B. v. British Columbia and Vancouver School Board* (2025 BCSC 962).

During that case, the Board repeatedly asserted that an updated Long Range Facilities Plan ("LRFP") must precede consideration of any school closure. The Board emphasized that closing or transferring even a single school requires "*significant operational resources, research, and reorganization of the District*," citing the Queen Elizabeth Annex closure as an example that proceeded only after the preparation and release of an updated LRFP.

Despite this position, the Board is now proposing to close Carleton without an updated LRFP. The current plan (2020, minimally revised 2021) predates major changes in housing, zoning, and transportation policy. Proceeding without an updated LRFP is inconsistent with the Board's established practices and its own statements.

The Board has affirmed its responsibility to ensure that long-term planning for its assets reflects the needs of the entire district. Moreover, its authority to transfer assets must be exercised within the limits of its statutory duties to its constituents. Under section 562.1 of the *Vancouver Charter*, City Council is required to seek the Board's input on both current and anticipated needs for school facilities and support services within the district. Accordingly, the VSB should update its Long Range Facilities Plan at this time, in alignment with these statutory obligations and the City's adoption of its new Official Development Plan.

(b) **Absence of Agreed-Upon Francophone Enrolment Projections**

In April 2022, the Ministry of Education and Child Care and the *Conseil scolaire francophone* (CSF) jointly adopted a standardized methodology for projecting francophone enrolment across British Columbia.

Although the Board's publicly stated rationale for closing Carleton cites its "*constitutional duty to reasonably consider and proportionately balance minority language rights under section 23 of the Charter against the VSB's statutory framework,*" the Board's public consultation materials for Carleton omits the Ministry-approved francophone projection data required to perform the s. 23 *Canadian Charter* analysis.

The absence of the said data calls into question whether the Board is fulfilling its constitutional duty to make a reasonable and proportionate assessment under s. 23. The lack of the francophone enrolment data has direct implications for Joyce–Collingwood, a fast-growing Transit-Oriented Area where school-age demand is already surpassing local capacity.

(c) **Existing capacity and Metro Vancouver Projections**

Across the five surrounding catchments (Bruce (including annex), Grenfell, Weir, Cunningham, and MacCorkindale) the combined youth population ages 5–12 is projected to grow between 2022 and 2053 according to the VSB's own data, as shown below:

School catchment name	**Number of Enrolling Spaces***	Youth Population 5-12 in **2022**	Estimated Youth Population 5-12 in **2033**	Estimated Youth Population 5-12 in **2043**	Estimated Youth Population 5-12 in **2053**
Bruce (including annex)	**484**	620	795	972	981
Grenfell	**489**	375	513	656	681
MacCorkindale	**444**	280	470	519	490
Weir	**421**	385	608	665	622
Cunningham	**598**	445	643	721	685
Totals:	**2,436**	**2,105**	**3,029**	**3,533**	**3,459**

Data Sources: *2022 Youth Population from VSB Open Data and the June 2025 Report, pages 101–102 (the "June 2025 Report")*

The total school capacity across the catchments (2,436 enrolling spaces) will be insufficient to accommodate the projected 3,029 youth by 2033 – in just 8 years.

Using the VSB's Metro Vancouver projections as shown in the June 2025 Report, the Bruce catchment, as Carleton's immediate neighbour, will face severe over-utilization over the next three decades. By 2033, Bruce (including its annex) is projected to reach 135% utilization, rising to 165% by 2043 and 166% by 2053:

Estimated Utilization by catchment – VSB Metro Vancouver Data

School catchment name	Estimated Utilization 5-12 in **2033**	Estimated Utilization 5-12 in **2043**	Estimated Utilization 5-12 in **2053**
Bruce (including annex)	135%	165%	166%
Grenfell	86%	110%	114%
MacCorkindale	87%	96%	90%
Weir	118%	130%	121%
Cunningham	88%	99%	94%

Data Source: *June 2025 Report, pages 101–102*

The only nearby catchments projected to have modest available capacity (MacCorkindale and Cunningham) are both located outside the Joyce-Collingwood Transit Oriented Area, making them less accessible for families in the dense Joyce–Collingwood core. The result is a widening geographic and equity gap in access to public education for families near Joyce-Collingwood Station.

The above information underscores the urgency of updating the LRFP before contemplating closure.

(d) **Information Regarding CSF's Interest in the Carleton Site**

The Board's public consultation info references the CSF's stated interest in July 2024 for the acquisition of the Carleton site for a new francophone secondary school in Vancouver.

Under the CSF's 2025-2026 capital plan dated June 2024 at item 7, the CSF requested Carleton to relieve pressure on Jules Verne secondary. However, in the Board's most recent submissions at Court, the Board stated that:

> "…*the CSF has leased additional facilities to supplement the educational space at Ecole secondaire Jules-Vernes* ***from other parties***."

This raises doubts about whether the CSF is currently requesting the Carleton site at this time.

The information presented by the Board during the public consultation states that Carleton is being considered for disposal as surplus for the CSF's needs; however, the Board's own submissions to the Court suggest the CSF is leasing space to accommodate its secondary students instead.

(e) **Reliance on an Appealed Trial Decision**

The Board's public consultation for the closure of Carleton relies on the interpretation of s.23 minority language rights as set out in the May 2025 judgment in *2025 BCSC 962*. However, the interpretation of s.23 minority rights as stated in that case is now under appeal at the Court of Appeal for British Columbia.

Proceeding with a closure consultation while the relevant constitutional interpretation remains unsettled is premature. The Board should reasonably wait until the interpretation of minority-language rights under section 23 is clarified before taking further action.

(f) **Inconsistencies in the application of the Closure Process**

There are also questions about whether the Board has the authority to hold a public consultation about closing Carleton if the site is needed by the francophone school board for a secondary school.

According to the *School Act* and Ministerial Order M194/08, only the Ministry of Education and Child Care (**not the local school board**) oversees decisions about school sites that may be transferred to the CSF.

In 2022, Part 7 of the *School Amendment Act* added the new Division 1.1 – "*Transfer of Land to Francophone Education Authority*" in the *School Act*. This added new rules about how land can be transferred to a francophone authority. When the Ministry considers such a transfer of land to a francophone school board, **the public consultation school closure process that local boards follow no longer applies**. In order for the CSF to acquire the Carleton site, the Minister would need to be involved and the process for a site acquisition would need to be followed under the *School Act*.

Because of this, by starting a public consultation under its own Policy 14 (School Closure) for a site that could be transferred to the CSF, the VSB appears to be acting outside its legal authority.

VSB's Policy 14 has not been updated to match the 2022 amendments to Part 7 of the *School Act*. The current public consultation by the Board under Policy 14 to transfer Carleton to a francophone authority for a secondary school is not following the proper legal process.

2. **Policy and Legal Implications**

VSB Policy 2 (Role of the Board) states that the Board shall *"ensure that all policies are consistent with the School Act, Ministerial Orders, and other applicable legislation."* This provision establishes a clear obligation for the Board to ensure that all of its decisions, particularly those involving facilities planning, school closures or property transfers, comply with its stated processes, and applicable legislation and Ministerial Orders.

When statutory and procedural requirements are not met, decisions can expose the Board to risk.

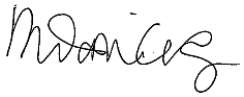
3. **Request for Action**

Our district is in a facilities planning crisis. Many schools are already at or over capacity, and Metro Vancouver's regional data shows that school-age population growth will reach critical levels by 2023, especially in high-density areas such as Joyce–Collingwood. Families are being displaced in their local school communities due to overcrowding. Some families have given up on the public education system all together. The VSB's own utilization data confirms that enrolment pressures are rising sharply across multiple catchments, yet the Board continues to rely on outdated projections that underestimate this trend.

Accordingly, I respectfully request that the Board immediately suspend the Carleton closure consultation and instead prioritize the development of a new, Ministry-approved LRFP for all schools in the district based on transparent, current, and Ministry-aligned data.

I urge the Board to take this opportunity to reset its approach. This matter goes to the heart of public confidence in transparent and lawful decision-making concerning the stewardship of public lands held in trust for education.

Respectfully submitted,



Melanie Cheng

Attachments:
1. VSB Closure Consideration Rationale
2. Hearts for Carleton

+ Interest from Conseil scolaire francophone (CSF)

The VSB has a constitutional duty to reasonably consider and proportionately balance minority language rights under s. 23 of the *Charter* against the VSB's statutory framework. Section 23 of the *Charter* ensures that francophones in British Columbia are entitled to have their children attend French first language education. The Conseil scolaire francophone (CSF) is a francophone public school board that represents s. 23 rightsholders and provides francophone education throughout British Columbia, including the City of Vancouver.

On May 23, 2025, the British Columbia Supreme Court, in *Conseil scolaire francophone de la Colombie-Britannique v British Columbia and Vancouver School Board*, 2025 BCSC 962, declared that:

> *In addressing the [CSF]'s requests for underutilized or surplus sites and facilities, the [VSB Board] must reasonably consider and proportionately balance the importance of minority language education as a value underpinning section 23 of the Charter.*

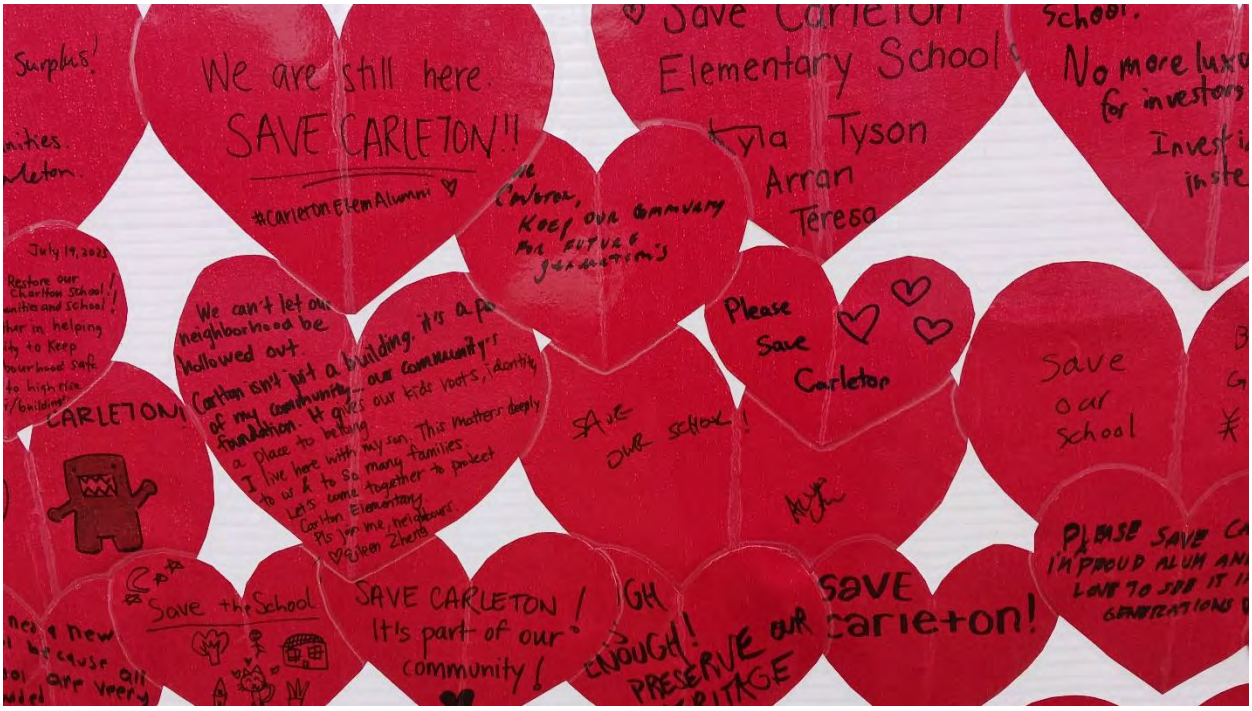
In January 2024, the CSF made a request to the Board to acquire Sir Guy Carleton for a new CSF secondary school. In July 2024, the CSF provided additional information about their need for a second secondary school in Vancouver. In 2024, the VSB was still updating its enrolment projections and declined to make a decision regarding Sir Guy Carleton until the updated enrolment projections were available.

The VSB recently updated its enrolment projections. Therefore, the Board is considering the closure of Carleton elementary school. In doing so, the Board must consider the needs of the CSF and the importance of minority language rights in Canada.

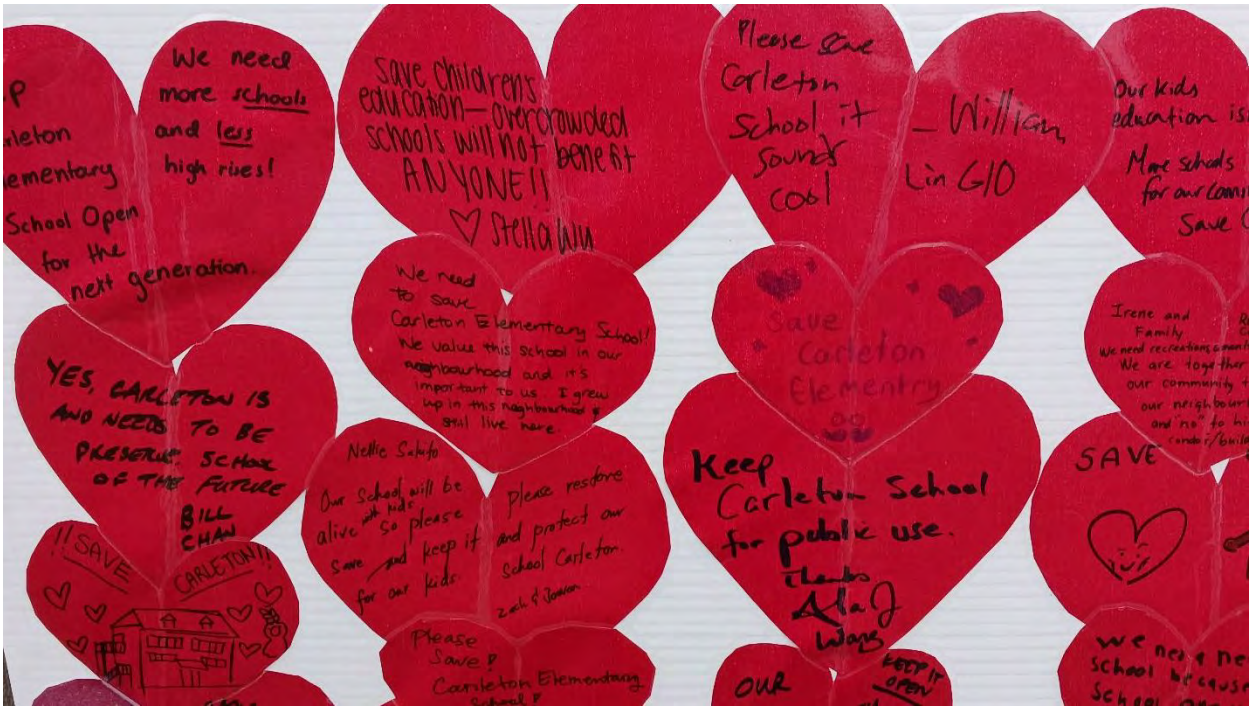
SAVE CARLETON
savecarleton.com

We NEED Carleton School back!
Don't hide your heads in the SAND!
PLS Don't Destroy Education
SAVE Carleton School & keep the kids educated. Lower rents case
Save Charleton! We need more Schools and a safe place for kids not streets
Please bring back the kids
Convert into Affordable Housing
We want Carleton to stay!
WE NEED THIS SCHOOL FOR KIDS ACH

Save Carleton Elementary!
Students need a school!
No to tower development!
People need a say.
DEMOCRACY
Carleton
Tyson
Arran
Teresa
PLS Don't Destroy Education
SAVE THE SCHOOL!
Please bring back the Kids to Carleton
Carleton School is needed as an Childcare please!
We want Carleton to stay!
Save Charleton! We Need more Schools and a safe place for kids
NO towers!
MORE Schools!
We can't let our neighbourhood be hollowed out.
Carlton still just a building, it's a part of my community... our community's foundation. It gives our kids roots + identity
The density is increasing
We NEED more than ever a new SCHOOL, more childcare
DAYCARE
Carlton Elementary School
This is a school that means a lot to not only me but our community!
Save Carleton!!
We need more Schools Not less!
We need Space
please save our school
Emma


We are still here.
SAVE CARLETON!!
#CarletonElemAlumni
Save Carleton Elementary School
Kyla Tyson
Arran
Teresa
Please Save Carleton
Save our school
SAVE CARLETON! It's part of our community!
Save the School
CARLETON
July 19, 2023
We can't let our neighborhood be hollowed out.
Carlton isn't just a building, it's a pa
of my community... our community
foundation. It gives our kids roots, identity
a place to belong
I live here with my son. This matters deeply
to us & to so many families
Let's come together to protect
Carlton Elementary
Pls join me, neighbours
Eileen Zhen
save carleton!
ENOUGH! PRESERVE OUR HERITAGE
PLEASE SAVE
I'M PROUD ALUM
GENERATIONS

education isn't a Surplus.
More schools for our communities.
Save Carleton.
We are still here.
SAVE CARLETON!!
#CarletonElemAlumni
Save Carleton Elementary School
Kyla Tyson
Arran
Teresa
Irene and Family
We need recreation, amenities and schools!
We are together in helping our community to Keep our neighbourhood safe and no high rise condos/buildings!
July 19, 2023
Restore our Charlton School!
We can't let our neighborhood be hollowed out.
Carlton isn't just a building, it's a pa
of my community... our community
foundation. It gives our kids roots, identity
a place to belong
I live here with my son. This matters deeply
to us & to so many families
Let's come together to protect
Carlton Elementary
Pls join me, neighbours
Eileen Zhen
Please Save Carleton
Save our School
SAVE CARLETON! It's part of our community!
ENOUGH! PRESERVE OUR HERITAGE
save carleton!
Save the School
SAVE
CARLETON
we need new school because all school are very crowded
Please bring back the Kids to Carleton
As someone who grew up in the neighbourhood and graduated from the school, please save the school
Save Carleton!!
We need more schools Not less! Space

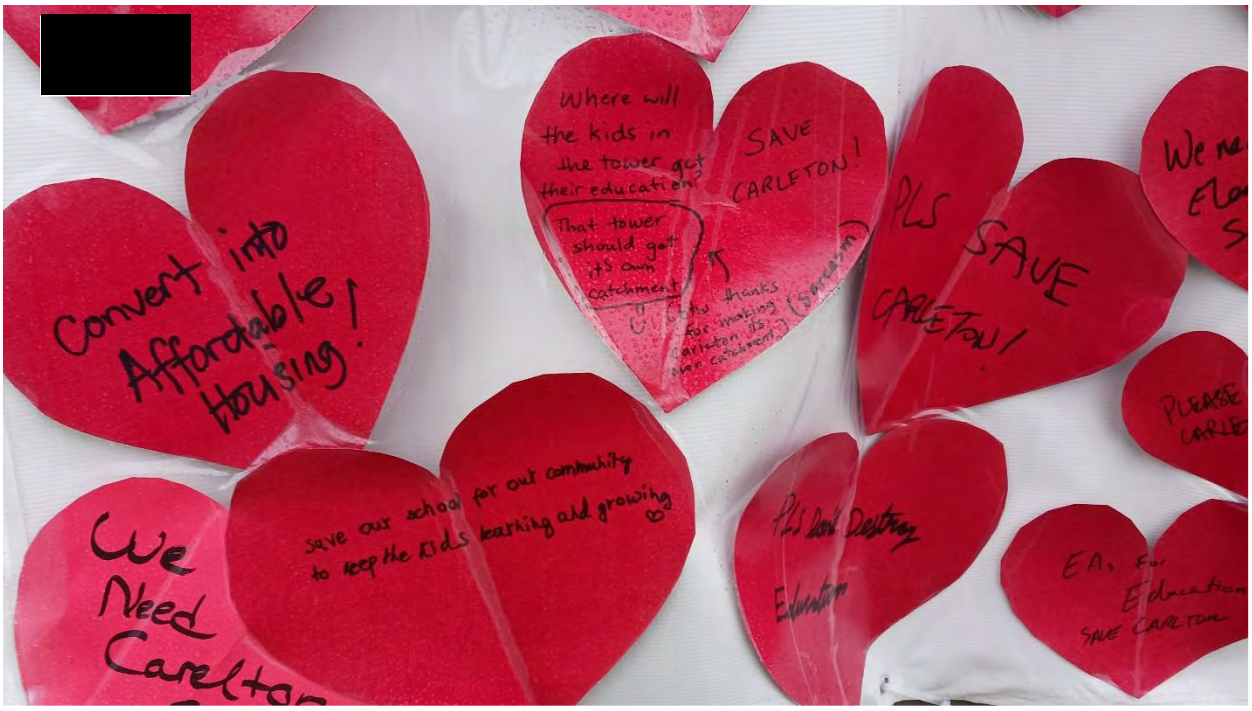

We need more schools and less high rises!
School Open for the next generation.
Save children's education — overcrowded schools will not benefit ANYONE!!
♡ Stella Wu
Please save Carleton School it sounds cool
- William Lin G10
Our kids education is
More schools for our
Save
We need to save Carleton Elementary School! We value this school in our neighbourhood and it's important to us. I grew up in this neighbourhood & still live here.
YES, CARLETON IS AND NEEDS TO BE PRESERVED SCHOOL OF THE FUTURE
BILL CHAN
!! SAVE CARLETON!!
Nellie Salvio
Our School will be alive with kids so please Save and keep it for our kids
Please restore and protect our School Carleton.
Zack & Jessica
Please Save P Carleton Elementary
Save Carleton Elementary
Keep Carleton School for public use.
Irene and Family
We are togethe
our community
our neighbour
and "no" to hi
SAVE
OUR
KEEP IT OPEN

SAVE CARLETON! KIDS 1ST
Save Carleton
Education is important. Children is our future. We need to keep spaces like these for our communities!
This space should be used for our communities children and more!!!
We don't need more expensive housing!!!
Change of the School Name to the local Language
Save Carleton
Enough is Enough! Save Carleton!
We need more schools for kids!
Save Carleton Elementary
We need schools NOT Jails!
SAVE THE SCHOOL!
SAVE OUR SCHOOL
What is
Save our school
SAVE

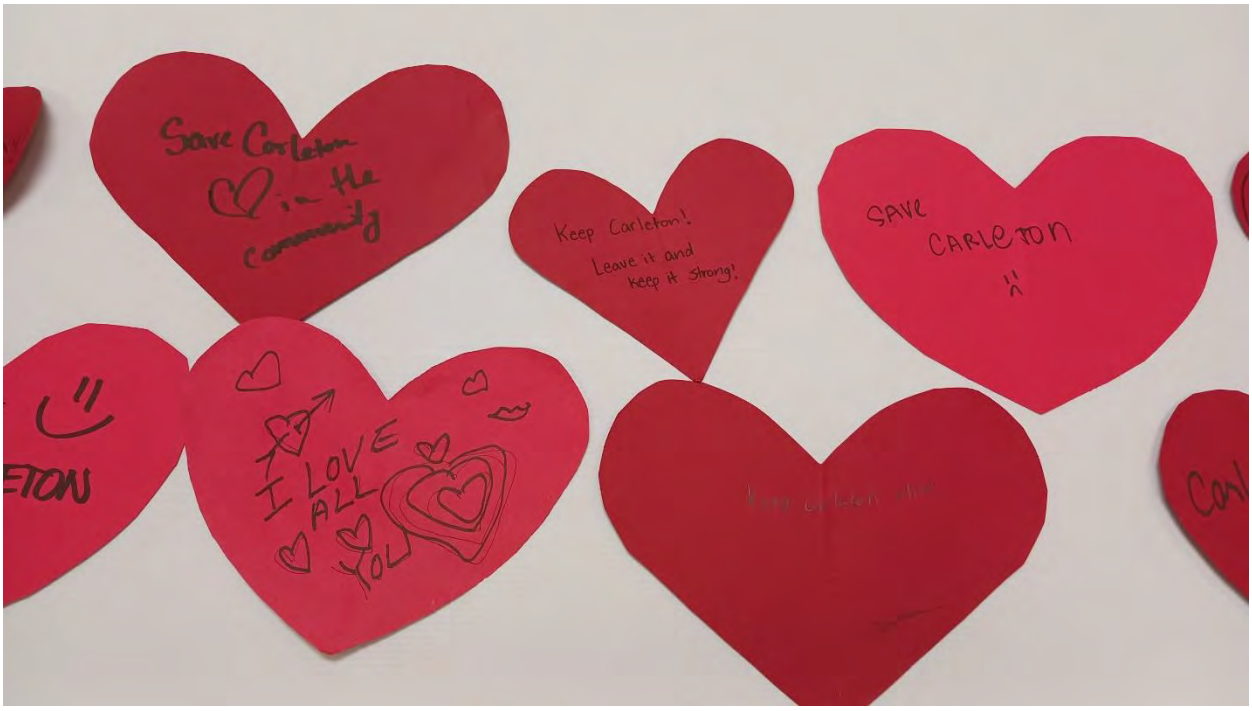
Our Schools!!
SAVE Carleton
Save Carleton
We love our school
SAVE CARLETON!
KIDS 1ST
Save Carleton
We should do this in Australia!
Change of the School to the local Language
Save Carleton Elementary
Enough is Enough! Save Carleton!
Save Carleton!
We need more schools, NOT Cars!
SAVE School! Kids 1st
Save our school

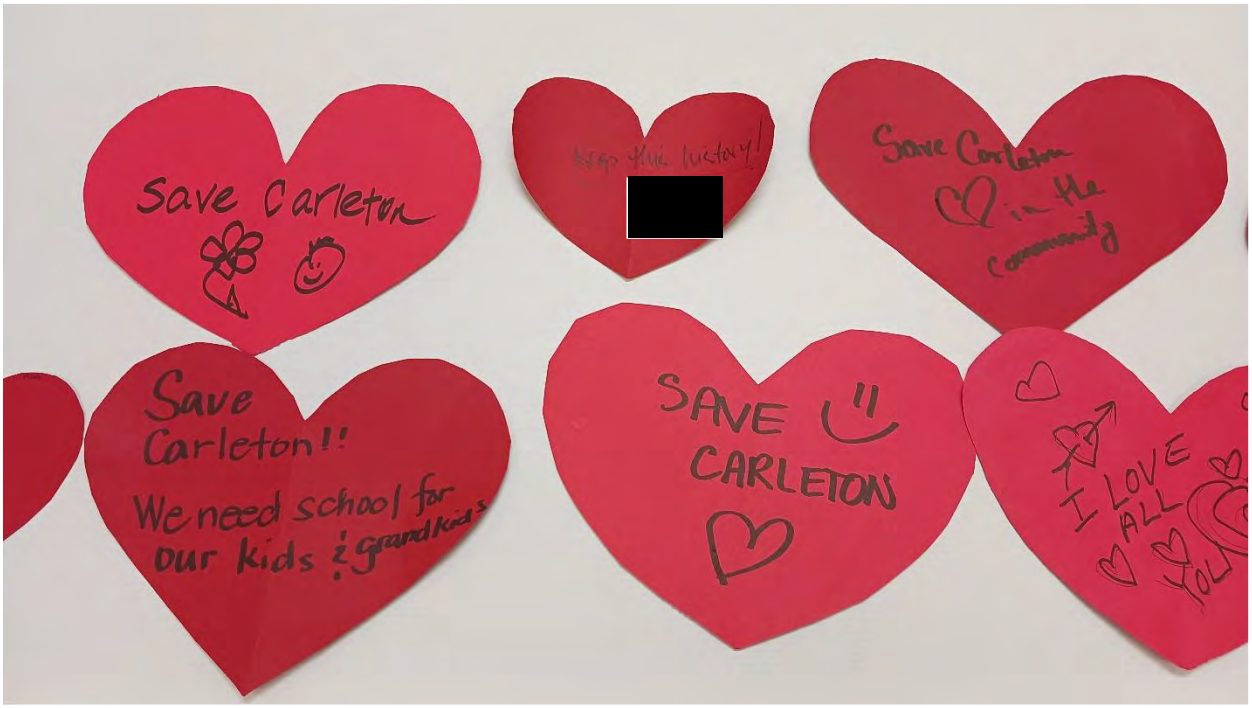
Carleton Elementary
is
our community
Open it up!
[redacted]
The kids need this

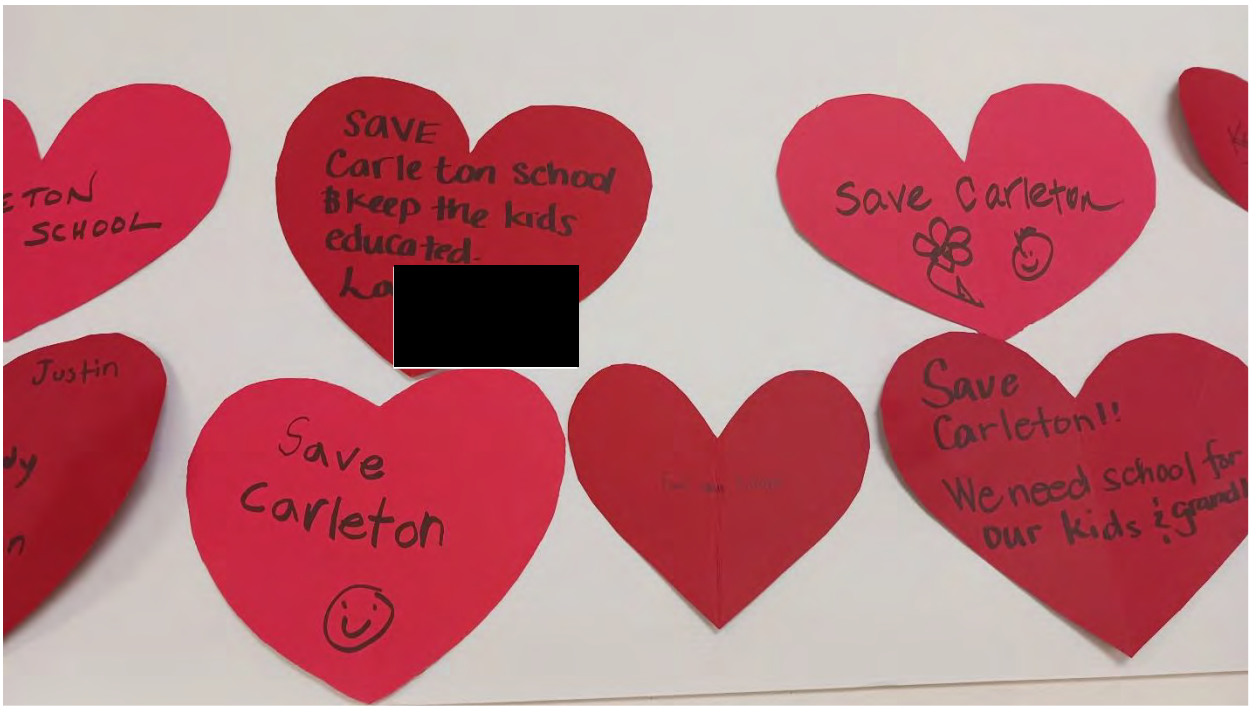
Save Carleton
Schoo!!!!
We need it
Save
Carleton Elementary
We need schools
For the future
city growth!

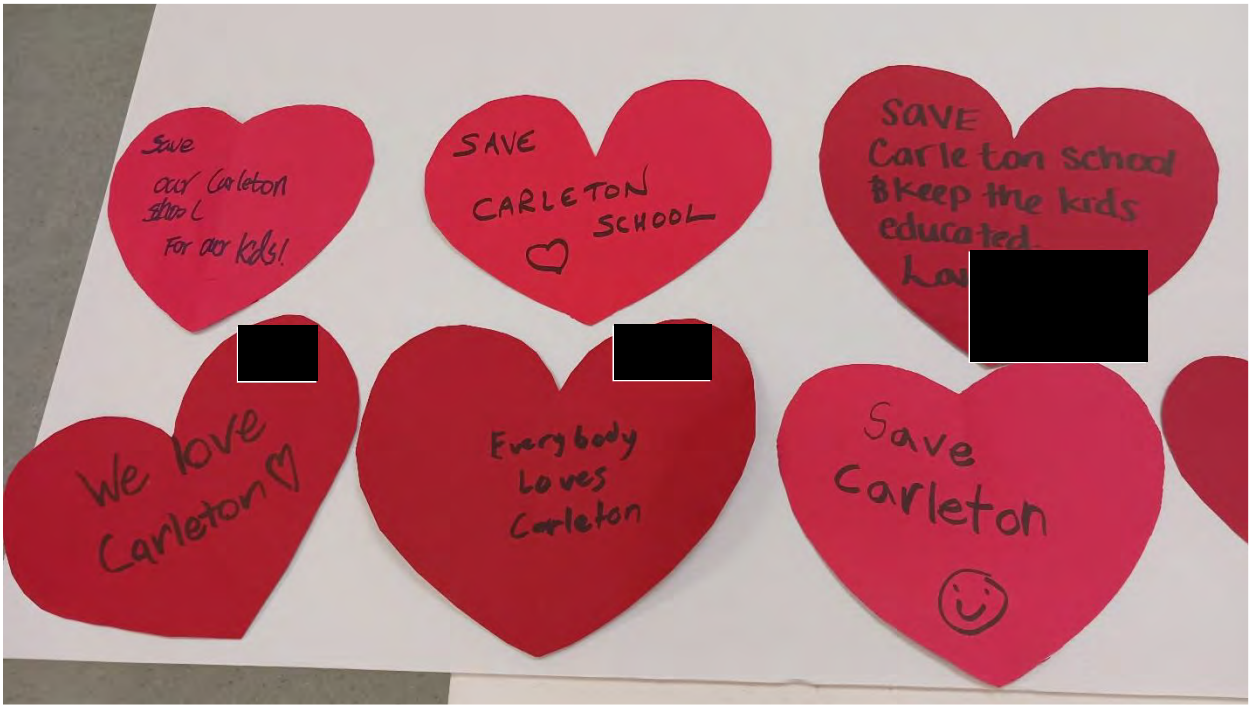

Where will the kids in the tower get their education?
That tower should get it's own catchment
SAVE CARLETON!
Thank you for making Carleton its own catchment (Carleton)
PLS SAVE CARLETON!
Convert into Affordable Housing!
We Need Carelton
save our school for out community to keep the KIDS learning and growing
PLS don't Destroy Education
EA. for Education SAVE CARLETON

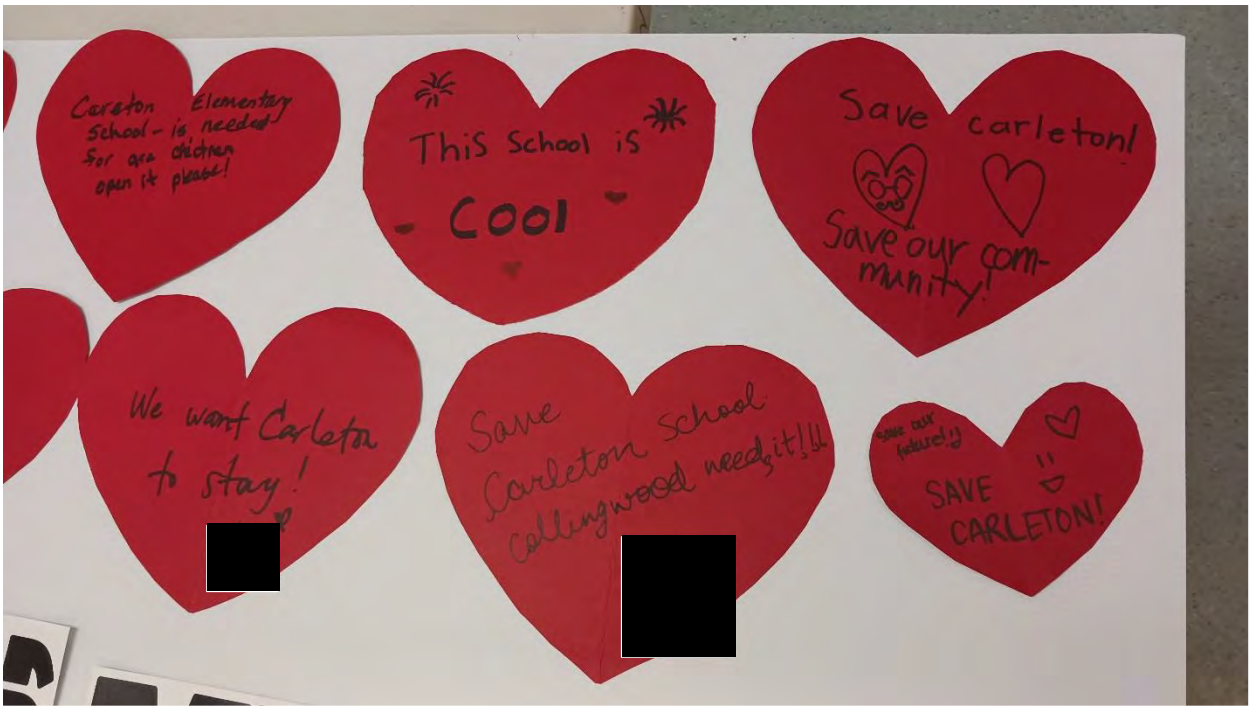
SAVE CARLETON
SaveCarletonNow
Save Carleton!
Save Carleton
Carleton is the ♡ of Collingwood
Save Carleton

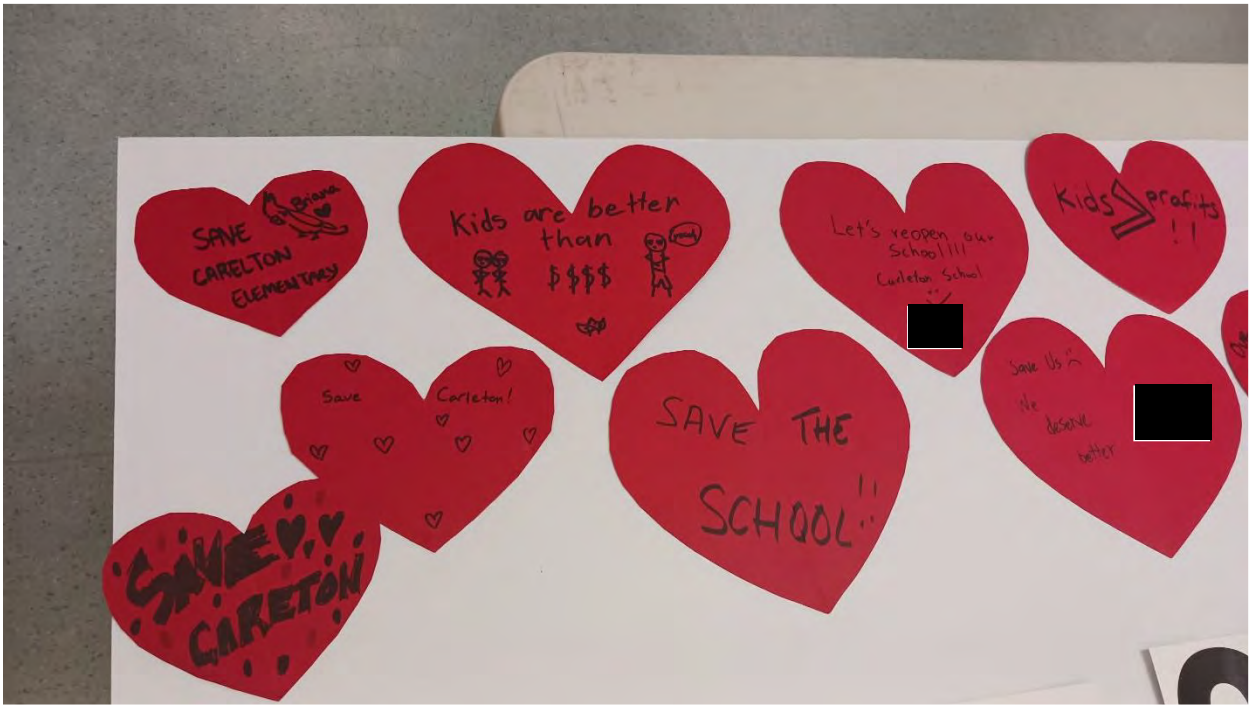

Save Carleton
in the community
Keep Carleton!
Leave it and
keep it Strong!
SAVE
CARLETON
I LOVE
ALL
YOU

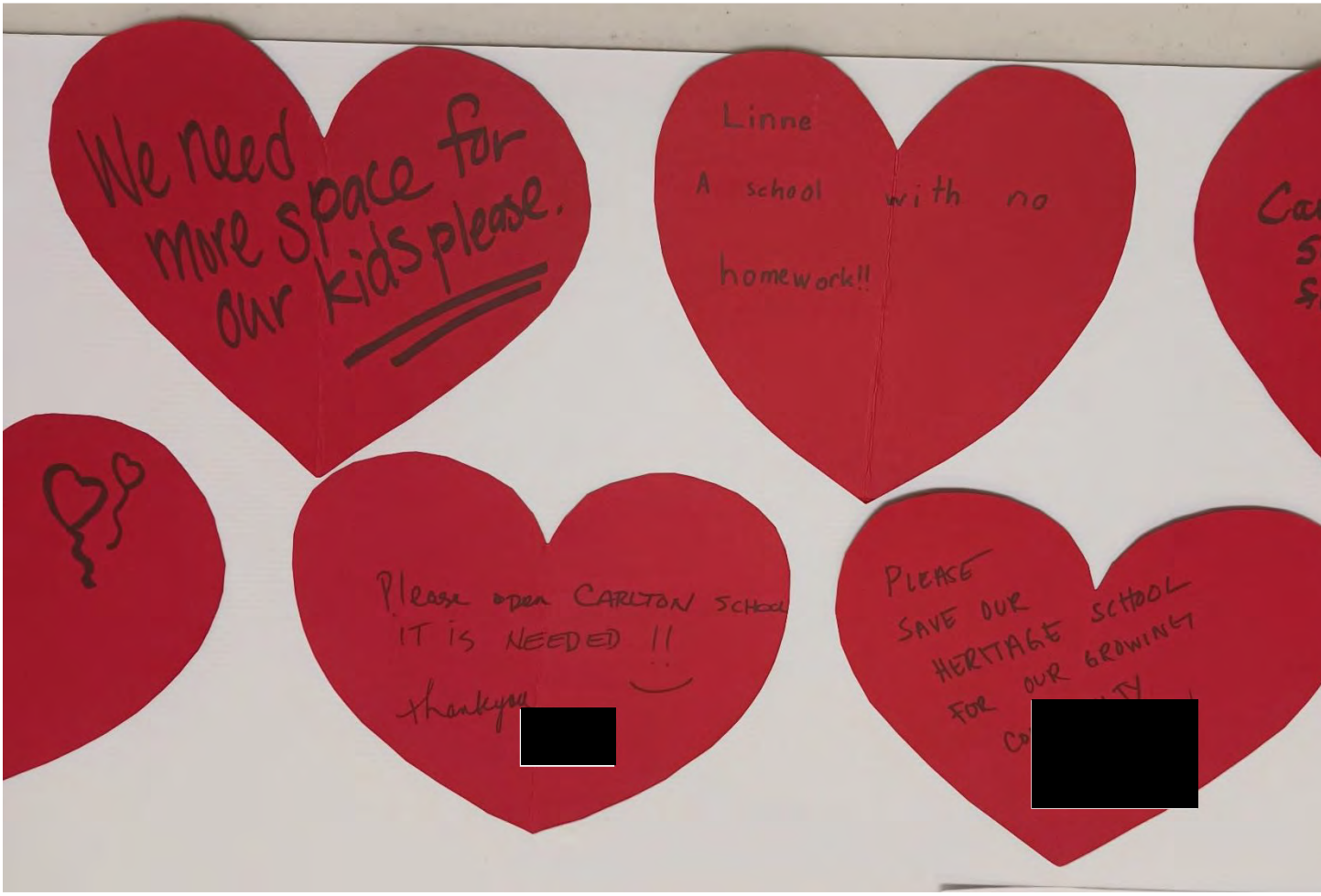

Save Carleton
[redacted]
Save Carleton
in the community
Save
Carleton!!
We need school for
our kids & grandkids
SAVE
CARLETON
I LOVE
ALL
YOU

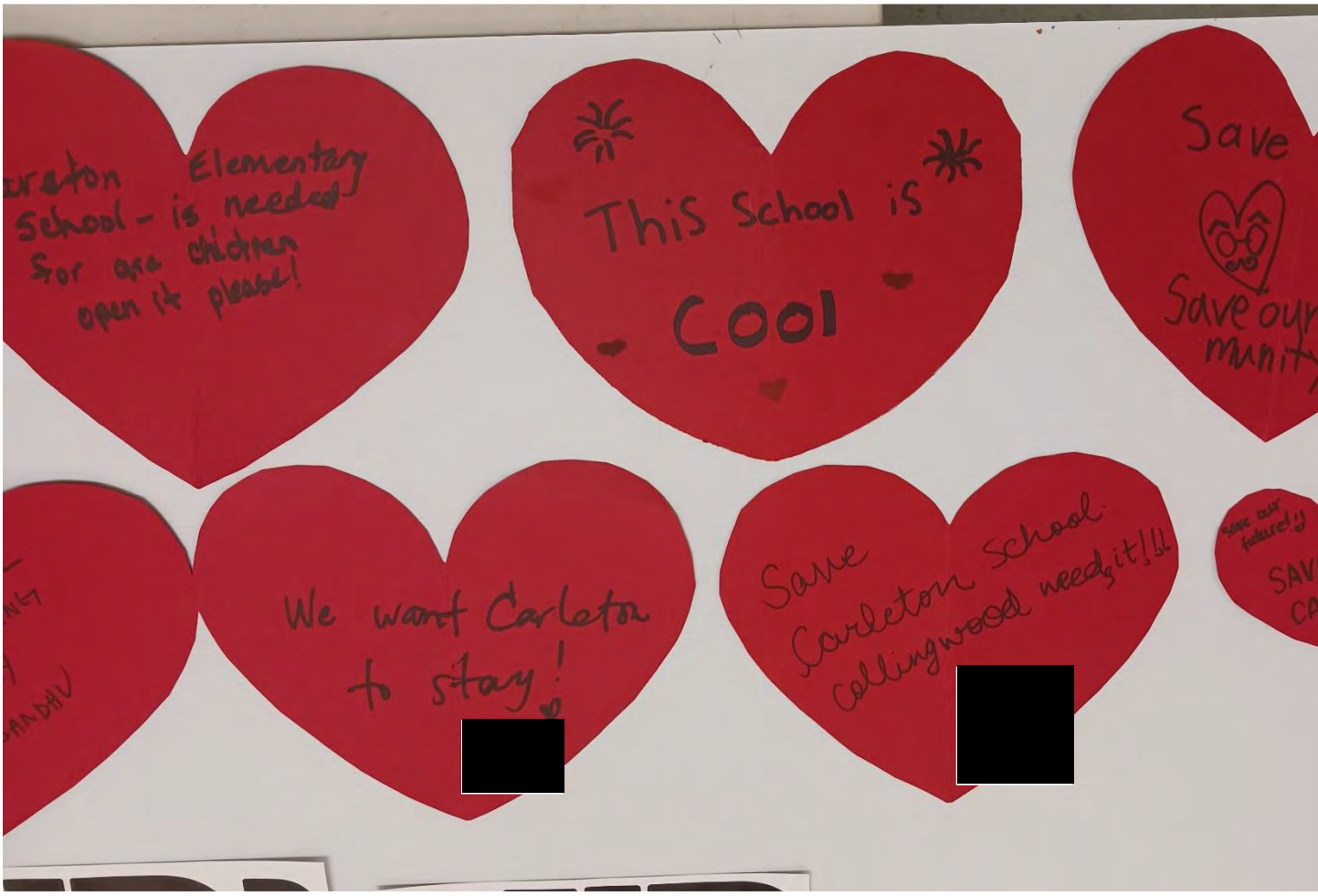

SAVE
Carleton school
& keep the kids
educated.
Save Carleton
Justin
Save
Carleton
Save
Carleton!!
We need school for
our kids & grand

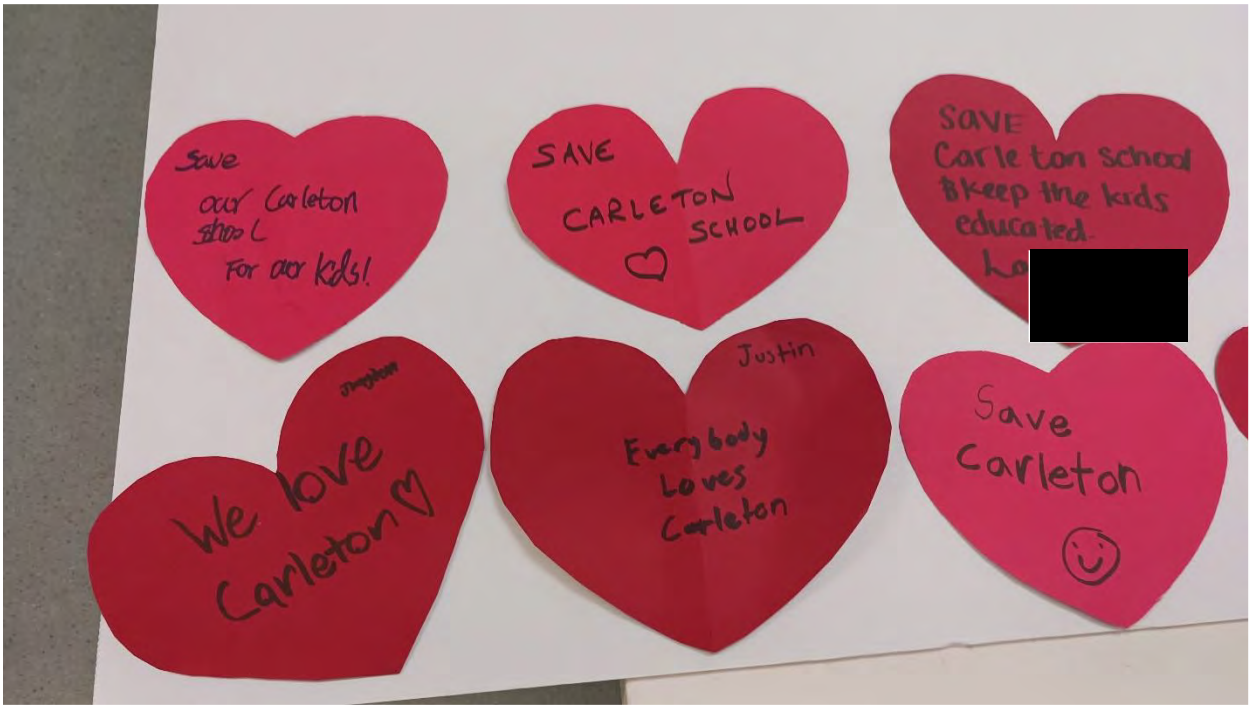

Save
our Carleton
School
For our kids!
SAVE
CARLETON
SCHOOL
SAVE
Carleton school
& keep the kids
educated.
We love
Carleton
Everybody
Loves
Carleton
Save
Carleton

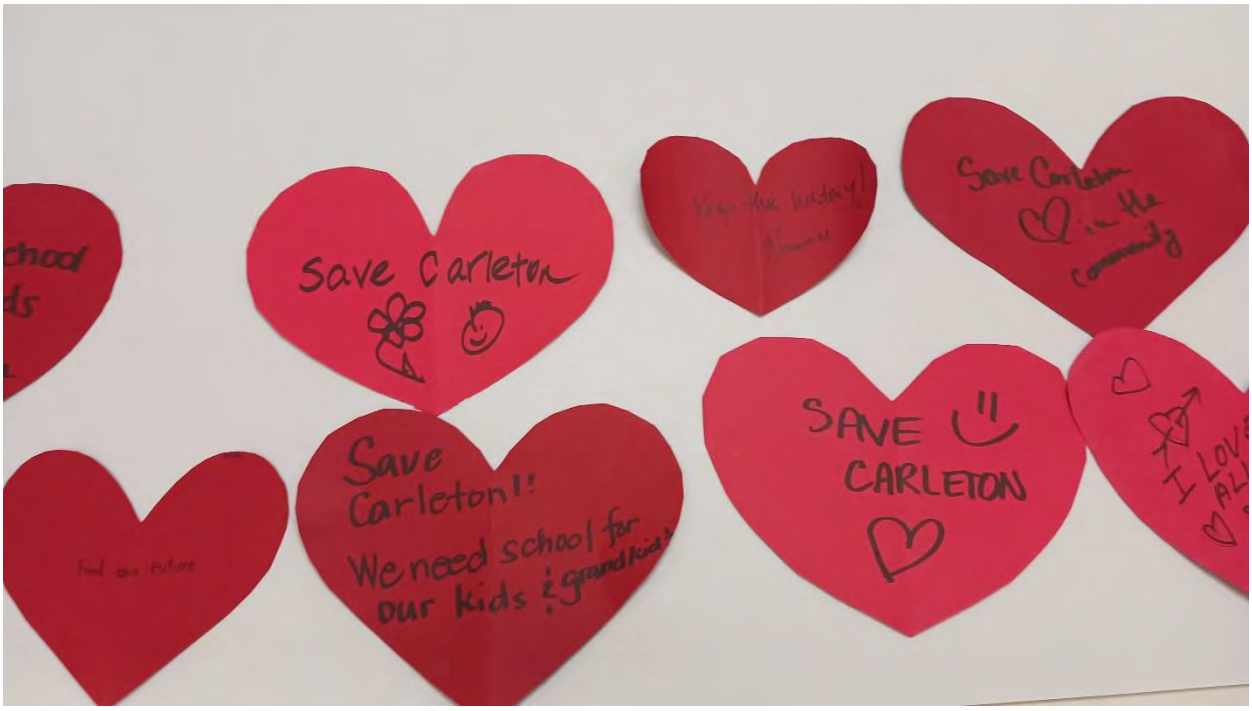

Careton Elementary School - is needed for are children open it please!
This School is - Cool
Save carleton! Save our community!
We want Carleton to stay!
Save Carleton School Collingwood needs it!!!
SAVE CARLETON!

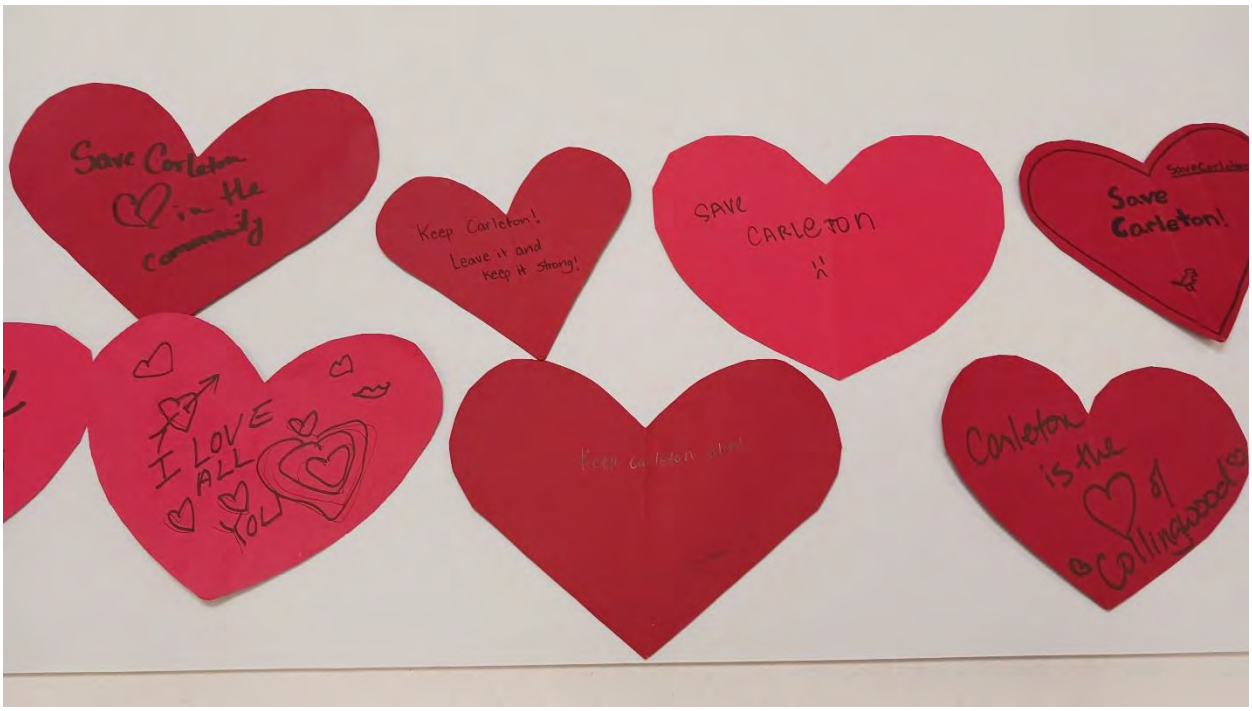

SAVE CARELTON ELEMENTARY
Kids are better than $$$$
Let's reopen our School!!!
Kids > profits!!
Save
Carleton!
SAVE THE SCHOOL!!
SAVE CARETON

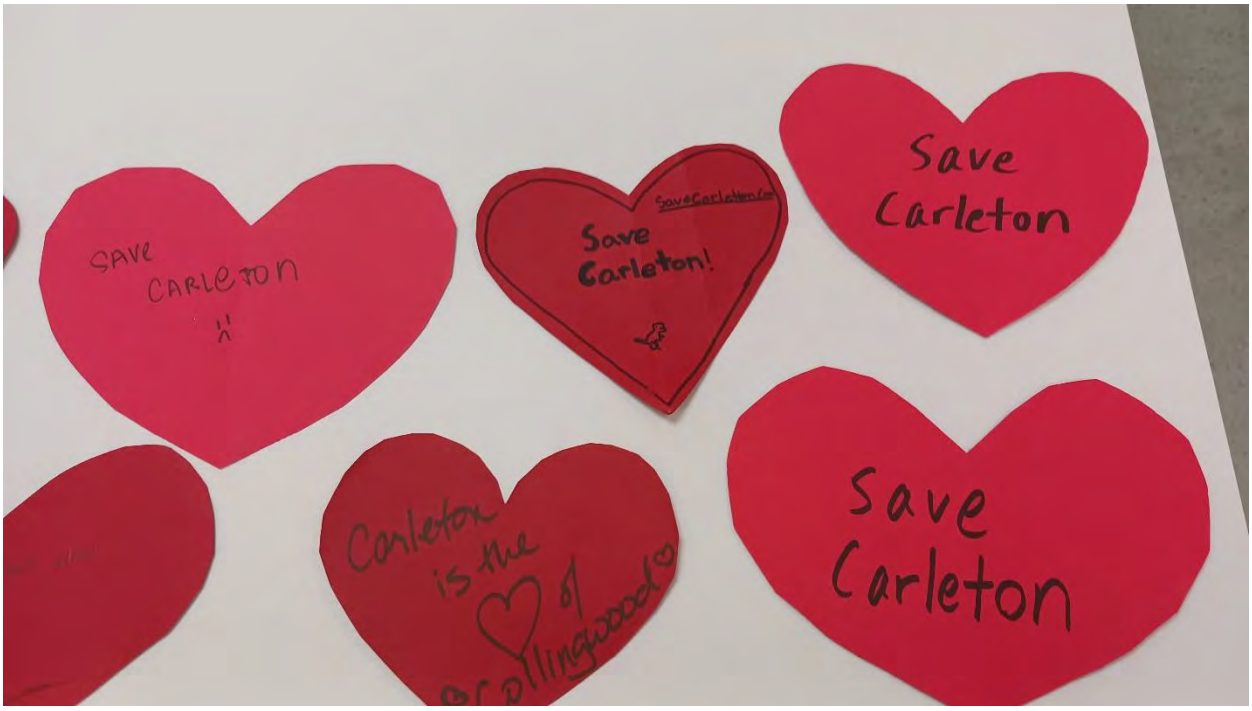

We need more space for our kids please.
Linne
A school with no homework!!
Please open CARLTON SCHOOL IT IS NEEDED !!
thankyou
[redacted]
PLEASE SAVE OUR HERITAGE SCHOOL FOR OUR GROWING
[redacted]

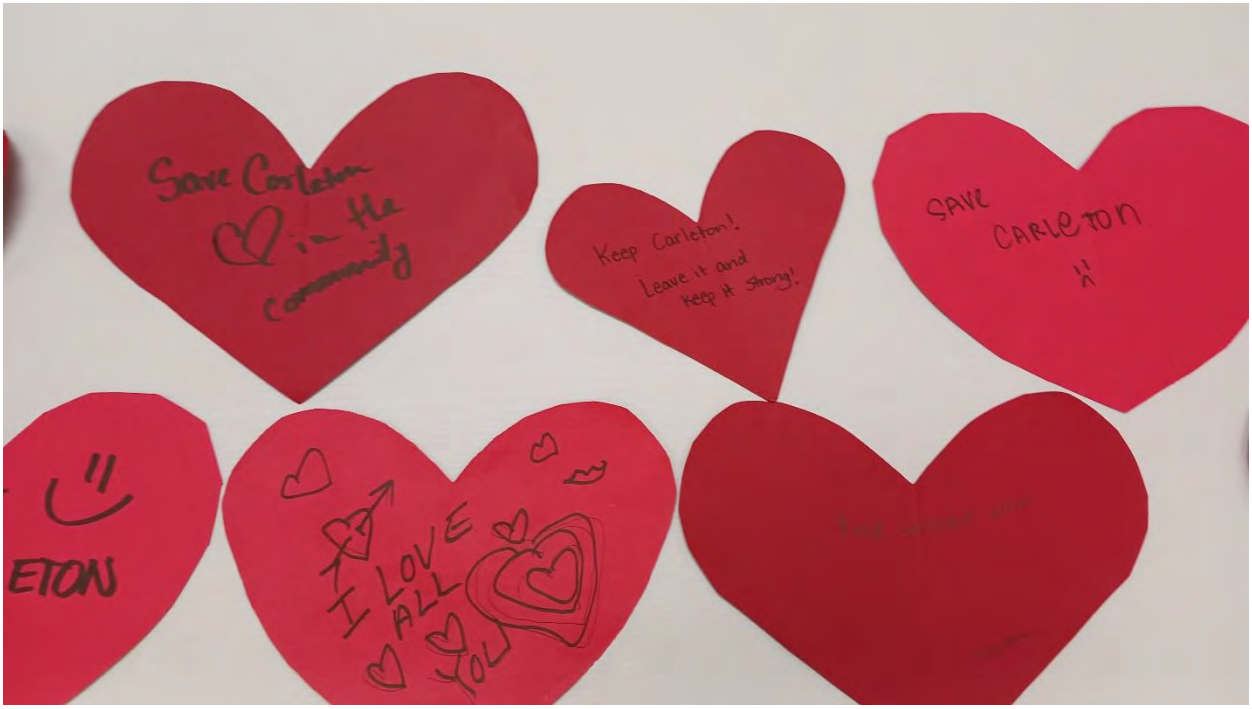

Elementary
School - is needed
for are children
open it please!
This School is
Cool
Save
We want Carleton
to stay!
Save
Carleton School
Collingwood need it!!

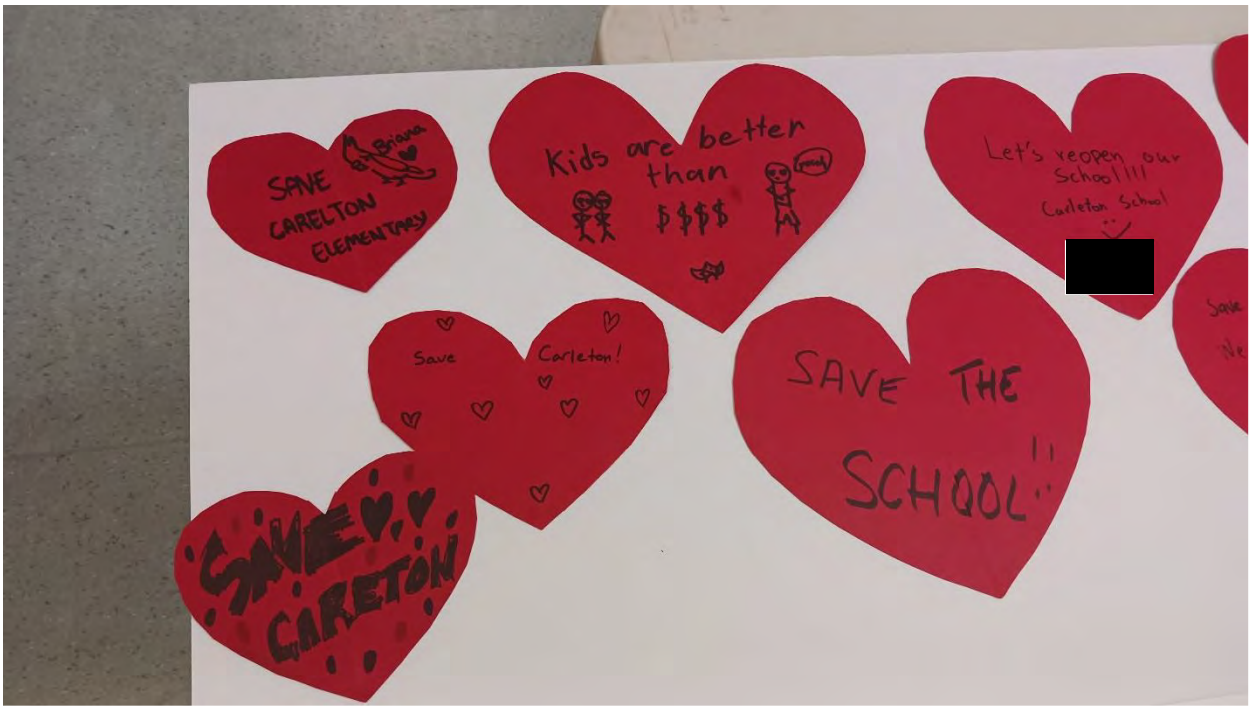

Save
our Carleton
School
For our kids!
SAVE
CARLETON
SCHOOL
SAVE
Carleton school
&keep the kids
educated.
We love
Carleton
Justin
Everybody
Loves
Carleton
Save
Carleton

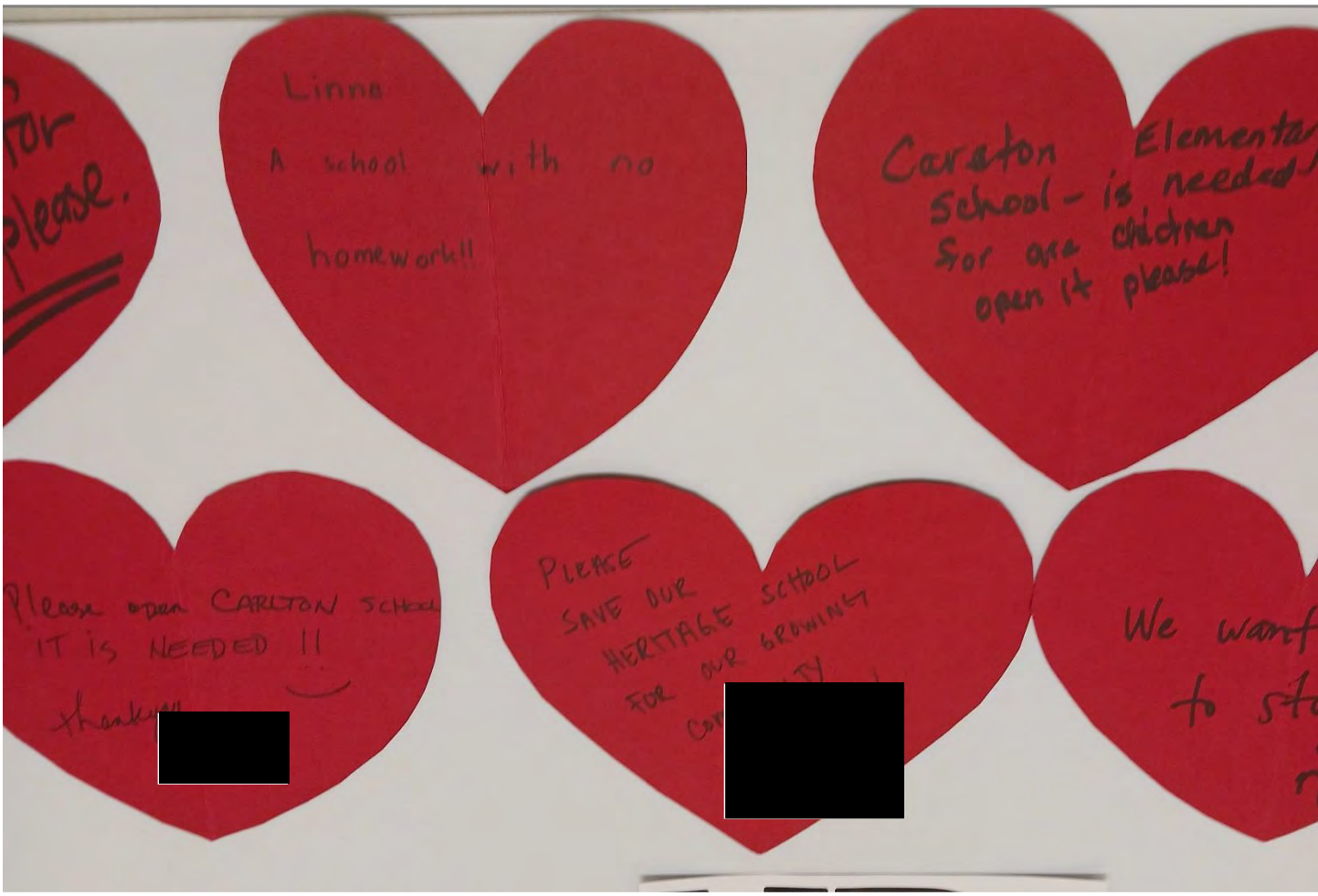

Save Carleton
Save Carleton!
We need school for our kids & grandkids
SAVE CARLETON

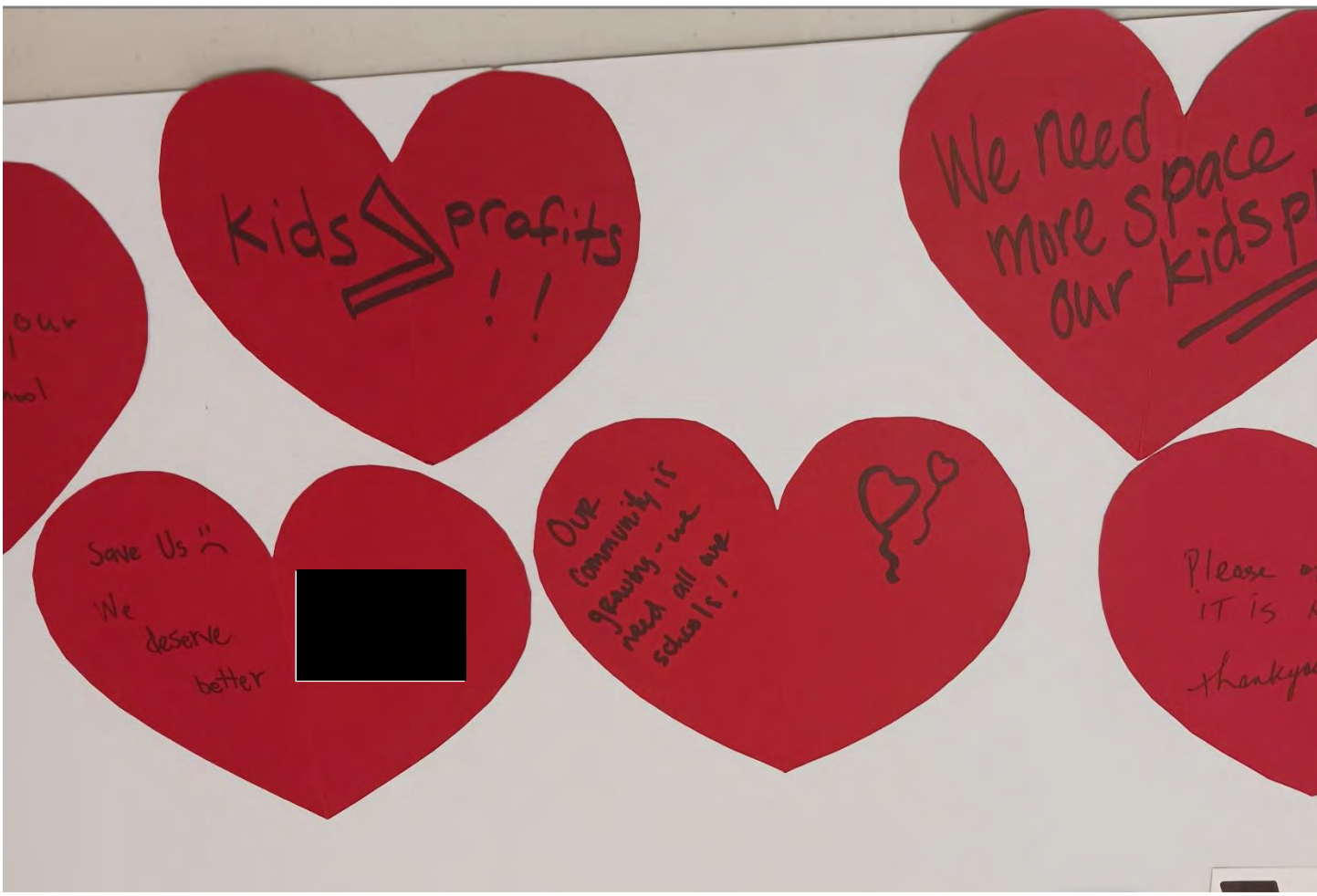

Save Carleton
Keep Carleton!
Leave it and
Keep it Strong!
SAVE
CARLETON
Save
Carleton!
I LOVE
ALL
YOU
Carleton
is the
of
Collingswood

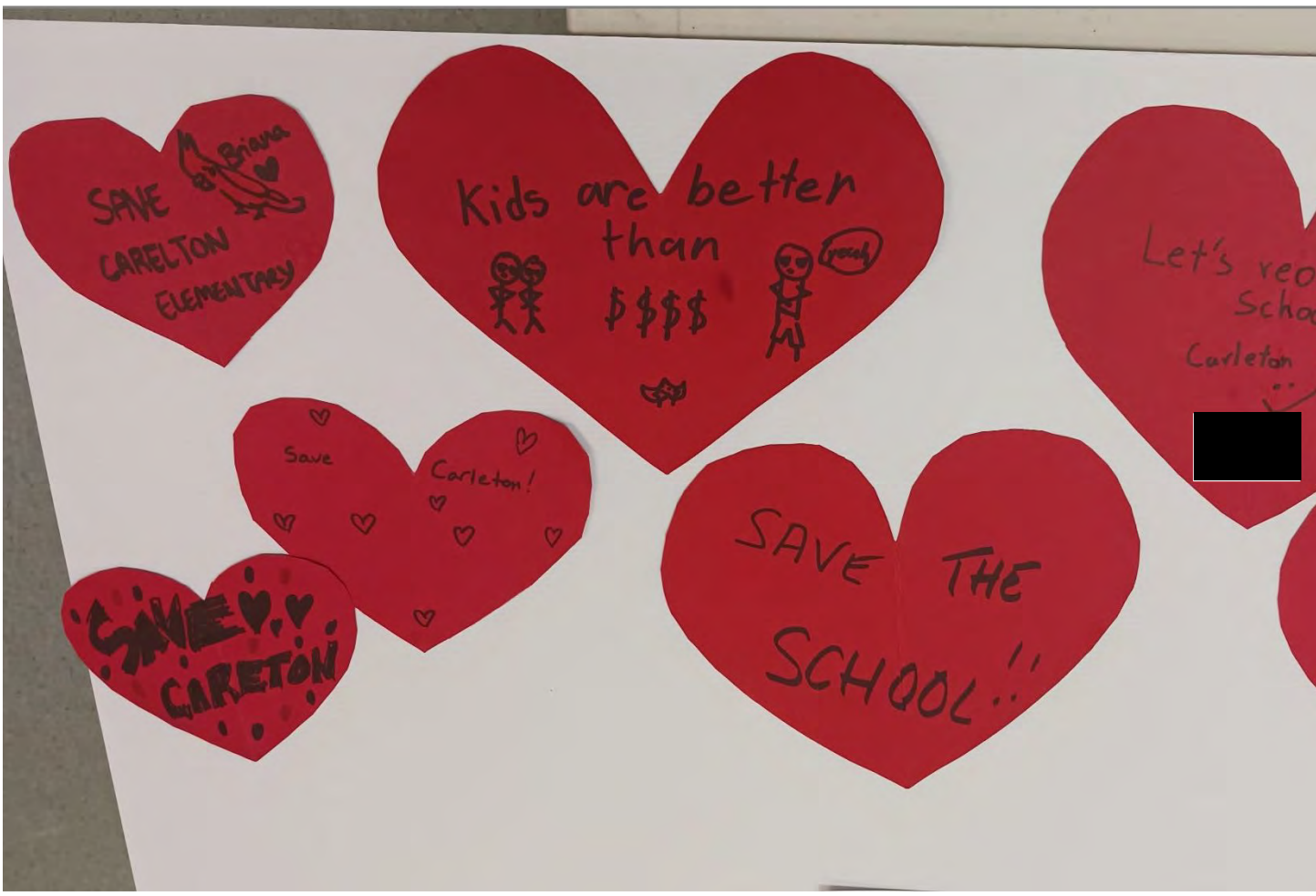

SAVE CARLETON
SaveCarleton.com
Save Carleton!
Save Carleton
Carleton is the ♡ of
Save Carleton

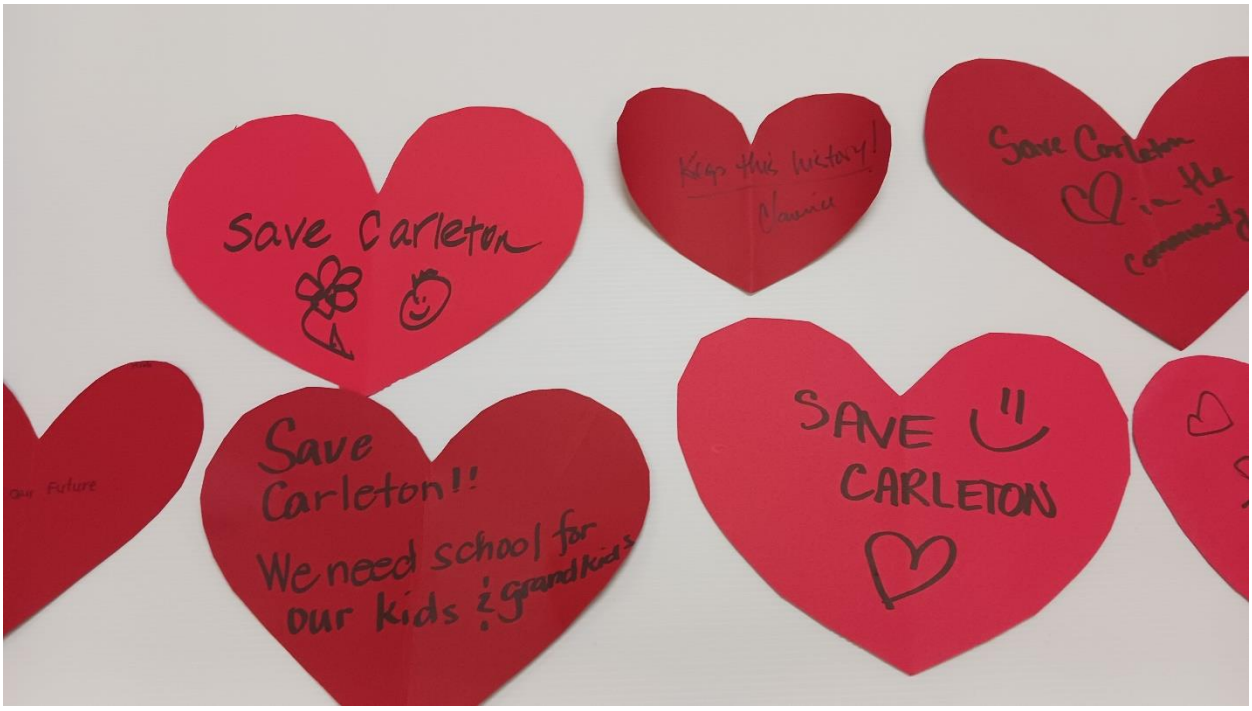

Save Carleton ♡ in the community
Keep Carleton!
Leave it and keep it Strong!
SAVE CARLETON
ETON
I LOVE ALL YOU

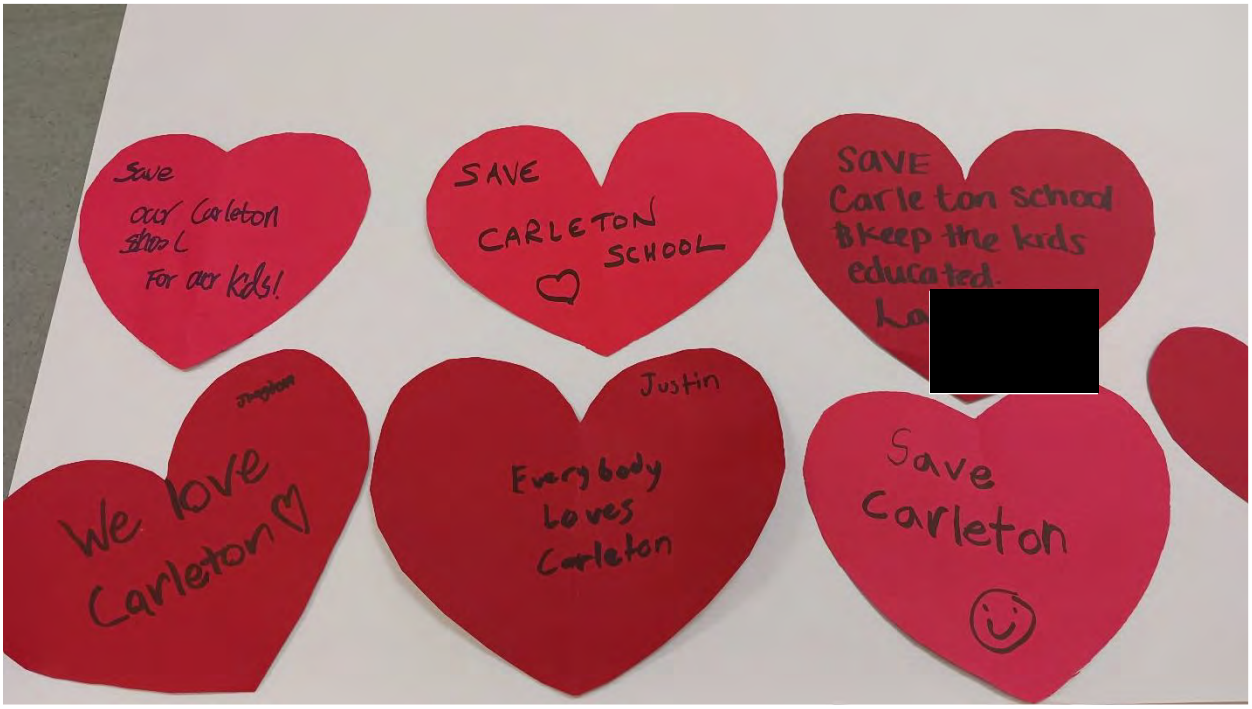

SAVE CARELTON ELEMENTARY
Briana
Kids are better than $$$$
Let's reopen our School!!!
Carleton School
Save Carleton!
SAVE THE SCHOOL!!
SAVE CARETON!


Linna
A school with no homework!!
Caraton Elementa School - is needed for are children open it please!
Please open CARLTON SCHOOL IT is NEEDED !!
PLEASE SAVE OUR HERITAGE SCHOOL FOR OUR GROWING
We want to st


Kids > profits
!!
We need
more space
our kids
Save Us :(
We
deserve
better
[redacted]
Our
community is
growing - we
need all our
schools!
Please
IT is
thankyou


SAVE
CARELTON
ELEMENTARY
Briana
Kids are better than
$$$$
Let's
Carleton
Save
Carleton!
SAVE
CARETON
SAVE THE
SCHOOL!!

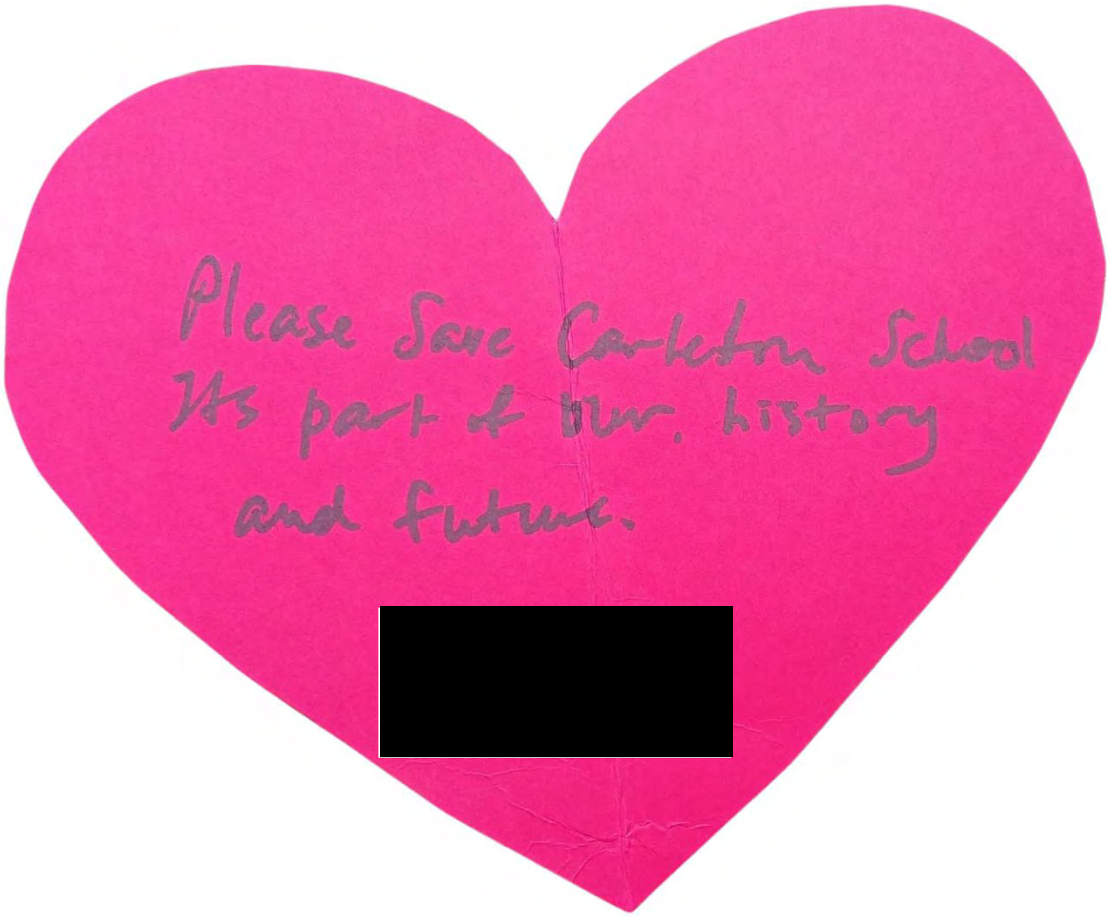

Save Carleton
Keep this history!
Save Carleton
in the
SAVE
CARLETON
Our Future
Save
Carleton!!
We need school for
our kids & grandkids

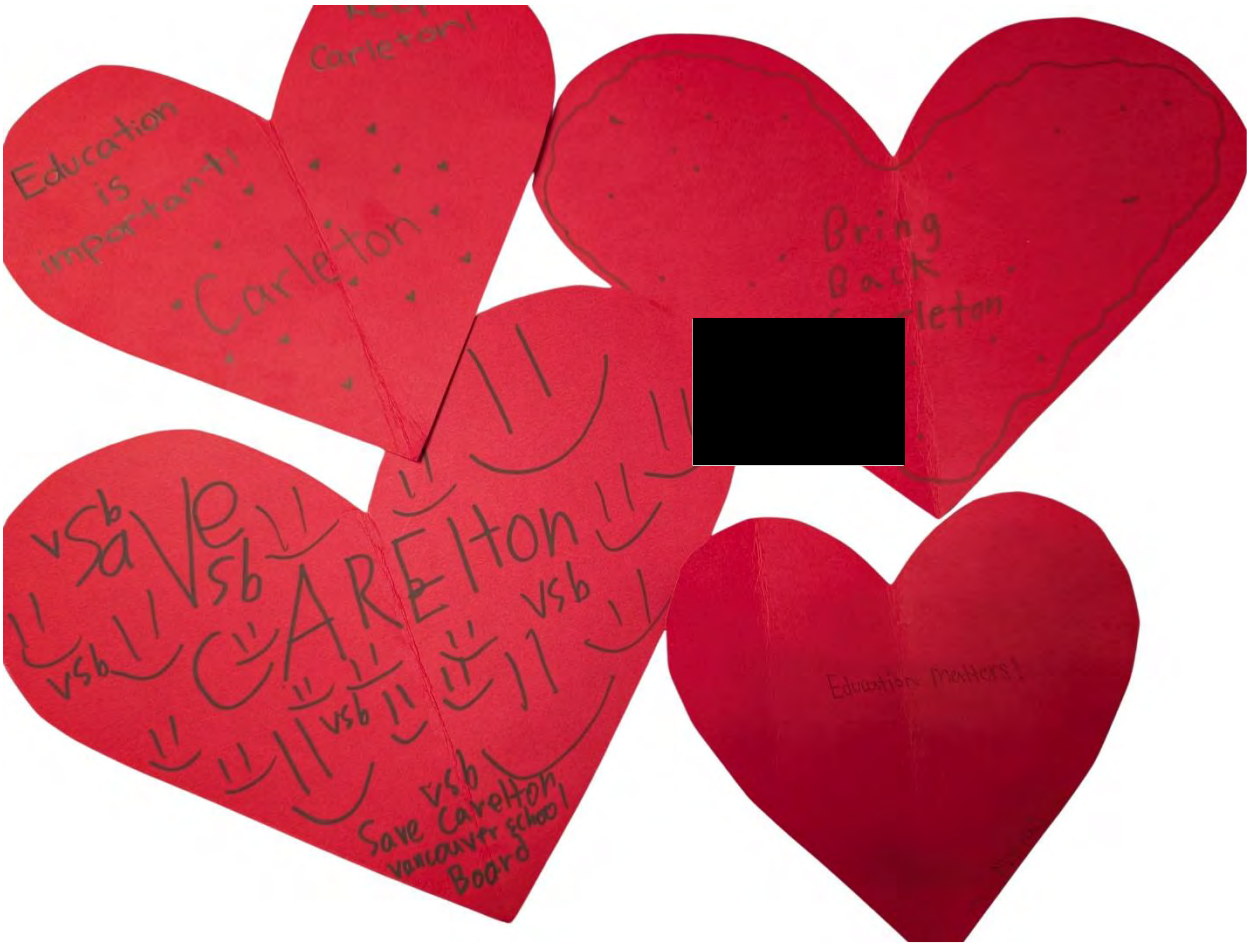

Save
our Carleton
School
For our kids!
SAVE
CARLETON
SCHOOL
SAVE
Carleton school
& keep the kids
educated.
[redacted]
We love
Carleton
Justin
Everybody
Loves
Carleton
Save
Carleton

Please Save the School I ask read it
SAVE Carlton school &keep the kids educated Love Charlie
Carlton Elementary School - is needed for our children now to come!
Please bring back the Kids to Carlton
Carlton Elementary School - is needed for our children now to come!

Keep Carleton open!
Kids need education!
Keep Carleton! Leave it and keep it strong!
SaveCarleton.ca
Save Carleton!

Save Carleton
Education first!
[redacted]


Please Save Carleton School
Its part of our history
and future.
[redacted]


Carleton!
Education is important!
Carleton
Bring Back
leton
vsb
save
vsb
CARELton
vsb
vsb
vsb
Save Carelton
Vancouver School Board
Education matters!

Chair (Vancouver DPAC) <chair@vancouverdpac.org>

DPAC Submission re Proposed Closure of Carleton Elementary

STOffice <stoffice@vsb.bc.ca> Thu, Oct 30, 2025 at 10:33 AM
To: Deborah Stern Silver <deborah.silver@vancouverdpac.org>, DPAC Chair <chair@vancouverdpac.org>, "vicechair@vancouverdpac.org" <vicechair@vancouverdpac.org>, secretary <secretary@vancouverdpac.org>, treasurer <treasurer@vancouverdpac.org>, Elizabeth Klaiber-Noble <elizabeth.klaiber-noble@vancouverdpac.org>, Ishi Dinim <ishi.dinim@vancouverdpac.org>, Angela Waterlow <angela.waterlow@vancouverdpac.org>, Celena Benndorf <celena.benndorf@vancouverdpac.org>
Cc: Superintendent <superintendent@vsb.bc.ca>

Good morning,

We are in receipt of the attached submission from DPAC Chairperson Melanie Cheng concerning the proposed closure of Carleton Elementary. Upon review, it is unclear whether the views expressed in the submission reflect the official position of DPAC or are presented in Ms. Cheng's personal capacity as a parent and community member.

As this submission was provided in response to our invitation for DPAC to share its perspective at the upcoming Facilities and Planning Committee meeting (see attached), we must confirm that the document represents the collective position of DPAC prior to including it in the meeting agenda.

Please provide clarification no later than 4:00 PM today, as the agenda package is scheduled for publication tomorrow. Without confirmation from the DPAC executive this submission will not be included in the agenda package.

Secretary Treasurer's Office

Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8

vsb.bc.ca | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube

With deep gratitude and respect, I am honoured to be learning and unlearning on the ancestral and unceded lands of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətaɬ (Tsleil-Waututh Nation).

From: Chair (Vancouver DPAC) <chair@vancouverdpac.org>
Sent: Wednesday, October 29, 2025 11:36 PM
To: STOffice <stoffice@vsb.bc.ca>
Cc: ecc.minister@gov.bc.ca
Subject: 2025-10-29 Carleton submissions - SD #39 request to stop closure process

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

From:	Vik Khanna
To:	Dhir.MLA, Sunita
Cc:	Group Trustees; Hemanshu Mehta; Chow.MLA, George; mable.elmore.MLA@leg.bc.ca; Minister, EDUC EDUC:EX; DM.Education@gov.bc.ca; 1401-1455 E 49th Avenue; Ken Sim Mayor; DPAC Chair; Taleeb Noormohamed MP; Duke, Richard (Noormohamed, Taleeb - MP); Jagrup Brar
Subject:	Re: Intro by Vik: Sunita & Heman
Date:	Monday, November 10, 2025 12:21:23 PM
Attachments:	image.png Open Letter - Request for Transparency School Facilities.pdf

---

Dear Amy,

Good afternoon; There is a solid letter from Melanie, the Chair of Vancouver DPAC that was released today - see attached!

My take: this is an extreme case of bad data usage; and goes against democratic principles. I would advise that Sunita take a detailed look at this Fleming situation and get involved to reverse the Minister's approval of VSB's disposition as it is needed by her constituents and is not "surplus."

Best Regards,

Vik Khanna
President, TiE Vancouver (2025–2026)
Co-Founder, The Visual Thinking Company
vik@thevisualthinkingcompany.com
www.thevisualthinkingcompany.com (not live yet; still in stealth)
+1 (604) 230-9708
✦ 2008 BIV Top 40 Under 40 | QuantumShift Fellow

The Visual Thinking Company: Where We Create Impact

VTC delivers value across key sectors:

Education: Smarter school catchment planning and enrollment forecasting

Healthcare: Optimized resource placement and service access

Urban Planning: Aligned housing, transit, and social infrastructure development

Government: Evidence-based decisions, improved public trust, and cost savings via reduced redundancy

Real Estate: Data-informed site selection and accelerated approvals

> ---------- Forwarded message ---------
> From: **Hemanshu Mehta** [redacted]
> Date: Wed, Oct 22, 2025 at 12:06 PM
> Subject: Re: Intro by Vik: Sunita & Heman
> To: Dhir.MLA, Sunita <Sunita.Dhir.MLA@leg.bc.ca>

CC: [redacted]

Hi Amy,

We were in the news last night incase you missed it

https://www.ctvnews.ca/vancouver/article/vancouver-parents-organize-rally-to-save-land-from-school-closure-development/

https://vancouver.citynews.ca/2025/10/21/vancouver-parents-push-against-elementary-school-land-deal/

Thank you for the encouragement to continue communicating our concerns — rest assured, we've been doing exactly that for three years now, with little to show for it besides fenced-off school grounds and a developer's sign where our basketball courts once stood.

It's disappointing that the MLA's office has no comment on how the Province oversees the long-term loss of active school land — especially when it's happening in one of the fastest-growing areas of Vancouver.

To be clear, this isn't a zoning curiosity or a "municipal matter." The VSB operates under the School Act, and the Ministry has an explicit role in ensuring that educational land remains available for future students. If that oversight function has now been delegated entirely to parent volunteers, please do let us know so we can adjust expectations accordingly.

We'll continue to raise this publicly and hope that MLA Dhir might still take an interest before this 99-year decision becomes a 99-year regret.

I'll be presenting at the public hearing to City Council tomorrow at 6pm.

Here is my speech if you care to read it:

https://docs.google.com/document/d/14GfnrZK5gxJCmn-HHfvOojljLjAGAUULYRJxKSloZao/edit?tab=t.0

Sunita can register here:

https://vancouver.ca/your-government/speak-at-city-council-meetings.aspx

Regards,

Heman Mehta
[redacted]
Schedule a meeting or connect with me on LinkedIn / Twitter

On Mon, Oct 20, 2025 at 1:48 PM Dhir.MLA, Sunita <Sunita.Dhir.MLA@leg.bc.ca> wrote:

Hi Heman,

Thank you for your email to Sunita Dhir, MLA for Vancouver-Langara, and thank you for sharing this information with our office. Our office would encourage the PAC to continue communicating your concerns and working with the Vancouver School Board and the City of Vancouver.

If you have any provincial-level questions, feel free to email our office at any time. Thank you again for writing to our office.

Regards,

Amy L.
Constituency Advisor
Sunita Dhir, MLA for Vancouver-Langara
604-660-8380
Sunita.Dhir.MLA@leg.bc.ca
6615 Main Street, Vancouver, BC V5X 3H3
Office hours: Mondays to Fridays, 10:30 am - 4:00 pm
Subscribe for Vancouver-Langara Community Office updates!

From: Hemanshu Mehta [redacted]
Sent: October 16, 2025 3:55 PM
To: Vik Khanna <vik@vikkhanna.com>
Cc: Dhir.MLA, Sunita <Sunita.Dhir.MLA@leg.bc.ca>; Sir Sandford Fleming PAC Pac [redacted]
Subject: Re: Intro by Vik: Sunita & Heman

> You don't often get email from [redacted]. Learn why this is important

Dear Sunita,

Thank you, Vik, for the introduction — and Sunita, it's a real pleasure to connect.

As Vik mentioned, [redacted] and serve as the PAC Chair at Sir Sandford Fleming Elementary, where many local families are deeply concerned about the VSB's 99-year lease and upcoming rezoning of a portion of our school's land.

The south field and basketball courts—roughly the size of seven residential lots—have already been fenced off by the developer, and now the City has scheduled a Public Hearing on October 23, 2025, at 6 p.m. to approve the rezoning.

Public Hearing Details:

Register to speak starting October 10 at 8:30 a.m. → vancouver.ca/publichearings

Fleming is already over capacity (427 students for 398 spaces), yet the City's referral report relies on outdated data suggesting under-utilization. Before this rezoning proceeds, I respectfully ask for your help to:

1. Advocate for a pause on the Fleming rezoning until an independent review of enrollment and capacity data is completed.

2. Seek clarity from Minister Rachna Singh and Minister Brenda Bailey on how the Ministry of Education and Child Care ensures provincial oversight when active school land is leased for a century.

3. Join us at the October 23 hearing—and, if possible, sign up to speak—to emphasize that education land in high-growth neighborhoods must remain available for future generations of students.

This issue goes beyond one school; it represents how Vancouver preserves public land for children and how transparent, data-driven decisions can rebuild public trust.

I would love to meet with you for coffee or a short chat ahead of the hearing to discuss how we can work together on this.

Warm regards,

Heman Mehta

PAC Chair, Sir Sandford Fleming Elementary

604-726-8760

[redacted]

On Sat, Sep 13, 2025 at 9:54 AM Vik Khanna <vik@vikkhanna.com> wrote:

> Dear Hemanshu & Sunita,
>
> It's my pleasure to introduce you to each other!
>
> Sunita, Heman [redacted]
>
> Heman, Sunita [redacted] Please connect with her and ask for a one-on-one meeting with the Minister of Education and Child Care as this has to get settled as the education land at Fleming is needed in an area of enrolment growth. Lots of families and kids in the area and that should be celebrated!

Mobiles:

Heman = [redacted]
Sunita = [redacted]

The City Council votes this Tuesday... Heman, if you find a way to sign up to speak, let me know and I will join you - I looked but could not find...

https://council.vancouver.ca/20250916/regu20250916ag.htm

Connect for a coffee to explore strategies. Thanks!

Best Regards,

VIK

---------- Forwarded message ---------
From: **Vik Khanna** <vik@vikkhanna.com>
Date: Sat, Sep 13, 2025 at 9:36 AM
Subject: Your September 2 Report Confirms February 26 Warning - Action Required
To: 1401-1455 E 49th Avenue <1401east49th@vancouver.ca>
Cc: Ken Sim Mayor <ken.sim@vancouver.ca>, <lucy.maloney@vancouver.ca>, <sean.orr@vancouver.ca>, Fry, Pete <pete.fry@vancouver.ca>, Zhou, Lenny <lenny.zhou@vancouver.ca>, Dominato, Lisa <lisa.dominato@vancouver.ca>, Bligh, Rebecca <rebecca.bligh@vancouver.ca>, Kirby-Yung, Sarah <sarah.kirby-yung@vancouver.ca>, Montague, Brian <brian.montague@vancouver.ca>, Klassen, Mike <mike.klassen@vancouver.ca>, Hemanshu Mehta [redacted]>, Meiszner, Peter <peter.meiszner@vancouver.ca>, <josh.white@vancouver.ca>, Matt Shillito <matt.shillito@vancouver.ca>, Hrushowy, Neil <Neil.Hrushowy@vancouver.ca>, <city.manager@vancouver.ca>, Group Trustees <GroupTrustees@vsb.bc.ca>, Minister, EDUC EDUC:EX <EDUC.Minister@gov.bc.ca>, <DM.Education@gov.bc.ca>, <Sunita.Dhir.MLA@leg.bc.ca>, Chow.MLA, George <george.chow.MLA@leg.bc.ca>, <mable.elmore.MLA@leg.bc.ca>

Dear Chee,

Hi again. I am uncertain what authority you have to reverse your recommendation. If you have that power, I would advise that you do so, as my February 26 letter warned of VSB systemic dysfunction. Your September 2 report confirms it:

Page 8: Fleming has kindergarten lotteries and is over capacity today.

Page 9: Fleming at 76% utilization by 2031. VSB also states: *"The VSB continues to **explore options to reduce pressure on schools in this area**, monitor development, and work with City staff to help plan for future growth."*

You cannot reconcile this contradiction because it exposes the issue I documented in

February. Your recommendation to proceed despite this mathematical impossibility makes the City potentially liable for predictable consequences as the Vancouver Charter demands integrated planning. Acquiring education land in this area by the city will be costly so there is material interest for the city to consider changing its recommendation.

For the record: You were informed. The contradiction is documented. Council will decide whether to accept contradictory data or require verification.

I have spoken to Sunita Dhir, the neighbouring MLA for Fleming, where PAC Chair Hemanshu Mehta is a resident. We strongly believe this matter must also be escalated to the Ministry of Education and Child Care, as my original email to Minister Beare on Tuesday, February 4, 2025, at 11:07am has not been answered. Sunita will personally speak with the Minister to find out why the Ministry accepts VSB's capture rate when the Ministry has its own contradictory datasets showing that disposing of land in an area of enrollment growth should be untenable.

cc: Sunita Dhir & Mable Elmore & George Chow, area MLAs for Fleming Elem.

Best Regards,

Vik Khanna
President, TiE Vancouver (2025–2026)
Co-Founder, The Visual Thinking Company
vik@thevisualthinkingcompany.com
www.thevisualthinkingcompany.com (not live yet; still in stealth)
+1 (604) 230-9708
✦ 2008 BIV Top 40 Under 40 | QuantumShift Fellow

The Visual Thinking Company: Where We Create Impact

VTC delivers value across key sectors:

Education: Smarter school catchment planning and enrollment forecasting

Healthcare: Optimized resource placement and service access

Urban Planning: Aligned housing, transit, and social infrastructure development

Government: Evidence-based decisions, improved public trust, and cost savings via reduced redundancy

Real Estate: Data-informed site selection and accelerated approvals

On Sat, Sep 13, 2025 at 5:35 AM Vik Khanna <vik@vikkhanna.com> wrote:

> # Fleming Rezoning: Critical Data Contradiction Requires Deferral
>
> **To:** Vancouver City Council
> **From:** Vik Khanna, Former Chair, DPAC Facilities Committee

Date: September 13, 2025
Re: RTS 18108 - Mathematical Impossibility in Staff Report

Executive Summary

City staff report RTS 18108 contains a mathematical contradiction that invalidates the rezoning basis. Page 8 acknowledges Fleming Elementary operates at capacity. Page 9 accepts VSB's projection of 76% utilization by 2031. Both cannot be true. This 99-year decision cannot proceed on contradictory data.

The Fleming Contradiction - Documented in Your Report

City Report Page 8: Public submissions state "Sir Sanford Fleming Elementary School is already at capacity"

City Report Page 9: "According to VSB...capacity utilization of 76%...by 2031"

Also Page 9: "VSB continues to explore options to reduce pressure on schools in this area"

Mathematical Reality: A school cannot simultaneously be at capacity today and have 24% empty space in a few short years.

The Capture Rate Error Affecting Fleming

VSB Formula: Enrollment = School-Age Children × Capture Rate

VSB Claims: 83% capture rate for planning

Statistics Canada Reality: 75% actual capture rate

Impact: 8 percentage point error = 5,500 students district-wide

Fleming Effect: Every 1% capture error = ~650 students = exceeding capacity at multiple schools

This mathematical error directly impacts Fleming's catchment projections.

Fleming's Actual Situation

Current Status: 107% capacity (documented February 2025)

Kindergarten: Lottery system due to oversubscription

Playground: Lost to accommodate portables or new building

Future Flexibility: 99-year lease eliminates expansion options

Minimal Revenue: $84,000 annually ($7,000/month)

The Hamber Pattern Proves Methodology Failure

Eric Hamber Secondary provides documented proof of VSB's projection failures:

Projection: Declining enrollment justified smaller building

Reality: 26% smaller facility immediately at capacity

Impact: Lost swing space stalled 11 seismic upgrades

Pattern: Same flawed methodology applied to Fleming

Financial Analysis - Fleming Specific

Current Proposal: $84,000 annual revenue for 99 years

Alternative Multi-Use Potential:

- School expansion space when needed
- Teacher housing addressing recruitment crisis
- Childcare for community families
- Federal funding eligibility for integrated infrastructure

Opportunity Cost: Lose co-location social dividends = less family friendly city.

February 26, 2025 Warning - Now Validated

My previous correspondence warned: "Fleming distills six years of observed dysfunction into one stark example."

February Warning: "School at 107% capacity losing land"

September Reality: Your report confirms capacity pressure

February Warning: "No viable space for future portables"

September Reality: VSB acknowledges need to "reduce pressure"

February Warning: "99-year lease locks in constraints for generations"

September Reality: City recommends approval based on contradictory data

Legal Liability Under Vancouver Charter

Section 565 establishes joint City-VSB responsibility for education infrastructure. Approving rezoning based on contradictory data creates City liability for:

- Future portable costs when capacity exceeded
- Lost expansion opportunities
- Educational service failures
- Permanent loss of public asset

Required Council Actions

Motion 1: Acknowledge Contradiction

"THAT Council acknowledges the mathematical contradiction between current capacity (Page 8) and projected surplus (Page 9) in Report RTS 18108"

Motion 2: Require Reconciliation

"THAT the rezoning be deferred pending reconciliation of Fleming's actual versus projected capacity"

Motion 3: Independent Verification

"THAT staff obtain third-party verification of enrollment projections before any school land disposition"

Motion 4: Assess Alternatives

"THAT staff report back on multi-use development potential that preserves school expansion capacity"

The Binary Choice

Option A: Approve Despite Contradiction

- Accept report with 24-point capacity variance
- Lock 99-year commitment based on false data
- Assume liability for capacity failures
- Lose co-location social dividends

Option B: Defer for Verification

- Require data reconciliation
- Preserve expansion options
- Maintain public asset flexibility
- Avoid predictable failure

Conclusion

The contradiction is in your own report. A school cannot be both at capacity and have 24% surplus space. The 8 percentage point capture rate error compounds this

impossibility.

Fleming represents a 99-year decision based on 90-day projections. Council cannot claim ignorance when the evidence of contradiction is documented in the staff report.

Deferral for verification is the only responsible action.

Vik Khanna
Former Chair, DPAC Facilities Committee
Co-Founder, The Visual Thinking Company
vik@vikkhanna.com | 604-230-9708

Appendix: Capture-rate math in plain English.

image.png

Definitions

- Y = number of school-age children living in the district (ages 5–17).

- C = capture rate = share of those children who attend VSB.
- E = VSB enrolment.

Core formula $E = Y \times C$

2020–21 example from your slides

- VSB denominator: Y1=57,940, enrolment
  $E = 48{,}257 \Longrightarrow C1 = 48{,}257/57{,}940 \approx 83.3\%$
- External denominator: $Y2 \approx 64{,}610$, same enrolment
  $E = 48{,}257 \Longrightarrow C2 = 48{,}257/64{,}610 \approx 74.7\%$

Difference in capture = 83.3% − 74.7% = 8.6 percentage points.

If you forecast with $Y \approx 64{,}610$, that 8.6 pp error implies:
$\Delta E = Y \times \Delta C \approx 64{,}610 \times 0.086 \approx 5{,}500$ students (~11 elementary schools @ 500 seats).

Rule of thumb Every 1 percentage point error in capture ≈ 1% of Y students. That's why small shifts in C produce capital-scale mistakes if used in forecasting.

On Wed, Feb 26, 2025 at 2:43 PM Vik Khanna <vik@vikkhanna.com> wrote:

> Dear Chee,
>
> Thank you for engaging with my feedback on the **Fleming Elementary redevelopment** and for the opportunity to provide even more feedback - highly appreciate your diligence on this super important matter! What's unfolding at Fleming sets precedence and **deserves careful documentation**—not just as another **rezoning application**, but as a **case study in systemic failure**.
>
> Sustained advocacy on **complex urban planning issues** has become increasingly rare in public discourse. Most **citizen engagement** follows a predictable cycle —**momentary outrage, media coverage, and then silence** as attention shifts elsewhere. **The patient work of documenting systemic patterns across years**, rather than reacting to isolated incidents, rarely persists beyond a single budget cycle. Even rarer is when **entrepreneurs apply their systems thinking to public advocacy**. Those who have built successful ventures **are trained to identify patterns, leverage data, and develop scalable solutions**—precisely what's needed to address **entrenched planning challenges**. Yet, **these worlds seldom intersect**.

Thankfully, they are now.

Fleming: A Case Study in Systemic Dysfunction

The **Fleming situation distills six years of observed dysfunction** into one stark example:

A school at 107% capacity is losing land **needed for future growth**.
Children's tournaments are being **downgraded from full courts to half-courts** due to space loss.
No viable space for future portables, leaving only **remaining play fields** as a last resort.
A 99-year lease that locks in these constraints for generations—eliminating flexibility to adapt to future enrollment needs.
All for a modest $7,000 monthly payment—a financial decision that **will be long forgotten while the educational constraints remain**.

Does the City Recognize Its Power to Prevent This Failure?

While **the legal authorities of the City and VSB are separate**, **your rezoning authority is a critical checkpoint**—one that could **prevent the permanent alienation of educational land**. The City **has the power** to demand a more **integrated planning approach** that ensures:

Short-term financial considerations don't override generations of educational needs.
The educational impact of land leases is fully evaluated before approval.
Long-term school capacity planning is aligned with rezoning decisions.

The Growing Disconnect Between Planning & Technology

What makes this situation even more troubling is **the widening gap between VSB planning practices and technological capabilities**. With the right tools, **this entire issue could have been avoided**.

Advanced algorithms could have:
Integrated **enrollment data with development permits** to forecast actual capacity needs.
Modeled **educational space requirements** under various land use scenarios.
Quantified the **lifecycle cost of land disposition** against short-term revenue.
Visualized **decades of future growth scenarios** under different planning options.

These **aren't futuristic concepts**—they are **proven approaches already deployed in other domains**. As these tools **become increasingly sophisticated**, the gap between **what's technically possible and what's practiced in governance** becomes **harder to justify**.

A Defining Moment for Urban Planning in Vancouver

The question **isn't** whether **Fleming will become a case study in systemic**

dysfunction—it already is. The question is **whether it will be a turning point** that inspires a **more integrated, data-driven approach to planning**—or **merely another chapter in a recurring pattern of fragmented decision-making**.

I urge you to **exercise the City's rezoning authority responsibly** to ensure that **Fleming Elementary's land remains an asset for generations of students**—not a permanent planning failure that future leaders are forced to correct.

Best Regards,

Vik Khanna
Entrepreneur | Advocate | Co-Founder, The Visual Thinking Company
QuantumShift Alum | Top 40 Under 40 (Business in Vancouver)
vik@vikkhanna.com | 604-230-9708

cc: Heman Mehta, Fleming PAC Chair and City of Vancouver Senior Staff.

On Wed, Feb 26, 2025 at 10:50 AM 1401-1455 E 49th Avenue <1401east49th@vancouver.ca> wrote:

> Hello Vik,
>
> I received your email below. Did you have any additional questions regarding the rezoning application? If you had comments that you wished to make on the application, you can submit them through the comment form on the application's webpage (https://www.shapeyourcity.ca/1401-1455-e-49th-ave), or send them to me at this email.
>
> Regards,
>
> **Mr. Chee Chan** | Rezoning Planner
> Planning, Urban Design & Sustainability | City of Vancouver
> 1401east49th@vancouver.ca
>
> ---
>
> **From:** Vik Khanna <vik@vikkhanna.com>
> **Sent:** Saturday, February 15, 2025 5:23 PM
> **To:** 1401-1455 E 49th Avenue <1401east49th@vancouver.ca>
> **Cc:** White, Josh <Josh.White@vancouver.ca>; Hrushowy, Neil <Neil.Hrushowy@vancouver.ca>
> **Subject:** Re: Critical Feedback on the Fleming Land Disposition
>
> Dear Chee,
>
> Thanks for the reply - we should have a coffee - [redacted]

[redacted]

What time works for you in the next few weeks?

Please invite Josh and Neil as optional - cc'd in.

Best regards,

Vik Khanna
Entrepreneur | Advocate | Co-Founder, The Visual Thinking Company
QuantumShift Alum | Top 40 Under 40 (Business in Vancouver)
vik@vikkhanna.com | **604-230-9708**

On Thu, Feb 13, 2025 at 4:57 PM 1401-1455 E 49th Avenue <1401east49th@vancouver.ca> wrote:

> Hello Vik Khanna,
>
> This email is to acknowledge the receipt of your comments regarding the above-cited rezoning application. Your comments have been recorded and will be considered through the application review process and summarized in a Council report along with other public comments received through the rezoning application process. Should Council decide to consider the application, a Public Hearing will be held and all members of the public will have an opportunity to speak directly to Council.
>
> Regards,
>
> **Mr. Chee Chan** | Rezoning Planner
> Planning, Urban Design & Sustainability | City of Vancouver
> 1401east49th@vancouver.ca
>
> ---
>
> **From:** Vik Khanna <vik@vikkhanna.com>
> **Sent:** Tuesday, February 11, 2025 5:35 PM
> **To:** 1401-1455 E 49th Avenue <1401east49th@vancouver.ca>
> **Cc:** DM.Education@gov.bc.ca <DM.Education@gov.bc.ca>; Zhou, Lenny <Lenny.Zhou@vancouver.ca>; Dominato, Lisa <Lisa.Dominato@vancouver.ca>; Group Trustees <GroupTrustees@vsb.bc.ca>; Duke, Richard (Noormohamed, Taleeb - MP) <richard.duke.836@parl.gc.ca>; Taleeb Noormohamed MP <taleeb.noormohamed@parl.gc.ca>; Mochrie, Paul <Paul.Mochrie@vancouver.ca>; prbinbox-boitedereceptiondgpr@infc.gc.ca <prbinbox-boitedereceptiondgpr@infc.gc.ca>; Bailey, Brenda <b.bailey@leg.bc.ca>; Klassen, Mike <Mike.Klassen@vancouver.ca>; l.beare@leg.bc.ca <l.beare@leg.bc.ca>; n.sharma@leg.bc.ca <n.sharma@leg.bc.ca>; stephen.quinn@cbc.ca <stephen.quinn@cbc.ca>; Fumano, Dan <dfumano@postmedia.com>; [redacted]>; Minister, EDUC EDUC:EX

<educ.minister@gov.bc.ca>; Hrushowy, Neil <Neil.Hrushowy@vancouver.ca>; White, Josh <Josh.White@vancouver.ca>; m.elmore@leg.bc.ca <m.elmore@leg.bc.ca>
Subject: Critical Feedback on the Fleming Land Disposition

City of Vancouver Warning - This message is from an external sender
Do not click on links or open attachments unless you were expecting the email and know the content is safe.
Report Suspicious

Dear City of Vancouver Officials,
I am writing to express my deep concerns regarding the decision to lease Fleming Elementary's land—a decision that, in my view, epitomizes the systemic challenges in our public education system. As detailed in my attached thesis, *Vik Khanna's Vision for Transparent, Equitable, and Data-Driven Educational Infrastructure in Vancouver*, our approach to managing public school assets must prioritize long-term educational needs over short-term financial gains. The Fleming Land Disposition is a clear case in point.

1. The Crisis of Land Mismanagement: Public Assets for Private Gain

The 99-year lease of Fleming Elementary's land for a modest $7,000 per month is emblematic of a broader failure in our system:

- **Short-Sighted Financial Decisions:** Leasing this critical asset effectively removes it from the pool of resources available for future educational expansion—even as enrollment figures soar (Fleming is already at 107% capacity).
- **Missed Opportunities for Sustainable Funding:** Instead of leveraging mechanisms like School Site Acquisition Charges (SSAC)—as is done in other BC districts—this decision locks away a potentially valuable asset that could secure long-term educational funding.

2. Mismatched Priorities in Urban and Educational Planning

The current lease reflects an alarming disconnect between immediate fiscal pressures and the long-term educational and urban development goals of Vancouver:

- **Lack of Integrated Planning:** As Vancouver continues to grow, our schools must evolve in tandem with urban development. The leasing decision appears driven by immediate financial needs rather than a comprehensive, data-informed review of future enrollment and community requirements.
- **Lost Opportunity for Community-Centered Growth:** By permanently reallocating valuable land from educational use, we risk compromising the capacity to meet the needs of an expanding and increasingly diverse student population.

3. The Need for Transparency and Accountability

One of the core arguments of my thesis is that opaque decision-making undermines public trust and leads to policies that fail to serve our community's long-term interests:

- **Opaque Approval Process:** The City states that the lease was approved under the guise of facilitating seismic mitigation [shapeyourcity.ca], yet the VSB never stated this in their public rationale and there is insufficient evidence that an independent, data-driven evaluation was conducted to assess the long-term educational implications.
- **Erosion of Public Trust:** Secretive decisions—such as those made in closed-door Policy 7 workshops—must be replaced with transparent, publicly accountable processes that ensure all stakeholders, including educators, parents, and community members, have a voice.

4. Recommendations for a Sustainable and Equitable Future

To address these systemic dysfunctions and safeguard Vancouver's educational future, I urge the City to consider the following actions:

- **Legislative Reform:** Implement policies that allow SSAC in Vancouver, ensuring that any disposition of school land is preceded by a full lifecycle cost analysis and an evaluation of long-term educational needs.
- **Independent Review of Land Disposition Policies:** Commission an independent, public review of current school land governance to assess whether decisions like the Fleming lease align with our strategic goals for education and community development.
- **Enhanced Stakeholder Engagement:** Establish robust, transparent public consultation processes for all major decisions involving public school assets. This should include open forums, data-sharing initiatives, and independent third-party assessments to foster accountability.
- **Integrated Urban and School Planning:** Align school infrastructure planning with broader urban development strategies. By coordinating with municipal growth plans, we can ensure that our educational facilities evolve in lockstep with population trends and community needs.

Conclusion

The Fleming Land Disposition is not an isolated issue—it is symptomatic of a larger crisis marked by poor forecasting, short-term financial thinking, and opaque governance in Vancouver's public education system. By embracing a transparent, data-driven, and community-centered approach, we can transform this challenge into an opportunity for sustainable reform.
I respectfully urge the City of Vancouver to reexamine this decision and implement the reforms necessary to protect our public assets and, ultimately, the quality of education for future generations.
Sincerely,
Vik Khanna
Entrepreneur | Advocate | Co-Founder, The Visual Thinking Company

QuantumShift Alum | Top 40 Under 40 (Business in Vancouver)
vik@vikkhanna.com | 604-230-9708

This letter draws on the key pillars of my thesis, underscoring the urgent need for reforms that prioritize long-term educational infrastructure over short-term fiscal expediency. I look forward to continued dialogue on building a more transparent, equitable, and data-driven future for Vancouver's schools.

On Tue, Feb 4, 2025 at 11:07 AM Vik Khanna <vik@vikkhanna.com> wrote:

> Dear Minister Beare,
> Congratulations on your appointment as Minister of Education and Child Care. Given your new role and mandate to **ensure education resources are used efficiently and effectively**, I would like to bring to your attention the **Vancouver School Board's (VSB) long-term leasing of public school lands**—specifically, the **99-year lease of Fleming Elementary's land to a private developer.**
> Under the previous Minister's tenure, the **Ministry "approved" this lease** as *part of the seismic mitigation process* according to the City of Vancouver - the city writes:
> "As part of the seismic mitigation program, the Ministry of Education and Child Care identified and funded the construction of a new Sir Sanford Fleming Elementary School. This process included a reconfiguration of the school site, which presented an opportunity to repurpose the southern portion of the property for rental housing."
>
> However, it is unclear whether this **"approval"** was a **true evaluation of long-term educational needs** or simply a **passive approval based on VSB's recommendations.**
> Given your **mandate to review Ministry programs to ensure efficiency and relevance**, I ask:
>
> ## 1 Will You Conduct a Review of School Land Governance and Leasing Policies?
>
> *"The Fleming lease removes school land from educational use for almost a century. Does this align with your Ministry's commitment to ensuring cost-effective, efficient school infrastructure?"*
> *"Would you consider a fresh review of school land disposition policies to ensure that public land is not lost due to short-term financial pressures?"*
>
> ## 2 Was the Fleming Lease a True Ministry-Approved Decision or a Passive Bureaucratic Sign-Off?
>
> *"What exact process did the Ministry use to 'approve' this lease? Did the Ministry conduct an independent review, or was this simply a procedural approval based on VSB's recommendation?"*
> *"Can you confirm whether the Ministry required the VSB to consider alternative educational uses for this land before finalizing the lease?"*

3 Will You Ensure Transparency in Future School Land Decisions?

"Under your leadership, will the Ministry commit to requiring full public consultation before approving the long-term lease or sale of any school lands?"
"Would you support a policy change to require independent third-party assessments of long-term school land needs before approving leases like Fleming's?"

4 How Will the Ministry Align School Land Policy with Provincial Infrastructure Goals?

"Your mandate requires you to work with the Minister of Infrastructure to accelerate school delivery. How does leasing school land for 99 years align with that priority?"
"Would you support a moratorium on new school land leases until a comprehensive review is conducted?"
Next Steps:

Minister Beare, your leadership provides an opportunity to **ensure school land remains available for future generations rather than being leased away due to financial pressures.** I urge you to take **a fresh look at school land policies and ensure long-term educational needs take precedence over short-term leasing arrangements.**
I look forward to your response and to working with your Ministry to **ensure that public school lands are managed in a way that prioritizes students and communities.**
Best regards,
Vik Khanna
Entrepreneur | Advocate | Co-Founder, The Visual Thinking Company
QuantumShift Alum | Top 40 Under 40 (Business in Vancouver)
vik@vikkhanna.com | **604-230-9708**

Vancouver District Parent Advisory Council
School District #39, 1580 West Broadway Vancouver, BC V6J 5K8
website: www.vancouverdpac.org

November 10, 2025

To all,

Re: Open Letter - Request for Transparency and Accountability in School Facilities Decisions

I am writing in my capacity as Chair of the Vancouver District Parent Advisory Council and Coordinator of its Facilities and Child Care Working Group. In accordance with our bylaws, I serve as the spokesperson for the organization. I am mandated under a comprehensive district-wide resolution passed by voting members at the 2023 General Meeting to support facilities decisions for school sites grounded in transparent data, particularly those of a permanent nature, like school subdivisions and closures. This letter calls for transparency and accountability so that the public may have information to give advice to the district.

1. Failure to Disclose Planning Information on Schools near Skytrain Stations

The Vancouver School Board ("VSB") referral report dated November 5, 2025 (the "Referral Report") recommending to close Carleton Elementary references a letter from the Conseil Scolaire Francophone ("CSF") dated July 9, 2024. However, additional correspondence warrants consideration.

In the VSB's March 11, 2024 letter to the CSF (the "March 2024 Letter"), page 6, the VSB notes "*increased densification around transit centres, including Skytrain stations*" and identifies Carleton as "*the closest VBE site to the Joyce Skytrain Station*". Yet, the Referral Report recommending Carleton's closure omits any reference to such transit-related growth happening near Carleton and the other three schools located in the Joyce Station Transit Oriented Area.

The March 2024 Letter further notes that the "*Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites*". Despite this, the VSB did not present any Long Range Facilities Plan update about Skytrain stations to the Facilities Standing Committee.

Based on the March 2024 Letter, it is evident that broader planning decisions for many school sites are underway at the VSB. It is important for the VSB to disclose these planning reports to the public so that they may have input.

2. Failure to Provide the updated Long-Range Facilities Plan ("LRFP") to stakeholders

In a letter from VSB's counsel Harris & Company to the CSF dated December 27, 2023 recently released to me, the VSB states at page 8, that the "*LRFP guides the VBE in decisions regarding site closure and disposition*." The letter further notes at page 9 that the "*LRFP is a Ministry requirement. Each district is expected to have a LRFP in place.*"

It appears that the VSB has updated the LRFP but has failed to provide it to the public during the consultations for the Fleming Elementary lease bylaw and for the closure of Carleton Elementary. On November 5, 2025, I submitted a request to the VSB under section 25 (1) (b) of the *Freedom of Information and Protection of Privacy Act* which requires the disclosure of information in the public interest without delay. However, the VSB has denied my request.

The VSB's withholding of the updated LRFP from the public may constitute a breach of procedural fairness. As noted in *Queen Elizabeth Annex (QEA) Parents' Society v Vancouver School District No. 39*, 2023 BCSC 990 and other cases, the public has the right to reasonable disclosure and documentation to be able to meaningfully participate in a public consultation process. The withholding of the updated LRFP affects public input at both the VSB and the City. **Interested members of the public may seek legal advice on whether to pursue judicial review of decisions made by the VSB or City where the omission of the updated LRFP may have resulted in a failure to comply with the principles of procedural fairness.**

3. Failure to Disclose Subdivisions filed by the VSB at Carleton

The VSB's Referral Report fails to disclose that it has filed three (3) subdivision applications on the lands at Carleton Elementary with the City. I have obtained documents from the City showing that all the subdivision plans are currently in the "Preparing Recommendation" stage.

In an email dated January 19, 2024 from the VSB to the City, the VSB assures the City that no decision would be made until they "*engage with the school stakeholders and obtain direction from our Board*". However, the VSB did not disclose its subdivision plans to the stakeholders.

On November 5, 2025, during the questions and answers period at the Facilities Standing Committee, I asked the Board about the subdivisions. The VSB denied the plans. The question and answer content from the recording of the live public meeting has now been deleted.

Further to all the above, the VSB continues withhold subdivision information despite the Order of the Office of the Information and Privacy Commissioner issued on October 29, 2025 which requires the VSB as a public body to release the withheld information.

Over the past year, Vancouver DPAC has raised concerns directly with the VSB and the City respectfully numerous times with a request to pause on the subdivisions and rezonings of school sites and release full facilities planning information to the public to make informed choices and give input. Our requests have been disregarded.

* * * * *

I am now openly asking for the following:

1. **Actions requested from the public:**

   Please help stop the closure of Carleton Elementary. Sign and share the petition at savecarleton.com.

   Also, please help stop the plan to rezone the Fleming basketball courts to condos prior to the public hearing at City Hall on November 13, 2025. Fill out the public comment form or sign up to speak at the City's public hearing.

2. **Actions requested from the Vancouver School Board (VSB):**

   a) Suspend the Carleton public engagement process immediately.

   b) Disclose the updated Long-Range Facilities Plan (LRFP) and all related planning documents for schools to the public to ensure transparency and accountability in district-wide school facility planning and decision making.

3. **Actions requested from the City of Vancouver:**

   Suspend the Fleming Elementary rezoning application until full public disclosure of all relevant planning information is provided to the public by the VSB.

These steps are all essential to restore public trust, ensure fair process, and protect the integrity of school planning decisions across the City of Vancouver.

Sincerely,

Vancouver District Parent Advisory Council
Per:

Melanie Cheng
Chair, Vancouver District Parent Advisory Council
Coordinator, Facilities and Child Care Committee

Email: chair@vancouverdpac.org
Cell: 604.568.8565

Supporting documents:

1. March 11, 2024 from the VSB to the CSF
2. December 27, 2023 - letter from VSB's counsel Harris & Company
3. Subdivision print outs – City of Vancouver
4. Email dated January 19, 2024 obtained by FOI – City of Vancouver

From:	DPAC Chair
To:	STOffice; Group Trustees
Subject:	Open Letter - Request for Transparency and Accountability in School Facilities Decisions
Date:	Monday, November 10, 2025 2:02:10 AM
Attachments:	Open Letter - Request for Transparency School Facilities.pdf

Please see attached open letter.

Thanks.

Melanie Cheng
美麗程
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

Vancouver District Parent Advisory Council
School District #39, 1580 West Broadway Vancouver, BC V6J 5K8
website: www.vancouverdpac.org

November 10, 2025

To all,

Re: Open Letter - Request for Transparency and Accountability in School Facilities Decisions

I am writing in my capacity as Chair of the Vancouver District Parent Advisory Council and Coordinator of its Facilities and Child Care Working Group. In accordance with our bylaws, I serve as the spokesperson for the organization. I am mandated under a comprehensive district-wide resolution passed by voting members at the 2023 General Meeting to support facilities decisions for school sites grounded in transparent data, particularly those of a permanent nature, like school subdivisions and closures. This letter calls for transparency and accountability so that the public may have information to give advice to the district.

1. Failure to Disclose Planning Information on Schools near Skytrain Stations

The Vancouver School Board ("VSB") referral report dated November 5, 2025 (the "Referral Report") recommending to close Carleton Elementary references a letter from the Conseil Scolaire Francophone ("CSF") dated July 9, 2024. However, additional correspondence warrants consideration.

In the VSB's March 11, 2024 letter to the CSF (the "March 2024 Letter"), page 6, the VSB notes "*increased densification around transit centres, including Skytrain stations*" and identifies Carleton as "*the closest VBE site to the Joyce Skytrain Station*". Yet, the Referral Report recommending Carleton's closure omits any reference to such transit-related growth happening near Carleton and the other three schools located in the Joyce Station Transit Oriented Area.

The March 2024 Letter further notes that the "*Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites*". Despite this, the VSB did not present any Long Range Facilities Plan update about Skytrain stations to the Facilities Standing Committee.

Based on the March 2024 Letter, it is evident that broader planning decisions for many school sites are underway at the VSB. It is important for the VSB to disclose these planning reports to the public so that they may have input.

2. Failure to Provide the updated Long-Range Facilities Plan ("LRFP") to stakeholders

In a letter from VSB's counsel Harris & Company to the CSF dated December 27, 2023 recently released to me, the VSB states at page 8, that the "*LRFP guides the VBE in decisions regarding site closure and disposition*." The letter further notes at page 9 that the "*LRFP is a Ministry requirement. Each district is expected to have a LRFP in place.*"

It appears that the VSB has updated the LRFP but has failed to provide it to the public during the consultations for the Fleming Elementary lease bylaw and for the closure of Carleton Elementary. On November 5, 2025, I submitted a request to the VSB under section 25 (1) (b) of the *Freedom of Information and Protection of Privacy Act* which requires the disclosure of information in the public interest without delay. However, the VSB has denied my request.

The VSB's withholding of the updated LRFP from the public may constitute a breach of procedural fairness. As noted in *Queen Elizabeth Annex (QEA) Parents' Society v Vancouver School District No. 39*, 2023 BCSC 990 and other cases, the public has the right to reasonable disclosure and documentation to be able to meaningfully participate in a public consultation process. The withholding of the updated LRFP affects public input at both the VSB and the City. **Interested members of the public may seek legal advice on whether to pursue judicial review of decisions made by the VSB or City where the omission of the updated LRFP may have resulted in a failure to comply with the principles of procedural fairness.**

3. Failure to Disclose Subdivisions filed by the VSB at Carleton

The VSB's Referral Report fails to disclose that it has filed three (3) subdivision applications on the lands at Carleton Elementary with the City. I have obtained documents from the City showing that all the subdivision plans are currently in the "Preparing Recommendation" stage.

In an email dated January 19, 2024 from the VSB to the City, the VSB assures the City that no decision would be made until they "*engage with the school stakeholders and obtain direction from our Board*". However, the VSB did not disclose its subdivision plans to the stakeholders.

On November 5, 2025, during the questions and answers period at the Facilities Standing Committee, I asked the Board about the subdivisions. The VSB denied the plans. The question and answer content from the recording of the live public meeting has now been deleted.

Further to all the above, the VSB continues withhold subdivision information despite the Order of the Office of the Information and Privacy Commissioner issued on October 29, 2025 which requires the VSB as a public body to release the withheld information.

Over the past year, Vancouver DPAC has raised concerns directly with the VSB and the City respectfully numerous times with a request to pause on the subdivisions and rezonings of school sites and release full facilities planning information to the public to make informed choices and give input. Our requests have been disregarded.

* * * * *

I am now openly asking for the following:

1. **Actions requested from the public:**

   Please help stop the closure of Carleton Elementary. Sign and share the petition at savecarleton.com.

   Also, please help stop the plan to rezone the Fleming basketball courts to condos prior to the public hearing at City Hall on November 13, 2025. Fill out the public comment form or sign up to speak at the City's public hearing.

2. **Actions requested from the Vancouver School Board (VSB):**

   a) Suspend the Carleton public engagement process immediately.

   b) Disclose the updated Long-Range Facilities Plan (LRFP) and all related planning documents for schools to the public to ensure transparency and accountability in district-wide school facility planning and decision making.

3. **Actions requested from the City of Vancouver:**

   Suspend the Fleming Elementary rezoning application until full public disclosure of all relevant planning information is provided to the public by the VSB.

These steps are all essential to restore public trust, ensure fair process, and protect the integrity of school planning decisions across the City of Vancouver.

Sincerely,

Vancouver District Parent Advisory Council
Per:

Melanie Cheng
Chair, Vancouver District Parent Advisory Council
Coordinator, Facilities and Child Care Committee

Email: chair@vancouverdpac.org
Cell: 604.568.8565

Supporting documents:

1. March 11, 2024 from the VSB to the CSF
2. December 27, 2023 - letter from VSB's counsel Harris & Company
3. Subdivision print outs – City of Vancouver
4. Email dated January 19, 2024 obtained by FOI – City of Vancouver

From: Collingwood Recreation Society <info@collingwoodrecsociety.com>
Sent: Sunday, November 16, 2025 9:03 AM
To: Victoria Jung <Victoria.Jung@vsb.bc.ca>
Subject: Save Carleton - Petition deadline and Register for Public Delegate presentations

Collingwood Recreation Society

Community Connections & Active Living in Renfrew-Collingwood, East Vancouver

Save Carleton Elementary

Help make the case for an investment in

education spaces and public amenities

in Joyce-Collingwood for the future

Public delegation deadline is on November 20th at 4:00 pm

Petition deadline is on November 23rd

Details at www.savecarleton.com

Sign the Petition and Share

Thank you so much for your support !

Unsubscribe | Manage your subscription | View online

From: Howard Lung
To: [redacted]
Cc: vcommunications@vsb.bc.ca; info; Victoria Jung; Janet Fraser; admin@vancouverdpac.org; [redacted]
Subject: Re: Proposed Closure of Carleton Elementary School
Date: Thursday, November 20, 2025 6:35:38 PM
Attachments: image.png

Howard reacted via Gmail

On Thu, Nov 20, 2025, 5:17 p.m. Killarney Parent Advisory Council [redacted]> wrote:

Date: 11/18/2025

To: Vancouver School Board
Board of Education
1580 West Broadway
Vancouver, BC V6J 5K8

Subject: Killarney Parent Advisory Council's Advice Regarding Proposed Closure of Carleton Elementary School

---

Dear Chair and Trustees of the Vancouver School Board,

On behalf of the Killarney Parent Advisory Council (KPAC), I am writing to provide formal advice to the Vancouver School Board under the provisions of the *School Act* regarding the proposed closure of Carleton Elementary School.

After carefully reviewing the circumstances surrounding this proposal, the Killarney Parent Advisory Council has voted to urge the Board to reconsider the closure of Carleton Elementary. We respectfully submit the following concerns and recommendations for your consideration:

1. Reconsider the Closure in Light of Projected Growth and Incomplete Planning

Carleton Elementary is situated in the Joyce-Collingwood Transit-Oriented Area (TOA), one of Vancouver's fastest-growing neighbourhoods. More than 3,100 new housing units are planned in the immediate vicinity, with projections indicating over 1,000 additional school-aged children by 2033. The closure rationale appears to be rooted in current low enrollment figures without adequately accounting for this imminent and significant population growth.

We are concerned that the VSB's capital planning process has not fully integrated TOA development data, childcare infrastructure needs, or district program space requirements. Making permanent decisions about school closures without complete and up-to-date information risks creating severe capacity shortages in the very near future.

2. Uphold Legal Obligations Under the Vancouver Charter and Charter of Rights and Freedoms

Recent BC Supreme Court rulings have reaffirmed that school districts must reasonably consider minority language education needs before designating any school site as surplus. We urge the VSB to ensure full compliance with its obligations under both the *Vancouver Charter* and the *Canadian Charter of Rights and Freedoms* to preserve equitable educational access and protect minority language rights in this decision-making process.

3. Address Projected Overcrowding at Nearby Schools

We are deeply concerned about the impact Carleton's closure would have on surrounding schools. According to VSB's own enrollment projections, nearby schools -- including Weir, Cook, and Waverley -- are all expected to exceed 200% capacity by 2033. Closing Carleton would exacerbate this crisis by forcing additional students into already overburdened facilities.

This would:

- Compromise the quality of education in overcrowded classrooms
- Increase traffic congestion and family reliance on vehicles
- Undermine the principle of accessible neighbourhood schooling
- Create unsustainable pressure on school infrastructure and staff

4. Ensure Transparency and Meaningful Community Engagement

Carleton Elementary represents one of the few sites in Joyce-Collingwood with sufficient space to deliver on community benefits envisioned in the Precinct Plan. Before declaring

this valuable public asset surplus, we urge the Board to conduct transparent and meaningful consultation with the community to explore all feasible alternatives and ensure long-term alignment with neighbourhood needs.

Conclusion

The Killarney PAC respectfully requests that the Vancouver School Board pause the proposed closure of Carleton Elementary and undertake a comprehensive review that includes:

- Current and projected TOA population growth data
- Capacity constraints and overcrowding risks at neighbouring schools
- Legal obligations regarding educational access and language rights
- Community amenity and district program space needs
- Meaningful engagement with affected families and community participants

We believe that closing Carleton Elementary at this juncture would be premature and contrary to the long-term interests of students, families, and the broader Vancouver community.

Thank you for considering our advice. We remain available to discuss these concerns further and to collaborate on solutions that support the best interests of all Vancouver students.

Sincerely,

Kerri Gardner
Chair, Killarney Parent Advisory Council

Date: 11/18/2025

To: Vancouver School Board
Board of Education
1580 West Broadway
Vancouver, BC V6J 5K8

Subject: Killarney Parent Advisory Council's Advice Regarding Proposed Closure of Carleton Elementary School

---

Dear Chair and Trustees of the Vancouver School Board,

On behalf of the Killarney Parent Advisory Council (KPAC), I am writing to provide formal advice to the Vancouver School Board under the provisions of the *School Act* regarding the proposed closure of Carleton Elementary School.

After carefully reviewing the circumstances surrounding this proposal, the Killarney Parent Advisory Council has voted to urge the Board to reconsider the closure of Carleton Elementary. We respectfully submit the following concerns and recommendations for your consideration:

1. Reconsider the Closure in Light of Projected Growth and Incomplete Planning

Carleton Elementary is situated in the Joyce-Collingwood Transit-Oriented Area (TOA), one of Vancouver's fastest-growing neighbourhoods. More than 3,100 new housing units are planned in the immediate vicinity, with projections indicating over 1,000 additional school-aged children by 2033. The closure rationale appears to be rooted in current low enrollment figures without adequately accounting for this imminent and significant population growth.

We are concerned that the VSB's capital planning process has not fully integrated TOA development data, childcare infrastructure needs, or district program space requirements. Making permanent decisions about school closures without complete and up-to-date information risks creating severe capacity shortages in the very near future.

2. Uphold Legal Obligations Under the Vancouver Charter and Charter of Rights and Freedoms

Recent BC Supreme Court rulings have reaffirmed that school districts must reasonably consider minority language education needs before designating any school site as surplus. We urge the VSB to ensure full compliance with its obligations under both the *Vancouver Charter* and the *Canadian Charter of Rights and Freedoms* to preserve equitable educational access and protect minority language rights in this decision-making process.

3. Address Projected Overcrowding at Nearby Schools

We are deeply concerned about the impact Carleton's closure would have on surrounding schools. According to VSB's own enrollment projections, nearby schools -- including Weir, Cook, and Waverley -- are all expected to exceed 200% capacity by 2033. Closing Carleton would exacerbate this crisis by forcing additional students into already overburdened facilities.

This would:

- Compromise the quality of education in overcrowded classrooms
- Increase traffic congestion and family reliance on vehicles
- Undermine the principle of accessible neighbourhood schooling
- Create unsustainable pressure on school infrastructure and staff

4. Ensure Transparency and Meaningful Community Engagement

Carleton Elementary represents one of the few sites in Joyce-Collingwood with sufficient space to deliver on community benefits envisioned in the Precinct Plan. Before declaring this valuable public asset surplus, we urge the Board to conduct transparent and meaningful consultation with the community to explore all feasible alternatives and ensure long-term alignment with neighbourhood needs.

Conclusion

The Killarney PAC respectfully requests that the Vancouver School Board pause the proposed closure of Carleton Elementary and undertake a comprehensive review that includes:

- Current and projected TOA population growth data
- Capacity constraints and overcrowding risks at neighbouring schools
- Legal obligations regarding educational access and language rights
- Community amenity and district program space needs
- Meaningful engagement with affected families and community participants

We believe that closing Carleton Elementary at this juncture would be premature and contrary to the long-term interests of students, families, and the broader Vancouver community.

Thank you for considering our advice. We remain available to discuss these concerns further and to collaborate on solutions that support the best interests of all Vancouver students.

Sincerely,

Kerri Gardner
Chair, Killarney Parent Advisory Council

From: Vik Khanna <vik@vikkhanna.com>
Sent: Wednesday, November 26, 2025 7:44 AM
To: Minister, EDUC EDUC:EX <EDUC.Minister@gov.bc.ca>; DM.Education@gov.bc.ca; l.beare@leg.bc.ca
Cc: Taleeb Noormohamed MP <taleeb.noormohamed@parl.gc.ca>; Ken Sim Mayor <Ken.Sim@vancouver.ca>; Chow.MLA, George <george.chow.MLA@leg.bc.ca>; Hemanshu Mehta [redacted]; mable.elmore.MLA@leg.bc.ca; Chan, Chee <chee.chan@vancouver.ca>; Zhou, Lenny <Lenny.Zhou@vancouver.ca>; Christine.Boyle.MLA@leg.bc.ca; Dix.MLA, Adrian <adrian.dix.MLA@leg.bc.ca>; Davies, Don - M.P. <don.davies@parl.gc.ca>; Group Trustees <GroupTrustees@vsb.bc.ca>; Eby.MLA, David <david.eby.MLA@leg.bc.ca>; DPAC Chair <chair@vancouverdpac.org>
Subject: The Administrative Rationale for the Closure of Sir Guy Carleton Elementary School = Rebuttal Coming by Dec 11

Dear Lisa,

The VSB Trustees are being fed information from PASA. I can state their side better than they can so that's it for now. A rebuttal from the community supported by The Visual Thinking Company is coming...

Share widely please so that more community members can analyze the PASA rationale and have your Ministry data people connect with me. Thanks!

https://docs.google.com/document/d/1400d_q7R0DQi9tqo2Qyws1HTl6XrSU8fh9XvOvyTLuU/edit?usp=sharing
Best Regards,

Vik Khanna
President, TiE Vancouver (2025–2026)
Co-Founder, The Visual Thinking Company
vik@thevisualthinkingcompany.com
www.thevisualthinkingcompany.com (not live yet; still in stealth)
+1 (604) 230-9708
✦ 2008 BIV Top 40 Under 40 | QuantumShift Fellow

The Visual Thinking Company: Where We Create Impact

VTC delivers value across key sectors:

Education: Smarter school catchment planning and enrollment forecasting

Healthcare: Optimized resource placement and service access

Urban Planning: Aligned housing, transit, and social infrastructure development

Government: Evidence-based decisions, improved public trust, and cost savings via reduced redundancy

Real Estate: Data-informed site selection and accelerated approvals

From: Vik Khanna <vik@vikkhanna.com>
Sent: Saturday, November 29, 2025 7:07 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Cc: CityHallWatch: Tools to engage in Vancouver city decisions <comment+ei8dsgfecaka4zyhlw-bz84cy@comment.wordpress.com>; Rod Raglin [redacted]; killarneycc@vancouver.ca; [redacted]; Michelle Scarr <michelle.scarr@movementyvr.ca>; Denis AGAR <denis@transitmovement.ca>; TA-BC-Mandel,Alex [redacted] Larry Benge [redacted]; Brad Best [redacted]>; btccjs@unifor111.com; htcpr@unifor111.com [redacted]>; Vision Zero Vancouver Team <contact@visionzerovancouver.ca>; Ellen Ramsay [redacted]>; SVNH and Seniors <info@southvan.org>; Chow.MLA, George <george.chow.mla@leg.bc.ca>; Davies, Don - M.P. <don.davies@parl.gc.ca>; Don Davies [redacted]; HUB <vancouver@bikehub.ca>; HUBliason 312 Main Navdeep Chinna <navdeep@bikehub.ca>; WTC Information [redacted]>; Derrick O'Keefe [redacted]>; Shawn Vulliez [redacted] Tanya Webking [redacted]; Nate Lewis <nate@vancitylookout.com>; Lucy MAaloney <lucy.maloney@vancouver.ca>; Orr, Sean <sean.orr@vancouver.ca>; DeeDee Nelson <deedee.nelson@marpolenh.org>; Dhir.MLA, Sunita <sunita.dhir.MLA@leg.bc.ca>; Elmore.MLA, Mable <mable.elmore.mla@leg.bc.ca>; rcss@rencollseniors.ca; Suzie Mah [redacted]; josh.white@vancouver.ca; margaret.wittgens@vancouver.ca; Yim, David <david.yim@vancouver.ca>; Mayor's Office (COV) <Mayor's.Office@vancouver.ca>; Mayors Council <MayorsCouncil@translink.ca>; Nathan Davidowicz [redacted]>; DPAC Chair <chair@vancouverdpac.org>; Taleeb Noormohamed MP <taleeb.noormohamed@parl.gc.ca>; Dix.MLA, Adrian <adrian.dix.MLA@leg.bc.ca>; Christine.Boyle.MLA@leg.bc.ca; HMA.Minister@gov.bc.ca; Minister, EDUC EDUC:EX <EDUC.Minister@gov.bc.ca>; DM.Education@gov.bc.ca
Subject: Implications for Student Access and the Carleton Transit Zone

⚠️ Immediate Briefing Required: Killarney Traffic Calming + Bus #26 Changes

Implications for Student Access and the Carleton Transit Zone

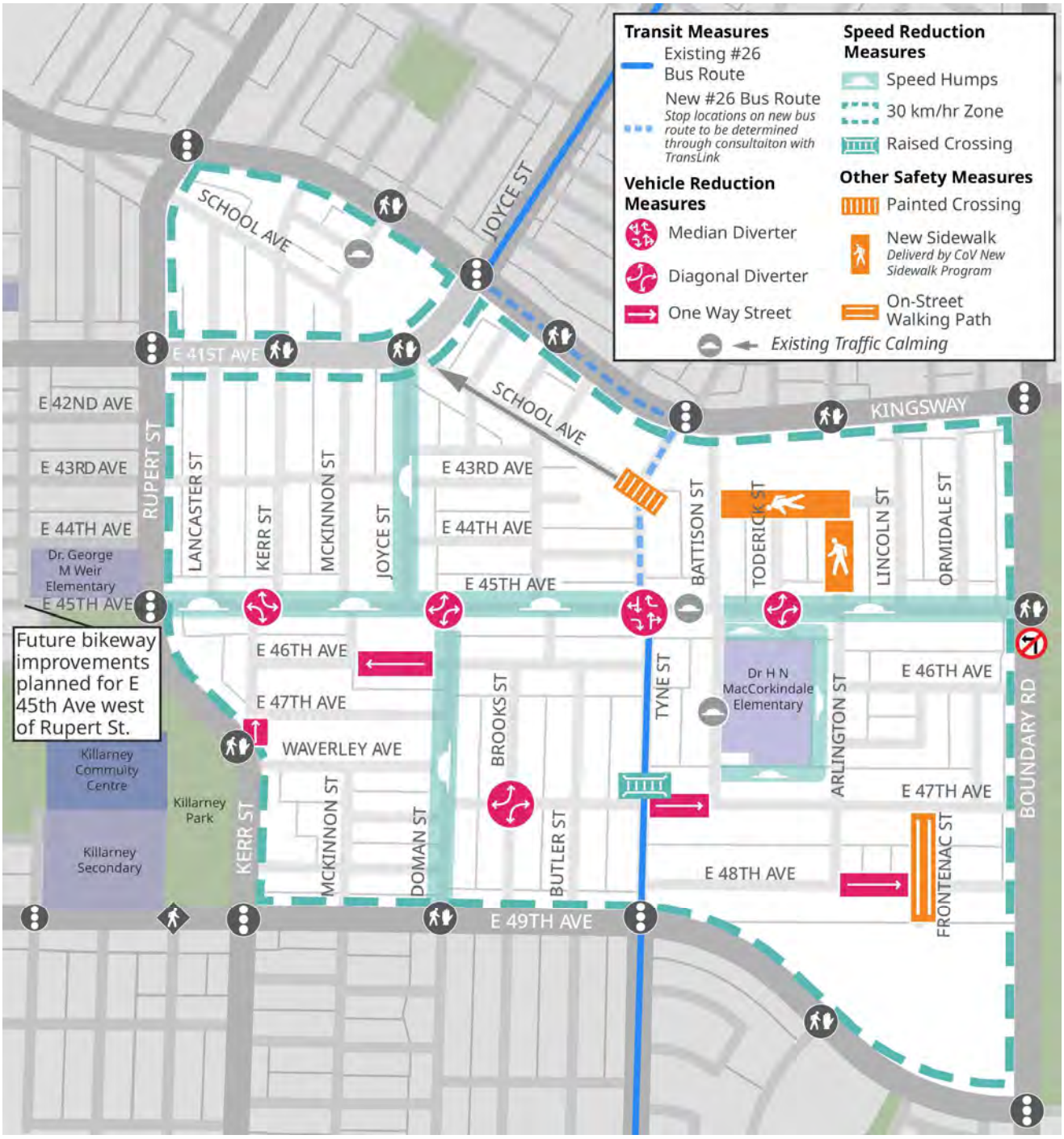
To: VSB Chair & Trustees
From: Vik Khanna
Subject: New City of Vancouver plans directly affecting school access (MacCorkindale, Weir, Killarney, Carleton corridor)

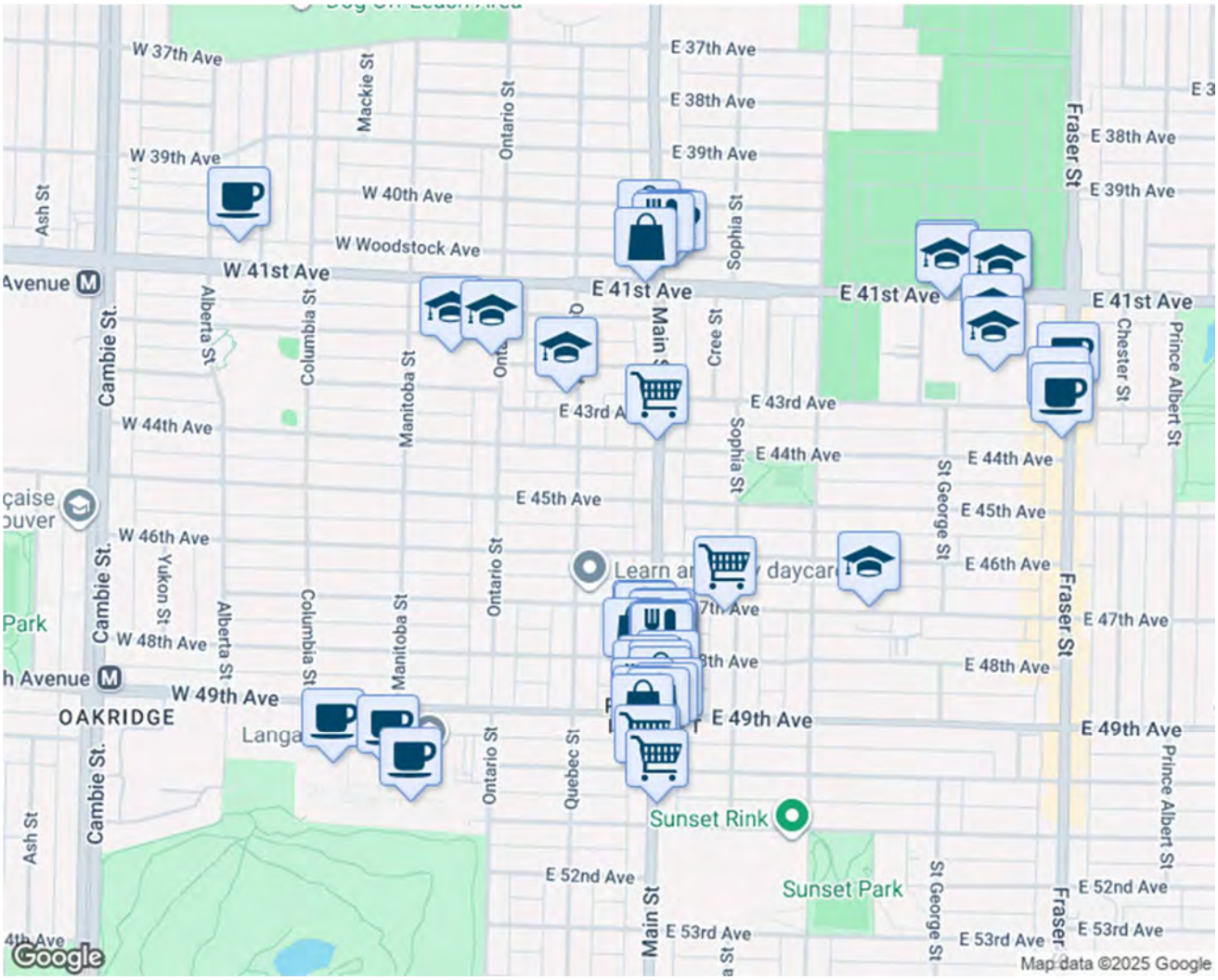
---

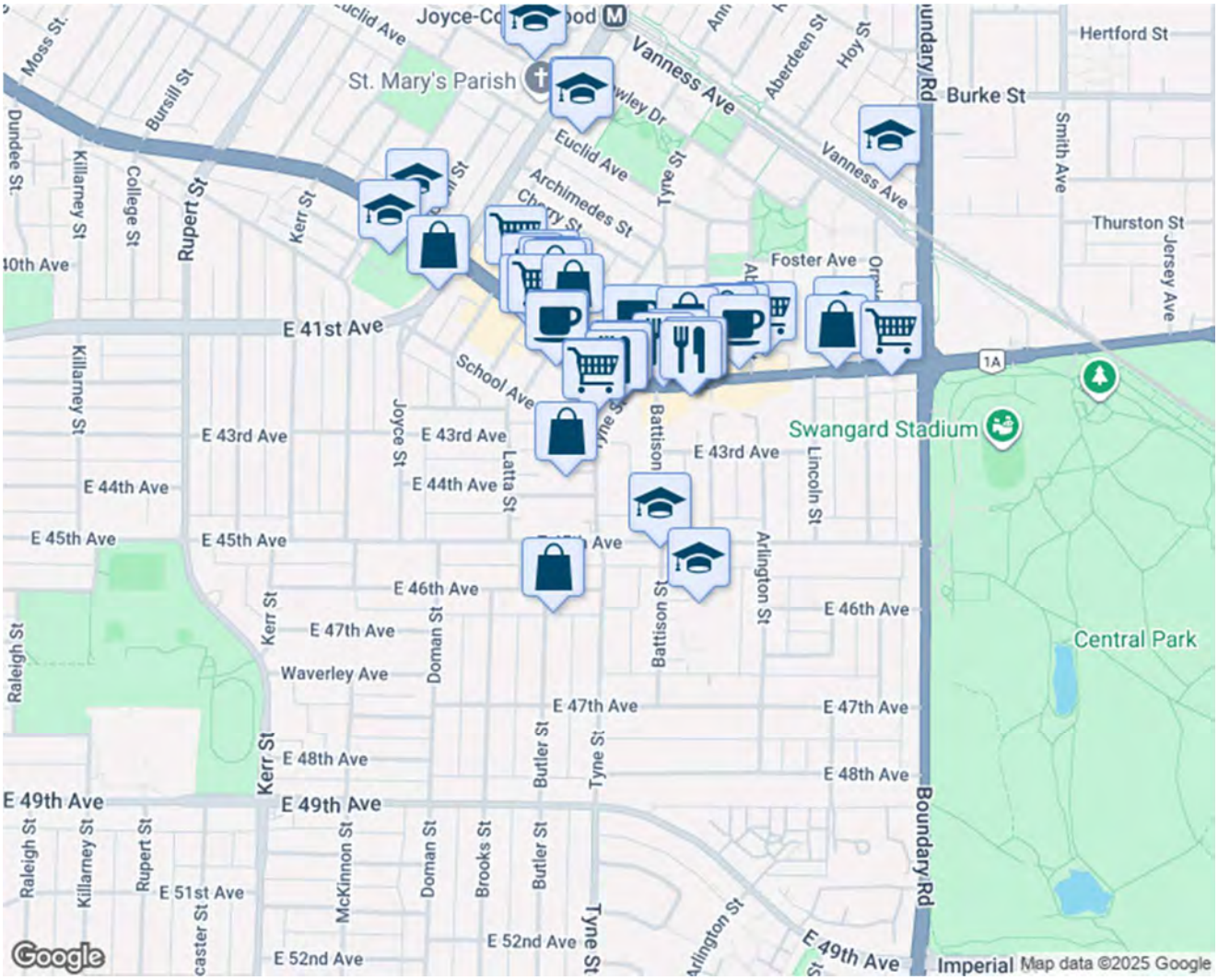
1. What the City is Changing (2025–2027)

Source: ShapeYourCity.ca/killarney-traffic-calming + Phase 1 & 2 Boards

Visual Summary




W 37th Ave
E 37th Ave
E 38th Ave
W 39th Ave
E 39th Ave
W 40th Ave
W Woodstock Ave
W 41st Ave
E 41st Ave
W 43rd Ave
E 43rd Ave
W 44th Ave
E 44th Ave
E 45th Ave
W 46th Ave
E 46th Ave
W 48th Ave
E 47th Ave
E 48th Ave
W 49th Ave
E 49th Ave
OAKRIDGE
Sunset Rink
Sunset Park
E 52nd Ave
E 53rd Ave
Cambie St.
Alberta St
Columbia St
Manitoba St
Ontario St
Quebec St
Main St
Sophia St
Fraser St
St George St
Prince Albert St
Chester St
Mackie St
Ash St
Yukon St
Google
Map data ©2025 Google



Key Changes

- **E 45th Ave redesign** – high traffic volumes (2,000–4,000 vehicles/day); safety redesign underway.
- **Tyne Street "Connector"** – proposed diverters + speed control + protected crossings.
- **Potential shift of Bus #26 to Tyne/Kingsway** – now in City–TransLink review.
- **Implementation window: 2026–2027**.

These are physical, permanent changes—not pilot programs.

---

2. Why This Matters for VSB Right Now

A. These changes sit *directly inside the Carleton–Killarney transit zone*

- Impacts **MacCorkindale**, **Weir**, **Killarney**, and **Carleton's feeder area**.
- Alters walking safety, bus reliability, and catchment accessibility.

B. Student travel is already strained

Local transit analysis shows:

- Students in SE Vancouver already take **2–4 buses**
- Up to **90 minutes one-way** travel to reach school.
- Any Bus #26 reroute or diverter increases travel time for vulnerable families.

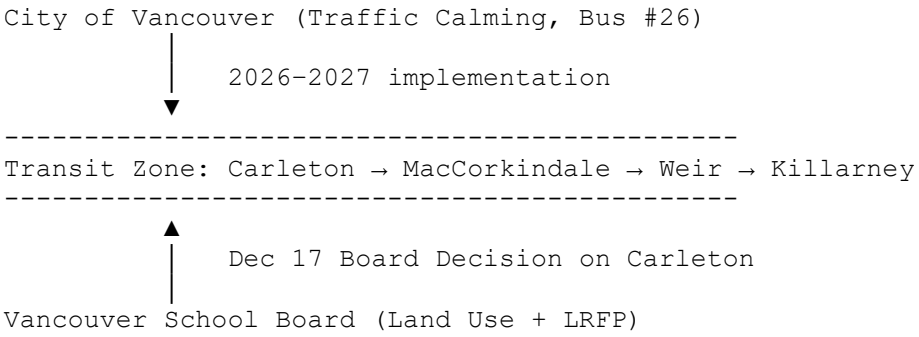
C. City transportation planning is proceeding *in parallel* to VSB land decisions

The City is locking in 2026–2027 infrastructure while the Board is being asked to make **permanent** decisions on Carleton in December 2025.

This is a **planning collision**.

---

3. Visual Planning Collision (Simple Diagram)



Both systems are redesigning the same corridor—without shared analysis.

---

4. What Trustees Need Before Any Irreversible Decision

1. Immediate joint briefing

Request an urgent technical briefing from **City Transportation Engineering + TransLink** on:

- Bus #26 routing scenarios
- Diverters / one-way conversions
- Impacts to school access and Safe Routes to School

2. Require an integrated impact statement

No disposition decision (Carleton or otherwise) should proceed **without** a written, public assessment of:

- Walking safety changes
- Bus stop changes
- Travel-time modelling for students

- Effects on future catchment planning

3. Temporarily defer any 99-year decision

Given the City's active reconfiguration of the same area, the Board should **pause** until the transportation impacts are professionally analyzed.

---

5. Closing

These transportation changes reshape the daily lives of students who rely on walking and transit in southeast Vancouver.
Before the Board makes a 99-year decision on Carleton, it is essential that Trustees see the full integrated picture.

I can provide:

- A mapped overlay (City plan + school sites + bus network),
- A one-slide version for the public meeting,
- Or a 45-second verbal briefing if needed.

Thank you for your leadership and diligence.

On Fri, Nov 28, 2025 at 11:40 AM Nathan Davidowicz [redacted] wrote:

> I never knew about phase 1.
> Need better advertising of proposed traffic changes, not just on line, maybe by newspaper ads.
> 45th Ave (Boundary to Victoria)was always the main street, we even had the bus No.45 as well as No.28 .
>
> Tyne St. replaced Doman Street as the main North/South Street when a traffic signal was installed at 49th and Tyne.
>
> Bus route changes ; Need a proper process. Need to have notices on the buses, bus stops, bus loops etc.
>
> For S.E. Vancouver need a complete redesign of bus routes, not one bus route.
> Need a comprehensive report on bus routes 20, 26,27,28,29,31, 41, R4, 49, 80, 100.
> Some students need to take 2 or 3 or 4 buses to get to their school, up to 90 minutes of one wat travel time.
>
> As I mentioned before for about 100 years all route changes and locations of bus stops had to be approved by City Council. We should not allow staff to make such big decisions.
>
> I will write a complete article .

Thanks for alerting some people.

Regards

On Fri, Nov 28, 2025, 9:51 a.m. CityHallWatch: Tools to engage in Vancouver city decisions <comment-reply@wordpress.com> wrote:

A couple of illustrations from the Killarney Traffic Calming boards (Phase 2 consultation) The second phase of consultation for the Killarney Traffic Management Program is underway. The program seeks to reduce the volume of traffic, provide safety im…

Read on blog or Reader

CityHallWatch: Tools to engage in Vancouver city decisions Read on blog or Reader

Killarney Traffic Calming survey open until Dec 17th, in-person event on Sat, Nov 29th

By **digitalmonkblog** on November 28, 2025

A couple of illustrations from the Killarney Traffic Calming boards (Phase 2 consultation)

The second phase of consultation for the Killarney Traffic Management Program is underway. The program seeks to reduce the volume of traffic, provide safety improvements and to reduce the speed of traffic going through the core of the neighbourhood. The program covers the area between East 49th Avenue, Kingsway, Boundary Road and Kerr/Rupert Street.

An Online Survey will be open until **December 17, 2025**. A single in-person consultation event has been scheduled by staff which will take place on **Saturday, November 29, 2025**, from **9am to 12pm** at the **Killarney Community Centre** (6260 Killarney St).

The proposed changes include **cycling route** improvements on **East 45th Avenue**, a painted crosswalk, new sidewalks, a few **one way street** sections, speed bumps and raised crossings.

Further information is available on the ShapeYourCity portal and in the Phase 2 information boards.

Kerr Street

From: Vik Khanna <vik@vikkhanna.com>
Sent: Friday, November 28, 2025 7:36:15 AM
To: Higgs, Jeremy ECC:EX <Jeremy.Higgs@gov.bc.ca>
Cc: Andrew Ramlo <aramlo@rennie.com>; Minister, EDUC EDUC:EX <EDUC.Minister@gov.bc.ca>; DM.Education@gov.bc.ca <DM.Education@gov.bc.ca>; Group Trustees <GroupTrustees@vsb.bc.ca>; Taleeb Noormohamed MP <taleeb.noormohamed@parl.gc.ca>; Mayor's Office (COV) <Mayor's.Office@vancouver.ca>; HMA.Minister@gov.bc.ca <HMA.Minister@gov.bc.ca>; DPAC Chair <chair@vancouverdpac.org>
Subject: MECC VSB Forecast to 2050 only 50,295 students?

Dear Jeremy,

Good morning! Doing some investigation into VSB's ability to forecast. There may be a lot of confusion with the Trustees as they seem to be getting a wide range of forecasts and could be mistaken about Ministry intent as they are attempting to remove 557 essential school spaces from a transit zone in

taxpayers.

The VSB chart shows MECC projecting 50,295 by 2050, but Figure 35 of their own report shows

is attributing long-range projections to MECC?

Document: https://media.vsb.bc.ca/media/Default/medialib/open-facilities-planning-agenda-2024-jun-12.69499573166.pdf

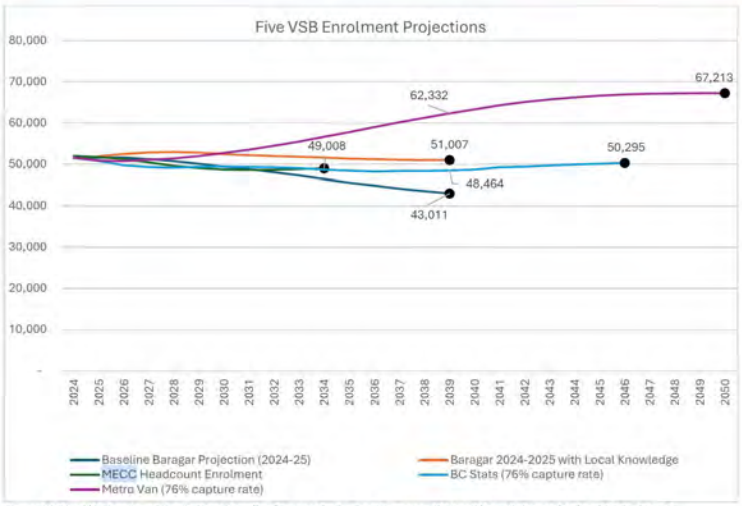


Figure 34: Five VSB Enrolment Projections. Baseline Baragar Projection, Baragar with Local Knowledge projection, BC Ministry of Education and Child Care Headcount Enrolment Including Pre-Graduate and International (excluding post graduate students), BC Stats P.E.O.P.L.E. Population Estimates and Projections Feb 4, 2025 ages 5 to 17 at school district geography and including 76% capture rate, Metro Vancouver, Medium Growth Scenario, Vancouver+UBC+EAA January 2024.

The various methodologies included in this report approach projections using data from different perspectives often for different goals. Each methodology includes data from the available timeframe presented by that agency. Baragar and MECC data includes data at a detailed level and has a 10-15-year time horizon. Data from BC Stats and Metro Vancouver use a longer time horizon but do not include analysis that projects the same level of detail as the Baragar modeling. Efforts have been made to include comparable projection assumptions from these different sources. Specific details are noted in Figure 35, together with notes on what categories of students are, or are not, included (Figure 36).

Summary of Five VSB Enrolment Projection Scenarios

Year	Baseline Baragar Projection	Baragar with Local Knowledge Projection	BC Ministry of Education and Child Care Projection	BC Stats Projection	Metro Vancouver Projection
2024	51,443	51,443	52,000	51,496	51,612
2029	50,120	52,801	49,055	49,393	51,980
2034	46,457	51,588	49,008	48,707	56,623
2039	43,011	51,007		48,464	62,332
2044				49,922	66,232
2049					67,217

Figure 35:Summary of Five VSB district-wide enrolment projections in 5-Year increments.

Jeremy, earlier this week, I walked over the Rennie offices in Vancouver and left a message for Andrew Ramlo who helped the VSB - perhaps we should get on a call and figure this out soon?

Best Regards,

Vik Khanna
President, TiE Vancouver (2025–2026)
Co-Founder, The Visual Thinking Company
📧 vik@thevisualthinkingcompany.com
🌐 www.thevisualthinkingcompany.com (not live yet; still in stealth)
📱 +1 (604) 230-9708
✦ 2008 BIV Top 40 Under 40 | QuantumShift Fellow

The Visual Thinking Company: Where We Create Impact

VTC delivers value across key sectors:
🏫 **Education**: Smarter school catchment planning and enrollment forecasting

🏥 **Healthcare**: Optimized resource placement and service access
🏘️ **Urban Planning**: Aligned housing, transit, and social infrastructure development
🏢 **Government**: Evidence-based decisions, improved public trust, and cost savings via reduced redundancy
🏠 **Real Estate**: Data-informed site selection and accelerated approvals

---------- Forwarded message ---------
From: **Wilmer, Brett D CITZ:EX** <Brett.Wilmer@gov.bc.ca>
Date: Mon, Mar 27, 2023 at 11:16 AM
Subject: RE: Request for Help: Two Rows of Data
To: Vik Khanna <vik.khanna@vancouverdpac.org>, Jens von Bergmann [redacted]
Cc: Higgs, Jeremy ECC:EX <Jeremy.Higgs@gov.bc.ca>

Hi Vik and Jens, I've recently moved portfolios and am no longer responsible for the BC student enrolment forecast. I've copied Jeremy Higgs at the Ministry of Education and Childcare who would be the best contact person on this going forward.

Thanks,

Brett Wilmer | Director, Provincial Statistics
BC Stats | Ministry of Citizens' Services | 250-415-2309 | BC Stats - Province of British Columbia (gov.bc.ca)

From: Vik Khanna <vik.khanna@vancouverdpac.org>
Sent: Monday, March 27, 2023 11:49 AM
To: Wilmer, Brett D CITZ:EX <Brett.Wilmer@gov.bc.ca>; 'Jens von Bergmann' [redacted]
Subject: RE: Request for Help: Two Rows of Data

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

Dear Brett & Jens,

Good morning! It's my pleasure to introduce you to each other!

1. Brett, nearly 3 years ago when we started the DPAC Facilities Committee, it was important to recruit expert parents and we have many of them on our committee. Jens stands out for his work and knowledge of housing and his exceptional skill to use software to make data visual and geographic.
2. Jens, we are fortunate in finding Brett. Only had this email and one brief phone conversation (VSB saying that Ministry data is not the best since it uses Census info; Brett simply said that Ministry data does not use any Census info)

Please check out:
https://docs.google.com/spreadsheets/d/1odWMpF9C9U4nueZBUcktxL4WVTiOg2ycbkqJHae2B-E/edit?usp=sharing

Tab 1 = VSB Schools with Ministry actuals for 2021 and 2022 and then VSB Forecasts.
Tab 2 = All Schools with the capacities for the larger private schools hand inputted after numerous web searches

Brett, in continuing to explore our hypothesis that the VSB's enrolment forecast (again the assumptions are not disclosed to us) is NOT one that we should be using to make long term facilities decisions on, we would greatly appreciate gaining further insights by having Jens and you chat so that we can arrive to a better understanding. Thank you for being accessible; it means a lot and it matters!

Jens, please reach out to Brett and setup a time to chat.

Best Regards,

Vik Khanna
Chair, Vancouver DPAC
Mobile: 604-230-9708
Email: vik.khanna@vancouverdpac.org or chair@vancouverdpac.org

---

From: Wilmer, Brett D ECC:EX <Brett.Wilmer@gov.bc.ca>
Sent: Tuesday, February 7, 2023 4:18 PM
To: vik.khanna@vancouverdpac.org
Subject: RE: Request for Help: Two Rows of Data

Hi Vik, thanks for your email. My team has responsibility for forecasting student enrolment but at this time we only do so for BC public schools. We do not have anything similar for VSB area independent schools unfortunately.

Also it's my understanding that the Ministry doesn't fund the capital construction of independent schools and I have confirmed that we do not have any information on current school operating capacity.

I'm sorry that I cant be of more help with these two requests but if you have any other questions please let me know.

Thanks!

Brett Wilmer | Director, Education Economics and Data Science Lab | Ministry of Education and Child Care | 250-415-2309 | 620 Superior St Victoria BC V8V 1V2 | https://studentsuccess.gov.bc.ca/

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

Dear Team,

Hello and thank you for existing; the data that you publish is valued and essential. I am part of a team of volunteer parents who are working for the VSB to have a better long rang facilities plan (LRFP) as we see growth in the number of kids attending VSB schools:

1. Housing Growth
2. Immigration Growth
3. More Safe & Modern Schools
4. Independent Schools Maxed Out

We believe that the VSB is completely unprepared and persists in producing school enrolment forecasts that can't be reasonably understood by the public since the assumptions are kept secret; we have asked for years to know the assumptions but do not get answers from the VSB.

We understand housing and immigration and also know that more safe modern schools attract a net increase of kids to the VSB, just as unsafe poor condition schools result in a decrease. That's kind of as close to "market share" impacts that we got to before. Now, we have more questions and want to dive into the public participation rate dynamics as we also believe that the VSB does not really understand how and why it has steadily been losing "market share" over the past two decades to the point where now, our analysis using Sept 30 Ministry data shows that the VSB has a public participation rate of just 76%. That's raw so obviously some students would come in from outside the VSB area and this includes both distance learning programs but the point is that it is the lowest it has ever been.

Our hypothesis that independent schools are maxed out comes with some intelligence as I had a coffee with David Hunt of Cardus and all the faith based schools that Cardus represents in Vancouver have long waitlists.

The asks:

1. We found masked forecasting data that is only for public schools so wondering if there a Ministry enrolment forecast for Independent Schools for the VSB Area?
2. Does the Ministry have data on the physical operating capacity of independent schools in the VSB Area?

Thanks, in advance.

Best Regards,

Vik Khanna
Chair, Vancouver DPAC

Mobile: 604-230-9708
Email: vik.khanna@vancouverdpac.org or chair@vancouverdpac.org

From: [redacted]
To: engage
Subject: Feedback on Sir Guy Carleton Elementary Consultation
Date: Friday, October 3, 2025 2:32:02 PM

Dear Weir Families,

Thank you for sharing the information about the proposed closure of Sir Guy Carleton Elementary School and the opportunity for public input.

After reviewing the details, I would like to express my support for rebuilding a new school on the site to serve francophone students. I believe this would provide meaningful educational opportunities for francophone families in our community while ensuring that the property continues to be used to support students, rather than remaining vacant and costly to maintain.

Please count my vote in favor of rebuilding a new school for francophone rights holders.

Sincerely,
[redacted]

From: [redacted]
To: engage@vsb.bc.ca
Subject: Feedback on School Closure Consideration – Sir Guy Carleton Elementary
Date: Thursday, October 2, 2025 4:51:01 PM

Hello there,
My primary concern with the closure of this school is the availability of the playground behind the school. Will the playground continue to be maintained? Or will it be sold to the Francophone school?
[redacted] although it can be better maintained.
It will be a loss to the community to have a highly accessible playground removed.
--
Thanks for your consideration,
[redacted]

From: [redacted]
To: engage
Subject: Carlton school
Date: Friday, October 3, 2025 5:15:31 PM

With the school closer my opinion on this to fix the school, we have more and more students from over the world coming to Canada and we need placements for these students.
Weir is over packed with children from Carlton that [redacted]
Due to the over packed of children
We understand that money can be used for resources but also the children need a place to go to. For school Carlton has been left just sitting . We don't need more living condos we need schools this school was also a history point in Vancouver. Fix the school so children nearby can go to.

Sent from my iPhone

From: Chair (Vancouver DPAC)
To: Group Trustees; engage
Subject: Proposed Closure of Carleton Elementary
Date: Thursday, October 2, 2025 7:55:50 PM

The VSB has kindly asked me to share my feedback on the plans to close Carleton Elementary, so I thought I would share my thoughts openly.

All of this has been incredibly difficult for our community. We were promised seismic upgrades in 2005 and a public benefit strategy under the Joyce–Collingwood Station Precinct Plan. Rather than receiving those promised investments, we continue to rank low on key equity indicators and face persistent gaps in essential support. This decision to proceed to close Carleton confirms what we most feared: that the benefits promised to us will never arrive. For our most vulnerable residents, the lack of access to public amenities is not just numbers on paper. It's the difference between safety and being at risk.

This will be our fourth fight, and likely our last, to secure the benefits which were promised to us. Our struggle is intergenerational and involves people from diverse backgrounds. We are a kind community that rarely speaks up unless we absolutely must. We have already accommodated more than double the density prescribed for our neighbourhood under the Precinct Plan, but the meaningful public benefits we were promised have yet to materialize. In fact, we have seen the benefits promised to us redirected to surrounding communities. We have asked respectfully many times for this to be reviewed by the VSB, City Council and the Province, all to no avail. So yet again, we must speak up.

For families here, their existence is tied to safe and accessible school communities and sufficient support for their children. I hear constantly from parents in the Carleton catchment – and other areas - about how hard it has become to raise a family in Vancouver. Many families continue to face impossible choices: leaving a neighbourhood altogether or coping with daily cross-catchment travel because there are no local enrolling spaces or childcare spots.

I will be reaching out to parents across the district because this is not just about a field at Bruce, a court at Fleming or even a school at Carleton. Without coordinated planning to secure enough safe, inclusive student spaces and address transportation and childcare as part of a complete neighbourhood, families will continue to experience unfulfilled promises and growing shortages. Today it is our community and our schools, and tomorrow it will be others.

With appreciation for your consideration,

Melanie Cheng
美麗程
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

From: [redacted]
To: engage
Subject: Reopen Carlton Elementary School
Date: Thursday, October 2, 2025 5:53:50 PM

Hello,
[redacted]

I sent email to Adrian Dix while ago
So far no reply.

I sent email to VSB Trustee this morning. Victoria Jung Trustee, Board Chair replied.
"Neighbourhood schools are important to our school community, but at the time neighbouring schools had availability to accept enrollment."

???

So many condos & apartments built-up in every corner in Vancouver.
There aren't enough schools, hospitals and transit.
To build a new secondary school for francophone doesn't make any sense to us.
We need English public school in our neighborhood.
We do not understand why VSB doesn't reopen the Carlton school.

Thank you
[redacted]

From: [redacted]
To: "engage@vsb.bc.ca"
Subject: Save Carleton Elementary school
Date: Friday, October 3, 2025 9:26:55 AM

To whom it may concern,

Please save Carleton Elementary School and the surrounding property. [redacted] attending the elementary school and it being a hub for all residents and passersby due its central location. It is currently a dead space needing the utmost attention and care: it is truthfully an eyesore of unused space, yet holds so much positive potential to benefit the rapidly growing community, especially to serve the children and families in the area.

It is no surprise that the Joyce-Collingwood area is expanding and being developed, and is a transit-oriented area. If there is a large amount of housing developments already approved by the city in the near future, there will undoubtedly be children needing to attend elementary school in the area. The reopening of Carleton Elementary School shows residents that the City of Vancouver and VSB ***care*** at the **bare minimum** about the next generation of citizens. If housing is approved but schools are not prioritized, then it is clear that profits to the city take priority over the education of children.

Carleton is a vital school space for this neighborhood. There are many reasons to Save Carleton, but here are the top ones:

1. Rapid Growth – Carleton is located in Joyce–Collingwood, which is one of Vancouver's fastest-growing Transit Oriented Areas (TOAs). There are six new towers over 30 storeys planned near Carleton and many mid-rise developments planned.

2. Lack of complete capital planning data – We need complete data to make capital plans. The VSB's capital planning data does not account for key factors like: local TOA growth under provincial legislation, the need for child care spaces, or spaces to accomodate minority language rights in Canada under section 23 of the *Canadian Charter of Rights and Freedoms*.

3. **Vancouver Plan commitments:** The province's own legislation on Transit Oriented Areas and the Vancouver Plan's complete neighbourhoods both support preserving Carleton as a complete neighbourhood, for child care, and other essential public amenities within our TOAs**.**

4**. Precinct Plan commitments** – Carleton is one of the only places in Joyce-Collingwood where there's space for the public benefits promised to our community under the Joyce–Collingwood Station Precinct Plan.

Thanks for your attention to this concern. Please consider giving true, genuine consideration to saving Carleton. Your decisions impact thousands of lives, and you have the opportunity to make a meaningful impact for generations to come if you save Carleton.

[redacted]

I humbly acknowledge that I work on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam Indian Band), Sḵwx̱wú7mesh Úxwumixw (Squamish Nation), and səlilwətaɬ (Tsleil-Waututh Nation).

From:	Victoria Jung
To:	engage
Subject:	FW: Save Carleton
Date:	Saturday, October 4, 2025 9:06:13 AM

From: [redacted]
Sent: Thursday, October 2, 2025 4:55 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton

Dear Trustees,

As a previous board member (2016-7) I was told that Carleton was next on the list for reopening.

We were obviously misled.
This is an iconic school that needs to be cherished, Not demolished.

Please do everything in your power to bring Carelton back to life.

Many thanks for your time and effort

[redacted]

From: [redacted]
To: engage@vsb.bc.ca
Cc: [redacted]
Subject: Carleton is a Public Commons
Date: Thursday, October 9, 2025 9:27:00 AM
Attachments: Sir Guy Carleton as a Commons2.docx

Carleton School is a public common not some investment to be bought and sold for who knows whose benefit. Citizens did not fund the Carleton property as a VSB investment opportunity. They funded it as an investment in community life.

Carleton's current state of dereliction is a result of VSB decision making. The PR piece on the VSB site is skewed in favor of sale and demolition. Sure, there are no students at Carleton — just like there were no students before it was built. The VSB was bussing students to other schools for a couple of years after the fire.

Earthquakes?! Yes, the brick building is not up to standard, and it has not been for decades — yet the VSB had children sit in desks for all that time. Would it not be more cost and safety efficient just to demolish the brick building, rearrange the heritage wood-frame structures on the property, and build to create an arts and cultural footprint. The Carleton neighborhood is populated by the needy and those who struggle. It is populated by a myriad of ethnicities and new and newer Canadians working to achieve a firm foothold in Canada,

Carleton should not be sold off under the guise of creating affordable housing. No housing in the Metro Vancouver is "affordable," except for the investor class. Quality of life is the foundation that Carleton was first built on, and quality of life should be its enduring legacy. It is easy to pick up the phone, call a developer, get a cheque in the mail, deposit it and then pat yourselves on the back, whispering, "Good Job." I would hope that no VSB member ran for election because it looked like an easy job. I hope that each member took the job to best serve the public, with a solid understanding of public needs and a strong reverence for protecting public commons.

Attached is a think-piece that I wrote a few years ago, and it was well received by the MP Don Davies and MLA Adrian Dix. The discussions were short circuited by Covid pandemic.

The Carleton property is a key property that has the potential to invigorate the immediate community and the surrounding urban areas. Selling off public commons to enrich developers rather than enriching the lives of BC citizens. Public commons should be used to help the greatest number of citizens in an array of ways. The Carleton property is a key property that could be an arts and learning hub.

[redacted]

VISION/Think-piece: Sir Guy Carleton as a "Commons" Dedicated to the Arts

Overarching Problem:

> One of the biggest problems in contemporary life is the unchecked growth of market values as a way to govern resources and ourselves. This is resulting in the privatization and commodification or "enclosure" of the commons. Resources that morally or legally belong to everyone are increasingly coming under the control of markets. Not only does enclosure result in higher prices and the need to ask for permission to use something previously available to all, it shifts ownership and control to private companies. The market efficiencies that businesses seek can be illusory, however, because they often depend upon unacknowledged subsidies from the commons (for example, discount access to public resources) and the displacement of costs onto the commons (pollution, social disruption, harm to future generations). Enclosure does not add value in the aggregate; it merely privatizes value at the expense of the common wealth. *(David Bollier)*

Global Context:

> "The commons" is a useful term for contemporary political discourse because it provides a new lexicon for re-situating market activity in a social and political context. It helps us identify resources that should not be alienated for market use, but should remain non-propertized and "owned" (in a civic or democratic sense) by everyone. Our culture has no serious vocabulary for contextualizing "the free market" in a social framework; it assumes that it is a universal, ahistorical force of nature. The commons help rectify this conceptual problem by offering a rich, countervailing template to the market paradigm, one that can speak about the economic and legal aspects of a commons as intelligibly as its social and personal aspects. *(David Bollier http://www.publicsphereproject.org/content/commons)*

The Sir Guy Carleton Connection

Sir Guy Carleton Elementary School (Carleton) sits on five or six acres of commons situated at the major arterial intersection of Joyce Street and Kingsway Avenue. It sits on one of the most desirable parcels of public land on the Kingsway corridor. Land developers, no doubt, covet that public parcel and fantasize of the riches to be had if the commons can be privatized with ownership transferred from citizens to private enterprise. They would be naturally drawn to replicate recent high-rise projects Nanaimo and Kingsway, Gladstone and Kingsway, and Knight and Kingsway. They would most likely like to wrest ownership from the public or at least wrest control for a 99-year term like the former school property at Broadway and Kingsway.

The Carleton Elementary School parcel has been a commons (Carleton Commons) for well over a century. The Carleton Commons has housed fire fighters in an early fire hall and teachers and children in public education facilities. It is essential that it remain a commons to benefit the life, vibrancy and health of Vancouver, and remain a commons with free access for citizens and with benefits flowing to those citizens.

Carleton Problem

Carleton has been on the proverbial block for closure by the VSB for almost a decade. It has been taken to the brink and then the decision gets pushed to the back burner to keep the issue warm. The one solution that keeps coming up is selling off a parcel of land to real estate interests. That solution, no doubt, is pushed by real estate developers and voiced by well-intentioned but short-sighted activists.

Fires

Carleton has had major arson fires in 2008 and 2016.

In 2008, the building that was set ablaze was only saved from destruction by significant public pressure and a saviour in the form of Green Thumb Theatre.

In 2016 Carleton's "Brick Building" was set on fire and damaged to the tune of an estimated $6 million. The building is also in need of a multi-million-dollar seismic upgrade. It may not be economically viable to repair and reinforce the structure. There is a possibility that it may be demolished.

With the main structure gone, the Kingsway and Joyce commons will be at great risk of being bought and redeveloped by private interests. That would be wrong on so many fronts.

One Carleton Commons Solution Pictures Carleton Elementary as an Anchor

Carleton commons should be transformed into a community arts hub (Carleton Arts Center) anchored by a newly-constructed Carleton Elementary School with a focussed fine arts curriculum; as well as Green Thumb Theatre; and a new Collingwood Library branch.

One option could be selling off Collingwood Library branch property and using the funds to move it to and further develop the Carleton commons. The present Collingwood Library location at Rupert and Kingsway could be used for affordable housing.

At this Kingway/ Joyce corner there would be room for this arts-focused complex akin to, but different than Burnaby's Shadbolt Centre – different in a way that best serves Vancouver citizens and beyond. Some examples of offerings might be:

- Community wood-working arts
- Aboriginal Arts
- Ceramics and textiles
- Theatre Arts – acting, singing dance etc.
- Music – choir, band, jazz, rock etc.

Vancouver has several special-focus schools offering programs in Montessori, French Immersion, Mandarin Bilingual, mini-schools, fine and performing arts programs, sports academies, career programs, gifted enrichment education, and an outdoor school, to name just a few options. For example, Nootka Elementary School offers a fine arts program. While Nootka's program is commendable, the Carleton Commons site makes better sense based on its location near Skytrain and a major public transit intersection, which creates easy transportation access for citizens living in all Vancouver areas and neighbourhoods.

An Alternative to Carleton Commons Solution (without a School as Anchor)

An alternative to this Carleton Commons plan might be to demolish the brick structure, while keeping and renovating the Carleton Frame building, allowing the development area to be an even larger and more meaningful civic Arts and Arts Education hub.

The need for athletic fields may have an impact on what is built and how the property is developed; and may impede the realization of this Carleton Commons vision. As well, current zoning of Carleton

Commons may pose problems if it left as is. Community resistance to anything but the status quo will impact planning and design.

As well, there is much to be learned by looking at similar operational relationships – like those created by the development of the Britannia complex.

Art as The Heart of Carleton Commons

Like a physical heart that refreshes and revitalizes life's blood, the metaphorical heart of a community refreshes and revitalizes not only the community but the civic body as a whole.

While affordable housing is a basic need of all humans, it is little more than warehouse for the physical. A densified city without a food retailer is a recipe for a war zone. As there must be food for the body, so must be nourishment to build minds supportive of pro-environmental behavior. The Arts provide such nourishment.

Art flows from hearts and minds of very special people. In many cases, it flows only because the efforts of the Arts Community to nurture, inspire and teach people to release the artist within. Art communicates, brings light to darkness, brings attention to the human condition, brings beauty to and joy where there is none – art and artists bring hope to those who need it the most.

The Carleton Commons is a place to learn, practice and create art for the people of the commons. The Carleton Commons is home to the energy of many thousands of learners who have contributed each in their own way to the betterment of our world. Their energy permeates the Carleton Commons, and their memory is best served by Carleton Commons as a place dedicated to the promotion and preservation of the arts.

Arts Community Role

The Arts Community has authoritative patrons and influential artists. The Arts Community has strong connections and a powerful voice.

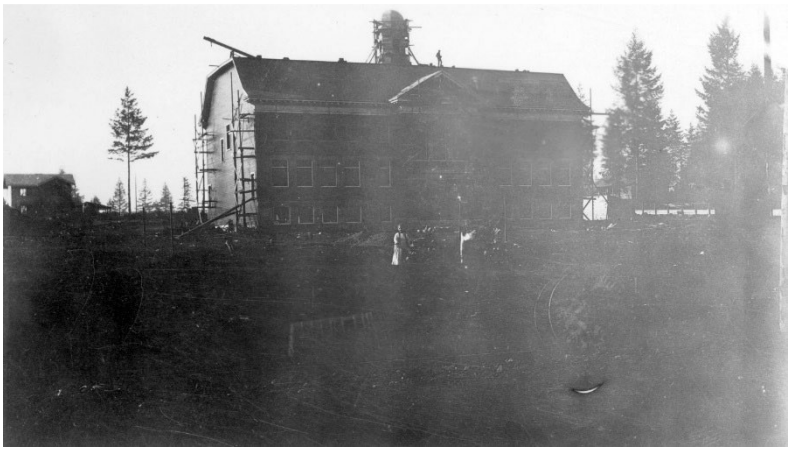
With the support, vision and expertise of the Arts Community and – the Carleton Commons vision can receive the breath of life.

Random thoughts:

- The Arts teaches how to think rather than what to think.
- The artist within transcends race, ethnicity, religion – The Carleton Commons is the heart of a multicultural community
- The energy of thousands of bright minds spanning well over a century permeates the Carleton Commons. Their feet have touched the ground, their laughter has filled the air, their tears have stained the ground, they have absorbed knowledge and taken it into the world. They have grown up and fought wars, run businesses, loved, raised families and in turn sent their children to add to the wonder of Carleton Commons.
- Look at Carleton Commons as a heart that circulates the inner artist using its transportation arties
- Carleton Commons is an ideal centre to breath life into it's planned elementary arts curriculum.

- Carleton Commons is a place where the Government of Canada can fulfil it's promise to Investment in cultural infrastructure to the tune of $6 billion over 4 years, and almost $20 billion over 10 years.
- Carleton Commons is a place that must stay as a Commons and we must care for this gift given people long ago for the education and benefit of the citizens.

Historical Photographs courtesy of City of Vancouver Archives

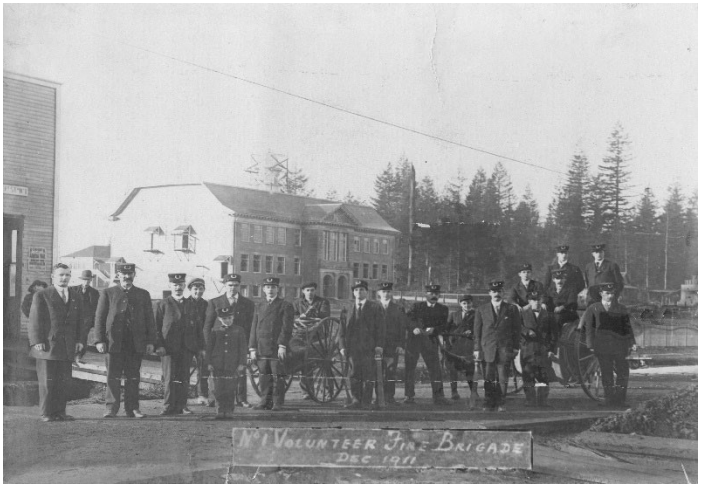


First stage of Brick Building under construction 1910

Frame and Brick after ends added

HRH Prince of Wales visits Carleton circa 1919

Carleton athletic Club 1921



Volunteer Fire Brigade 1911 adjacent Carleton Elementary School first stage brick building in front with wood frame in rear

From: Chair (Vancouver DPAC) <chair@vancouverdpac.org>
Sent: Thursday, October 16, 2025 11:37 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>; STOffice <stoffice@vsb.bc.ca>; Superintendent <superintendent@vsb.bc.ca>
Subject: 2025-10-16 Carleton Engagement Response

Thank you for hosting the stakeholder engagement session on Carleton yesterday.

During the meeting, I referenced the youth population projections and emphasized the importance of incorporating Metro Vancouver's youth population data into the engagement process. Attached is the *Carleton Report*, which outlines that data. I respectfully request that this information be shared with parents and stakeholders as part of the ongoing engagement.

Kind regards,

Melanie Cheng
美麗程
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.

Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

Carleton Elementary: The Heart of a Growing Community

By: Melanie Cheng, Coordinator, Facilities and Child Care Working Group, Vancouver DPAC
October, 2025

The Joyce–Collingwood neighbourhood is one of Vancouver's fastest-growing communities. The following analysis, based on Vancouver School Board (VSB)'s June 16, 2025 Facilities Planning Committee agenda package (the "June 2025 Report"), demonstrates the urgent need to rebuild Carleton Elementary to meet growing demand for local K–7 student spaces in the Joyce–Collingwood area.

Part 1: Youth Population Growth and Capacity Gaps

The VSB's Metro Vancouver youth population data shows that the Joyce–Collingwood area is facing major enrolment pressures that existing schools cannot absorb.

Across the five surrounding catchments (Bruce (including annex), Grenfell, Weir, Cunningham, and MacCorkindale) the combined youth population ages 5–12 is projected to grow between 2022 and 2053, as shown below:

Youth Population – VSB Metro Vancouver Data

School catchment name	**Number of Enrolling spaces**	Youth Population 5-12 in **2022**	Estimated Youth Population 5-12 in **2033**	Estimated Youth Population 5-12 in **2043**	Estimated Youth Population 5-12 in **2053**
Bruce (including annex)	**484**	620	795	972	981
Grenfell	**489**	375	513	656	681
MacCorkindale	**444**	280	470	519	490
Weir	**421**	385	608	665	622
Cunningham	**598**	445	643	721	685
Totals:	**2,436**	**2,105**	**3,029**	**3,533**	**3,459**

Data Sources: *2022 Youth Population from VSB Open Data and the June 2025 Report, pages 101–102*

The total school capacity across the five catchments (2,436 enrolling spaces) falls hundreds short of the projected 3,533 youth by 2043. Even using the 2053 estimates, enrolment remains well above sustainable levels.

The Province's Transit Oriented Area (TOA) designation for Joyce–Collingwood and the Housing Target Orders provide assurance of continued growth in this area with thousands of new housing units and increased residential density. A rebuilt Carleton Elementary

would directly serve children in the high-density core around Joyce–Collingwood Station, reducing commute distances and supporting walkable neighbourhood schools.

Right now, without Carleton, students face long commutes or split-sibling placements, disproportionately affecting lower-income and immigrant families who rely on local child-care, community programs, and after-school supports. This trend will continue to get worse over time if we don't have another Elementary school in Joyce-Collingwood.

The VSB has used the *Baragar with Local Knowledge Added* ("Baragar") data in the Carleton engagement, but that methodology is not applicable in this case. The VSB's June 2025 Report confirms that Metro Vancouver data should be used to inform long range decisions like land dispositions (at page 30).

Further, according to the June 2025 Report, Baragar student yield assumptions for co-op and non-profit housing will need to change due to the City's acceleration of social housing densification (at page 61). The upcoming Vancouver Social Housing Initiative (VSHI) will allow most non-profit and co-op housing projects to bypass individual rezonings and accelerate affordable housing from 15 to 18 stories in the catchments of Carleton, Weir, Cunningham and MacCorkindale, as shown on the City's map. The June 2025 Report confirms that "*there is typically an enrolment increase impact in specific geographic areas….where large family social housing projects are located…*" (at page 43). If the VSB proceeds with a decision to close or subdivide Carleton based on current Baragar data before the VSHI is implemented, it risks relying on projections that underestimate future student growth.

Part 2: Utilization Projections and Overcrowding

Using the VSB's Metro Vancouver projections as shown in the June 2025 Report, the Bruce catchment, as Carleton's immediate neighbour, will face severe over-utilization over the next three decades. By 2033, Bruce (including its annex) is projected to reach 135% utilization, rising to 165% by 2043 and 166% by 2053:

Estimated Utilization by catchment – VSB Metro Vancouver Data

School catchment name	Estimated Utilization 5-12 in **2033**	Estimated Utilization 5-12 in **2043**	Estimated Utilization 5-12 in **2053**
Bruce (including annex)	135%	165%	166%
Grenfell	86%	110%	114%
MacCorkindale	87%	96%	90%
Weir	118%	130%	121%
Cunningham	88%	99%	94%

Data Source: *June 2025 Report, pages 101–102*

The only nearby catchments projected to have modest available capacity (MacCorkindale and Cunningham) are both located outside the Joyce-Collingwood Transit Oriented Area, making them less accessible for families in the dense Joyce–Collingwood core. The result is a widening geographic and equity gap in access to public education for families near Joyce-Collingwood Station.

Conclusion

The data is clear: existing schools cannot accommodate projected growth in the Joyce–Collingwood area pursuant to the VSB's Metro Vancouver data. With population increases tied to the Transit Oriented Area, the pre-zoning initiatives now underway at the City, and the future fast tracking of social housing, the reopening or rebuilding of Carleton Elementary is essential to Joyce-Collingwood. A new Carleton would:

- relieve pressure on Bruce, Weir, and Grenfell;
- restore neighbourhood access to public education and child care;
- align school planning with the City's growth and housing strategy; and
- advance equity and walkability in one of Vancouver's most diverse communities.

Carleton could be a shovel-ready, equity-focused, transit-aligned investment that supports the Province's own Transit Oriented Area initiatives and complete community mandates.

Unlike expansion projects elsewhere, funding Carleton ensures future capacity before overcrowding reaches crisis levels, strengthens intergovernmental alignment, and supports working families in one of the most diverse, high-growth neighbourhoods in Metro Vancouver.

A business case could be made for the Province to partner with the City of Vancouver by leveraging existing funds from the *Joyce–Collingwood Station Precinct Plan* earmarked for community amenities. The Plan identified co-location opportunities (such as a new library, cultural and community space, and expanded child care) that remain unfulfilled. Rebuilding Carleton as a shared education and community hub—*restoring the heart of the neighbourhood*—would finally deliver the long-promised amenities, make the most of public land, and honor the commitments that have already been made to residents.

From: [redacted]
To: engage
Subject: Sir Guy Carleton School closure
Date: Wednesday, October 15, 2025 11:31:25 AM

Sir Guy Carleton School is quite important for some people living in Vancouver including myself. I believe the building should be reinstated into a museum, teaching future generations on what schools used to look like and the history behind this school.

From: [redacted]
To: engage
Subject: Fw: Save Carleton - Pause Subdivision
Date: Tuesday, October 14, 2025 7:29:26 PM

------- Forwarded Message -------
From: [redacted]
Date: On Tuesday, October 14th, 2025 at 7:10 PM
Subject: Save Carleton - Pause Subdivision
To: grouptrustees@vsb.bc.ca <grouptrustees@vsb.bc.ca>

Dear Trustees,

[redacted] writing to ask that you pause the subdivision of Carleton Elementary. Families in the area are already facing crowded classrooms and child-care shortages.

Please:
1. Pause the Carleton subdivision until an integrated school plan is developed.
2. Report publicly on how land and lease funds are used.
3. Coordinate with the City and Province to align schools with housing growth.

Thank you for protecting school lands for students and families.

Sincerely,
[redacted]

From: [redacted]
Sent: October 13, 2025 11:48 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton - Pause Subdivision

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Dear Trustees,

[redacted] writing to ask that you pause the subdivision of Carleton Elementary. Families in the area are already facing crowded classrooms and child-care shortages.

Please:

1. Pause the Carleton subdivision until an integrated school plan is developed.
2. Report publicly on how land and lease funds are used.
3. Coordinate with the City and Province to align schools with housing growth.

Thank you for protecting school lands for students and families.

Sincerely,
[redacted]

Sent from my iPhone

From: [redacted]
Sent: October 11, 2025 12:25 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton - Pause Subdivision

Dear Trustees,

[redacted] writing to ask that you pause the subdivision of Carleton Elementary. Families in the area are already facing crowded classrooms and child-care shortages.

Please:

1. Pause the Carleton subdivision until an integrated school plan is developed.
2. Report publicly on how land and lease funds are used.
3. Coordinate with the City and Province to align schools with housing growth.

Thank you for protecting school lands for students and families.

Sincerely,
[redacted]

From: [redacted]
Sent: October 7, 2025 8:24 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton

The VSB is considering closing Carleton. **But Carleton is not a "surplus" site.** It is a vital school space for this neighborhood. There are many reasons to Save Carleton, but here are the top ones:

1. **Rapid Growth** – Carleton is located in Joyce–Collingwood, which is one of Vancouver's fastest-growing Transit Oriented Areas (TOAs). There are six new towers over 30 storeys planned near Carleton and many mid-rise developments planned.

2. **Lack of complete capital planning data** – We need complete data to make capital plans. The VSB's capital planning data does not account for key factors like: local TOA growth under provincial legislation, the need for child care spaces, or spaces to accomodate minority language rights in Canada under section 23 of the ***Canadian Charter of Rights and Freedoms***.

3. **Vancouver Plan commitments:** The province's own legislation on Transit Oriented Areas and the Vancouver Plan's complete neighbourhoods both support preserving Carleton as a complete neighbourhood, for child care, and other essential public amenities within our TOAs.

4. **Precinct Plan commitment** – Carleton is one of the only places in Joyce-Collingwood where there's space for the public benefits promised to our community under the Joyce–Collingwood Station Precinct Plan.

I support keeping Carleton elementary open for the reasons above.

Thank you,
[redacted]

From: [redacted]
Sent: October 6, 2025 9:24 AM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton

Dear VSB Trustees,

I am writing to urge you to take action to preserve Carleton Elementary School, a vital community space in the rapidly growing Joyce–Collingwood Transit-Oriented Area (TOA).

Carleton has faced repeated closure attempts despite being essential to creating a complete neighbourhood—a core goal of the Vancouver Plan. With six new towers over 30 storeys and thousands of new housing units planned nearby, closing Carleton would remove one of the few public sites available for education, child care, and community amenities promised under the Joyce–Collingwood Station Precinct Plan.

Carleton is not surplus land—it's a key part of our city's future. The Vancouver Charter requires collaboration between the City and the Vancouver School Board to plan for school facilities within new growth areas. As density around Joyce–Collingwood accelerates, keeping Carleton open ensures that families can live, learn, and access child care close to home and transit.

Please stand with our community and help ensure that Carleton Elementary remains part of a complete, livable neighbourhood.

Sincerely,

[redacted]

From: [redacted]
Sent: October 2, 2025 12:14 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Subject: Save Carleton

As more high-rises are built in East Vancouver and population density increases, especially with families moving into new developments, the demand on local infrastructure—particularly schools—can quickly outpace supply.

Keeping Carleton Elementary open is essential to the strength and well-being of our community. This school is not just a place where our children receive a quality education—it is a vital community hub that brings families, neighbors, and generations together. For many, Carleton represents continuity, connection, and shared history.

In a time when East Vancouver is experiencing rapid development and population growth, particularly with the construction of new high-rise residential buildings, the need for accessible, local schools has never been greater. Closing Carleton would not only put additional strain on already full nearby schools, but it would also remove a central gathering place that fosters community spirit and support networks.

Preserving Carleton Elementary is about more than just keeping a building—it's about investing in the future of our children and maintaining the fabric of a connected, thriving neighborhood.

[redacted]

From: [redacted]
To: engage@vsb.bc.ca
Subject: Rebuild - more condos - more units with social housing - time to keep schools - we will need them
Date: Tuesday, October 21, 2025 3:14:10 PM

[redacted]

From: [redacted]
To: engage@vsb.bc.ca
Subject: Request to Keep Our School Open
Date: Tuesday, October 21, 2025 10:54:09 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Hi,

I am writing to express my concern about the possible closure of Carlton Elementary School. I strongly believe the school should remain open, even if a large amount has been spent on its maintenance or operation.

Our community is growing rapidly, with many new high-rise buildings being built in the area. This means more families and more children who will need a nearby school. Closing the school would create unnecessary hardship for students and parents who rely on having accessible education within the neighborhood.

I understand that funding can be a challenge, but I am confident that with proper planning, the school and its programs can continue to receive the necessary support. The community already contributes through taxes, and there are always people and organizations willing to help students from low-income families participate fully in school and extracurricular activities.

This school is more than just a building — it is a vital part of our community that supports children's learning, growth, and sense of belonging. I sincerely hope that you will reconsider any plans to close it.

Thank you for your time and consideration.

Sincerely,
[redacted]

From: [redacted]
To: VSB, Engage
Subject: Re: We want to hear from you: Proposed closure of Carleton Elementary
Date: Wednesday, October 22, 2025 10:18:53 AM

Can you explain how 300 kids were at Carleton, and 350 at Cunningham, pre-fire, but now "most go to Cunningham" which is still only showing 350 enrollment? This sounds very much like the numbers do not match the narrative. Please advise so we can answer the survey with full data.

From: [redacted]
To: engage@vsb.bc.ca
Subject: Corrected version of Carleton letter
Date: Thursday, October 23, 2025 9:53:25 AM

In 2023, the Point Grey school Queen Elizabeth Annex was closed permanently. Jules Quesnel, a neighbouring school [redacted] received dozens of students, creating an unresponsive, overcrowded learning environment in which teachers were often busy or unavailable.
Luckily for those at the Annex, Jules Quesnel was a two-minute walk away.
Ultimately, this will hold true for Carleton as well, with multiple nearby schools ready to receive students.
Yet, when we consider a school closure in a purely logistical manner, we ignore the human and social aspects of our decision.
The bulletin for QEA's closure cited above-average student costs and the availability of schools to receive students, but did not discuss the potential impact on staff and students.
Before considering the future of Carleton, we must ask ourselves:
What initiatives will be taken to integrate former Carleton students into their new communities?
How will we ensure that teachers will be able to uphold a high quality of education for students of all needs and abilities?
How will we effectively allocate resources to students who need them?
How will we guarantee that students' and parents' concerns will be heard and addressed?
What will happen to the teachers and staff who lose their Carleton jobs?
Sent from my iPhone
Sent from my iPhone

From: [redacted]
To: engage@vsb.bc.ca
Subject: Carleton School
Date: Wednesday, October 22, 2025 9:07:11 PM

[redacted]

I believe the site would be perfect for another Annex that forms part of Collingwood community(providing services for the community, maybe some educational space, kids activities, sports, a hub for the local community) Also, a new Collingwood Library would be perfect on this site. The old Rupert location is not good.
Perhaps, part of the property could have some market housing or row housing to provide a little income for the city to build (if needed)
Definitely not low income housing. Maybe have some Seniors friendly housing or seniors programs; gym for activities;

Kind regards,
[redacted]

Sent from my iPhone

From: Collingwood Recreation Society <info@collingwoodrecsociety.com>
Date: October 23, 2025 at 09:28:10 PDT
To: Victoria Jung <Victoria.Jung@vsb.bc.ca>
Subject: It's time to Save Carleton!

It's time !

Save Carleton

Help save this school in a rapidly growing East Vancouver community !

Did you know that by 2033 Joyce-Collingwood will have almost 1,000 more children from 5 to 12 years of age according to the VSB's own data?

We are going to need Carleton to accomodate this growth and the VSB is planning to close it down. There's a subdivision pending for the school with the City of Vancouver, too.

All of the info is available in the Carleton Report, and at savecarleton.com

Now we ask for your help to save this local school.

Here are the engagement opportunities:

1. Attend an in-person or online information session in October:

   In-person session – Thursday, October 23
   Drop in anytime from 3-6 pm
   Location: Weir Elementary School (Gymnasium): 2900 E 44th Ave, Vancouver, BC
   RSVP here
   (Spanish, Vietnamese and Chinese translators will be available on-site)

   Online session – Tuesday, October 28
   This session will cover the same information as the in-person

session
Time: 6:00-7:00 pm
Details: A link and instructions to join the online session will be shared prior to the event.
RSVP here

2. Participate in the VSB's online survey (Open until November 26, 2025)

3. Request to make a presentation to the Board at the Public Delegation Board meeting scheduled on November 24, 2025.

4. Share your thoughts until December 2, 2025, using the button on savecarleton.com. Your feedback will be included as part of the engagement summary report and submitted to the Board for consideration.

Vancouver DPAC will also be having an info session on October 29, 2025 at 7:00 pm via Zoom (link).

Together we can make a change !

From:	STOffice
To:	engage
Subject:	FW: Letter from Secretary Treasurer Flavia Coughlan: Input on public engagement
Date:	Thursday, October 23, 2025 9:36:58 AM
Attachments:	image001.png image002.png Closure of Carlton_PASA Response 20251018.pdf

---

From: Kerry Chuah <kchuah@vsb.bc.ca>
Sent: Saturday, October 18, 2025 5:48 PM
To: STOffice <stoffice@vsb.bc.ca>
Subject: RE: Letter from Secretary Treasurer Flavia Coughlan: Input on public engagement

Hi Flavia,
Please find attached our response regarding the proposed closure of Carleton Elementary.
Thanks,

Kerry Chuah
President – PASA

PASA
PROFESSIONAL AND ADMINISTRATIVE STAFF ASSOCIATION

Project Manager – VPO
Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8
e: kchuah@vsb.bc.ca | **p:** 604-713-5019 | **c:** 604-828-0389

VSB Vancouver School Board
vsb.bc.ca | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube
With deep gratitude and respect, I am honoured to be learning and unlearning on the ancestral and unceded lands of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətaɬ (Tsleil-Waututh Nation)

From: STOffice <stoffice@vsb.bc.ca>
Sent: Thursday, October 2, 2025 5:11 PM
To: Kerry Chuah <kchuah@vsb.bc.ca>
Subject: Letter from Secretary Treasurer Flavia Coughlan: Input on public engagement

Good afternoon, Kerry,

Please find attached letter sent on behalf of Secretary Treasurer Flavia Coughlan seeking your feedback as part of the public engagement consultation for the possible closure of Carleton Elementary School.

Thank you,
stoffice@vsb.bc.ca

PASA
PROFESSIONAL AND ADMINISTRATIVE STAFF ASSOCIATION

Flavia Coughlan
Secretary Treasurer | CFO
Vancouver School Board
1580 West Broadway
Vancouver BC, V6J 5K8

Oct 18, 2025

Dear Flavia,

Thank you for your letter dated October 2, 2025, regarding the proposed closure of Carleton Elementary. On behalf of the VSB Professional and Administrative Staff Association (PASA), I would like to express our support for the formal closure of the Carleton site.

Carleton Elementary site has been non-operational and non-enrolling for nearly a decade following the fire incident. During this time, students appeared to have successfully transitioned to Cunningham Elementary and other nearby schools, including Weir Elementary which is seismically safe. It appears that the surrounding communities have adapted well to this change, while the Carleton site has remained unused. Based on the stakeholder engagement workshop held on October 15, 2025, we understand that future enrollment projections remain within capacity, even with Carleton's closure. Therefore, we believe the closure will not negatively impact short- or long-term enrollment needs.

Maintaining a mothballed facility for such an extended period places unnecessary strain on already limited resources and funding. These funds could be better allocated to support active school sites and enhance educational outcomes. Additionally, the building has suffered significant damage and would require substantial investment to be restored for future use. We understand that the District's request for restoration funding was not approved by the Ministry, nor was the capital plan for seismic upgrades or replacement supported. Given these circumstances, we are in favour of the closure of Carleton and do not support the District to continue to spend additional funding on a non-enrolling and severely damaged facility that lacks the necessary funding for restoration and seismic safety.

Thank you for your attention to this matter and please reach out if you have any questions.

Sincerely,

Kerry Chuah
President
Professional and Administrative Staff Association

From: [redacted]
To: engage@vsb.bc.ca
Subject: Save Carleton
Date: Friday, October 24, 2025 5:33:41 PM

Dear Trustees,

This email is being sent at the request of [redacted] *wanted to communicate to you* [redacted] *perspective and I agreed to share it.*

"I am writing to ask that you save Carleton Elementary and keep this important school site in the Joyce–Collingwood community.

[redacted]

Here is why I believe Carleton should be saved:

- With more housing going into the neighbourhood, it is very important to consider that the families in the neighbourhood will need adequate access to education for their kids!

- It seems like profit is being put above the needs of children in the community who need education, and who otherwise might be in crowded classrooms at other schools if Carleton isn't saved.

Thank you for your attention to this important matter.

Yours truly,
[redacted]

From: [redacted]
Sent: October 26, 2025 11:55 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>
Cc: [redacted]
Subject: Urgent Opposition to the Proposed Closure of Carleton Elementary School

Dear Trustees,
I am writing as a deeply concerned parent and long-term resident of the community historically served by Carleton Elementary. [redacted] capacity issues the closure proposal claims to be non-existent, and I urge the Board to critically reassess this plan based on current reality and responsible long-term planning.

1. Current Capacity Crisis and Family Equity

The core rationale for the closure—that sufficient capacity exists in surrounding schools—is demonstrably inaccurate based on current enrollment data [redacted]

- **Immediate Oversubscription:** This year, nearby schools are already at their breaking point. [redacted] Despite the school running three Kindergarten classes, at least four in-catchment applications could not be fulfilled. With 67 applications received and only 60 fulfilled, the notion that Weir, Waverly, and Cunningham can absorb a major influx of students is contradicted by present reality. Each of these three schools had a waitlist for KG applications.
- **Family Fragmentation:** The current capacity strain has resulted in [redacted] This situation directly compromises the emotional well-being of local families and undermines the principle of equitable access to close-by neighborhood schools.
- **Projected Failure:** If schools are already oversubscribed and turning away in-catchment students *before* Carleton is closed, the projected influx from the planned densification of the area will cause critical capacity failures, forcing numerous families to travel to increasingly distant schools as the area densifies.

2. Flaws in Long-Term Planning and Data Use

The proposal appears to be founded on planning data and processes that are inconsistent with VSB's own stated standards for land disposition and growth management.

- **Inconsistent Data Application:** I question the reliance on the VSB's preferred capacity model (such as Baragar) for a decision with long-term implications like land disposition, especially when the Board's own June 2025 guidelines emphasize the consistent use of Metro Vancouver population statistics for long-range planning. The densification data clearly indicates the need for **additional** school capacity in this area, not consolidation.
- **Premature Land Subdivision:** The attempt to subdivide the Carleton land (per Vancouver Planning Public Inquiry link: https://plposweb.vancouver.ca/Public/Default.aspx?PossePresentation=Guest&PosseObjectId=183575738) well in advance of a final closure decision undermines the transparency of this public process and suggests a predetermined outcome focused on land disposal rather than educational need.

- **Misleading Communications on CSF:** Presenting the possibility of a Conseil scolaire francophone (CSF) secondary school on the site as a committed plan or mitigation measure is extremely misleading to the public. The CSF's interest does not equate to a guaranteed commitment to build, and this potential scenario should not be used to justify the loss of critical elementary capacity.

3. Deficiencies in the Engagement Process

The current engagement framework is deeply flawed and has failed to reach all affected stakeholders.

- **Limited Scope and Outreach:** Seeking input solely from currently enrolled families fails to capture the concerns of future families—those with young children who expect to enroll in the near term—and the wider community affected by the lack of local school infrastructure.
- **Unacceptable Timeline:** A two-month timeline for feedback on a decision of this magnitude is fundamentally inadequate. It prevents thorough community outreach, critical evaluation of complex planning data, and meaningful participation from busy working parents.

In conclusion, the data, current enrollment pressures, and the community's needs are clear: this area requires additional school infrastructure to serve growing density. The VSB has a mandate to coordinate with the City and Province to ensure educational facilities align with housing growth, and closing Carleton runs counter to that responsibility.

I urge the Board of Trustees to **immediately halt the closure process** and initiate a new community planning process focused on making the business case to the Province for the **retention and necessary investment in the Carleton site** to serve the long-term educational needs of our community.

Thank you for your attention to this critical matter.

Sincerely,

[redacted]

Melanie Cheng
Chair, Vancouver DPAC

October 29, 2025

To:
Secretary Treasurer (*via email*)
Minister of Education and Child Care (*via email*)

Dear all,

Re: Request to Terminate the Carleton Elementary School Closure Consultation and commence a new Long Range Facilities Plan for the Vancouver School District # 39

I am writing in my capacity as Chair of the Vancouver District Parent Advisory Council. [redacted] The information provided herein is not legal advice but is intended to form part of the public consultation regarding the proposed closure of Carleton Elementary. This advice is given under VSB AP 4.1: "The Chair, **whenever possible**, will attempt to reflect the opinion of the majority of the DPAC Executive representatives." This advice is also given pursuant to our bylaws which indicate I am spokesperson for Vancouver DPAC. [redacted] **so I am copying the Minister of Education and Child Care who has been kept informed of all of the challenges we have experienced in giving advice as an independent stakeholder both within Vancouver DPAC and with the VSB.**

The land at Carleton Elementary ("**Carleton**") holds deep historical and cultural significance for many, including Indigenous and other minority families who call this area home. This is the 4th attempt in 15 years to close Carleton. The school's survival reflects the community's commitment to fight for greater equity in an area where families have lived, learned, and raised children for over 125 years.

Since this past summer, I have met with hundreds of families in Joyce-Collingwood and have listened to their views in relation to the VSB's plan to close Carleton. The community started the "Hearts for Carleton" campaign, and hundreds of hearts have been made by residents to show their love for this school even though it's been closed for 9 years since the fire in 2016. The hearts are on display in the community, and many are filed here for the public record.

Based on the information available to me, I am writing to stop to the Board's plan to close Carleton. The community's need for Carleton is clear, and there also appear to be significant concerns with the VSB's process, rationale, policy framework, and compliance with statutory obligations, as outlined below.

1. **Problems with the Board's Plan to close Carleton**

(a) **Absence of an Updated Long Range Facilities Plan (LRFP)**

In its public engagement regarding the proposed closure of Carleton, the Board references the May 23, 2025 decision in *Conseil scolaire francophone de la C.-B. v. British Columbia and Vancouver School Board* (2025 BCSC 962).

During that case, the Board repeatedly asserted that an updated Long Range Facilities Plan ("LRFP") must precede consideration of any school closure. The Board emphasized that closing or transferring even a single school requires "*significant operational resources, research, and reorganization of the District*," citing the Queen Elizabeth Annex closure as an example that proceeded only after the preparation and release of an updated LRFP.

Despite this position, the Board is now proposing to close Carleton without an updated LRFP. The current plan (2020, minimally revised 2021) predates major changes in housing, zoning, and transportation policy. Proceeding without an updated LRFP is inconsistent with the Board's established practices and its own statements.

The Board has affirmed its responsibility to ensure that long-term planning for its assets reflects the needs of the entire district. Moreover, its authority to transfer assets must be exercised within the limits of its statutory duties to its constituents. Under section 562.1 of the *Vancouver Charter*, City Council is required to seek the Board's input on both current and anticipated needs for school facilities and support services within the district. Accordingly, the VSB should update its Long Range Facilities Plan at this time, in alignment with these statutory obligations and the City's adoption of its new Official Development Plan.

(b) **Absence of Agreed-Upon Francophone Enrolment Projections**

In April 2022, the Ministry of Education and Child Care and the *Conseil scolaire francophone* (CSF) jointly adopted a standardized methodology for projecting francophone enrolment across British Columbia.

Although the Board's publicly stated rationale for closing Carleton cites its "*constitutional duty to reasonably consider and proportionately balance minority language rights under section 23 of the Charter against the VSB's statutory framework,*" the Board's public consultation materials for Carleton omits the Ministry-approved francophone projection data required to perform the s. 23 *Canadian Charter* analysis.

The absence of the said data calls into question whether the Board is fulfilling its constitutional duty to make a reasonable and proportionate assessment under s. 23. The lack of the francophone enrolment data has direct implications for Joyce–Collingwood, a fast-growing Transit-Oriented Area where school-age demand is already surpassing local capacity.

(c) **Existing capacity and Metro Vancouver Projections**

Across the five surrounding catchments (Bruce (including annex), Grenfell, Weir, Cunningham, and MacCorkindale) the combined youth population ages 5–12 is projected to grow between 2022 and 2053 according to the VSB's own data, as shown below:

School catchment name	**Number of Enrolling Spaces***	Youth Population 5-12 in **2022**	Estimated Youth Population 5-12 in **2033**	Estimated Youth Population 5-12 in **2043**	Estimated Youth Population 5-12 in **2053**
Bruce (including annex)	**484**	620	795	972	981
Grenfell	**489**	375	513	656	681
MacCorkindale	**444**	280	470	519	490
Weir	**421**	385	608	665	622
Cunningham	**598**	445	643	721	685
Totals:	**2,436**	**2,105**	**3,029**	**3,533**	**3,459**

Data Sources: *2022 Youth Population from VSB Open Data and the June 2025 Report, pages 101–102 (the "June 2025 Report")*

The total school capacity across the catchments (2,436 enrolling spaces) will be insufficient to accommodate the projected 3,029 youth by 2033 – in just 8 years.

Using the VSB's Metro Vancouver projections as shown in the June 2025 Report, the Bruce catchment, as Carleton's immediate neighbour, will face severe over-utilization over the next three decades. By 2033, Bruce (including its annex) is projected to reach 135% utilization, rising to 165% by 2043 and 166% by 2053:

Estimated Utilization by catchment – VSB Metro Vancouver Data

School catchment name	Estimated Utilization 5-12 in **2033**	Estimated Utilization 5-12 in **2043**	Estimated Utilization 5-12 in **2053**
Bruce (including annex)	135%	165%	166%
Grenfell	86%	110%	114%
MacCorkindale	87%	96%	90%
Weir	118%	130%	121%
Cunningham	88%	99%	94%

Data Source: *June 2025 Report, pages 101–102*

The only nearby catchments projected to have modest available capacity (MacCorkindale and Cunningham) are both located outside the Joyce-Collingwood Transit Oriented Area, making them less accessible for families in the dense Joyce–Collingwood core. The result is a widening geographic and equity gap in access to public education for families near Joyce-Collingwood Station.

The above information underscores the urgency of updating the LRFP before contemplating closure.

(d) **Information Regarding CSF's Interest in the Carleton Site**

The Board's public consultation info references the CSF's stated interest in July 2024 for the acquisition of the Carleton site for a new francophone secondary school in Vancouver.

Under the CSF's 2025-2026 capital plan dated June 2024 at item 7, the CSF requested Carleton to relieve pressure on Jules Verne secondary. However, in the Board's most recent submissions at Court, the Board stated that:

> "…*the CSF has leased additional facilities to supplement the educational space at Ecole secondaire Jules-Vernes* ***from other parties***."

This raises doubts about whether the CSF is currently requesting the Carleton site at this time.

The information presented by the Board during the public consultation states that Carleton is being considered for disposal as surplus for the CSF's needs; however, the Board's own submissions to the Court suggest the CSF is leasing space to accommodate its secondary students instead.

(e) **Reliance on an Appealed Trial Decision**

The Board's public consultation for the closure of Carleton relies on the interpretation of s.23 minority language rights as set out in the May 2025 judgment in *2025 BCSC 962*. However, the interpretation of s.23 minority rights as stated in that case is now under appeal at the Court of Appeal for British Columbia.

Proceeding with a closure consultation while the relevant constitutional interpretation remains unsettled is premature. The Board should reasonably wait until the interpretation of minority-language rights under section 23 is clarified before taking further action.

(f) **Inconsistencies in the application of the Closure Process**

There are also questions about whether the Board has the authority to hold a public consultation about closing Carleton if the site is needed by the francophone school board for a secondary school.

According to the *School Act* and Ministerial Order M194/08, only the Ministry of Education and Child Care (**not the local school board**) oversees decisions about school sites that may be transferred to the CSF.

In 2022, Part 7 of the *School Amendment Act* added the new Division 1.1 – "*Transfer of Land to Francophone Education Authority*" in the *School Act*. This added new rules about how land can be transferred to a francophone authority. When the Ministry considers such a transfer of land to a francophone school board, **the public consultation school closure process that local boards follow no longer applies**. In order for the CSF to acquire the Carleton site, the Minister would need to be involved and the process for a site acquisition would need to be followed under the *School Act*.

Because of this, by starting a public consultation under its own Policy 14 (School Closure) for a site that could be transferred to the CSF, the VSB appears to be acting outside its legal authority.

VSB's Policy 14 has not been updated to match the 2022 amendments to Part 7 of the *School Act*. The current public consultation by the Board under Policy 14 to transfer Carleton to a francophone authority for a secondary school is not following the proper legal process.

2. **Policy and Legal Implications**

VSB Policy 2 (Role of the Board) states that the Board shall *"ensure that all policies are consistent with the School Act, Ministerial Orders, and other applicable legislation."* This provision establishes a clear obligation for the Board to ensure that all of its decisions, particularly those involving facilities planning, school closures or property transfers, comply with its stated processes, and applicable legislation and Ministerial Orders.

When statutory and procedural requirements are not met, decisions can expose the Board to risk.

3. **Request for Action**

Our district is in a facilities planning crisis. Many schools are already at or over capacity, and Metro Vancouver's regional data shows that school-age population growth will reach critical levels by 2023, especially in high-density areas such as Joyce–Collingwood. Families are being displaced in their local school communities due to overcrowding. Some families have given up on the public education system all together. The VSB's own utilization data confirms that enrolment pressures are rising sharply across multiple catchments, yet the Board continues to rely on outdated projections that underestimate this trend.

Accordingly, I respectfully request that the Board immediately suspend the Carleton closure consultation and instead prioritize the development of a new, Ministry-approved LRFP for all schools in the district based on transparent, current, and Ministry-aligned data.

I urge the Board to take this opportunity to reset its approach. This matter goes to the heart of public confidence in transparent and lawful decision-making concerning the stewardship of public lands held in trust for education.

Respectfully submitted,

Melanie Cheng
Chair, Vancouver DPAC

Attachments:
1. VSB Closure Consideration Rationale
2. Hearts for Carleton

From: Melanie Cheng
Chair, Vancouver DPAC

October 30, 2025

To:
Vancouver School Board
c/o Secretary Treasurer (*via email*)
Minister of Education and Child Care (*via email*)

Dear all,

Re: Request for Review - Subdivision (City file # SD-2022-00071) application ("**Carleton Subdivision**") of the public-school lands at Carleton Elementary, civically described as 3250 Kingsway, Vancouver, BC ("**Carleton Parcel**")

I am writing in my capacity as Chair of the Vancouver District Parent Advisory Council. [redacted]. The information provided herein is not legal advice but is intended to form part of the public consultation regarding the proposed closure of Carleton Elementary. This advice is given under VSB AP 4.1: "The Chair, **whenever possible**, will attempt to reflect the opinion of the majority of the DPAC Executive representatives." This advice is also given pursuant to our bylaws which indicate I am spokesperson for Vancouver DPAC. [redacted] **so I am copying the Minister of Education and Child Care who has been kept informed of all of the challenges we have experienced in giving advice as an independent stakeholder both within Vancouver DPAC and with the VSB.**

The Vancouver School Board ("**VSB**") filed the application for the subdivision of the Carleton Parcel with the City on September 21, 2022 (SD-2022-00071). The Carleton Subdivision remains listed by the City as "Preparing Recommendation." Notably, the VSB initiated this subdivision application **prior** to conducting any public consultation. **The Carleton Subdivision has also been excluded from the public consultation currently being conducted under VSB Policy 14 to declare Carleton Elementary surplus to district needs.**

I respectfully request the withdrawal of the Carleton Subdivision. This request seeks to ensure that the VSB's decision-making processes are transparent, evidence-based, and compliant with obligations under the *Vancouver Charter* and the *Canadian Charter of Rights and Freedoms* (the "***Canadian Charter***"), specifically section 23, which protects minority-language education rights (the "**s. 23 Charter Rights**"). The VSB must consider s. 23 Charter Rights whenever a decision could affect the creation, upkeep, or future planning of minority-language schools.

The Board's exercise of statutory discretion to file the Carleton Subdivision engages its obligations under the *Vancouver Charter* and the *Canadian Charter*, as follows:

1. ***Vancouver Charter* (ss. 562.1, 563, 565)**

   The above-mentioned provisions ensure coordination between municipal land-use planning and

school-facility planning.

The intent of Section 562.1(1) of the *Vancouver Charter* is to integrate accurate, current school-capacity information into land-use decisions. This data remains directly relevant to assessing subdivision processes involving school lands.

While the VSB acts independently in relation to the City's subdivision approvals under its Subdivision By-law No. 5208, the VSB must still ensure consistency with Council's statutory consultation obligations and data currency requirements.

By proceeding to file the Carleton Subdivision without an updated Long Range Facilities Plan ("**LRFP**"), the VSB is acting contrary to the intent and spirit of ss. 562.1–565 of the *Vancouver Charter*, which require coordination and data alignment between municipal and school authorities.

Section 562.1(2) requires that determinations regarding school capacity and accommodation be made using current and accurate information. Without an updated, Ministry-approved LRFP that reflects recent zoning, population, and housing policy changes, the decisions relating to the Carleton Subdivision risk being based on outdated or incomplete data.

2. *Canadian Charter*, s. 23 (and via s. 32(1)(b))

Section 23 of the *Canadian Charter* guarantees members of minority-language communities the right to receive education in their own language. Under s. 32(1)(b), the *Canadian Charter* binds all public authorities acting under provincial authority, including school boards created by statute. The VSB is therefore constitutionally obligated to uphold s. 23 Charter Rights when exercising its discretion to take steps to subdivide school lands.

In Conseil scolaire francophone de la Colombie-Britannique v. British Columbia, 2020 SCC 13 (at paras. 58 and 59) the Supreme Court of Canada emphasized that **accurate, evidence-based, long-term enrolment projections** are fundamental to making a determinations regarding minority-language education. The Court explained that the analysis must consider "*statistical models that take into account the demographics of the community in question, its geographical location and any other factor that might have an impact on the number of students*," and that reliance on short-term or outdated data would be contrary to s. 23 Charter Rights and established jurisprudence.

Most recently, in *Conseil scolaire francophone de la C.-B. v. British Columbia and Vancouver School Board, 2025 BCSC 962 (Gomery J.)* the Court confirmed that the existence of provincial orders and local administrative policies in respect of school land cannot override s. 23 Charter Rights (at paragraphs 713-715).

Accordingly, it is insufficient for the VSB to proceed with the Carleton Subdivision in areas already experiencing school over-capacity based on obsolete enrolment figures. The case *CSF 2020 SCC 13* requires the use of current, evidence-based, long-term projections to ensure that minority-language educational rights are not impaired by administrative land-use decisions.

The Carleton Parcel lies within the Joyce–Collingwood Station Transit-Oriented Area (TOA), a zone expected to experience substantial residential growth. The Supreme Court of Canada in *CSF 2020 SCC 13* confirmed that the first step under s. 23 Charter Rights is to determine how many students are entitled to education. At paragraph 58, the Court emphasized that demographics of the community, geographic location and any other factor affecting student numbers should form part of this analysis.

The VSB's outdated 2020 Long-Range Facilities Plan ("**2020 LRFP**"), which the VSB continues to rely on, does not account for population growth resulting from recent housing and zoning policies. The 2020 LRFP does not include geographically defined TOAs that concentrate higher-density development and family housing around transit hubs. These are factors that directly influence local school demand.

Continued reliance on the 2020 LRFP therefore fails to meet the evidentiary and planning standards set out in *CSF 2020 SCC 13*, which requires geographically informed and evidence-based data when assessing educational facility capacity.

* * * * *

For the reasons set out above, I request that the VSB: (i) withdraw the Carleton Subdivision; (ii) update the LRFP; and (iii) provide a transparent s. 23 Charter Rights analysis in making any decisions in relation to school land.

Thank you for your attention to and consideration of this matter. I look forward to your response regarding the matters outlined above at your earliest convenience.

Respectfully submitted,

Melanie Cheng
Chair, Vancouver DPAC

Attachment:
Carleton Subdivision status as per City of Vancouver records

VANCOUVER.CA

Permits

Home Search

Subdivision SD-2022-00071 **Preparing Recommendation**

Application Date: Sep. 21, 2022
Completed Date:

Details

Primary Location: 3250 KINGSWAY, Vancouver, BC V5R 5K5

Specific Location:

Work Description: ON HOLD PER REQUEST OF VSB
To subdivide Block A into two parcels, while retaining the school buildings.

Subdivision Type: Minor

Related Information

	Description
	James deHoop DBA: Vancouver School Board

Location

Parcel: 008-988-625 770-304-02-0000 3250 KINGSWAY, Vancouver, BC V5R 5K5

Approval Conditions

Condition Type	Resolution	Resolved Date

© 2024 City of Vancouver Terms of Use Privacy Website accessibility

Vancouver District Parent Advisory Council
School District #39, 1580 West Broadway Vancouver, BC V6J 5K8
website: www.vancouverdpac.org

November 5, 2025

URGENT - DELIVERED BY HAND
Secretary Treasurer and Trustees
Vancouver School Board
1580 West Broadway
Vancouver, BC V6J 5K8

Dear all,

Concerns Regarding the Carleton Elementary Closure Consultation

I am writing further to the Vancouver School Board's ("VSB") report dated November 5, 2025, regarding the proposed closure of Carleton Elementary ("Carleton").

The VSB's report states that the rationale for closing Carleton is that the Conseil scolaire francophone (CSF) needs space for a secondary school. However, I have obtained documents that call into question the accuracy of this information and the transparency of the VSB's public consultation process for the closure of Carleton:

1. **A letter dated March 11, 2024 from the VSB to the CSF -**
   Page 6 states that the VSB rejected the CSF's claim for the Carleton site for a secondary school. The VSB explained that Carleton is the closest school to Joyce–Collingwood SkyTrain Station. It further noted that, due to ongoing housing initiatives, the Board would be undertaking a review of Joyce–Collingwood and other TransLink station areas in relation to its school sites.
2. **A letter dated September 10, 2024, from Juristes Power Law —**
   Pages 2–3 state that the VSB is proceeding with the subdivision of the Carleton site and that Vancouver Coastal Health (VCH) has expressed an interest in the property.

These documents raise serious concerns about the accuracy of the information presented to parents and the integrity of the Carleton closure consultation process. I respectfully request that the VSB immediately suspend the Carleton closure consultation and initiate an independent investigation into why these matters were not fully disclosed.

Sincerely,

Melanie Cheng
Chair, Vancouver District Parent Advisory Council

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson

March 11, 2024

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britannique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
E: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie

Re : Response to Conseil scolaire francophone de la Colombie-Britannique's ("Conseil") letter of January 16, 2024

On behalf of the Vancouver Board of Education ("VBE"), I write in response to the letter sent by you on behalf of the Conseil dated January 16, 2024.

In the January 16, 2024 letter, the Conseil rejected the offer of the VBE made by our letter dated December 6, 2023 to lease Queen Elizabeth Annex ("QEA") school site to the Conseil for a period of 75 years. Instead, the Conseil countered that it required a permanent interest in the QEA site and offered to acquire ownership from the VBE in:

a. QEA (the whole site);

b. Sir Wilfrid Laurier Annex ("Laurier") (the whole site);

c. Sir Guy Carleton Elementary ("Carleton") (the whole site); and

d. a site in the Conseil's Northeast Vancouver catchment area, being either:

   i. Dr. A.R. Lord Elementary ("A.R. Lord") site (the whole site); or

   ii. a 3.1 acre polygonal portion of the south-east portion of Vancouver Technical Secondary School site (subject to review by the Conseil as to its suitability).

Your letter indicated that, in order to collaborate with the Conseil, the VBE must provide sites in fee simple to the Conseil and not simply offer long term leases and that the Conseil had requested these sites previously.

The VBE will address these points in this letter in reply.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Victoria Jung - Board Chair, Preeti Faridkot, Janet Fraser, Suzie Mah, Joshua Zhang – Vice-Chair, Jennifer Reddy, Christopher Richardson

The VBE has collaborated with the Conseil

The VBE has a long history of cooperating with the Conseil while balancing the VBE's own obligations. The VBE's willingness to lease sites to the Conseil, both historically and currently, is evidence of its cooperation with the Conseil. The VBE must balance the Conseil's preferences with the VBE's institutional obligations.

The VBE leased and then sold the sites on which the Conseil now operates its Écoles Rose-des-vents ("RDV"), Anne-Hébert and Jules Verne. The VBE leases Chief Maquinna Annex ("Maquinna") (now École Norval-Morrisseau), Laurier (now École des Colibris), Henderson Annex ("Henderson") and, more recently, QEA to the Conseil. The VBE entered into the leases for Maquinna, Laurier and Henderson with the Conseil in 2017 and 2018 and has extended these leases when the Conseil requested lease extensions.

In order to be able to lease QEA to the Conseil, the VBE had to undertake the processes of both a school closure and a surplus determination. Both the closure decision and surplus determination were challenged through a protracted and expensive judicial review, the results of which are currently subject to an appeal process. The VBE vigorously defended the closure decision and surplus determination in order to dispose of QEA to the Conseil.

As stated above, leasing is evidence of the VBE's collaboration, cooperation and partnership with the Conseil. The VBE itself leases sites from other organizations. The future Olympic Village school site is being leased by the VBE for 99 years. Queen Elizabeth Elementary School is on leased lands. Other majority school boards also lease school sites.

The VBE does not agree that a long-term lease creates an unequal relationship. In support of this point the VBE is mindful of the finding in the 2016 Action where Russell J. held "that the fact that the [Conseil] leases facilities is not presumptively contrary to s. 23 of the *Charter*" (para. 5947).

Accordingly, the VBE does not consider its December 6, 2023 offer of a long term lease of QEA to the Conseil as a sign that the VBE does not wish to work collaboratively with the Conseil. Rather, this offer is an indication of the VBE's strong continued collaboration and cooperation with the Conseil.

The balancing of interests and statutory mandate of the VBE

The VBE understands that the Conseil is an integral part of British Columbia's French-speaking community.

The Conseil mentions in its letter the following factors for consideration:

a) to support the long-term linguistic and cultural vitality of the French-speaking community;

b) to redress past injustices and promote the development of the French-speaking community;

c) to counter the assimilation of the French-speaking community; and

d) the preservation and development of the French-speaking community in Vancouver.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The VBE has considered these factors in making its offer to you. The VBE has also deliberated over its statutory obligations under the relevant legislative framework under the *School Act*, Ministerial Orders, and VBE Policies. The VBE ultimately has a responsibility to its constituents in Vancouver. The *School Act* mandates that a board is responsible for the management of the schools in its school district and for the custody, maintenance and safekeeping of all property owned or leased by the board.

The VBE has accounted for factors raised by its explicit statutory obligations such as:

a) the long term requirements of the VBE and its constituents for educational facilities and school sites;

b) the present and future circumstances and numbers of its constituents and their geographic placement;

c) the availability or lack thereof of sites for future schools;

d) the long term potential for population growth and therefore for educational facilities;

e) the financial costs of future site acquisitions; and

f) the requirements of Policy 14 *School Closure* and Policy 20 *Disposal of Land or Improvements*.

The extension of the offer of term from 75 years to 99 years

In order to address the Conseil's concern with adequate security of tenure, the VBE is prepared to extend the term of the proposed lease outlined in its December 6, 2023 letter, namely, from 75 to 99 years.

The VBE views a 99-year lease as providing stability for the francophone community. As noted by the Conseil, a school is a core institution for the francophone community's linguistic and cultural vitality. A lease term of 99 years exceeds the lifetime of a well-maintained school and will provide generations of Conseil students with a long-term interest that will promote the vitality of the French-speaking community to strengthen its roots. A 99-year lease means that many generations of students of the francophone community will be able to attend a Conseil school in the leased location.

The VBE is willing and eager to negotiate terms with the Conseil that allow the Conseil to have control over the leased property and any school facility that the Conseil wishes to build on such leased property.

Furthermore, the VBE does not agree that the Conseil would need to initiate a search to secure a new site decades before a long-term lease would expire: it should not be taken as a given that the VBE would not agree to a renewal of the lease at the end of its 99 year term.

The VBE considers that a 99-year long term lease is a good compromise between ensuring that the Conseil has very long term security of tenure for the schools, for its students, and the need for the VBE to look out for the long term interests of its constituents.

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien,
Preeti Faridkot, Janet Fraser, Suzie Mah,
Jennifer Reddy, Christopher Richardson

The Conseil's expansion from one site to four sites

In its January 16, 2024 letter, the Conseil requested four sites from the VBE, not just one. Of the four, only one has been formally requested by the Conseil: QEA. The amendments in July 2023 to the Notice of Civil Claim in the action brought by the Conseil against the Province and VBE is how the VBE learned of the current "formal requests" for A.R. Lord and Laurier. This fact has been confirmed by the January 16, 2024 letter. The VBE does not consider amendments to pleadings to be formal requests. Carleton has never been formally requested by the Conseil – that is, not until the January 16, 2024 letter.

In the future, the VBE requests that the Conseil make its formal requests of the VBE by correspondence to its secretary-treasurer. As a fellow school board, the Conseil can understand the large expenditure of resources that must be undertaken by the VBE in considering whether to close, render surplus and dispose of a school site. This is why the VBE has asked for formal, rather simply informal requests.

The VBE responds to the counter-proposal of the Conseil as set out below.

1. Queen Elizabeth Annex

The VBE is prepared to offer to the Conseil a 99-year long term lease of the QEA site, subject to the negotiation of reasonable business and commercial terms. As noted above, this provides a very long term security of tenure for the Conseil. The Conseil would be able to build a new school on the site provided Ministerial support is provided. To proceed with the 99-year lease disposition of QEA, the VBE requires that:

a) the Conseil provide a written confirmation of its interest in obtaining a 99-year long term lease of the QEA site; and

b) the Conseil provide written confirmation from the Ministry that it will support the 99-year long term lease of the QEA site and that it will support the construction of a new K-6 school on the site.

2. Dr. A.R. Lord Elementary School

While at one time the VBE considered closing A.R. Lord, the VBE decided not to proceed with that course. Today, A.R. Lord is an elementary school serving its local community and currently has approximately 190 students enrolled. To close A.R. Lord (which is not part of the VBE's district-wide operational plans) and to arrange for its disposal, the VBE would have to assess capacities of neighbouring schools, enrollment projections, seismic safety of different school sites, its plans for seismic upgrades of the same, the Long Range Facilities Plan, and many other factors. It would also require the VBE to relocate an entire program located on the site. Public consultations would have to be undertaken. Not only are the closure and disposal of A.R. Lord outside the VBE's current plans, they also involve an unnecessary and large expenditure of VBE time and resources.

Nevertheless, the VBE understands and appreciates the Conseil's need for a K-6 school in its Northeast Vancouver catchment area and would like to support the Conseil and the francophone community to the extent possible. While the VBE has leased and continues to lease to the Conseil the Maquinna (now École

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson

Norval-Morrisseau), it understands from the Conseil that Maquinna, alone, is too small and does not meet the Conseil's needs in this catchment area.

Accordingly, the VBE proposes that the VBE and the Conseil consider subdividing the A.R. Lord site roughly in two and redeveloping the site with two new schools. Under this possible solution, the VBE would occupy the eastern portion of the site where the A.R. Lord school is presently situated and the Conseil could occupy the western portion of the site, with a 99-year lease which would be subject to the negotiation of reasonable business and commercial terms.

The VBE recognizes that this proposal may require that the two school boards coordinate the use of "green space" or common space that would be between the two new schools and the VBE is prepared to cooperate and collaborate with the Conseil to ensure that the interests of both the VBE and Conseil and of their respective students are addressed. Furthermore, the VBE will cooperate with the Conseil to ensure staggered start-times, recesses, and dismissal times if the Conseil wishes. The VBE is prepared to consider other operational and design factors that would help the Conseil create and operate a truly homogenous francophone school on the A.R. Lord site.

The VBE considers that this proposal would provide the Conseil with long term stability and security of tenure in its Northeast Vancouver catchment area which in turn supports the vitality of the francophone community and culture in Vancouver, all while allowing the VBE to continue to provide its educational program to the children of its constituents who presently attend A.R. Lord. The VBE views this proposal as meeting the goal of countering the assimilation of French speakers as it provides the Conseil with a homogenous school.

In order to proceed further with the investigation of this possible solution, the VBE requests that the Conseil provide written confirmation that it is interested in pursuing a possible subdivision of the A.R. Lord site. It should be noted that the VBE would have to undertake its normal processes for a surplus determination if the proposed subdivision and lease were to proceed. As well, the staff of the VBE and Conseil would have to prepare a joint submission to the Ministry to ensure that there is support for the subdivision and redevelopment of the site.

3. Sir Guy Carleton Elementary School

The January 16, 2024 letter was the first time that the Conseil provided any formal request to the VBE regarding Carleton. While not a necessary condition precedent to any consideration of such a formal request, the VBE notes that there is not currently a judicial pronouncement on the Conseil's entitlement to a second secondary school within the geographic boundaries of the City of Vancouver. The VBE requests that the Conseil provide confirmation that the Province has expressly supports the acquisition of a site and construction of a second secondary school for the Conseil in eastern part of the City of Vancouver.

As you know, Carleton is not presently populated by students and has not been since August 2016 when it sustained a severe fire. The VBE is not currently operating Carleton as a school. Nevertheless, on November 30, 2023, the Provincial Legislature passed Bill 44, namely, the *Housing Statutes (Residential Development) Amendment Act, 2023* (the "*HSRDAA*"). The *HSRDAA* will require that Vancouver provide

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Victoria Jung - Board Chair, Joshua Zhang – Vice-Chair
Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson

for increased densification around transit centres, including Skytrain stations. The Carleton site is the closest VBE site to the Joyce Skytrain Station.

As well, in 2023, the City of Vancouver changed its approach to low density housing zoning by opening up neighbourhoods across the city to allow for multiplexes ("City multiplex housing").

The VBE needs to undertake a vigorous review of the long-term implications of the *HSRDAA* and the City multiplex housing before it can make any commitments in relation to the formal closure of Carleton or the possible disposal of the site (which is not currently part of the VBE's district-wide operational plans). The Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites.

While the VBE is supportive of the Conseil and of the francophone community that it represents, the formal closure, surplus and disposal process of any school property represents a large expenditure of time and resources. Therefore, in addition to completing its review of the implications of the *HSRDAA* and City multiplex housing for the Carleton site, the VBE would require confirmation from the Province of its support for the Conseil's proposal before proceeding to consider it at any length.

4. Laurier Annex

The VBE has leased Laurier to the Conseil since 2018. In 2023, the VBE entered into an extension of this lease with the Conseil for three years with an option to renew for a further two more years.

The VBE has always understood that the Conseil sought to lease Laurier to alleviate overpopulation in the Conseil's RDV and to provide temporary space for the Conseil's students while the Conseil finalized its arrangements in relation to the Heather Lands for a 99-year lease of a portion of those lands and the construction of a new, larger school for RDV. The VBE understands that adjacent properties to the Heather Lands property have been purchased by the Conseil and that a lease has been prepared, at least in draft, for 99 years.

The VBE notes that the Conseil has security of tenure for Laurier until 2028. By then, assuming that the Conseil has acquired the QEA site as proposed above, there will be a new school there for Conseil students. As well, the Conseil may be well underway if not completed its construction of the new RDV school at the Heather Lands site.

In the event that either or both of those two eventualities has not transpired by 2028, the VBE will be willing to work with the Conseil to bridge the necessary time for completion of its schools and to ensure that the Conseil's students have adequate facilities to attend. The support of the Ministry would be required to allow the VBE to extend past the limit of 10 years without being considered a "disposal" and invoking the disposal policies and requirement.

The VBE has advised the Conseil in the past that the VBE must be conscious of the increased densification around the Laurier site and this concern has only been heightened by the *HSRDAA* and the City multiplex housing. It is anticipated that, in the longer term, the VBE will be facing more students in the area around

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien,
Preeti Faridkot, Janet Fraser, Suzie Mah,
Jennifer Reddy, Christopher Richardson

Laurier and that it will need to be able to provide community based schools to accommodate that future student population.

5. Availability of VBE Swing Space

For all of the proposed Conseil projects, the Conseil will likely need to find temporary places to house its students. The VBE is prepared to offer for short term lease to the Conseil, on reasonable terms, the VBE's unused swing space. To the extent that the VBE does not require such space, the VBE would be prepared to assist the Conseil and by extension the francophone community by making this swing space available while the Conseil builds out these various new schools. This can be discussed on a staff-to-staff level and coordinated between the two boards.

The VBE looks forward to the Conseil's response and to working with the Conseil to support the francophone community and its students in Vancouver.

Yours truly,

Victoria Jung, Chair
Board of Education of School District No. 39 (Vancouver)

cc. Flavia Coughlan, Secretary Treasurer, VBE
The Honourable Rachna Singh, Minister of Education and Child Care

JURISTES POWER LAW

401 West Georgia Street, Suite 1660
Vancouver, British Columbia
V6B 5A1

September 10, 2024

VIA EMAIL

Arthur M. Grant
Harris & Company LLP
14th Floor, 550 Burrard St.
Vancouver, BC
V6C 2B5

RE: The VBE should answer Requests 407 and 414 from the Examination for Discovery for David Green on July 12, 2024

Conseil scolaire francophone de la Colombie-Britannique **("Conseil")** ***v His Majesty the King in Right of the Province of British Columbia, The Minister of Education and Child Care of the Province of British Columbia*** **("Provincial Defendants")***, and Board of Education of School District No. 39 (Vancouver)* **("VBE")** ***(S2013627)***

Dear counsel,

[1] We write further to the e-mail of Mr. Kumar on Friday, September 6, 2024 which advised that the VBE objected to answering Requests 407 and 414 from the examination for discovery of David Green dated July 12, 2024.

[2] As we advised later that same afternoon (September 6, 2024), the Conseil will ask the Court to determine the validity of the VBE's objections to requests 407 and 414. In addition, "[w]e expect that this may be heard if there is unanticipated down time on September 16-17."[1]

[3] The Conseil will rely on this letter and its enclosures in support of that application.

A. <u>Request 407</u>

[4] Request 407 was made in respect of Exhibit 110 (VBE-003770) from the examination for discovery of David Green, which was as follows:

> CNSL J. LAXER: And then over to page 6, though the section on the Carleton site begins at page 5. The very final bullet refers to the VCH has provided the

[1] See Enclosure A - E-mail exchange between Aniket Kumar and Jon Laxer dated September 6, 2024.

> VSB with a letter of interest with respect to the Kingsway strip. If the author could explain what they are referring to and if the letter could be produced.[2]

[5] Counsel for the VBE stated that the request was taken under advisement.

[6] Exhibit 110 is a VBE document that evaluates the Conseil's letter dated January 16, 2024 which responded to the VBE's offer of a 75-year lease for the QEA Site. The Conseil's letter is listed as CSF_00030963.

[7] The passage from Exhibit 110 in question is as follows:

> Carleton Site (2.45 ha)
>
> • Although the CSF has selected the Carleton site as a potential location for a secondary school, this was not contemplated in the original ruling and therefore could form part of a separate discussion (although the CSF position seems to be that they are entitled additional sites to settle their case)
>
> • The site is not in the Northeast sector, however; Carleton could be considered as part of a settlement agreement instead of Lord of the Van Tech site
>
> • The VSB could proceed with the surplus declaration process for the commercially zoned portion of Carleton along Kingsway-the previous board authorized sub-division
>
> • Sub-division of the Carleton site and disposition of the Kingsway strip may align with government priorities such as housing or healthcare - the VCH has provided the VSB with a letter of interest with respect to the Kingsway strip[3]
>
> (emphasis added)

[8] On September 6, 2024, the VBE advised that it objected to this request on the basis that "the final bullet speaks for itself and that the letter of interest provided by VCH to VSB is not relevant."

[9] Contrary to the VBE's assertion, the bullet does not speak for itself. It is unclear what the author is referring to, nor is it at all clear how this bullet is a consideration in response to the Conseil's letter in respect of sites.

[10] The request is also relevant since it is required for the Conseil to understand the VBE's analysis of its January 16, 2024 letter.[4] We note that the VBE specifically pleads about the

---

[2] See Enclosure B - Excerpt from the Examination for Discovery of David Green dated July 12, 2024.
[3] See Enclosure C - Exhibit 110 (VBE-003770) from the Examination for Discovery of David Green dated July 12, 2024.
[4] See Enclosure D – CSF_00030963 – the Conseil's January 16, 2024 letter to the VBE.

Conseil's January 16, 2024 letter in 17 paragraphs in its Response dated May 27, 2024: paragraphs 44-47, 53, 71, 98-101, 103, 105, 163-166 and 171.

[11] We also note that in Exhibit 31 of the Examination for Discovery of David Green (VBE-001612), the Private Board discussed the following on May 30, 2022 in relation to the Kingsway Stretch of the Carleton Site:

> The Secretary Treasurer presented a memorandum entitled Sir Guy Carleton Elementary School Site - Subdivision of C-2 Portion of Site, dated May 30, 2022. The report was generated in response to Bill 22, which would allow the Ministry to designate VSB land for use by the Conseil scolaire francophone de la Colombie-Britannique (CSF). The report provides an option to take a pre-emptive measure to safeguard potential future financial and community benefits for the C-2 Zoned Kingsway frontage of the site.[5]
>
> (emphasis added)

[12] The evidence suggests that at least part of the VBE's consideration of disposing of this portion of the Carleton Site was in response to Bill 22 and the prospect of the site or a portion of the site being transferred to the Conseil. Needless to say, that is relevant to the issues in dispute.

B. Requests 414

[13] As set out in our letter dated July 19, 2024, Request 414 was as follows:

> Produce a list of extracurricular and cultural activities available at the schools listed in the Joint Fact Finder.[6]

[14] On September 6, 2024, the VBE objected to this request on the following basis:

> The VBE objects to 414 on the basis that this request is not proportionate to what is at issue in this trial and the information requested is of marginal relevance to the matters in issue. The VBE would have to interview 88 principals to determine what extracurricular and cultural activities each school offers. Many of these activities change over time depending on which teachers and/or principals are present at the school in question. The VBE is prepared to tender evidence that it would take considerable resources and time to compile this information. The VBE notes that this request was made for the first time on July 12, 2024, three weeks before the start of trial and long after the JFF was retained to carry out a neutral assessment of the comparator schools.

---

[5] See Enclosure E - Exhibit 31 (VBE-001612) from the Examination for Discovery of David Green dated January 17, 2024.
[6] See Enclosure F - Letter of Darby O'Hara to Arthur Grant dated July 19, 2024.

[15] The Conseil asks that the VBE provide its evidence that the request is disproportionate by end of date on Friday, September 13 so that the validity of the objection can be determined expeditiously.

[16] The Conseil does not agree that the issue is of marginal relevance to the matters in issue. The availability of extra-curricular activities is a major consideration for parents deciding between schools. Moreover, larger schools have a greater capacity to offer a wide range of extracurricular activities than smaller schools. As recently answered by the VBE in response to the Conseil's written questions for the examination for discovery of David Green, the VBE itself relied on the availability of extracurricular activities when it spoke with the parents at the Annexes that it subsequently closed and leased to the Conseil, and that it now alleges are substantively equivalent to the VBE's other schools in Vancouver.

[17] In written question 168, the Conseil asked that the VBE explain what was told to parents at a meeting on March 4, 2016 which was described as follows in VBE-0001668 regarding the closure of Laurier Annex:

> After a meeting on March 4, 2016 with school administration about the educational and social opportunities available at the main school compared to the Annex, parents of all remaining students ultimately chose to have their children attend the Laurier Main School next year.[7]

[18] In its August 30, 2024 letter, the VBE answered 168(a) and (d) as follows:

> *a) What was told to parents about the opportunities available at the main school?*
>
> Parents were told there were more opportunities at the main school that were not available at the Annex such as Lego Club, school athletics, school clubs, and Parent Advisory Council hot lunch program.
>
> [...]
>
> *d) What were the "the educational and social opportunities" that were described to the parents as being available at Laurier Elementary as compared to Laurier Annex?*[8]
>
> Educational and social opportunities were available for before and after school extra-curriculum programming, school clubs, athletics, PAC sponsored events. Larger class sizes also provide greater social connection opportunities.

---

[7] See Enclosure G - VBE-001668.
[8] See Enclosure H - Excerpt from the Conseil's June 15, 2024 written examination questions (including Appendix "A" and "B") and Enclosure I - Excerpt from the VBE's August 30, 2024 response to the written examination questions of June 15, 2024.

[19] In respect of a similar discussing with parents in respect of the closure of Chief Maquinna Annex, the VBE responded to Requests 111 as follows:

> *d) What were the "the educational and social opportunities" that were described to the parents as being available at Chief Maquinna Elementary as compared to Chief Maquinna Annex?*
>
> There were more educational opportunities because of resource time and library time for students. More social opportunities were available for before and after school extra-curriculum programming, school clubs, athletics, PAC sponsored events. Larger class sizes also provide greater social connection opportunities.[9]

[20] Similarly, in respect of the closure of Henderson Annex, the VBE responded to Request 147(d) as follows:

> *d) What were the "the educational and social opportunities" that were described to the parents as being available at John Henderson Elementary school as compared to Henderson Annex?*
>
> There were more educational opportunities because of resource time and library time for students. More social opportunities were available for before and after school extra-curriculum programming, school clubs, athletics, PAC sponsored events. Larger class sizes also provide greater social connection opportunities.[10]

[21] Moreover, the Conseil does not understand the VBE's reference to the JFF. As noted by Justice Gomery, "[t]he parties have agreed that any of them may lead evidence to supplement or contradict anything in the [JFF] report."[11] Moreover, we note that counsel for the VBE recently acknowledged "irregularities" in the data provided by the VBE which means that the VBE must

---

[9] See Enclosure H - Excerpt from the Conseil's June 15, 2024 written examination questions (including Appendix "A" and "B") and Enclosure I - Excerpt from the VBE's August 30, 2024 response to the written examination questions of June 15, 2024.

[10] See Enclosure H - Excerpt from the Conseil's June 15, 2024 written examination questions (including Appendix "A" and "B") and Enclosure I - Excerpt from the VBE's August 30, 2024 response to the written examination questions of June 15, 2024.

[11] *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, 2024 BCSC 1127 at para 11.

obtain additional data from the 88 individual schools in any event.[12] As part of those inquiries, the VBE could obtain the information sought in Request 114.

Regards,

Darby O'Hara

Copy: Claire Hunter, K.C., Susan J. Humphrey, Brian T. Duong, Amanda Richards, Hayden Cook, Rebecca J. Robb (counsel for the Provincial Defendants)

Roderick McLennan, Lauren McClanaghan, Aniket Kumar, Elias Jimenez Gonzalez, Joyce Chiang (counsel for the VBE)

Robert Grant, K.C., Mark Power, Jennifer Klinck, Ania Kolodziej, Sara-Marie Scott, Jonathan Laxer (counsel for the Conseil)

Enclosures:

A - E-mail exchange between Aniket Kumar and Jon Laxer dated September 6, 2024

B - Excerpt from the Examination for Discovery of David Green dated July 12, 2024

C - Exhibit 110 (VBE-003770) from the Examination for Discovery of David Green dated July 12, 2024

D – CSF_00030963 – the Conseil's January 16, 2024 letter to the VBE

E - Exhibit 31 (VBE-001612) from the Examination for Discovery of David Green dated January 17, 2024

F - Letter of Darby O'Hara to Arthur Grant dated July 19, 2024

G - VBE-001668

H - Excerpt from the Conseil's June 15, 2024 written examination questions (including Appendix "A" and "B")

I - Excerpt from the VBE's August 30, 2024 response to the written examination questions of June 15, 2024

J - E-mail exchange between the Conseil, the VBE and the Provincial Defendants dated August 27-29, 2024

[12] See Enclosure J - E-mail exchange between the Conseil, the VBE and the Provincial Defendants dated August 27-29, 2024.

From: [redacted]
To: engage@vsb.bc.ca
Subject: Sir Guy Carleton School
Date: Friday, November 7, 2025 1:54:43 PM

[redacted] the school board which I do not feel have taken parents in this area into consideration. The action has been left to rot in our neighbourhood and all the families in our area have not had this school to help us build our community. The school board has been trying to close this school for decades. The area is growing with so much development and will bring in more families yet you wanting to close it. This is a perfect opportunity to build a stronger community and use the property for those children and families in the area. [redacted] I fear your plan is to sell the land to development where there will be even more children and no school to attend and burdening those others in the area. I am strongly opposed to the school closure it is not only our school but part of Collingwoods History and community.

[redacted]
Sent from my iPhone

From: [redacted]
To: engage@vsb.bc.ca
Subject: Sir Guy Carleton School
Date: Friday, November 7, 2025 1:54:43 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

[redacted] the school board which I do not feel have taken parents in this area into consideration. The action has been left to rot in our neighbourhood and all the families in our area have not had this school to help us build our community. The school board has been trying to close this school for decades. The area is growing with so much development and will bring in more families yet you wanting to close it. This is a perfect opportunity to build a stronger community and use the property for those children and families in the area. [redacted] I fear your plan is to sell the land to development where there will be even more children and no school to attend and burdening those others in the area. I am strongly opposed to the school closure it is not only our school but part of Collingwoods History and community.

[redacted]
Sent from my iPhone

From: [redacted]
To: engage
Subject: Re: Update: Proposed Carleton closure engagement opportunities
Date: Monday, November 10, 2025 10:54:17 PM

Subject: Feedback on Proposed Closure of Sir Guy Carleton Elementary

Dear VSB Engage Team,

I strongly believe that Sir Guy Carleton Elementary should not be permanently closed, but instead restored and re-envisioned to better serve our growing and diverse community. The site offers a unique opportunity to combine multiple community priorities under one plan:

• Rebuild Carleton as a modern, safe, and inclusive learning environment

• Create a community learning hub offering language programs, after-school activities, and adult education

• Integrate affordable housing solutions to support local families and educators

• Preserve the historical and cultural identity of Carleton as a long-standing landmark in the neighbourhood

• Incorporate sustainability principles to make it a model “green school” for the future

This approach provides long-term social and economic benefits, reduces waste, strengthens community belonging, and continues the legacy of education on this historic site.

I ask the Board to prioritize revitalization over closure and make Carleton a vibrant hub for current and future generations.

Hoping for the best possible decision

Best regards

[redacted]

Sent from Yahoo Mail for iPhone

On Monday, November 10, 2025, 4:34 PM, VSB, Engage <sysadmin@myeducation.gov.bc.ca> wrote:

November 10, 2025

Dear families,

As we shared last month, on October 2 the Board restarted the public engagement process regarding the proposed closure of Sir Guy Carleton Elementary. Carleton Elementary was severely damaged by fire in 2016 making it unsuitable and unsafe to use.

Before the Board makes its decision, we want to hear your feedback. As per Policy 14 – School Closure, all feedback collected throughout the engagement process will be shared with the Board before it makes a decision about the potential closure of Carleton Elementary. This decision will be made at a special public Board meeting on December 17, 2025.

Your feedback is important. While several engagement activities have already taken place, there are still several ways you can share your thoughts regarding the proposed closure of Sir Guy Carleton Elementary.

- Participate in an online survey (Open until November 26, 2025)
- Request to make a presentation to the Board at the Public Delegation meeting on November 24, 2025. Requests to make a presentation must be made by 4:00 p.m. on November 20, 2025.
- Share your thoughts by emailing engage@vsb.bc.ca by 4:00 p.m on December 2, 2025. Your feedback will be included as part of the engagement summary report and submitted to the Board for consideration.

The engagement for the potential closure of Carleton will conclude on December 2, 2025. All feedback received through these channels will be shared with the Board as part of its decision-making process.

For more information visit govsb.ca/carletonclosure.

We encourage you to take part and share your perspective!

Sincerely,

VSB Engage

From: [redacted]
To: engage
Subject: Subject: Feedback Regarding Proposed Closure of Sir Guy Carleton Elementary
Date: Monday, November 10, 2025 2:12:18 PM

Dear VSB Engage Team,

I am writing to share my feedback regarding the proposed closure of Sir Guy Carleton Elementary.

I understand that the school building was severely damaged by the 2016 fire and is no longer safe to use. However, I believe the closure will significantly affect families in our community. Carleton has been an important part of this neighbourhood, and many students and parents still feel connected to it.

If possible, I would prefer to see options explored for rebuilding or restoring the school rather than permanently closing it. A functioning school in this area would continue to support families, reduce travel time for students, and keep the community strong.

Thank you for providing an opportunity for parents and families to share their perspectives. I hope the Board will carefully consider the impact on the community before making a final decision.

Sincerely,

[redacted]

From: [redacted]
To: engage
Subject: Re: Update: Proposed Carleton closure engagement opportunities
Date: Monday, November 10, 2025 9:09:58 PM

I'm against the closing of this iconic vancouver school [redacted] if it wasn't for a fire [redacted]

On Mon, Nov 10, 2025, 2:02 p.m. VSB, Engage <sysadmin@myeducation.gov.bc.ca> wrote:

> November 10, 2025
>
> Dear families,
>
> As we shared last month, on October 2 the Board restarted the public engagement process regarding the proposed closure of Sir Guy Carleton Elementary. Carleton Elementary was severely damaged by fire in 2016 making it unsuitable and unsafe to use.
>
> Before the Board makes its decision, we want to hear your feedback. As per Policy 14 – School Closure, all feedback collected throughout the engagement process will be shared with the Board before it makes a decision about the potential closure of Carleton Elementary. This decision will be made at a special public Board meeting on December 17, 2025.
>
> Your feedback is important. While several engagement activities have already taken place, there are still several ways you can share your thoughts regarding the proposed closure of Sir Guy Carleton Elementary.
>
> - Participate in an online survey (Open until November 26, 2025)
> - Request to make a presentation to the Board at the Public Delegation meeting on November 24, 2025. Requests to make a presentation must be made by 4:00 p.m. on November 20, 2025.
> - Share your thoughts by emailing engage@vsb.bc.ca by 4:00 p.m. on December 2, 2025. Your feedback will be included as part of the engagement summary report and submitted to the Board for consideration.
>
> The engagement for the potential closure of Carleton will conclude on December 2, 2025. All feedback received through these channels will be shared with the Board as part of its decision-making process.
>
> For more information visit govsb.ca/carletonclosure.
>
> We encourage you to take part and share your perspective!
>
> Sincerely,
>
> VSB Engage

From: [redacted]
To: engage
Subject: Submission – Carleton Closure Consultation (Oppose at this time; request disclosure & deferral)
Date: Tuesday, November 11, 2025 3:57:11 PM

Dear VSB Engage and Trustees,

[redacted] this file has district-wide implications for capacity, walkability/safety, childcare, and long-term school-land strategy in transit-oriented areas. **I do not support closing Sir Guy Carleton Elementary at this time.**

Before any permanent decision, please publish and allow time to review the following **core planning inputs:**

1. The updated Long-Range Facilities Plan (LRFP);

2. Joyce SkyTrain/Transit-Oriented Area analyses (densification trends, enrollment/capacity forecasts, boundary scenarios, and walkability/safety);

3. Any Carleton subdivision or land-strategy documents submitted to or discussed with the City (status, maps, correspondence);

4. The Facilities Standing Committee Q&A materials relevant to Carleton.

Process requests:

- Defer the Dec 17 decision until these materials are released.

- Provide a short supplemental engagement window (e.g., 2–3 weeks) so families can respond to the same evidence trustees will rely on.

- Publish a concise options matrix comparing rebuild, land swap, phased reopening/swing, and closure, scored against consistent criteria: enrollment/capacity over 5–10 years, lifecycle vs. capital costs, student travel safety/walkability, childcare continuity, program supports (ELL/IEP), and alignment with City station-area plans.

If the Board proceeds despite incomplete disclosure, **please commit to minimum safeguards:**

- Safe travel/busing plans (especially for K–3) and clear receiving-school capacity/boundaries;

- Continuity of programs and supports (ELL/IEP);

- Replacement of any lost childcare capacity;

- Publication of a site master plan before any subdivision/rezoning actions.

I have completed the online survey and ask that this email be included in the official engagement record.

I trust the Board will reach a **timely, fair, evidence-based, and satisfactory** resolution. I also hope this issue can be resolved expeditiously and in a manner that **serves students and families well.**

Thank you for your consideration.

Sincerely,

[redacted]

From: [redacted]
To: VSB, Engage
Subject: Re: Update: Proposed Carleton closure engagement opportunities
Date: Wednesday, November 12, 2025 1:54:53 PM

No School Property is Excess Property

Bottom line: no school property is excess/surplus property—this is land needed to educate our youth and grow as our city population grows!

Why it matters:

* Was/is the oldest school in the city; has heritage status.

* Was meant to receive seismic upgrades 2016, but caught fire that school year.

* Estimated cost to restore the school in 2016 was $500,000, but the VSB says Ministry wouldn't pay it.

* School Board has spent $65,000/year on "necessary mitigation and upkeep", but it's still flooding and falling apart (so obviously not dealing with the "necessary mitigations" after all, letting the school fall woefully into disrepair).

* Note, at $65,000 per year upkeep, it's cost more in nine years so far than actually fixing it would have initially.

* Why was there no insurance paid out, and if so, where has that money gone? It should have been earmarked to rebuild/fix the school.

* If this is truly not a guaranteed outcome, why do we not see an estimate to restore or rebuild the school?

* VSB no longer has an updated dollar value to fix the school--this seems like it should be available to the public by VSB before asking for input on closing the school down, if the decision hasn't actually already been made.

* In the online info session they state that one reason for the need to consider closing the school is the proposal from the CSF, and the rights of minority speaking people of Vancouver (see 38:55 in Online VSB Info Session, as answered by Jessie Gresley-Jones, Facilities Manager at VSB).

* In 2019 VSB listed Carleton as one of potentially 28 schools being considered for future closure (Lazatin, Emily. "Several Vancouver schools back on the chopping block, school board report shows", Global News. Retrieved June 3, 2019); however due to the VSB's inability to develop a feasible business case that could be advanced to the Vancouver municipal project office for consideration, there have been no further developments since the release of the draft.

* Above two points indicate the VSB are jumping at the first proposal they've received that might help them sell the property, even though the community actually wants and believes they need the school rebuilt. It also shows a lack of real estate knowledge, as if they truly are considering selling the property, surely a developer would pay much higher prices to build on the large property.

* VSB recently leased “surplus property” on Sir Fleming Elementary for $8.5M/99 years. This seems an extraordinarily low cost to the developer for rights over a century! This school is already over capacity and now has lost school ground on which to add portables or additional buildings.

* In September 2022, despite Carleton not yet being declared closed, the VSB applied to subdivide the land belonging to the school site, but the plan was later put on hold. They did, however, redraw school intake boundaries, ensuring that as of now, the only address within the school intake is the school itself: a great way to get the number of registered students in the catchment down to zero!

* Keeping above in mind, VSB has tried to shut down the school previous to this attempt in 2010, but relented given significant community feedback.

Both a fire in 2008, as well as the 2016 fire, have been deemed suspicious. Arson is suspected in both cases, with no one ever charged in either.

* The VSB claims student projections for the area are low and that other schools can carry the load in the future. They have not factored in the new glut of incoming towers now available via the city of Vancouver and BC Ministry of Housing that center around Transit Oriented Areas (TOAs), and Carleton is in the center of one (Joyce Collingwood). This new zoning opens up a large number of new residential tower opportunities directly adjacent to this school site, at up to 30 stories, for a total new housing increase estimated at 5,000 new residences in the next ten years.

Housing is needed, but not at the expense of schools, community centers, or parks.

As above, Carleton property is not excess land, nor is any public school ground excess in our growing city.

Thank you for considering my feedback,

[redacted]

On Mon, Nov 10, 2025 at 2:02 PM VSB, Engage <sysadmin@myeducation.gov.bc.ca> wrote:

> Please translate
>
> November 10, 2025
>
> Dear families,
>
> As we shared last month, on October 2 the Board restarted the public engagement process regarding the proposed closure of Sir Guy Carleton Elementary. Carleton Elementary was severely damaged by fire in 2016 making it unsuitable and unsafe to use.
>
> Before the Board makes its decision, we want to hear your feedback. As per Policy 14 – School Closure, all feedback collected throughout the engagement process will be shared with the Board before it makes a decision about the potential closure of Carleton Elementary. This decision will be made at a special public Board meeting on December 17, 2025.
>
> Your feedback is important. While several engagement activities have already taken place, there are still several ways you can share your thoughts regarding the proposed closure of Sir Guy Carleton Elementary.
>
> - Participate in an online survey (Open until November 26, 2025)
> - Request to make a presentation to the Board at the Public Delegation meeting on November 24, 2025. Requests to make a presentation must be made by 4:00 p.m. on November 20, 2025.
> - Share your thoughts by emailing engage@vsb.bc.ca by 4:00 p.m. on December 2, 2025. Your feedback will be included as part of the engagement summary report and submitted to the Board for consideration.
>
> The engagement for the potential closure of Carleton will conclude on December 2, 2025. All feedback received through these channels will be shared with the Board as part of its decision-making process.
>
> For more information visit govsb.ca/carletonclosure.
>
> We encourage you to take part and share your perspective!
>
> Sincerely,
>
> VSB Engage

From: [redacted]
To: engage
Subject: Carleton School
Date: Tuesday, November 11, 2025 2:43:12 PM

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Good Afternoon,

Suggestion:
Lease the land indefinitely so developers can build there, and the VSB continues to get revenue.

Selling it outright is short sighted.

And encourage the province to defund private schools, and fund public schools appropriately.

Thanks,

[redacted]

From: [redacted]
To: engage
Subject: Sir Guy Carleton Elementary School
Date: Saturday, November 15, 2025 5:41:37 PM

Dear Board Members,

[redacted] While I understand it is important to have elementary schools that function to serve the community and the catchment areas for the elementary school, I believe it's long past time to make a change. I trust that there has been due diligence in forecasting the level of enrollment in the area. With that established fact, we should be proceeding with what we can do next for this area after closure of the school.

With what has been presented to us public, it's obvious that the school is not in a state where it can be repaired without spending significant sums of money to completely replace and make it safe enough for our future generations. As indicated in the closure proposal, that seems out of the question as the funding has been denied on multiple occasions by our provincial government.

That leaves us with our current state today. Where are we? [redacted] what could be a beautiful space for our future generations, but all I see is a crumbling elementary school. There is a children's playground on the campus and a field that gets some use from time to time, however the emptied school grounds invites the drug users. Sir Guy Carleton elementary school is in a state of decay, let's put it out of its misery and give CSF an opportunity to build a secondary school to revitalize the school grounds and the surrounding neighborhood.

Sincerely,
[redacted]

From: [redacted]
To: engage
Subject: Carleton School
Date: Monday, November 17, 2025 7:02:45 PM

Carleton School should NOT be permanently closed despite your assessment that it has no students and there is no money to repair it.

The students in the catchment who have been moved to other local schools should be returned to their neighborhood school in due course. Many more students will soon be living in all the high rise developments in Joyce Kingsway and should not be accommodated in other overcrowded schools. Neighborhood schools are important to promote community for all students and families.

Money to redevelop the school could be raised through some innovative projects to co-develop social amenities like a child care centre, a community centre, a seniors centre. a shared space for an elementary and high school, low rise apartment buildings for subsidized housing, etc. Even a park!

The VSB is not obliged to transfer its property to the CSF. No court order has been made to that effect and the Charter rights of the CSF are the responsibility of other levels of government, not the VSB.

Finally, it appears that the VSB has already applied to the City to subdivide the Carleton lands, which is highly improper. If there is to be public consultation that is anything but this sham process now underway, then it must be done honestly, openly in a transparent way and democratically without decisions being made behind closed doors.

Let's use our resources to imagine and develop a real community asset. After all, school trustees hold these lands in trust for our children, not to sell and dispose of them without aforethought or integrity.

Yours truly,

[redacted]

From: Angela K. Haveman <ahaveman@vsb.bc.ca>
Date: Friday, October 31, 2025 at 2:15 PM
To: Maureen McRae-Stanger <mmcraestanger@vsb.bc.ca>, Pedro da Silva <pdasilva@vsb.bc.ca>
Cc: Stephen Leung <skleung@vsb.bc.ca>
Subject: RE: Carelton

Hello Maureen and Pedro,

Please find attached a joint VEPVPA/VASSA letter re proposed Carelton closure.

Take care,
Stephan and Angie

Vancouver Elementary Principals' and Vice Principals' Association
A Chapter of the British Columbia Principals' and Vice Principal's Association

Vancouver Association of Secondary School Administrators
A Chapter of the British Columbia Principals' and Vice Principal's Association

October 31, 2025

RE: Proposed Closure of Sir Guy Carelton Elementary School

Thank you for the opportunity to provide feedback on this proposed closure. We appreciate the processes under way for all inherent rights holders to engage in this conversation. VEPVPA and VASSA support the decision the board makes that meets the goals of the Long Range Facilities Plan and demonstrates responsible and efficient management of the operations budget and sees resources being aligned with the Ed Plan to meet the needs of students in the district.

Respectfully submitted,

Stephen Leung, President
Dana Aweida, Treasurer
On behalf of VEPVPA

Angie Haveman, VASSA President
Brent Schieman, VASSA 1st Vice President
Dale Ambrose, VASSA Facilities Planning Committee Representative
On behalf of VASSA

From: Dix.MLA, Adrian <Adrian.Dix.MLA@leg.bc.ca>
Sent: November 17, 2025 8:23 PM
To: Dix.MLA, Adrian <Adrian.Dix.MLA@leg.bc.ca>
Subject: PETITION: Save Carleton
Attachments: Carleton November 2025.pdf

Dear Neighbours,

Next Monday, November 24, the Vancouver School Board will hear public delegations regarding the the site are unclear, we need to once again raise our voice in support of public education in our community.

Joyce-Collingwood is one of the fastest growing neighborhoods in all of BC. The Carleton site continues to be needed for public education now, and especially in the future. Our community continues to overwhelmingly support keeping Carleton as an educational hub in our neighborhood.

Three times before – in 2010, 2016 and 2023 - the Vancouver School Board has recommended the closure of Carleton. Tens of thousands of petitions have been signed, hundreds of events have been held, community presentations prepared, and meetings attended by community members including parents, staff and students in support of the school.

For more than 15 years, we have worked together to Save Carleton and to ensure a community voice on a site that is central to our community.

There is no question if the school had not been damaged by a fire, there would be hundreds of students learning at Carleton today. There is no question that Carleton has played a significant role in our community for 129 years and must continue to do so in the future.

I recognize that people in the community are tired of having to fight once again for Carleton. I also know that we strongly support keeping Carleton for community and educational use, not subdividing the

property for unspecified purposes. We are not against development as demonstrated by the large number of current and proposed projects that will add people – children and adults – to Joyce-Collingwood. Our community has been the most open to increased density of any neighbourhood in the city. Of course, the major increase in population also needs parks, schools, childcare and other services.

Here are five things you can do to help Save Carleton Elementary for now and for future generations:

1. Sign the petition at SaveCarleton.com by next Sunday November 23rd at 4 p.m. There is also a box to make further comments that will be passed on to VSB Trustees.
2. Sign up to speak at the Vancouver School Board meeting on Monday November 24th. The meeting takes place at the VSB offices at 1580 West Broadway starting at 5 p.m. To get on the speaking list, you must make a request by Thursday November 20th by 5 p.m. using this link: https://www.vsb.bc.ca/page/70953/public-delegation-board-meetings
3. You can attend the meeting in support of Renfrew-Collingwood parents and supporters making in-person presentations at the VSB offices on Monday, November 24th.
4. If you are unable to attend, you can submit a written presentation to the Vancouver School Board by email to engage@vsb.ca.
5. Please share this information with your friends, neighbours and family. A printable version of this letter has been attached to this email. We need all hands on deck.

For more information on this issue, I recommend visiting http://www.savecarleton.com/. There you will find information that will be useful in preparing written comments or oral presentations to the school board.

If you have any questions, please contact my office at 604-660-0314.

Finally, it is very important that we communicate our support for Carleton to the VSB. I am hopeful that the trustees will listen and respond by rejecting closure or deferring a decision. But either way, it will not be the end of the story. We will continue to work for our community and to save Carleton together.

Best regards,

Adrian Dix

MLA for Vancouver-Renfrew

Adrian Dix, MLA
Parliament Buildings
Victoria, BC V8V 1X4
Phone: 778- 698-7671
Fax: 250-356-2965

Vancouver-Renfrew Community Office
5022 Joyce Street
Vancouver, BC V5R 4G6
Phone: 604-660-0314
Fax: 604-660-1131

Dear Neighbours,

Next Monday, November 24, the Vancouver School Board will hear public delegations regarding the VSB's motion for the permanent closure of Carleton Elementary School. While the implications of this for the site are unclear, we need to once again raise our voice in support of public education in our community.

Joyce-Collingwood is one of the fastest growing neighborhoods in all of BC. The Carleton site continues to be needed for public education now, and especially in the future. Our community continues to overwhelmingly support keeping Carleton as an educational hub in our neighborhood.

Three times before – in 2010, 2016 and 2023 - the Vancouver School Board has recommended the closure of Carleton. Tens of thousands of petitions have been signed, hundreds of events have been held, community presentations prepared, and meetings attended by community members including parents, staff and students in support of the school.

For more than 15 years, we have worked together to Save Carleton and to ensure a community voice on a site that is central to our community.

There is no question if the school had not been damaged by a fire, there would be hundreds of students learning at Carleton today. There is no question that Carleton has played a significant role in our community for 129 years and must continue to do so in the future.

I recognize that people in the community are tired of having to fight once again for Carleton. I also know that we strongly support keeping Carleton for community and educational use, not subdividing the property for unspecified purposes. We are not against development as demonstrated by the large number of current and proposed projects that will add people – children and adults – to Joyce-Collingwood. Our community has been the most open to increased density of any neighbourhood in the city. Of course, the major increase in population also needs parks, schools, childcare and other services.

Here are four things you can do to help Save Carleton Elementary for now and for future generations:

1. Sign the petition at SaveCarleton.com by next Sunday November 23rd at 4 p.m. There is also a box to make further comments that will be passed on to VSB Trustees.
2. Sign up to speak at the Vancouver School Board meeting on Monday November 24th. The meeting takes place at the VSB offices at 1580 West Broadway starting at 5 p.m. To get on the speaking list, you must make a request by Thursday November 20th by 5 p.m. using this link: https://www.vsb.bc.ca/page/70953/public-delegation-board-meetings
3. You can attend the meeting in support of Renfrew-Collingwood parents and supporters making in-person presentations at the VSB offices on Monday, November 24th.
4. If you are unable to attend, you can submit a written presentation to the Vancouver School Board by email to engage@vsb.ca.

For more information on this issue, I recommend visiting https://savecarleton.com/. There you will find information that will be useful in preparing written comments or oral presentations to the school board.

If you have any questions, please contact my office at 604-660-0314.

Finally, it is very important that we communicate our support for Carleton to the VSB. I am hopeful that the trustees will listen and respond by rejecting closure or deferring a decision. But either way, it will not be the end of the story. We will continue to work for our community and to save Carleton together.

Best regards,

Adrian Dix

MLA for Vancouver-Renfrew

From: [redacted]
Sent: November 29, 2025 2:35 PM
To: engage <engage@vsb.bc.ca>
Subject: Carleton Elementary

Dear Trustees,

[redacted] The neighbourhood is a true gem in the city - it is quiet at night and lively during the day. Children laugh and play at the many parks, and conveniences like SkyTrain, and grocery shopping are nearby. I would like to raise two concerns with the repurposing of the school lands.

First, for its first community plan, the area added 20,000 residents over 20 years. The recently completed community plan will add another 10,000 residents in perhaps the same time. Due to the cost of housing and attractiveness and affordability of this neighbourhood for children, the density of children in this neighbourhood is one of the highest in the city. With both schools in the area being near capacity, it would be unlikely that they would be able to absorb this added population of children. With the Burnaby border nearby, that city is not an option for children to attend schools - the neighbourhood is boxed in.

Second, the patterns of developmental and cost of housing in this city have forced families to live in high density housing. Since high density housing is normally built near public transit for workers or busy roads for lack of public pushback, it is not distributed evenly across the city, and thus neither are children in our current condition. It is not 1976 anymore. The reason for low enrollment at schools across the city is simply due to existing development patterns. With a push to open up development in more areas across the city, I am confident that demand on Carleton will increase in the next 20 years from nearby development. If it does not, then this board should certainly be pressing the city itself to make higher density areas around schools permitted in order to preserve these assets.

Find a way, and don't leave the future behind.

[redacted]

From:	Christopher Richardson
To:	DPAC Chair; Group Trustees; STOffice
Cc:	Christopher Richardson; Christopher Richardson; vicechair@vancouverdpac.org; Deborah.silver@vancouverdpac.org; treasurer; Christopher Richardson; Elizabeth.klaiber-noble@vancouverdpac.org; ishi.dinim@vancouverdpac.org; angela.waterlow@vancouverdpac.org; celena.benndorf@vancouverdpac.org; Superintendent@vsb.ca
Subject:	RE: 2025-11-25 follow up to public delegation on Carleton November 24th
Date:	Monday, December 1, 2025 2:05:48 AM
Attachments:	image003.png

Melanie:

Upon reading my weeks correspondence, I noticed the 'invitation' details contained in your 25.11.25 Chair (Vancouver DPAC) correspondence regarding Carleton. I would be interested in further information including (but not limited to) -- the sponsor, agenda, format and suggested timing of this meeting along with a list of invitees to the meeting, described in your correspondence as a 'further public hearing' and as an 'Additional Public Delegation opportunity' scheduled for Wednesday, December 10th from 6:30 to 8:30 PM at the Collingwood Neighbourhood House.

Maybe a further invitation is being planned but I am reaching out as the liaison Trustee to Vancouver DPAC to ensure that the event is not missed as the details may not be found in a timely basis, as it is contained amongst other details and representations.

Thank you and as always, I am always appreciative of the input of all our Rights Holders, Stakeholders which includes the Vancouver DPAC, and interested school community and broader community members.

Christopher. 李濟富 (Lǐ Jì-fù)

Christopher JK Richardson, MEd,FCPA, FCA ('96 BC) *(he/him)*

Vancouver Board of Education (SD39), Trustee (2022 – 2026)

1580 West Broadway, Vancouver BC V6J 5K8

email: christopher.richardson@vsb.bc.ca

-

+ UBC M.Ed. '25 in the Faculty of Education EDAL (Educational Administration & Leadership) program with a particular interest in special needs and exceptionalities.

OUR VSB

vsb.bc.ca | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube

Honoured to be working and relearning together on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh (Squamish) & səlilwətaɬ (Tsleil-Waututh) Nations.

2792 West 15th Avenue, Vancouver BC V6K 2Z8

Telephone: Home (604) 731-4781

Cell *(preferred)* (604) 218-0981

From: Chair (Vancouver DPAC) <chair@vancouverdpac.org>
Sent: November 25, 2025 2:52 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>; STOffice <stoffice@vsb.bc.ca>
Subject: 2025-11-25 follow up to public delegation on Carleton November 24th

Dear Trustees,

Thank you for the opportunity to hear from delegates from the Joyce-Collingwood community last night. I am writing to follow up on several issues raised during the public delegations, and to invite you to a further public hearing we will be holding in Joyce-Collingwood for our community members who were unable to present yesterday.

1. Enrollment and Skytrain Planning Reports

One of the items Trustees requested was a follow-up on the growth projections for the Joyce-Collingwood area.

I am attaching the Board's letter to the CSF dated March 11, 2024, with pages 5 and 6 highlighted. On page 5, the Board notes increased densification around transit centres and states that the Carleton site is the closest VSB site to Joyce SkyTrain Station. The letter also refers to planning studies conducted for Joyce Station and other TransLink stations in relation to several school sites, and notes that these studies inform the Long Range Facilities Plan. In addition, the letter references the Housing Statutes (Residential Development) Amendment Act (HSRDAA), which requires a 20-year planning horizon.

I also note that Ministerial Order 194-08, section 5 (b), requires that the public consultation process include consideration of "future enrollment growth in the district of persons of **school age, less than school age, and adults**."

Given the Trustees' request for enrolment data and the context outlined above, I am concerned that key information needed for meaningful public engagement has not yet been fully disclosed. I am therefore requesting that the VSB provide the following:

a) District enrolment projections, broken down by persons of school age, less than school age, and adults;
b) Enrolment projections using a 20-year planning horizon;
c) Copies of any planning reports related to Joyce SkyTrain Station; and
d) Copies of any planning reports related to other TransLink station areas.

2. Subdivision Plans

During the hearing last night, the subdivision plans for Carleton were mentioned. I'm attaching the subdivision plan on the public City records filed by the VSB and now showing as "preparing recommendation" status.

I am also attaching relevant pages of an FOI from the City on Carleton which confirms the subdivision filed by the VSB. Page 24 of the FOI document states a date of January 8, 2025 as the date of an exchange with the VSB and the City on the subdivision. Some information in the FOI document, including the site disclosure statement, is withheld under section 17 (1) (c) of FIPPA, which is a provision to withhold plans of a public body that are underway.

Page 12 of the attached FOI states that the VSB will consult with "school stakeholders" on its "evolving plans" for the Carleton subdivision. As a school stakeholder, I am asking for disclosure of the subdivision information for the Carleton lands so that we can engage on the VSB's plans for Carleton Elementary.

3. OIPC Order

One of the presenters last night mentioned the Order for the production of withheld FOI documents that I have obtained from the Office of the Information and Privacy Commissioner, dated October 29, 2025. I am attaching a copy of Order F25-85 for your information.

The Order clarifies the production of documents under section 25 1 (b) of FIPPA, which is public interest disclosure at paragraph 32. Now that there is an active public engagement underway, the VSB must fully disclose relevant documents, requested above in this email without delay.

4. Additional Public Delegation opportunity at Collingwood Neighbourhood House Wednesday, December 10th, 6:30 pm to 8:30 pm

Some of our members were unable to attend the public hearing last night. Collingwood Neighbourhood House has kindly offered its space so that Trustees can come and engage directly with our community on **Wednesday, December 10th, from 6:30 to 8:30 pm**.

We are so fortunate to have many thoughtful and committed community members and families who are eager to participate in an open and respectful dialogue. We believe it would

be valuable for Trustees to hear a range of perspectives before making any decisions. This would also provide an opportunity to engage with other community members and political leaders who could not attend last night on this important issue. I am glad to Chair this additional public meeting and I will make arrangements for time keeping, decorum rules and meeting moderation.

Please confirm if you are able to attend.

I look forward to a reply on these matters at your early convenience.

Kind regards,

Melanie Cheng

程美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

From:	Chair (Vancouver DPAC)
To:	Christopher Richardson
Cc:	Group Trustees; STOffice; Christopher Richardson; vicechair@vancouverdpac.org; Deborah.silver@vancouverdpac.org; treasurer; Elizabeth.klaiber-noble@vancouverdpac.org; ishi.dinim@vancouverdpac.org; angela.waterlow@vancouverdpac.org; celena.benndorf@vancuverdpac.org; Superintendent@vsb.ca; Dix.MLA, Adrian
Subject:	Re: 2025-11-25 follow up to public delegation on Carleton November 24th
Date:	Monday, December 1, 2025 12:13:16 PM
Attachments:	image003.png

Dear Christopher (with a copy to all others, and to the Honourable Adrian Dix),

As you know, several major concerns have emerged through the Carleton engagement process. I have already outlined most of these in detail.

To recap, some key issues include the Board's denial of the subdivision, the Board's failure to acknowledge the provincial funding approved in 2019 and the VSB's decision not to prioritize Carleton repairs in 2021. Ultimately, the building was allowed by the VSB to deteriorate while the VSB's subdivision application was being prepared. Instead of using Carleton as a swing space with Provincial funding, students in our community were sent to South Hill, where significant facility-related health concerns due to rodent infestations have since been raised.

All of these key facts have now come to light. It was difficult for stakeholders to provide consultation when these details were not known.

The VSB did not notify local residents around Carleton of the subdivision and closure of Carleton. A team of dedicated volunteer parents have delivered flyers to over 400 residents, including the Indigenous co-op near Carleton - the existence of which was completely excluded from the VSB's report.

Many of us attending the public delegation meeting were shocked about the comments directed towards our MLA. Chair Jung said that he was in a position of conflict - a public statement that was untrue about our elected representative. There were a number of comments by the Trustees towards attendees that were concerning to those watching. Several people have reached out to me in the week following the public delegation to discuss these concerns.

These issues have affected many parents in our district. In fact, it affects our children in Windermere as well, since the Windermere students (including my own) were invited by the VSB to fill out the survey on the closure of Carleton on their VSB Teams accounts.

My understanding is that the request for an additional public delegation hearing for the Carleton engagement has been denied by the Board.

I would like to request a dedicated Vancouver DPAC meeting to discuss the issues that have arisen from the Carleton engagement process, with Trustee Richardson, Chair Jung, and the other Trustees in attendance. This meeting should be held openly, with our full organization present, as the concerns raised relate directly to Policy 7 and DPAC's ability to provide informed advice to the Board. Our organization remains committed to constructive, transparent dialogue. By openly talking about these issues together, we can perhaps consider

some solutions on how to improve public engagement and communication going forward into the upcoming budget engagement process.

There has been strong community support for saving Carleton, and with such significant momentum, the Joyce-Collingwood community is now taking the lead. The Collingwood Recreation Society is hosting its own Public Forum on the Carleton engagement process, organized independently by community members. For more information, please visit **savecarleton.com**.

Lastly, I look forward to receiving the additional information requested in my email dated November 25th at your earliest convenience, so that I can share it with the Facilities and Child Care Working Group which tracks our data in these matters.

Thanks.

Melanie Cheng

美麗程
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

On Mon, Dec 1, 2025 at 2:05 AM Christopher Richardson <Christopher.Richardson@vsb.bc.ca> wrote:

> Melanie:
>
> Upon reading my weeks correspondence, I noticed the 'invitation' details contained in your 25.11.25 Chair (Vancouver DPAC) correspondence regarding Carleton. I would be interested in further information including (but not limited to) -- the sponsor, agenda, format and suggested timing of this meeting along with a list of invitees to the meeting, described in your correspondence as a 'further public hearing' and as an 'Additional Public Delegation opportunity' scheduled for Wednesday, December 10th from 6:30 to 8:30 PM at the Collingwood Neighbourhood House.

Maybe a further invitation is being planned but I am reaching out as the liaison Trustee to Vancouver DPAC to ensure that the event is not missed as the details may not be found in a timely basis, as it is contained amongst other details and representations.

Thank you and as always, I am always appreciative of the input of all our Rights Holders, Stakeholders which includes the Vancouver DPAC, and interested school community and broader community members.

Christopher. 李濟富 (Lǐ Jì-fù)

Christopher JK Richardson, MEd,FCPA, FCA ('96 BC) *(he/him)*

Vancouver Board of Education (SD39), Trustee (2022 – 2026)

1580 West Broadway, Vancouver BC V6J 5K8

email: christopher.richardson@vsb.bc.ca

+ UBC M.Ed. '25 in the Faculty of Education EDAL (Educational Administration & Leadership) program with a particular interest in special needs and exceptionalities.

OUR VSB

vsb.bc.ca | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube

Honoured to be working and relearning together on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh (Squamish) & səlilwətaɬ (Tsleil-Waututh) Nations.

2792 West 15th Avenue, Vancouver BC V6K 2Z8

Telephone: Home (604) 731-4781

Cell *(preferred)* (604) 218-0981

From: Chair (Vancouver DPAC) <chair@vancouverdpac.org>
Sent: November 25, 2025 2:52 PM
To: Group Trustees <GroupTrustees@vsb.bc.ca>; STOffice <stoffice@vsb.bc.ca>
Subject: 2025-11-25 follow up to public delegation on Carleton November 24th

Dear Trustees,

Thank you for the opportunity to hear from delegates from the Joyce-Collingwood community last night. I am writing to follow up on several issues raised during the public delegations, and to invite you to a further public hearing we will be holding in Joyce-Collingwood for our community members who were unable to present yesterday.

1. Enrollment and Skytrain Planning Reports

One of the items Trustees requested was a follow-up on the growth projections for the Joyce-Collingwood area.

I am attaching the Board's letter to the CSF dated March 11, 2024, with pages 5 and 6 highlighted. On page 5, the Board notes increased densification around transit centres and states that the Carleton site is the closest VSB site to Joyce SkyTrain Station. The letter also refers to planning studies conducted for Joyce Station and other TransLink stations in relation to several school sites, and notes that these studies inform the Long Range Facilities Plan. In addition, the letter references the Housing Statutes (Residential Development) Amendment Act (HSRDAA), which requires a 20-year planning horizon.

I also note that Ministerial Order 194-08, section 5 (b), requires that the public consultation process include consideration of "future enrollment growth in the district of persons of

school age, less than school age, and adults."

Given the Trustees' request for enrolment data and the context outlined above, I am concerned that key information needed for meaningful public engagement has not yet been fully disclosed. I am therefore requesting that the VSB provide the following:

a) District enrolment projections, broken down by persons of school age, less than school age, and adults;
b) Enrolment projections using a 20-year planning horizon;
c) Copies of any planning reports related to Joyce SkyTrain Station; and
d) Copies of any planning reports related to other TransLink station areas.

2. Subdivision Plans

During the hearing last night, the subdivision plans for Carleton were mentioned. I'm attaching the subdivision plan on the public City records filed by the VSB and now showing as "preparing recommendation" status.

I am also attaching relevant pages of an FOI from the City on Carleton which confirms the subdivision filed by the VSB. Page 24 of the FOI document states a date of January 8, 2025 as the date of an exchange with the VSB and the City on the subdivision. Some information in the FOI document, including the site disclosure statement, is withheld under section 17 (1) (c) of FIPPA, which is a provision to withhold plans of a public body that are underway.

Page 12 of the attached FOI states that the VSB will consult with "school stakeholders" on its "evolving plans" for the Carleton subdivision. As a school stakeholder, I am asking for disclosure of the subdivision information for the Carleton lands so that we can engage on the VSB's plans for Carleton Elementary.

3. OIPC Order

One of the presenters last night mentioned the Order for the production of withheld FOI documents that I have obtained from the Office of the Information and Privacy Commissioner, dated October 29, 2025. I am attaching a copy of Order F25-85 for your information.

The Order clarifies the production of documents under section 25 1 (b) of FIPPA, which is public interest disclosure at paragraph 32. Now that there is an active public engagement underway, the VSB must fully disclose relevant documents, requested above in this email without delay.

4. Additional Public Delegation opportunity at Collingwood Neighbourhood House Wednesday, December 10th, 6:30 pm to 8:30 pm

Some of our members were unable to attend the public hearing last night. Collingwood Neighbourhood House has kindly offered its space so that Trustees can come and engage directly with our community on **Wednesday, December 10th, from 6:30 to 8:30 pm**.

We are so fortunate to have many thoughtful and committed community members and families who are eager to participate in an open and respectful dialogue. We believe it would be valuable for Trustees to hear a range of perspectives before making any decisions. This would also provide an opportunity to engage with other community members and political leaders who could not attend last night on this important issue. I am glad to Chair this additional public meeting and I will make arrangements for time keeping, decorum rules and meeting moderation.

Please confirm if you are able to attend.

I look forward to a reply on these matters at your early convenience.

Kind regards,

Melanie Cheng

程美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

From: Partap Sahota <partap@collingwoodcpc.com>
Sent: December 2, 2025 9:33 AM
To: engage <engage@vsb.bc.ca>
Subject: Carleton Elementary School

Hi
I have attached a letter containing our feedback regarding the closure of Carleton Elementary School. We appreciate the opportunity to share our perspective on the issue.
Thank you
Partap

--
Partap Sahota
Executive Director
Collingwood Community Policing Centre
5160 Joyce Street Vancouver, B.C
Email:partap@collingwoodcpc.com
Tel:604-717-2935
[redacted]
This message and any attachments and/or accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error, please notify the sender immediately and delete the original transmission

5160 Joyce St.
Vancouver, B.C.
Tel. 604-717-2935
Fax. 604-430-4955
http://www.collingwoodcpc.com

December 1,2025

Subject: Future of Carleton Elementary School

Dear VSB Trustees,

My name is Partap Sahota, and I am the Executive Director of the Collingwood Community Policing Centre. I am writing today at the request of the Vancouver School Board to share our perspective on the future of Carleton Elementary School.

We firmly believe that the community must have a meaningful voice in determining the future of Carleton Elementary. The property should remain public space for community use, and many residents continue to express strong support for reopening the school as previously promised. In 2019, the Province approved funding for seismic upgrades, and the community has been anticipating progress since that commitment was made.

I attended the recent online consultation session, and I felt that the process was neither open nor fully transparent. Key information was missing, and without a complete picture, it is difficult for the community to provide informed feedback. Meaningful consultation requires clarity, engagement, and trust—elements that were lacking in the current process.

The Joyce–Collingwood area has experienced significant population growth and increased density over the past 30 years. Despite this, many of the public benefits and amenities promised under the Joyce–Collingwood Precinct Plan have not materialized. This is an underserved and rapidly growing neighbourhood, and for that reason, it is vital that the community be genuinely involved in decisions regarding Carleton Elementary.

This message, including any attachments, is privileged and may contain confidential information intended only for the organization(s)/person(s) named above. If you are not the intended recipient or have received this message in error, Please notify the Collingwood Community Policing Centre immediately and permanently delete the original transmission from the sender, including any attachments, without making a copy. Thank you.

5160 Joyce St.
Vancouver, B.C.
Tel. 604-717-2935
Fax. 604-430-4955
http://www.collingwoodcpc.com

Thank you for your attention to this important matter. I urge the VSB to engage with residents in a transparent and collaborative way as decisions are made about the future of this essential community asset.

Partap Sahota

Sincerely,
Partap Sahota
Executive Director
Collingwood Community Policing Centre

This message, including any attachments, is privileged and may contain confidential information intended only for the organization(s)/person(s) named above. If you are not the intended recipient or have received this message in error, Please notify the Collingwood Community Policing Centre immediately and permanently delete the original transmission from the sender, including any attachments, without making a copy. Thank you.

From:	Norquay PAC
To:	engage
Subject:	Norquay PAC letter - closure of Sir Guy Carlton Elementary
Date:	Monday, November 24, 2025 5:43:27 AM
Attachments:	Letter from Norquay PAC-Closure of Sir ...pdf

Please find attached our letter from the Parent Advisory Council at John Norquay Elementary school.

Thank-you

--
Your Norquay PAC Team
norquaypacteam@gmail.com
www.norquaypac.ca

Attention: VSB Trustees, November 23rd, 2025

engage@vsb.bc.ca

Re: Closure of Sir Guy Carleton Elementary School

We are writing on behalf the Norquay Elementary School Parent Advisory Council to express our strong opposition to the proposed closure of Sir Guy Carleton Elementary School.

We urge the Vancouver School Board to suspend the closure process until full and transparent information, including the updated Long-Range Facilities Plan (LRFP), is made public.

We also ask the VSB to engage with local non-profits, neighbourhood groups, and residents to explore alternative community uses for the Carleton site.

Norquay Elementary PAC stands with parents, students, and residents in calling for open, accountable planning and the preservation of Carleton Elementary as a vital community asset.

Sincerely,

Norquay PAC team at John Norquay Elementary school.

Norquay Elementary School Parent Advisory Council
norquaypacteam@gmail.com
www.norquaypac.ca

From: [redacted]
To: engage
Subject: Closure of Carleton School
Date: Monday, November 24, 2025 7:36:36 AM

To all VSB trustees

Dear VSB Trustees

[redacted] Vancouver and I value both its robust public education system and those who have, over many decades, worked hard to keep it accessible, welcoming and neighbourhood-based.

Closing Carleton School, at a time when the city is experiencing an unprecedented building boom in both rental and owner-occupied multi-family dwellings, is short-sighted. Look at the Renfrew-Broadway area and then west to Commercial, or on Kingsway east of Main all the way to Boundary: hundreds and hundreds of places for families. While some schools may seem 'underpopulated' now (a contested reality, as everyone knows), that is changing quickly. And the numbers will only ramp up. The VSB ought to plan for the future, not try to catch up when it's too late.

The prospect of selling the Carleton lands (on which sit heritage buildings), whether by chopping them up or selling the entire package, would be a violation of the trust the public has historically placed in the hands of trustees. Public lands, and the invaluable services they provide - education, recreation, outdoor activities - are divested at the peril of the entire population. Once sold off, those assets will never be reclaimed. In the case of the VSB, selling off the Dawson building at Burrard and Nelson in 1976 is a case in point. It went to a developer for a song, languished as a parking lot for years and was then purchased - for another song - by Peter Wall. It is now the Wall Centre, a shiny bauble, a private, luxury hotel sitting in the midst of a neighbourhood that desperately needs new schools.

Think about the future, not the tomorrow morning kind, but the long term, fifty years on. Value the community-building and relationship-nurturing role of the neighbourhood public school. As our population grows, the connections made in those spaces will be key in creating a civil society, with actively engaged residents.It is such residents, among whom are those who have fought hard to Save Carleton, who represent the very best in Vancouver.

Yours truly

[redacted]

From: [redacted]
To: engage
Subject: Decision on permanently closing school
Date: Monday, November 24, 2025 10:27:14 AM

Hello my name is [redacted]
It's my belief that children need as much like schooling and training as possible.

I think closing that school in the Collingwood rental area does our society a major Injustice.

Thank you for taking the time to read my email.

Respectfully, [redacted]

My work to support food sovereignty and community health is carried out on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish), and səlilwətaɬ (Tsleil-Waututh) Nations. I am committed to honoring their enduring stewardship of this land.

From:	Davies, Don - M.P.
To:	engage
Cc:	DPAC Chair
Subject:	Carleton Elementary - From MP Don Davies
Date:	Monday, November 24, 2025 11:30:45 AM
Attachments:	Letter Regarding Carleton - From Don Davies, MP.pdf
Importance:	High

Dear Trustees,

Attached, please find a letter from Don Davies, Member of Parliament for Vancouver Kingsway.

Warm regards,

Carrie

Carrie Bercic (she/her)
Constituency Assistant to | Ajoint de Conscription de
Don Davies, MP | député Vancouver Kingsway
Leader – New Democratic Party | chef du Nouveau Parti démocratique

T. 604-775-6263

UFCW Local 232

From the unceded and ancestral land of the Musqueam, Squamish, and Tsleil-Waututh Nations.

DON DAVIES, M.P.
VANCOUVER KINGSWAY

November 20, 2025

Dear Vancouver School Board Trustees,

RE: Sir Guy Carleton Elementary

I am writing to strongly urge the Board to pause the proposed permanent closure of Sir Guy Carleton Elementary and to provide the entire Joyce-Collingwood community with a genuine opportunity for meaningful input before any final, irreversible decisions are made.

For months, I have been hearing from my constituents and my office has been working closely with local community organizations, parents, and other Joyce-Collingwood stakeholders regarding the potential closure of Carleton and the possible subdivision of the public land it sits on. Their message has been clear and consistent: Carleton remains an essential and loved public asset in one of the fastest-growing neighborhoods in British Columbia and should be available to the community in perpetuity.

I have been the Member of Parliament for Vancouver Kingsway for over 17 years, and I can attest that Carleton has long been a cornerstone of the Joyce-Collingwood community. Even after the 2016 fire, and after multiple previous closure attempts, my constituents have repeatedly organized, petitioned, and advocated for the school and the public land it sits on. That ongoing commitment reflects the deep importance of this site as a place for learning, gathering, and connection.

It is my duty as the MP for this area, to add my voice to the call for a serious look at enrolment projections, as well as future building development in the area, to ensure families in my riding will have appropriate educational opportunities offered to them in their own neighbourhood now, and in the future.

More broadly, I strongly oppose the subdivision, sale, or disposition of publicly owned land. It is my view that it is shortsighted even to consider this, given all projections are for a larger population, with more children, in Vancouver's future.

Before any irreversible steps are taken, I respectfully and urgently ask the Board to reconsider this process and engage meaningfully with the full Joyce-Collingwood community. Together, we can shape a future for Carleton that strengthens public education and expands much-needed community resources, while keeping public land fully in public hands.

Thank you for your attention and for your commitment to serving the students and families of Vancouver.

Sincerely,

Don Davies, MP
Vancouver Kingsway

Community Office
2951 Kingsway
Vancouver, BC V5R 5J4
Tel: 604-775-6263 Fax: 604-775-6284

Email
Don.Davies@parl.gc.ca
Website
www.DonDavies.ca

Ottawa Office
Room 264 Wellington Bldg.
Ottawa, ON K1A 0A6
Tel: 613-943-0267 Fax: 613-943-0219

From:	Chair (Vancouver DPAC)
To:	Group Trustees; STOffice
Subject:	2025-11-25 follow up to public delegation on Carleton November 24th
Date:	Tuesday, November 25, 2025 2:53:09 PM
Attachments:	SUBDIVISION RECORDS.pdf 2024-11-03 Letter to CSF with highlights.pdf Order F25-85.pdf 2025-485 - FULL FOI REPORT.pdf

---

Dear Trustees,

Thank you for the opportunity to hear from delegates from the Joyce-Collingwood community last night. I am writing to follow up on several issues raised during the public delegations, and to invite you to a further public hearing we will be holding in Joyce-Collingwood for our community members who were unable to present yesterday.

1. Enrollment and Skytrain Planning Reports

One of the items Trustees requested was a follow-up on the growth projections for the Joyce-Collingwood area.

I am attaching the Board's letter to the CSF dated March 11, 2024, with pages 5 and 6 highlighted. On page 5, the Board notes increased densification around transit centres and states that the Carleton site is the closest VSB site to Joyce SkyTrain Station. The letter also refers to planning studies conducted for Joyce Station and other TransLink stations in relation to several school sites, and notes that these studies inform the Long Range Facilities Plan. In addition, the letter references the Housing Statutes (Residential Development) Amendment Act (HSRDAA), which requires a 20-year planning horizon.

I also note that Ministerial Order 194-08, section 5 (b), requires that the public consultation process include consideration of "future enrollment growth in the district of persons of **school age, less than school age, and adults**."

Given the Trustees' request for enrolment data and the context outlined above, I am concerned that key information needed for meaningful public engagement has not yet been fully disclosed. I am therefore requesting that the VSB provide the following:

a) District enrolment projections, broken down by persons of school age, less than school age, and adults;
b) Enrolment projections using a 20-year planning horizon;
c) Copies of any planning reports related to Joyce SkyTrain Station; and
d) Copies of any planning reports related to other TransLink station areas.

2. Subdivision Plans

During the hearing last night, the subdivision plans for Carleton were mentioned. I'm attaching the subdivision plan on the public City records filed by the VSB and now showing as "preparing recommendation" status.

I am also attaching relevant pages of an FOI from the City on Carleton which confirms the subdivision filed by the VSB. Page 24 of the FOI document states a date of January 8, 2025 as the date of an exchange with the VSB and the City on the subdivision. Some information in the FOI document, including the site disclosure statement, is withheld under section 17 (1) (c) of FIPPA, which is a provision to withhold plans of a public body that are underway.

Page 12 of the attached FOI states that the VSB will consult with "school stakeholders" on its "evolving plans" for the Carleton subdivision. As a school stakeholder, I am asking for disclosure of the subdivision information for the Carleton lands so that we can engage on the VSB's plans for Carleton Elementary.

3. OIPC Order

One of the presenters last night mentioned the Order for the production of withheld FOI documents that I have obtained from the Office of the Information and Privacy Commissioner, dated October 29, 2025. I am attaching a copy of Order F25-85 for your information.

The Order clarifies the production of documents under section 25 1 (b) of FIPPA, which is public interest disclosure at paragraph 32. Now that there is an active public engagement underway, the VSB must fully disclose relevant documents, requested above in this email without delay.

4. Additional Public Delegation opportunity at Collingwood Neighbourhood House Wednesday, December 10th, 6:30 pm to 8:30 pm

Some of our members were unable to attend the public hearing last night. Collingwood Neighbourhood House has kindly offered its space so that Trustees can come and engage directly with our community on **Wednesday, December 10th, from 6:30 to 8:30 pm**.

We are so fortunate to have many thoughtful and committed community members and families who are eager to participate in an open and respectful dialogue. We believe it would be valuable for Trustees to hear a range of perspectives before making any decisions. This would also provide an opportunity to engage with other community members and political leaders who could not attend last night on this important issue. I am glad to Chair this additional public meeting and I will make arrangements for time keeping, decorum rules and meeting moderation.

Please confirm if you are able to attend.

I look forward to a reply on these matters at your early convenience.

Kind regards,

Melanie Cheng

程美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without

permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

Subdivision Records for Carleton Elementary, according to the records of the City of Vancouver

Subdivision SD-2022-00071 **Preparing Recommendation**

Application Date: Sep, 21, 2022
Completed Date:

Details

Primary Location: 3250 KINGSWAY, Vancouver, BC V5R 5K5
Specific Location:
Work Description: ON HOLD PER REQUEST OF VSB
To subdivide Block A into two parcels, while retaining the school buildings.
Subdivision Type: Minor

Related Information

Description
James DeHoop DBA: Vancouver School Board

Location

Parcel: 008-988-625 770-304-02-0000 3250 KINGSWAY, Vancouver, BC V5R 5K5

Approval Conditions

Condition Type	Resolution	Resolved Date

Link to City website: https://plposweb.vancouver.ca/Public/Default.aspx?PossePresentation=Guest&PosseObjectId=183575738

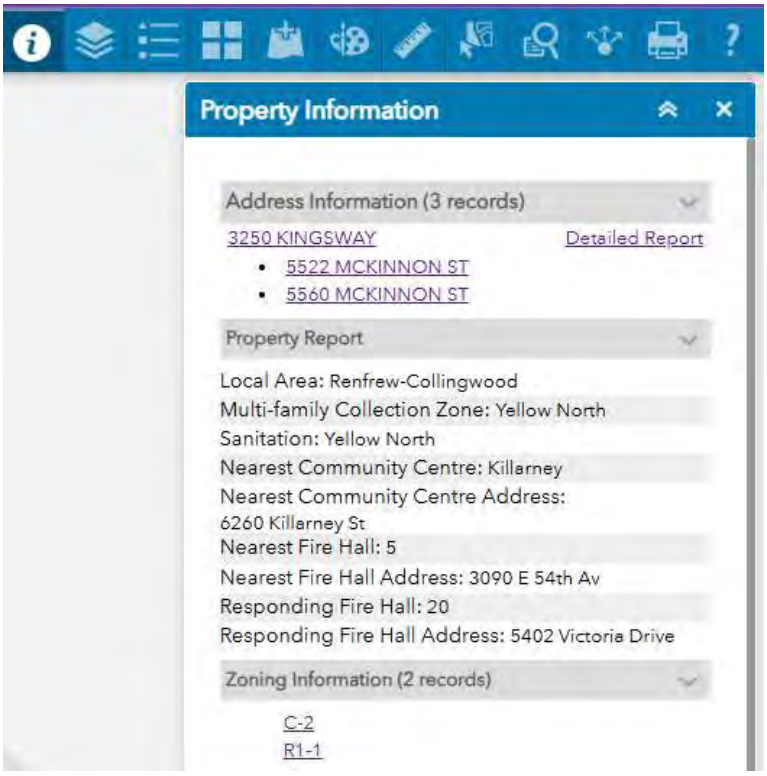
This subdivision is in respect to **three civic addresses**:

3250 Kingsway

5522 McKinnon Street

5560 McKinnon Street

You can search the above civic addresses in the City of Vancouver subdivision records here.



5522 McKinnon Street and 5560 McKinnon Street – which are included in Subdivision Plan SD 2022-00071 for Carleton are the Green Thumb Theatre buildings. We are asking disclosure of the subdivision plans for the Carleton site.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Victoria Jung - Board Chair, Preeti Faridkot, Janet Fraser, Suzie Mah, Joshua Zhang – Vice-Chair, Jennifer Reddy, Christopher Richardson

March 11, 2024

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britannique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
E: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie

Re : Response to Conseil scolaire francophone de la Colombie-Britannique's ("Conseil") letter of January 16, 2024

On behalf of the Vancouver Board of Education ("VBE"), I write in response to the letter sent by you on behalf of the Conseil dated January 16, 2024.

In the January 16, 2024 letter, the Conseil rejected the offer of the VBE made by our letter dated December 6, 2023 to lease Queen Elizabeth Annex ("QEA") school site to the Conseil for a period of 75 years. Instead, the Conseil countered that it required a permanent interest in the QEA site and offered to acquire ownership from the VBE in:

a. QEA (the whole site);

b. Sir Wilfrid Laurier Annex ("Laurier") (the whole site);

c. Sir Guy Carleton Elementary ("Carleton") (the whole site); and

d. a site in the Conseil's Northeast Vancouver catchment area, being either:

   i. Dr. A.R. Lord Elementary ("A.R. Lord") site (the whole site); or

   ii. a 3.1 acre polygonal portion of the south-east portion of Vancouver Technical Secondary School site (subject to review by the Conseil as to its suitability).

Your letter indicated that, in order to collaborate with the Conseil, the VBE must provide sites in fee simple to the Conseil and not simply offer long term leases and that the Conseil had requested these sites previously.

The VBE will address these points in this letter in reply.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The VBE has collaborated with the Conseil

The VBE has a long history of cooperating with the Conseil while balancing the VBE's own obligations. The VBE's willingness to lease sites to the Conseil, both historically and currently, is evidence of its cooperation with the Conseil. The VBE must balance the Conseil's preferences with the VBE's institutional obligations.

The VBE leased and then sold the sites on which the Conseil now operates its Écoles Rose-des-vents ("RDV"), Anne-Hébert and Jules Verne. The VBE leases Chief Maquinna Annex ("Maquinna") (now École Norval-Morrisseau), Laurier (now École des Colibris), Henderson Annex ("Henderson") and, more recently, QEA to the Conseil. The VBE entered into the leases for Maquinna, Laurier and Henderson with the Conseil in 2017 and 2018 and has extended these leases when the Conseil requested lease extensions.

In order to be able to lease QEA to the Conseil, the VBE had to undertake the processes of both a school closure and a surplus determination. Both the closure decision and surplus determination were challenged through a protracted and expensive judicial review, the results of which are currently subject to an appeal process. The VBE vigorously defended the closure decision and surplus determination in order to dispose of QEA to the Conseil.

As stated above, leasing is evidence of the VBE's collaboration, cooperation and partnership with the Conseil. The VBE itself leases sites from other organizations. The future Olympic Village school site is being leased by the VBE for 99 years. Queen Elizabeth Elementary School is on leased lands. Other majority school boards also lease school sites.

The VBE does not agree that a long-term lease creates an unequal relationship. In support of this point the VBE is mindful of the finding in the 2016 Action where Russell J. held "that the fact that the [Conseil] leases facilities is not presumptively contrary to s. 23 of the *Charter*" (para. 5947).

Accordingly, the VBE does not consider its December 6, 2023 offer of a long term lease of QEA to the Conseil as a sign that the VBE does not wish to work collaboratively with the Conseil. Rather, this offer is an indication of the VBE's strong continued collaboration and cooperation with the Conseil.

The balancing of interests and statutory mandate of the VBE

The VBE understands that the Conseil is an integral part of British Columbia's French-speaking community.

The Conseil mentions in its letter the following factors for consideration:

a) to support the long-term linguistic and cultural vitality of the French-speaking community;

b) to redress past injustices and promote the development of the French-speaking community;

c) to counter the assimilation of the French-speaking community; and

d) the preservation and development of the French-speaking community in Vancouver.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The VBE has considered these factors in making its offer to you. The VBE has also deliberated over its statutory obligations under the relevant legislative framework under the *School Act*, Ministerial Orders, and VBE Policies. The VBE ultimately has a responsibility to its constituents in Vancouver. The *School Act* mandates that a board is responsible for the management of the schools in its school district and for the custody, maintenance and safekeeping of all property owned or leased by the board.

The VBE has accounted for factors raised by its explicit statutory obligations such as:

a) the long term requirements of the VBE and its constituents for educational facilities and school sites;

b) the present and future circumstances and numbers of its constituents and their geographic placement;

c) the availability or lack thereof of sites for future schools;

d) the long term potential for population growth and therefore for educational facilities;

e) the financial costs of future site acquisitions; and

f) the requirements of Policy 14 *School Closure* and Policy 20 *Disposal of Land or Improvements*.

The extension of the offer of term from 75 years to 99 years

In order to address the Conseil's concern with adequate security of tenure, the VBE is prepared to extend the term of the proposed lease outlined in its December 6, 2023 letter, namely, from 75 to 99 years.

The VBE views a 99-year lease as providing stability for the francophone community. As noted by the Conseil, a school is a core institution for the francophone community's linguistic and cultural vitality. A lease term of 99 years exceeds the lifetime of a well-maintained school and will provide generations of Conseil students with a long-term interest that will promote the vitality of the French-speaking community to strengthen its roots. A 99-year lease means that many generations of students of the francophone community will be able to attend a Conseil school in the leased location.

The VBE is willing and eager to negotiate terms with the Conseil that allow the Conseil to have control over the leased property and any school facility that the Conseil wishes to build on such leased property.

Furthermore, the VBE does not agree that the Conseil would need to initiate a search to secure a new site decades before a long-term lease would expire: it should not be taken as a given that the VBE would not agree to a renewal of the lease at the end of its 99 year term.

The VBE considers that a 99-year long term lease is a good compromise between ensuring that the Conseil has very long term security of tenure for the schools, for its students, and the need for the VBE to look out for the long term interests of its constituents.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The Conseil's expansion from one site to four sites

In its January 16, 2024 letter, the Conseil requested four sites from the VBE, not just one. Of the four, only one has been formally requested by the Conseil: QEA. The amendments in July 2023 to the Notice of Civil Claim in the action brought by the Conseil against the Province and VBE is how the VBE learned of the current "formal requests" for A.R. Lord and Laurier. This fact has been confirmed by the January 16, 2024 letter. The VBE does not consider amendments to pleadings to be formal requests. Carleton has never been formally requested by the Conseil – that is, not until the January 16, 2024 letter.

In the future, the VBE requests that the Conseil make its formal requests of the VBE by correspondence to its secretary-treasurer. As a fellow school board, the Conseil can understand the large expenditure of resources that must be undertaken by the VBE in considering whether to close, render surplus and dispose of a school site. This is why the VBE has asked for formal, rather simply informal requests.

The VBE responds to the counter-proposal of the Conseil as set out below.

1. ***Queen Elizabeth Annex***

The VBE is prepared to offer to the Conseil a 99-year long term lease of the QEA site, subject to the negotiation of reasonable business and commercial terms. As noted above, this provides a very long term security of tenure for the Conseil. The Conseil would be able to build a new school on the site provided Ministerial support is provided. To proceed with the 99-year lease disposition of QEA, the VBE requires that:

a) the Conseil provide a written confirmation of its interest in obtaining a 99-year long term lease of the QEA site; and

b) the Conseil provide written confirmation from the Ministry that it will support the 99-year long term lease of the QEA site and that it will support the construction of a new K-6 school on the site.

2. ***Dr. A.R. Lord Elementary School***

While at one time the VBE considered closing A.R. Lord, the VBE decided not to proceed with that course. Today, A.R. Lord is an elementary school serving its local community and currently has approximately 190 students enrolled. To close A.R. Lord (which is not part of the VBE's district-wide operational plans) and to arrange for its disposal, the VBE would have to assess capacities of neighbouring schools, enrollment projections, seismic safety of different school sites, its plans for seismic upgrades of the same, the Long Range Facilities Plan, and many other factors. It would also require the VBE to relocate an entire program located on the site. Public consultations would have to be undertaken. Not only are the closure and disposal of A.R. Lord outside the VBE's current plans, they also involve an unnecessary and large expenditure of VBE time and resources.

Nevertheless, the VBE understands and appreciates the Conseil's need for a K-6 school in its Northeast Vancouver catchment area and would like to support the Conseil and the francophone community to the extent possible. While the VBE has leased and continues to lease to the Conseil the Maquinna (now École

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair
Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson

Norval-Morrisseau), it understands from the Conseil that Maquinna, alone, is too small and does not meet the Conseil's needs in this catchment area.

Accordingly, the VBE proposes that the VBE and the Conseil consider subdividing the A.R. Lord site roughly in two and redeveloping the site with two new schools. Under this possible solution, the VBE would occupy the eastern portion of the site where the A.R. Lord school is presently situated and the Conseil could occupy the western portion of the site, with a 99-year lease which would be subject to the negotiation of reasonable business and commercial terms.

The VBE recognizes that this proposal may require that the two school boards coordinate the use of "green space" or common space that would be between the two new schools and the VBE is prepared to cooperate and collaborate with the Conseil to ensure that the interests of both the VBE and Conseil and of their respective students are addressed. Furthermore, the VBE will cooperate with the Conseil to ensure staggered start-times, recesses, and dismissal times if the Conseil wishes. The VBE is prepared to consider other operational and design factors that would help the Conseil create and operate a truly homogenous francophone school on the A.R. Lord site.

The VBE considers that this proposal would provide the Conseil with long term stability and security of tenure in its Northeast Vancouver catchment area which in turn supports the vitality of the francophone community and culture in Vancouver, all while allowing the VBE to continue to provide its educational program to the children of its constituents who presently attend A.R. Lord. The VBE views this proposal as meeting the goal of countering the assimilation of French speakers as it provides the Conseil with a homogenous school.

In order to proceed further with the investigation of this possible solution, the VBE requests that the Conseil provide written confirmation that it is interested in pursuing a possible subdivision of the A.R. Lord site. It should be noted that the VBE would have to undertake its normal processes for a surplus determination if the proposed subdivision and lease were to proceed. As well, the staff of the VBE and Conseil would have to prepare a joint submission to the Ministry to ensure that there is support for the subdivision and redevelopment of the site.

3. *Sir Guy Carleton Elementary School*

The January 16, 2024 letter was the first time that the Conseil provided any formal request to the VBE regarding Carleton. While not a necessary condition precedent to any consideration of such a formal request, the VBE notes that there is not currently a judicial pronouncement on the Conseil's entitlement to a second secondary school within the geographic boundaries of the City of Vancouver. The VBE requests that the Conseil provide confirmation that the Province has expressly supports the acquisition of a site and construction of a second secondary school for the Conseil in eastern part of the City of Vancouver.

As you know, Carleton is not presently populated by students and has not been since August 2016 when it sustained a severe fire. The VBE is not currently operating Carleton as a school. Nevertheless, on November 30, 2023, the Provincial Legislature passed Bill 44, namely, the *Housing Statutes (Residential Development) Amendment Act, 2023* (the "*HSRDAA*"). The *HSRDAA* will require that Vancouver provide

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

for increased densification around transit centres, including Skytrain stations. The Carleton site is the closest VBE site to the Joyce Skytrain Station.

As well, in 2023, the City of Vancouver changed its approach to low density housing zoning by opening up neighbourhoods across the city to allow for multiplexes ("City multiplex housing").

The VBE needs to undertake a vigorous review of the long-term implications of the *HSRDAA* and the City multiplex housing before it can make any commitments in relation to the formal closure of Carleton or the possible disposal of the site (which is not currently part of the VBE's district-wide operational plans). The Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites.

While the VBE is supportive of the Conseil and of the francophone community that it represents, the formal closure, surplus and disposal process of any school property represents a large expenditure of time and resources. Therefore, in addition to completing its review of the implications of the *HSRDAA* and City multiplex housing for the Carleton site, the VBE would require confirmation from the Province of its support for the Conseil's proposal before proceeding to consider it at any length.

4. Laurier Annex

The VBE has leased Laurier to the Conseil since 2018. In 2023, the VBE entered into an extension of this lease with the Conseil for three years with an option to renew for a further two more years.

The VBE has always understood that the Conseil sought to lease Laurier to alleviate overpopulation in the Conseil's RDV and to provide temporary space for the Conseil's students while the Conseil finalized its arrangements in relation to the Heather Lands for a 99-year lease of a portion of those lands and the construction of a new, larger school for RDV. The VBE understands that adjacent properties to the Heather Lands property have been purchased by the Conseil and that a lease has been prepared, at least in draft, for 99 years.

The VBE notes that the Conseil has security of tenure for Laurier until 2028. By then, assuming that the Conseil has acquired the QEA site as proposed above, there will be a new school there for Conseil students. As well, the Conseil may be well underway if not completed its construction of the new RDV school at the Heather Lands site.

In the event that either or both of those two eventualities has not transpired by 2028, the VBE will be willing to work with the Conseil to bridge the necessary time for completion of its schools and to ensure that the Conseil's students have adequate facilities to attend. The support of the Ministry would be required to allow the VBE to extend past the limit of 10 years without being considered a "disposal" and invoking the disposal policies and requirement.

The VBE has advised the Conseil in the past that the VBE must be conscious of the increased densification around the Laurier site and this concern has only been heightened by the *HSRDAA* and the City multiplex housing. It is anticipated that, in the longer term, the VBE will be facing more students in the area around

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien,
Preeti Faridkot, Janet Fraser, Suzie Mah,
Jennifer Reddy, Christopher Richardson

Laurier and that it will need to be able to provide community based schools to accommodate that future student population.

5. ***Availability of VBE Swing Space***

For all of the proposed Conseil projects, the Conseil will likely need to find temporary places to house its students. The VBE is prepared to offer for short term lease to the Conseil, on reasonable terms, the VBE's unused swing space. To the extent that the VBE does not require such space, the VBE would be prepared to assist the Conseil and by extension the francophone community by making this swing space available while the Conseil builds out these various new schools. This can be discussed on a staff-to-staff level and coordinated between the two boards.

The VBE looks forward to the Conseil's response and to working with the Conseil to support the francophone community and its students in Vancouver.

Yours truly,

Victoria Jung, Chair
Board of Education of School District No. 39 (Vancouver)

cc. Flavia Coughlan, Secretary Treasurer, VBE
The Honourable Rachna Singh, Minister of Education and Child Care

Order F25-85

BOARD OF EDUCATION OF SCHOOL DISTRICT 39 (VANCOUVER)

Jay Fedorak
Adjudicator

October 29, 2025

CanLII Cite: 2025 BCIPC 99
Quicklaw Cite: [2025] B.C.I.P.C.D. No. 99

Summary: An applicant made a request under the *Freedom of Information and Protection of Privacy Act* (FIPPA) to the Board of Education of School District 39 Vancouver (Board) for access to records. The Board refused to disclose the records under ss. 12(3)(b) (local public body confidences), 13(1) (advice and recommendations) and 17(1) (harm to the economic interests of the public body). The applicant also raised the application of s. 25(1)(b) (disclosure in the public interest). The adjudicator found that s. 25(1)(b) did not apply. He found that ss. 12(3)(b), 13(1) and 17(1) applied to some but not all of the information in the records. The adjudicator ordered the Board to disclose the information to which ss. 12(3)(b), 13(1) and 17(1) did not apply.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, RSBC 1996 c. 165, ss. 12(3)(b), 13(1), 17(1)(c), 17(1)(d), 17(1)(e), and 17(1)(f); *School Act*, RSBC 1996, c.412, s. 69.

INTRODUCTION

[1] An individual (applicant) made a request under the *Freedom of Information and Protection of Privacy Act* (FIPPA) to the Board of Education of School District 39 (Board) for copies of all land surveys conducted on real property owned by the Board from 2016 and copies of any subdivision documents relating to those properties having land surveys.

[2] The Board responded by providing records to the applicant. The record package contained 19 pages, and the Board withheld some information under ss. 22(1) of FIPPA (unreasonable invasion of privacy). The Board subsequently informed the applicant that it had overlooked additional responsive records and provided 15 more pages of records, withholding some information under s. 22(1). Later, the Board again responded to the applicant with more responsive records. This consisted of 111 pages, and the Board withheld some information under ss. 12(3)(b) (local public body confidences), 13(1) (advice and

recommendations), 14 (solicitor-client privilege), 15(1)(l) (harm to the security of system), 17(1) (harm to the economic interests of the public body) and 22(1) (unreasonable invasion of privacy).

[3] The applicant asked the Office of the Information and Privacy Commissioner (OIPC) to review the decision of the Board. The applicant also asserted that s. 25(1)(b) (disclosure in the public interest) applied to the records.

[4] The applicant also complained that the Board had failed to conduct an adequate search for records in accordance with s. 6(1) of FIPPA. The OIPC resolved the adequate search complaint under a separate file, which is not at issue in this inquiry. However, the resolution of the adequate search complaint resulted in the Board disclosing a further 217 pages of responsive records, and the severing of those records is at issue in this inquiry.

[5] Mediation did not resolve the dispute about the severing of the records or the application of s. 25(1)(b), and the applicant requested that they proceed to an inquiry. The applicant agreed to exclude from the scope of the inquiry information that the Board was withholding under ss. 14, 15(1)(l) and 22(1).

[6] The Investigator's Fact Report indicated that all 362 pages of records were at issue in the inquiry, comprising the four disclosures by the Board.

[7] After the exchange of inquiry submissions was complete, the Board realized that it had neglected to provide the OIPC with the 217 pages of the fourth release package or to make any submissions on the exceptions to disclosure that it had applied to the information it had withheld on those pages. The Board admitted that this was an oversight and applied to the OIPC to make further submissions to cover these records. The OIPC granted the Board permission to do so. The Board made a further submission. The applicant made a further response submission, and the Board made a further reply submission.

ISSUES

[8] The issues I must decide in this inquiry are:

1. Does s. 25(1)(b) of FIPPA require the public body to disclose the records on the grounds that they are in the public interest?
2. Is the Board authorized to refuse to disclose the information at issue under s. 12(3)(b) of FIPPA?
3. Is the Board authorized to refuse to disclose the information at issue under s. 13(1) of FIPPA?
4. Is the Board authorized to refuse to disclose the information at issue under s. 17(1) of FIPPA?

[9] Section 57(1) places the burden of proof on the Board to demonstrate that the applicant has no right of access to the record or part of the record under ss. 12(3)(b), 13(1) and 17(1). FIPPA is silent about whether there is a burden on either party to prove or disprove that s. 25(1) applies. Past orders have said that it is in the best interest of both parties to provide whatever evidence and arguments they have, but that it is ultimately up to the Commissioner to determine whether s. 25(1) applies.[1] I agree and will adopt this approach.

Preliminary Matter – Further Submissions

[10] In submitting the responsive records to the inquiry, the Board neglected to provide clear page numbers and, in some cases, did not clearly mark the FIPPA exceptions next to the passages of information it had severed. Consequently, the OIPC instructed the Board to provide another copy of the records correctly paginated and with severing clearly marked.

[11] When the Board provided the new copy of the records, it added s. 13(1) to passages of information to which it had not previously applied this exception, but to which it had applied other exceptions. These passages are on pages 67-69, 71-73, 75, 76, 78, 81, 82, 84-86, 88-95, 98-107, 109 and 311 of the records. It also inserted a note on page 67 to provide reasons for the new application of this section to the new passages. It provided this information long after the close of submissions and without providing the applicant an opportunity to respond.

[12] This has raised the issue as to whether, at this point, I should permit the Board to expand the issues in this inquiry to add the application of s. 13(1) to information it has already severed under other exceptions.

[13] I have decided to decline to permit the Board to expand the issues in that way at this late stage. First, the Board's decision to apply s. 13(1) to this information is far beyond the timeline s. 7 of FIPPA mandates for making a decision about an access request. Second, the Board already requested and received permission to make further submissions to this inquiry, as a result of its failure to include 217 pages of records in its initial submission. It did not ask permission to make changes to reinforce its efforts to protect information from disclosure by adding s. 13(1) to information it had already severed under other exceptions. I find it would prejudice the interests of the applicant, who has already waited through a second round of submissions, to accept what is, in effect, a third round of submissions. The Board had ample opportunity to present its case during the first two rounds of submissions. Third, it has presented no explanation as to why it could not have provided this additional s. 13(1) severing and explanatory note earlier in the process.

---

[1] Order 02-38, 2002 BCIPC 38 (CanLII), para 39; Order 03-02, 2003 BCIPC 2 (CanLII), para 16; Order F22-64, 2022 BCIPC 72 (CanLII), para 6; Order F25-28, 2025 BCIPC 34 (CanLII), paras 23-24; Order F25-46, 2025 BCIPC 54 (CanLII), para 19.

[14] Therefore, I will not expand the issues in this inquiry to include whether s. 13(1) authorizes the Board to refuse access to the information in dispute on pages 67-69, 71-73, 75, 76, 78, 81, 82, 84-86, 88-95, 98-107, 109 and 311 of the records. I will also not consider the note on page 67 about the application of s. 13(1) to the records.

DISCUSSION

[15] **Background –** The Board is constituted under the British Columbia *School Act*, R.S.B.C. 1996, c. 412 with responsibility for the design, administration and delivery of public education services to students. It owns and operates 89 elementary and 18 secondary schools in the City of Vancouver and provides educational services to approximately 48,500 students. In accordance with the *School Act*,[2] The Board has responsibility for making decisions regarding the acquisition and disposal of its lands and properties.

[16] The applicant is a parent of three children, who attend different public schools in Vancouver. Since 2016, the applicant has been involved in various roles in the Parent Advisory Council (PAC) of one school and has been actively involved with the District Parent Advisory Council (DPAC). At the time of the inquiry, the applicant is the Vice Chair of the school PAC and the Chair of the DPAC.

[17] **Record at issue –** The records at issue comprise internal and external communications and documentation regarding the Board's parcels of real property identified as surplus. As the 34 pages of the first two release packages are no longer in dispute because the Board has disclosed them in their entirety, there remains 328 pages of which 198 pages have been severed in whole or in part. There are some passages that the applicant is not disputing. Therefore, there are 173 pages of records in dispute.

Public interest disclosure – section 25

[18] Section 25 requires a public body to disclose information in certain circumstances without delay despite any other provision of FIPPA. This section overrides all FIPPA's discretionary and mandatory exceptions to disclosure. The applicant submits that s. 25(1)(b) applies, so the parts of s. 25 that are relevant in this case state:

> **25**(1) Whether or not a request for access is made, the head of a public body must, without delay, disclose to the public, to an affected group of people or to an applicant, information
>
> …

[2] RSBC 1996, c.412.

> (b) the disclosure of which is, for any other reason, clearly in the public interest.
>
> (2) Subsection (1) applies despite any other provision of this Act.

[19] Because s. 25 overrides all other provisions in FIPPA, previous orders have found that it applies in only the clearest and most serious situations. Section 25 sets a high threshold, intended to apply only in significant circumstances.

[20] **Section 25(1)(b) (clearly in the public interest) –** The application of s. 25(1)(b) requires that the disclosure of the information at issue be clearly in the public interest. Former Commissioner Denham outlined the proper approach to applying s. 25(1)(b) in Investigation Report F16-02 as follows:

> Analyzing the application of s. 25(1)(b) in a specific situation begins by considering whether the information at issue concerns a subject, circumstance, matter or event justifying mandatory disclosure. The list of these things cannot be exhaustively enumerated. However, the following factors should be considered in determining whether they meet the test for further consideration under s. 25(1)(b):
>
> - is the matter the subject of widespread debate in the media, the Legislature, or by other Officers of the Legislature or oversight bodies; or
>
> - does the matter relate to a systemic problem rather than to an isolated situation?
>
> In addition, would its disclosure:
>
> - contribute to educating the public about the matter;
>
> - contribute in a substantive way to the body of information that is already available about the matter;
>
> - enable or facilitate the expression of public opinion or enable the public to make informed political decisions; or
>
> - contribute in a meaningful way to holding a public body accountable for its actions or decisions?
>
> This is not to say that in order for information to be disclosed under s. 25(1)(b) it must be the subject of public debate; there may well be situations where there is a clear public interest in disclosure of information about a topic that is not currently the object of public concern or is not known to the public.

> Once it is determined that the information is about a matter that may engage s. 25(1)(b), a public body should consider the nature of the information itself to determine whether it meets the threshold for disclosure. However, this threshold is not static. In any given set of circumstances there may be competing public interests, weighing for and against disclosure, and the threshold will vary according to those interests.[3]

[21] Previous orders have determined that the duty to disclose under s. 25(1)(b) "only exists in the clearest and most serious of situations where the disclosure is *clearly* (i.e., unmistakably) in the public interest."[4]

[22] For disclosure of information to be in the "public interest" means more than just that the public would find the information interesting. The term "public interest" in s. 25(1)(b) cannot be so broad as to encompass anything that the public may be interested in learning. The term is not defined by the various levels of public curiosity.[5]

[23] Furthermore, the public's interest in scrutinizing the work of public bodies, while important, does not, in and of itself, trigger the application of s. 25. As former Commissioner Loukidelis stated, s. 25(1)(b) "is not an investigative tool for those who seek to look into the affairs of a public body. It is an imperative requirement for disclosure which is triggered by specific information the disclosure of which is clearly in the public interest."[6]

[24] The first step in my analysis is to determine whether the matter may engage s. 25(1)(b). If I find that it does, I will then proceed to examine the nature of the information itself to determine whether it meets the threshold for disclosure.

[25] The applicant's case for the application of s. 25(1)(b) is that the subdivision and potential disposition of publicly owned school lands is an issue that is clearly in the public interest. She submits that the decision to sell or change the purpose of school lands has significant implications for students, families and the community. She argues that, as Vancouver has a growing population, there is a need to ensure there are sufficient school spaces for students.[7]

[26] The applicant asserts that there is a need for transparency and accountability for the decision of public bodies that affect the community, and this includes providing the public with comprehensive and timely information. She submits that the Board's current approach to public consultation is to withhold

---

[3] Investigation Report IR16-02 2016 BCIPC 36 (CanLII), pp. 26-27.
[4] Order 02-38, 2002 BCIPC 8 (CanLII), paras. 45-46, citing Order No. 165-1997, 1997 BCIPC 22 (CanLII), p. 3. See also Order F18-26, 2018 BCIPC 29 (CanLII), para. 14.
[5] *Clubb v. Saanich (Corporation of The District)*, 1996 CanLII 8417 (BCSC), para. 33.
[6] Order 00-16, 2000 BCIPC 16 (CanLII), p. 14
[7] Applicant's response submission, paras. 10.5-10.6.

information long enough to render consultation with parents to be "effectively meaningless". She asserts that the Board makes its decisions at private session meetings prior to consulting with parents.[8]

[27] In summary, she submits:

> By the time public consultation occurs, significant time and resources have already been invested by the [Board] in its pre-made plan, making it difficult to reverse course or incorporate input from school communities. The substantial opportunity cost further pressures the Board to proceed with the plan, effectively predetermining the outcome.[9]

[28] Disclosure of the information in this case, according to the applicant, is necessary to enable parents to "fulfill their legislated role in shaping educational decisions".[10]

[29] The Board replies that s. 25(1)(b) does not apply in this case. It submits that it has supplied the applicant and other members of the public with sufficient information about "confirmed and planned" land use decisions. It asserts that the need for transparency does not "extend to prematurely disclosing information about confidential and pending possible transactions that have not reached the threshold for public discussion".[11]

[30] The information at issue in this case, according to the Board, is about proposals that the Board has not approved and may never approve. In the event that the Board decides in future to proceed with the proposals, it affirms it will engage in consultations with stakeholders.[12] The Board argues that far from serving the public interest, the premature disclosure of information, without context, might:

> fuel speculation and erroneous beliefs about [the Board]'s actions, intentions and plans. Far from furthering public discussion and informing the public (as intended by section 25), this would only generate misinformation, confusion and force [the Board] to divert resources away from its mandated public work ….[13]

[31] The Board submits that previous orders had established that the threshold for the requirement in s. 25(1)(b) to disclose information, which overrides all other

[8] Applicant's response submission, paras. 10.11-10.13.
[9] Applicant's response submission, para. 10.19.
[10] Applicant's response submission, para. 10.15.
[11] The Board's reply submission, para. 85.
[12] The Board's reply submission, para. 88.
[13] The Board's reply submission, para. 90.

provisions in FIPPA, is very high. These orders have found that it exists only in the "clearest and most serious of situations".[14]

Analysis

[32] I agree that the standard threshold to trigger the application of s. 25(1)(b) is that disclosure must be clearly and unmistakably in the public interest. The applicant has made allegations about lack of transparency in land use decisions by the Board. Regardless of whether these allegations are fair or accurate, I see no evidence to suggest that the land use decisions at issue are the subject of recent public debate. There is no evidence before me, for example, of any discussions in the media or the legislature. The applicant has only established that she and the organizations she represents are interested.

[33] The other key point here is that the responsive records show that the only decision that the Board has made regarding land disposition is one not to proceed with even considering these land use proposals. It is a decision to do nothing for the present time.

[34] The applicant believes that it is in the public interest for her community to be aware of all land use proposals, even ones that the Board has declined to consider. She takes this position, even though the Board has established that it always publishes information about any land use decision that it has decided to actively consider. I find that these issues are not compelling enough to meet the standard that disclosure is clearly and unmistakably in the public interest.

[35] Therefore, I find that disclosure of the information at issue is not clearly in the public interest and s. 25(1)(b) does not apply.

Section 12(3)(b) – Local Public Body Confidences

[36] Section 12(3)(b) allows a public body to refuse to disclose information that would reveal the substance of deliberations of a meeting of its elected officials or a governing body, if an Act or a regulation under FIPPA authorized holding the meeting in the absence of the public. The Board applied s. 12(3)(b) to passages in some of the records in dispute. It asserts that these passages would reveal the substance of the Board's deliberations during a series of meetings it held in the absence of the public.

---

[14] The Board's initial submission, para. 20, p. 17; Order F23-34, 2023 BCIPC 28 (CanLII), para. 21; Order F24-88, 2024 BCIPC 100 (CanLII), para. 111; Order F20-47, 2020 BCIPC 56 (CanLII), para. 20. The initial submission of the Board contains unconventional paragraph numbering that has resulted in para 48 being followed by a second para. 2 and continuing with duplicate numbers up to para. 29. Therefore, to avoid confusion over the duplication in the numbering, I have added the submission page numbers after the paragraph number.

[37] Previous orders have held that three conditions must be met in order for a public body to withhold information under s. 12(3)(b);

1. The public body has statutory authority to meet in the absence of the public;
2. a meeting was actually held in the absence of the public; and
3. the information would, if disclosed, reveal the substance of deliberations of the meeting.[15]

Was the Board authorized to hold the meetings in the absence of the public?

[38] The *School Act* stipulates the following:

> **1(1)** "board" or "board of education" means a board of school trustees constituted under this Act or a former Act;
>
> **69** (1) Subject to subsection (2), the meetings of the board are open to the public.
> (2) If, in the opinion of the board, the public interest so requires, persons other than trustees may be excluded from a meeting.

[39] The Board submits that s. 69(2) of the *School Act* provides statutory authority for a board of education of a school district to meet in the absence of the public.

[40] The Board also submits that previous orders have confirmed that s. 69(2) provide this authority.[16]

[41] The applicant does not make any submissions about whether s. 69(2) authorizes the Board to meet in the absence of the public.

[42] I find that it is plain and obvious that s. 69(2) of the *School Act* provides a statutory authority for a board of education to meet in the absence of the public, in accordance with s. 12(3)(b).The previous orders that the Board cited have found that this provision permits the boards of school districts to meet in the absence of the public. Therefore, I find that the first part of the test is met.

Did the Board hold the meetings in the absence of the public?

[43] The Board submits that it had meetings on June 29, 2020, August 31, 2020, September 9, 2020, September 21, 2020 and September 28, 2020. It provides an affidavit of its director of enterprise risk management and privacy

[15] For example, Order F13-10, 2013 BCIPC 11 (CanLII), para. 8.
[16] The Board's initial submission, paras. 12-13, p. 16; Order F24-26, 2024 BCIPC 33 (CanLII); Order 04-04, 2004 BCIPC 4 (CanLII), para. 80; Order F10-19, 2010 BCIPC 30 (CanLII), paras. 9-11.

compliance (director) who attests to there having been meetings in the absence of the public on these dates.[17] The director admits that he was not present at any of the meetings. He affirms that he has reviewed the agenda and the minutes of these meetings. He indicates the minutes list all of the attendees at the meetings, and only the names of members of the board and school district staff appear. The director also affirms that he was able to listen to recordings of the August 31 and September 28, 2020 meetings and what he heard supports his conclusion that those meetings were held in the absence of the public.

[44] The director also attests that decisions of the Board to meet in the absence of the public are governed under a formal policy: "Policy 7 – Board Operations". He affirms Policy 7 indicates that it is appropriate for the Board to meet in the absence of the public to discuss matters relating to legal, property, personnel and privacy.[18]

[45] The applicant does not make any submissions on the question as to whether the Board held a meeting in the absence of the public.

[46] I have reviewed the meeting minutes in question, all of which are included in the responsive records. I have also reviewed Policy 7 – Board Operations which is appended to the September 8, 2020 meeting agenda. I find that the Board has demonstrated that it has a policy governing meetings that it holds in the absence of the public. It is clear from the evidence of the director, which I accept, and the meeting minutes that the meetings at issue involved discussions of topics that Policy 7 permits to be discussed in the absence of the public. I also find that what the director submits about what he learned when he listened to recordings of the meetings of August 31 and September 28, 2020, to be persuasive evidence that those meetings were held in the absence of the public.

[47] I note that the text of the minutes identifies the meetings as "Private Sessions" and there are no attendees identified other than trustees and staff of the school district. Therefore, I find that, on the balance of probabilities, these meetings occurred in the absence of the public, and the second part of the test is met.

> *Would disclosure of the information in dispute reveal the substance of deliberations at the meetings?*

[48] For s. 12(3)(b) to apply, the information at issue must reveal the substance of deliberations. The substance of deliberations is distinct from the mere subject matter under discussion at the meeting. The substance of the deliberations includes what members thought, said or decided at the meeting. Past orders

[17] The Board's initial submission, para. 14, p. 16; Affidavit #1 of the director, para. 27; The Board's further submission, Affidavit #2 of the director, paras. 27-32.
[18] The Board's supplemental submission, Affidavit #2 of the director, para. 21.

have elaborated on the meaning of the phrase "substance of deliberations." Former Commissioner Loukidelis found:

> The first question is what is meant by the words "substance" and "deliberations" in s. 12(3)(b). In my view, "substance" is not the same as the subject, or basis, of deliberations. As *Black's Law Dictionary*, 8th ed., puts it, 'substance' is the essential or material part of something, in this case, of the deliberations themselves. See, also, Order No. 48-1995 and Order No. 113-1996.
>
> Without necessarily being exhaustive of the meaning of the word 'deliberations', I consider that term to cover discussions conducted with a view to making a decision or following a course of action.[19]

[49] In Order 326-1999, former Commissioner Loukidelis found that s. 12(3)(b) can also apply to records that would permit the drawing of accurate inferences with respect to the substance of *in camera* deliberations.[20] Other orders have found that disclosing the wording of a specific motion would reveal the substance of deliberations.[21]

[50] In Order F11-04, Former Commissioner Denham found that "substance of deliberations" does not include the material which stimulated the discussion or the outcomes of deliberations in the form of written decisions.[22] Accordingly, in Order F12-11, the adjudicator found that, while s. 12(3)(b) applied to some of the information in dispute, other information did not reveal the substance of deliberations because no one could reasonably conclude from the material what council members thought, said or decided regarding the material being considered.[23]

[51] The Board submits that the information at issue, consisting of passages in agendas, memoranda, and minutes, would reveal the substance of its deliberations. This is because, according to the Board, they would reveal the matters discussed, the views expressed and how the trustees voted. The director affirms that the recordings of the meetings of August 31 and September 28, 2020 confirm that the memoranda of August 31 and September 28, 2020 were presented to the Board trustees at the respective meetings of those dates for their consideration, direction and decision. He also testifies that trustees

---

[19] Order 00-11 2000, BCIPC 11 (CanLII).
[20] Order 326-1999, 1999 CanLII 4353 (BC IPC), 3.1. Other more recent orders have followed suit, for instance: Order F12-11, 2012 BCIPC 15 (CanLII), para 23; Order F19-18, 2019 BCIPC 20 (CanLII), para 53; Order F23-57, 2023 BCIPC 67 (CanLII), para 50.
[21] See, for example, Order 03-09, 2003 BCIPC 09 (CanLII), para. 23; Order F16-03, 2016 BCIPC 3, para. 13.
[22] Order F11-04, 2011 BCIPC 4 (CanLII), paras 29 and 35.
[23] Order F12-11, 2012 BCIPC 15 (CanLII), para. 14.

discussed and deliberated on them, as well as formed amendments and motions on them.[24]

[52] The applicant submits that s. 12(3)(b) does not apply to "bare topics or agenda items". She adds that it also does not apply to background information, if that information does not reveal what was thought, said or decided. She notes that the burden of proof is on the Board to "distinguish between background materials and the substance of deliberations."[25]

[53] The Board has applied s. 12(3)(b) to passages in a series of different types of records. The documents and brief descriptions of the relevant passages are as follows (with page numbers in parentheses):

1. **Board Meeting Agendas**

    a. September 9, 2020: update on one issue; report of Board decision on another (291).
    b. September 28, 2020: motions and updates (307-8).

2. **Interoffice Memoranda August 31 and September 28, 2020** addressed to "Private Board" providing updates on certain subjects (293-304 and 321-322).

3. **Board Meetings Minutes**

    a. June 29, 2020: update, discussion and motions (310-314).
    b. August 31, 2020: attendees, update, discussion and motions (315-316).
    c. September 9, 2020: update on certain issues and description of discussion; movements of trustees and the fact a vote was taken (305-306).
    d. September 21, 2020: names and position titles of school district staff attending the meeting (319-320).
    e. September 28, 2020: motions, decisions, updates, requests for decisions (323-328).

4. **Minutes of the Board's Land Asset Strategy Implementation Steering Committee meeting of April 26, 2022**: options to be presented to the Board (280); indication of Board direction (282).

5. **Emails**
    a. Two emails disclosing the results of votes at the Board's September

[24] The Board's supplemental submission, Affidavit #2 of the director, paras. 22-32.
[25] Applicant's response submission, paras. 9.3-9.5.

28, 2020 meeting (67, 89-90).
b. One email containing information about the Board's September 28, 2020 meeting (86).

[54] I will analyze each of these categories of records in turn to determine which information would reveal the substance of the deliberations of the Board.

1. Board Meeting Agendas

[55] **September 9, 2020 –** The Board has withheld an agenda item that refers to an update on a particular subject and a motion related to that subject. I find the description of the agenda item to be merely the "subject" of deliberations, as it does not reveal what the trustees thought, said or decided and there is no evidence that it would assist anyone to infer what the trustees thought, said or decided. Therefore, s. 12(3)(b) does not apply to the description of the agenda item.

[56] However, I find that disclosing the content of the specific motion at issue here would reveal the substance of the deliberations, and thus 12(3)(b) applies to the content.

[57] **September 28, 2020 –** The Board has withheld several agenda items and motions. As with the agenda of the meeting of September 9, 2020, I find that the descriptions of the agenda items merely consist of the "subjects" of deliberations and not the substance, as they do not reveal what the trustees thought, said or decided and there is no evidence that it would assist anyone to infer what the trustees thought, said or decided. Therefore, s. 12(3)(b) does not apply to them.

[58] However, I find that the disclosing the content of the motions would reveal the substance of the deliberations and s. 12(3)(b) applies to the content of the motions.

[59] In summary, with respect to the two agendas, I find s. 12(3)(b) applies to some of the information in dispute in the agendas but not the information on pages 291 and 307.

2. Interoffice Memoranda

[60] **August 31, 2020 –** The Board has withheld almost the entire memorandum, including the subject title, background and analysis. It has also withheld half of the recommendations. The director's affidavit evidence and the minutes of the meeting confirm that trustees discussed the document, formed opinions and made decisions on it. Therefore, I find that analysis section of the report and the recommendations would reveal the substance of the deliberations and s. 12(3)(b) applies. On the other hand, the subject title and the background

section do not reveal the substance of deliberations. The background merely recounts the origins and history of a document. While it refers to decisions at previous Board meetings, the Board provided no arguments or evidence to suggest that these meetings were held in the absence of the public. Therefore, s. 12(3) does not apply to the subject title and background section on page 293, but it applies to the remaining pages of the document.

[61] **September 28, 2020 –** The Board has withheld most of this memorandum, including the subject title, background and analysis. It has disclosed the introduction, which states that memorandum is provided to the "Private Board" for information purposes only and it does not contain any recommendations. The director affirms that the trustees discussed the memorandum, and this is confirmed in the minutes. Nevertheless, I see nothing to suggest that disclosing the details of the memorandum would reveal what the trustees thought, said or decided.

[62] In Order F24-26, the adjudicator found that memoranda provided to another board of education would reveal the substance of deliberations for the following reasons:

> In combination with the testimony of the Superintendent, I am satisfied that the memos provide detailed background and interpretation of the matters at issue and were a guide for discussion at the Board meetings. The Board made certain decisions at these meetings. The purpose of the memos was clearly to inform those deliberations and guide the Board's decisions and discussions. Therefore, I find that the third part of the test has been met.[26]

[63] In the present case, on the contrary, the memorandum of September 28, 2020 was provided to the Board merely for information and made no recommendations as to future action. There is no evidence before me that the purpose of the memorandum was to inform deliberations and guide decisions and discussions. The minutes indicate that the trustees made no decisions and passed no motions based on this memorandum. Nor do the minutes reveal the nature of any discussions about the memorandum.

[64] Therefore, I find that this memorandum was provided merely for the information of trustees and disclosure would not reveal the substance of their deliberations. Consequently, I find that s. 12(3)(b) does not apply to this memorandum which is at pages 321 and 322.

3. Board Meeting Minutes

[65] All five sets of minutes show the specific motions voted on by the Board and how the trustees voted. Consistent with previous orders, I find that disclosing

[26] Order F24-26, 2024, BCIPC 33 (CanLII), para. 23.

the content of the specific motions and how the trustees voted would reveal the substance of deliberations.

[66] However, some of the information that precedes or follows a motion does not reveal the substance of deliberations because it is either a subject heading, an update to trustees or factual statements describing the issues before Board. These passages do not reveal what the trustees said or thought about the issues before them. The Board has also withheld information about attendees and notes about trustees leaving and re-entering the meetings.

[67] I find that such information does not reveal the substance of the deliberations of the Board. If disclosure of this information could enable an informed reader to infer information about the substance of the deliberations, the Board has made no submissions to that effect, and it is not evident from the face of the records. Therefore, s. 12(3)(b) does not apply to this information. This finding is consistent with that of the adjudicator in Order F19-18, who found that s. 12(3)(b) did not apply to subject headings, updates, factual statements, or information about who attended and their movements during the meetings of a municipal council.[27]

[68] In summary, I find that s. 12(3) does not apply to any information on pages 310, 311, or 319. I find it applies to some, but not all of the information on pages 305-307, 312, 315-318, 325-327.

4. Land Asset Strategy Implementation Steering Committee meeting Minutes, April 26, 2022

[69] This document contains one passage that records the substance of a discussion about information that members recommended should be provided to the Board at a future meeting for the purpose of informing its deliberations and making a decision. I find that s. 12(3)(b) applies to this information.

5. Emails

[70] The Board has not made specific reference in its submissions to the three emails to which it applied s. 12(3)(b). The emails of November 19, 2020 and March 14, 2022 refer to motions that the Board had approved at its meeting of September 28, 2020 in the absence of the public. This information reveals the substance of those motions, which appears in the minutes of that meeting. I find that s. 12(3)(b) applies to this information in the emails as well.

[71] The Board also applied s. 12(3)(b) to an email of March 1, 2022. The information at issue relates to questions about requests for updates on action

[27] Order F19-18, 2019 BCIPC 20 (CanLII), paras. 33 and 35.

items relating to meeting motions regarding the Long Range Facilities Plan. Therefore, I find that s. 12(3)(b) applies to the information in this email.

Summary of s. 12(3)(b) findings

[72] I find that s. 12(3)(b) applies to some but not all of the information in dispute. For clarity, in a copy of the records provided to the Board with this order, I have highlighted in orange the information that the Board is not authorized to refuse to disclose under s. 12(3)(b).

Section 13(1) – advice or recommendations

[73] Section 13(1) allows a public body to refuse to disclose to an applicant information that would reveal advice or recommendations developed by or for a public body or a minister to protect its deliberative processes.[28] The parts of the provision that are relevant in this case read as follows:

> **13** (1) The head of a public body may refuse to disclose to an applicant information that would reveal advice or recommendations developed by or for a public body or a minister.

[74] The first step in the analysis is to determine whether disclosing the information at issue would reveal advice or recommendations under s. 13(1). If it would, the next step is to decide whether the information falls into any of the provisions in s. 13(2) or whether it has been in existence for more than 10 years in accordance with s. 13(3). If ss. 13(2) or 13(3) apply to any of the information, it cannot be withheld under s. 13(1).

Advice or Recommendations

[75] The term "advice" is broader than "recommendations" and includes "an opinion that involves exercising judgment and skill to weigh the significance of matters of fact" and "expert opinion on matters of fact on which a public body must make a decision for future action".[29] "Recommendations" include suggested courses of action that will ultimately be accepted or rejected by the person being advised.[30] Section 13(1) would also apply when disclosure would allow an individual to make accurate inferences about any advice or recommendations.

[76] There are passages on page 63 of the records that the Board characterizes as "The Consultant Advice". The Board submits that this

---

[28] *Insurance Corporation of British Columbia v. Automotive Retailers Association* 2013 BCSC 2025, para 52.
[29] *John Doe v Ontario (Finance)* 2014 SCC 36 [John Doe], para 24. *College of Physicians of B.C. v. British Columbia (Information and Privacy Commissioner),* 2002 BCCA 665, para. 113.
[30] John Doe, para 23.

information consists of advice and recommendations concerning options, valuation and marketing of a particular property. The Board describes the advice contained in these passages as

> a. identification and opinions about market conditions that the [the Board] should consider;
> b. recommended and ideal uses of the property for development;
> c. advice and opinion about the expected value, revenue, and profits for the property and recommendations concerning pricing;
> d. advice and recommendations concerning marketing of the property.[31]

[77] The Board also identifies other passages as recommendations that the Board developed for the City of Vancouver regarding the timing and processing of a development application.[32]

[78] The Board submits that one document is a draft of a "Site Disclosure Statement" that includes recommendations concerning editorial changes and proposed land use.[33]

[79] The Board has applied s. 13(1) to passages in a document entitled "The Land Asset Strategy Report" (LAS Report). It characterizes this document as a strategic report that a third party expert consultant provided. The Board describes the LAS Report as providing a "lengthy analysis of [the Board's] land holdings, identification of Potential Surplus Sites, and advice and opinion on the means through which the Board could potentially generate additional capital funds and return on investment".[34] The Board also applied s. 13(1) to information in the Board minutes, agendas and memoranda. It describes the withheld information as:

> a) analysis and advice prepared for [the Board] regarding sequencing competing priorities and long range facilities planning, budgetary, and capital asset management matters;
> b) analysis and recommendations regarding matters raised in the LAS Report and the assessed merits of different strategies;
> c) analysis and presentation of options to the Board and related assessment, advice, and opinion about the relative merits of those options; and
> d) other advice, recommendations, opinions and analysis pertaining to matters
> e) unrelated to the subject matter of the Access Request.[35]

[31] The Board's initial submission, para. 3, p. 14.
[32] The Board's initial submission, para. 4, p. 14.
[33] The Board's initial submission, para. 5, p. 14.
[34] The Board's supplemental submission, para. 96.
[35] The Board's supplemental submission, para. 99.

[80] The Board identifies the following types of information as being subject to s. 13(1):

a) advice and opinion on what parcels of land were Potential Surplus Sites or should be considered as such;
b) advice and opinion on relevant market considerations and options for consideration by the School District;
c) recommendations and opinion on the value and prospective return on investment, recommended and ideal uses of properties, revenue, and the merits and challenges of prospective dispositions; and
d) advice and recommendations regarding priority sequences and triaging of potential disposition initiatives.[36]

[81] It explains that some of the information withheld from the Board materials summarizes or refers to passages in the LAS Report that would permit a reader to infer some of the advice contained therein.[37]

[82] The Board has also applied s. 13(1) to records that it does not identify specifically in its submissions. These include the minutes of the Land Asset Strategy Implementation Steering Committee meeting Minutes, April 26, 2022.

[83] The applicant points out that the Board's submissions do not include any analysis as to whether any of the provisions of s. 13(2) apply to any of the information. She notes that if any of these provisions apply, the Board cannot withhold the information under s. 13(1).[38]

[84] She also submits that, if the advice contains factual information or merely reiterates existing policy, it does not constitute advice. She contests the Board's assertion that making editorial changes to a document constitutes providing advice or recommendations.[39] She also asserts that, as recommendations that the Board provided to the City of Vancouver do not "fall within the scope of protecting [the Board]'s internal decision-making process", they are not subject to s. 13(1).[40]

[85] She asserts that the Board failed to properly exercise its discretion in applying s. 13(1) when it withheld information regarding a land use decision that she asserts prevented stakeholders from providing feedback.[41]

[36] The Board's supplemental submission, paras. 96-97.
[37] The Board's supplemental submission, para. 100.
[38] Applicant's response submission, paras. 8.5-8.6.
[39] Applicant's response submission, para. 8.13.
[40] Applicant's response submission, para. 8.10
[41] Applicant's response submission, para. 8.18

Analysis

[86] **The Consultant Advice –** I have reviewed the relevant passages in this report and can confirm that the Board has described them accurately. They represent expert opinions of the consultant on matters of fact, consistent with the findings of the case law noted above. Therefore, I find that s. 13(1) applies to the relevant passages in this report.

[87] **Recommendations to the City of Vancouver –** I have reviewed the passages in the communications from the Board to the City of Vancouver. They clearly consist of options that staff at the school district recommended to staff at the City of Vancouver to inform future decisions that the latter would be taking. These are recommendations within the meaning of s. 13(1). Therefore, I find that s. 13(1) applies to the relevant passages in the correspondence from the Board to the City of Vancouver.

[88] **Draft Site Disclosure Statement –** This document was attached to an email from the Board to a third party. The Board has withheld information in the email as well as parts of this document. The information in the email consists of a question and a statement that indicates that the writer is uncertain about something. It is possible that this is intended as a request for advice, but the Board has not indicated that this is the case. Moreover, I cannot infer the substance of any advice from this information, as there is no record as to what advice or recommendations, if any, the third party provided. Nor is there any indication as to why the Board contacted this third party, what role they played in the land use process or why the Board would be seeking their advice. Therefore, I find that s. 13(1) does not apply to the two sentences in the email on page 107.

[89] The attachment is a partially completed form. The Board has applied s. 13(1) to two passages that it describes as "editorial changes". The first passage has a line drawn through it. The second passage consists of two words. I am not persuaded that this draft statement reveals advice or recommendations about any changes to the wording of the document. In fact, I cannot say that the draft statement even reveals communication from one person to another, let alone advice or recommendations. The Board has not provided evidence to show how the draft statement discloses one person's advice and recommendations to another person about the wording or editing of the statement. The Board has the burden of proof to demonstrate that the information at issue consists of advice or recommendations. It has not met this burden, and it is not evident from the face of the record that disclosing this information would reveal advice or recommendations.

[90] Therefore, I find that s. 13(1) does not apply to the passages in the draft Site Disclosure Statement on pages 108 and 109.

[91] **LAS Report –** I have reviewed the relevant passages in this report. The Board has correctly characterized most of the information at issue as advice or recommendations. It is clear that the purpose of this report was to provide the Board with expert advice to inform its decision-making. This includes explicit recommendations and expert opinions on matters of fact for the Board to consider the Board when making decisions about its land assets.

[92] I note, however, that the Board has applied s. 13(1) inconsistently to a small amount of information on page 131. The Board has elsewhere disclosed this information in the table of contents and in the body of the report. The Board has not explained why it has treated this information differently on different pages.

[93] Therefore, I find that s. 13(1) applies to the information at issue in the LAS Report, except for certain information on page 131.

[94] **Board agenda, minutes and memoranda –** The Board applied s. 13(1) to passages in these documents to which it also applied s. 12(3)(b). In the cases where I found that s. 12(3)(b) applied, I do not need to consider the application of s. 13(1).

[95] The Board applied s. 13(1) to page 291, which is the agenda for the Board meeting of September 9, 2020. I found that s. 12(3)(b) did not apply to the description of an agenda item that consisted merely of an update. I find that this agenda item does not reveal any advice or recommendations either. Therefore, s. 13(1) does not apply.

[96] The Board applied s. 13(1) to page 293, which is the first page of the Board memorandum of August 31, 2020. I found that s. 12(3)(b) did not apply to this page, as it consists of subject matter and background. I find that the information does not reveal any advice or recommendations either. Therefore, s. 13(1) does not apply.

[97] **Land Asset Strategy Implementation Steering Committee meeting Minutes, April 26, 2022 –** The Board has applied s. 13(1) relating to advice and recommendations of the Committee that would be communicated to the Board. This is clearly advice within the meaning of s. 13(1). I find that s. 13(1) applies to this information.

Section 13(2) and 13(3)

[98] The applicant is correct to point out that if any of the provisions of s. 13(2) apply to any of this information that reveals advice or recommendations, the Board cannot withhold it under s. 13(1) and that there is no evidence to suggest the Board considered the application of s. 13(2). Nevertheless, I have considered all of the factors in s. 13(2) and find that none apply.

[99] It is clear from the face of the records that they have not been in existence for more than 10 years. Therefore, s. 13(3) does not apply.

[100] In summary, I find that the Board has correctly applied s. 13(1) except for the information on pages 67-69, 71-73, 75, 76, 78, 81, 82, 84-86, 88-95, 98-110 and 293, as well as part of the information on pages 131 and 291. I have highlighted that information in orange on a copy of those pages provided to the Board with this order.

Section 17(1) – harm to the financial interests of a public body

[101] The relevant provision of s. 17(1) is as follows:

> **17** (1) The head of a public body may refuse to disclose to an applicant information the disclosure of which could reasonably be expected to harm the financial or economic interests of a public body or the government of British Columbia or the ability of that government to manage the economy, including the following information:
>
> …
>
> (c) plans that relate to the management of personnel of or the administration of a public body and that have not yet been implemented or made public;
>
> (d) information the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in undue financial loss or gain to a third party;
>
> (e) information about negotiations carried on by or for a public body or the government of British Columbia;
>
> (f) information the disclosure of which could reasonably be expected to harm the negotiating position of a public body or the government of British Columbia.

[102] As set out in past orders, ss. 17(1)(a) through (f) provide examples of the kinds of information that, if disclosed, could reasonably be expected to harm the financial or economic interests of a public body. Past orders have also established that it is not enough for a public body to show that one of the circumstances in (a) through (f) apply; a public body must also demonstrate that disclosure could reasonably be expected to result in financial or economic harm in accordance with the opening words of s. 17(1).[42]

[103] In this case, the Board must establish that disclosure of the information can reasonably be expected to cause the harms in s. 17(1). The "reasonable

[42] Order F21-56, 2021 BCIPC 65 (CanLII), paras 21 and 23.

expectation of harm" standard is "a middle ground between that which is probable and that which is merely possible."[43] There is no need to show on a balance of probabilities that the harm will occur if the information is disclosed, but a public body must show that the risk of harm is well beyond the merely possible or speculative.[44]

[104] It is not sufficient for the Board merely to claim that s. 17(1) applies. It must demonstrate how the exception applies to the specific information at issue. It has to establish a direct connection between the disclosure of that information and the harm it envisages. The Board must provide sufficient explanation and evidence to demonstrate that the risk of harm does indeed meet the required standard.

[105] The Board makes general arguments about the harms it believes would result from disclosure of the information at issue and then applies those arguments to the specific provisions in s. 17(1).

[106] Its primary concern is "premature publicity" about specific properties that have been identified as possible subjects of future land use decisions. As I understand its argument, this concern only arises where it has made no decision to formally initiate the surplus property disposition process with respect to those properties. The Board expresses no concerns about the disclosure once it has made a decision to formally explore the disposition of surplus lands. The issue is that the Board anticipates that public reaction to the identification of particular properties as possible candidates for future disposition would present it with operational and financial challenges.

[107] The Board submits that its past experience suggests that some members of the local school communities and greater public would "become unnecessarily anxious or concerned" if they learn about sites that might be considered for future disposition. They might also engage in pre-emptive public opposition that could compromise the ability of the Board to make land use decisions with fulsome deliberation and based on the right considerations.[45]

[108] The Board submits that this, in turn, would mean it would need "to divert resources to allaying public fears, responding to media inquiries, correcting inaccurate speculation about its plans, and addressing other opposition, such as political and legal challenges". It asserts that this would cause it to incur "tangible costs" although it does not identify the possible scale of these costs.[46] It identifies these costs as:

---

[43] *Merck Frosst Canada Ltd. v. Canada (Health),* 2012 SCC 3, para. 201.
[44] *Ibid*, para. 206. See also *Ontario (Community Safety and Correctional Services) v. Ontario (Information and Privacy Commissioner)*, 2014 SCC 31, paras. 52-54.
[45] The Board's initial submission, paras. 29a-b.
[46] The Board's initial submission, para. 29b.

a. sunk costs that have already been expended on the Prospective Initiative and related planning process, as reflected in the Disputed Records;
b. future costs incurred in responding to premature and unwarranted public opposition;
c. the loss of future capital revenues if the Prospective Initiative is not pursued due to public opposition; and
d. negative impacts on the number or volume of purchase or lease offers that may be received from prospective vendors, due to pre-emptive public disclosure and opposition before the [Board] planning processes are completed.[47]

[109] The Board's other main concern is that premature disclosure could damage its future negotiating position, in the event that a decision is made eventually to proceed with a certain property. It fears premature disclosure may compromise its bargaining position with future property purchasers or otherwise reduce the monetary value of the property. The Board explains:

> Public opposition based on incomplete information may skew market conditions and result in fewer or no bids being made for a sale or long term lease of Surplus Lands. It may also cause potential purchasers to make lower offers based on assumptions about potential land use and value or ongoing public opposition. There is also potential for prospective purchasers to use premature disclosure to gain an advantage over other prospective purchasers in a competitive bidding process or to seek to manipulate market conditions in order to secure a lower price.[48]

[110] **Section 17(1)(c) Plans that relate to administration of a public body –** The Board submits that the disputed information comprises or relates to "plans" exploring the feasibility of potential land use decisions "such as seeking preliminary approvals from the City for Subdivision and surveys and other documentation that sets out the plans for the partition and potential disposition of the identified Surplus Lands". The Board admits that, although the records themselves do not constitute a comprehensive "plan", their disclosure would reveal the basic elements of a plan for subdivision and partition of a particular property. The Board also submits that these plans clearly have not been made public.[49]

[111] The applicant submits that the Board has already made public the "Short Term Opportunities Plan". Therefore, s. 17(1)(c) would not apply to any information in that plan.[50]

---

[47] The Board's initial submission, para. 30.
[48] The Board's initial submission, para. 29c.
[49] The Board's initial submission, para. 34.
[50] Applicant's response submission, para. 7.24-7.26.

Analysis

[112] Previous OIPC orders have interpreted the term "plan" as a proposal that sets out detailed methods and action required to implement a policy, design, scheme or thing to be done,[51] but excludes a "report containing recommendations that would form the basis for the development of a 'plan'."[52] I agree with that approach.

[113] For the Board to establish the application of s. 17(1)(c) it must clearly demonstrate the existence of a formal plan. It must also demonstrate that this plan relates to the administration of the Board.

[114] I have reviewed the responsive records. I find that there is nothing that would constitute a plan for the purposes of s. 17(1)(c). I note that the Board goes to great lengths to demonstrate that it currently has no intention of disposing of the properties at issue. However, it then submits that the disclosure of some of the information at issue would reveal the details of a plan to dispose of those properties. Thus, its submissions appear to be contradictory.

[115] I accept the Board's arguments that it has made no decisions regarding the disposition of these properties, other than to postpone indefinitely any consideration of these properties for disposition. Therefore, logically, it cannot have a plan to dispose of these properties.

[116] It appears that it has taken some of the steps required to obtain information that it would need, in the event it decides to revisit the properties for possible disposition. Nevertheless, I see nothing in the responsive records even remotely resembling a formal plan to do anything. Nor do the submissions of the Board explain which of the relevant passages contain the components of a "plan" or what the basic elements of that plan are.

[117] Moreover, the Board has not demonstrated that plans regarding the disposition of surplus properties, if they existed, would constitute plans relating to the "administration of the public body" in accordance with s. 17(1)(c).

[118] Therefore, as I have found that the Board has failed to establish that it has developed a plan to dispose of the properties, the responsive records would not reveal any plans that relate to the administration of a public body. Consequently, s. 17(1)(c) does not apply.

---

[51] Order F21-56, 2021 BCIPC 65 (CanLII), para. 42; Order F17-03, 2017 BCIPC 3 (CanLII), para. 13. Order No. 326-1999, October 29, 1999, p. 6.
[52] Order F21-56, para. 42; Order No. 326-1999, p. 6; Order F11-35, 2011 BCIPC 44 (CanLII), paras. 9-10.

[119] **Section 17(1)(e) negotiations carried on by a public body –** The Board cites the application of s. 17(1)(e) in its further submission.[53] Nevertheless, it does not directly address the application of this provision to the records at issue. It makes no submissions specifically about any information in the records that might relate to any ongoing negotiations.

[120] I have reviewed the records at issue and can see no evidence of any information about any current negotiations that the Board or any other public body is carrying on.

[121] Therefore, I find that s. 17(1)(e) does not apply to any information in dispute.

[122] **Section 17(1)(d) and (f) undue financial loss or gain and harm to negotiations –** The Board has combined its submissions relating to ss. 17(1)(d) and (f). Section 17(1)(d) applies to information the disclosure of which could prematurely reveal a project or plan or otherwise result in undue loss or gain for any party. Section 17(1)(f) applies to information the disclosure of which would harm the negotiating position of a public body.

[123] The Board submits that disclosure of some of the information at issue would result in the premature disclosure of a project or plan that would harm its negotiation position and result in it suffering undue harm. It also submits that disclosure could permit a future purchaser or "counter-party" to realize undue gains.[54]

[124] It explains as follows:

> Specifically, there is a reasonable basis to conclude that premature disclosure and anticipated public opposition may deter potential bidders from making offers (or reasonable offers) on property, may lead to market manipulation, may undermine the competitive bidding process, and may contribute to false assumptions about the property's highest and best use, which in turn could lead to artificially low bids, difficult or entrenched positions in negotiations or unnecessarily complicate matters for potential proponents. This also could result in prospective proponents not undertaking their own independent analysis of valuation – which could be higher than [the Board]'s figures – depriving [the Board] of a possible financial benefit. Similarly proponents may erroneously believe the contemplated redevelopment is the only option, or [the Board]'s preferred option, and may rely on this in crafting bids. This might deprive [the Board] of the benefit of creative or alternative proposals based on independent analysis which may be financially favourable to [the Board].[55]

[53] The Board's further submission, para. 107.
[54] The Board's further submission, para. 134.
[55] The Board's further submission, para. 136.

[125] The Board submits that the responsive records also contain the advice of consultants that provide insights into the Board's approach, considerations and strategies regarding the marketing of surplus properties to potential purchasers. It suggests that this information would be valuable to these purchasers in the event they engaged in negotiations to purchase the properties.[56]

[126] The Board identifies similar information in the LAS Report. This includes details of potential sites, their rating as short, medium, or long term prospects, their valuation, and priority recommendations. It states further:

> The LAS Report contains sensitive analysis of options, preliminary site review and development assessments, assessment of cost considerations and risks associated with prospective disposition for each of the sites identified as a potential prospect.[57]

[127] The applicant submits that the Board's submissions on the harms it envisions in accordance with s. 17(1)(d) and (f) are speculative. She asserts that the Board has failed to establish a direct link between the disclosure of the information at issue and actual harm, as it has not provided specific examples of these harms have occurred in the past as the result of the premature disclosure of similar information.[58]

Analysis

[128] There are two categories of information at issue with respect to s. 17(1). One is merely the site name of the properties that have been identified as an option for future disposition decisions, but where no decisions have been made. The other is financial information about different properties, such as assessed value and other considerations about the properties that could affect possible revenues from the sale of the properties.

[129] I find that most of the Board's arguments about the harm of disclosing just the name of the site are speculative. For example, it has failed to explain why the timing of when the public becomes aware that a certain might be the subject of a land disposition decision would affect potential revenues from that property. The Board submits that in the past when it chose to disclose the identity of sites (i.e., not "premature" disclosure) this led to various degrees of public opposition. It has not explained how this public opposition influenced the price it was able to negotiate or how the variable timing of such opposition, if any, who have a variable impact.

---

[56] The Board's initial submission, para. 40.
[57] The Board's further submission, para. 116.
[58] Applicant's response submission, paras. 7.1-7.7.

[130] I also find it speculative to assume that premature disclosure of the identity of a property would lead to members of the public becoming unnecessarily anxious or concerned. Given the absence of any factual evidence to corroborate this assertion, it is difficult to establish whether the Board's concern in this regard is valid.

[131] The Board appears to be suggesting that there are members of the public who are unable to distinguish the difference between cases where the Board has commenced the formal land use decision consultation process from other cases where the Board has merely named a property that it might, or might not, consider for a land use decision in the future. The Board has not provided any objective verification of this assertion about the alleged inability of some members of the public to distinguish between two clearly distinct sets of circumstances. Consequently, I find this argument to be unconvincing.

[132] Even were I to accept these arguments about "premature disclosure", which I do not, the Board submissions about the costs it would incur are vague and speculative. It asserts that it would have to divert resources to correct "inaccurate speculation about its plans". It would have to deal with media inquiries, as well the attempts of opponents to use political of legal challenges, presumably to prevent the disposition of certain lands. Nevertheless, the Board has not identified any concrete expenditures that it would incur. For example, it has not suggested that its current complement of employees would be insufficient to deal with this workload. It has not stated that it would have to authorize employees to work overtime or to hire new temporary employees. It states only that it would have to divert resources. It does not explain what this would entail or what its approximate additional expenditures, if any, might be.

[133] The Board submits that the public opposition on learning that a property might in the future be considered for a land use decision would dissuade potential purchasers in the event the Board eventually decided to sell the property. It suggests that this could harm its negotiating position with these potential bidders and prevent it from obtaining the best possible price for the property. It has not explained how such advance disclosure, in contrast to disclosure when the Board judges it to be the right time, would have this effect. It seems reasonable to assume that, if there is to be public opposition to a decision to dispose of a certain property, this will inevitably occur well in advance of the ultimate decision of the Board to put the property up for sale. This is because the Board must publicly disclose the possibility of such a sale during the formal consultation process. The Board has not provided a convincing explanation as to why the timing of the emergence of such opposition would influence the behaviour of potential purchasers.

[134] Moreover, the Board suggests that, even if there is no immediate public opposition arising from a disclosure, potential bidders may change their

behaviour based on "anticipated" public opposition. This, it submits, could lead some bidders to offer lower prices than they would if the disclosure occurred after the Board had decided to announce a decision to sell the properties. The Board asserts that this could lead to "market manipulation", though it does not explain what this would entail or how it would occur. It states that premature disclosure could also undermine the competitive bidding process but does not explain how this could occur, what the consequences would be or why the timing or the disclosure would make a difference.

[135] It submits that premature disclosure could also lead to potential bidders "not undertaking their own independent analysis of valuation". Nevertheless, it does not explain why the timing of the disclosure would lead a potential purchaser to neglect to conduct standard due diligence. The Board also submits that premature disclosure could lead to potential purchasers coming to erroneous conclusions about the Board's negotiating position and digging in to entrench positions in any negotiations.

[136] These claims about possible reactions of potential bidders are speculative and lack objective evidence. In essence, the Board is asking me to find it reasonable to conclude that the disclosure of the identity of properties for possible future land dispositions at a certain time would lead members of the public and potential purchasers of large properties to act irrationally. I do not find it reasonable to conclude that there is a real prospect of this occurring.

[137] The Board has not established that advance disclosure of the identity of the property would reveal to potential bidders any information about its negotiating position or otherwise constrain its ability to accept or reject any potential offers. Moreover, it has not demonstrated that this disclosure could reasonably be expected to lead to it suffering any financial loss or a potential bidder enjoying any gain, or why such loss or gain would be undue.

[138] The Board submits that premature opposition to the potential disposition of a property could result in political pressure on the Board to decline to dispose of a property, leading to loss of sunk costs and future revenue. Again, it has failed to establish how the timing of the disclosure would affect the ability of the Board to resist such pressure. Given that there is always a public consultation process on a proposed disposition prior to the final decision, it is reasonable to conclude that there will always be time for public opposition to build and political pressure to be applied. The only difference in these two scenarios is timing, and the Board has not demonstrated how the difference in timing would be determinative of different outcomes. In addition, with respect to what it describes as resources that it has already expended in identifying potential properties as options for disposition, it has not identified whether they involved additional expenditures and how extensive they were.

[139] The Board has the burden of proof to establish that the information at issue meets the standard test for s. 17(1) to apply. It has not met this burden with respect to the single fact of the identity of particular properties as candidates for future land use decisions.

[140] I now turn to the more detailed financial information about different properties, such as assessed value and other considerations about the properties that could affect possible revenues from the sale of the properties.

[141] The records at issue here are two reports from consultants, the LAS Report and the Grover Elliot Appraisal, as well as the Consultant Advice. These documents provide strategic advice concerning the valuation and marketing of properties. There is similar information contained in the minutes of the Land Asset Strategy Implementation Steering Committee meeting of April 26, 2022. It is reasonable to conclude that the information at issue here would inform the negotiating position of the Board for the sale of the properties at issue. I am satisfied that this is information that would be valuable to potential purchasers, and it is reasonable to conclude that disclosure would harm the negotiating position of the Board, in a way that would compromise its ability to obtain the best price for these properties.

[142] Therefore, I find that s. 17(1)(f) applies to all of this information in the LAS Report, the Grover Elliot Appraisal, the Consultant's Advice. There is similar information contained in the minutes of the Land Asset Strategy Implementation Steering Committee meeting of April 26, 2022 and s. 17(1)(f) applies to this information as well. I also find that disclosure of this information would cause the Board financial harm in accordance with s. 17(1).

[143] In summary, I find that s. 17(1) applies only to the information on pages 63, 112-215, 216-279 and 280-283. I find that s. 17(1) does not apply to any other information.

CONCLUSION

[144] For the reasons given above, I make the following order under s. 58 of FIPPA:

1. Subject to item 2 below, I confirm the decision of the Board to withhold information under s. 12(3)(b).

2. I require the Board to give the applicant access to the information that I found it is not authorized to refuse to disclose under s. 12(3)(b). It must disclose all information on pages 293, 310, 311, 319, and 321-322. I also found that it is not authorized to refuse to disclose some of the information on pages 291, 305-307, 312, 315-318, 325-327. I have highlighted that

information in orange on a copy of those pages provided to the Board with this order.

3. Subject to item 4 below, I confirm the decision of the Board to withhold information under s. 13(1).

4. I require the Board to give the applicant access to the information that I found it is not authorized to refuse to disclose under s. 13(1). It must disclose all information on pages 67-69, 71-73, 75-76, 78, 81-82, 84-86, 88-95, 98-110 and 293 that it withheld under s. 13(1). I also found that it is not authorized to refuse to disclose some of the information on pages 131 and 291. I have highlighted that information in orange on a copy of pages 131 and 291 provided to the Board with this order.

5. Subject to item 6 below, I confirm the decision of the Board to withhold information under s. 17(1) on pages 63, and 112-283.

6. I require the Board to give the applicant access to the information that I found it is not authorized to refuse to disclose under s. 17(1). It must disclose all information it withheld under s. 17(1) that I have not described in item 5 above.

7. The public body is required to give the applicant access to the information I have identified in items 2, 4 and 6 above.

8. The public body must concurrently copy the OIPC registrar of inquiries on its cover letter to the applicant, together with a copy of the pages described at items 2, 4 and 6 above.

[145] Pursuant to s. 59(1) of FIPPA, the public body is required to comply with this order by December 11, 2025.

October 29, 2025

ORIGINAL SIGNED BY

Jay Fedorak, Adjudicator

OIPC File No.: F23-94168

CITY OF VANCOUVER

CITY CLERK'S OFFICE
Access to Information & Privacy Division

File No.: 04-1000-20-2025-485

October 22, 2025

[redacted]
By Email: [redacted]

Dear [redacted]

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of July 24, 2025 under the ***Freedom of Information and Protection of Privacy Act*** for:

> **Record of correspondence (including internal emails) and any reports or documents created by the City related to the proposed or approved subdivision or rezoning of 3250 Kingsway. Date range: January 1, 2020 to July 22, 2025.**

All responsive records are attached. Some information in the records has been severed (blacked out) under s.13(1), s.15(1)(l), s.17(1)(c), s.22(1), and s.22(3)(d) of the Act. You can read or download these sections here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00.

Under Part 5 of the Act, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (2025-485); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

Kevin Tuerlings, FOI Case Manager, for

[Signed by Kevin Tuerlings]

Cobi Falconer, MAS, MLIS, CIPP/C
Director, Access to Information & Privacy

City of Vancouver, CITY CLERK'S OFFICE
Access to Information and Privacy Division
453 West 12th Avenue
Vancouver, British Columbia V5Y 1V4 Canada
Tel: 3-1-1, Outside Vancouver 604-873-7000
Website: vancouver.ca

2025 BC's Top Employers

If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. You may also contact 3-1-1 (604-873-7000) if you require accommodation or do not have access to email.

Encl. (Response package)

:pm

From:	Brar, Gurv
To:	Blackmore, Jessica; Greer, John; Au, Michelle
Cc:	Karami, Niloofar
Subject:	RE: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)
Date:	Tuesday, July 4, 2023 11:12:13 AM
Attachments:	image001.png image003.png

Thanks Jessica!

From: Blackmore, Jessica
Sent: Tuesday, July 4, 2023 10:12 AM
To: Greer, John ; Au, Michelle ; Brar, Gurv
Cc: Karami, Niloofar
Subject: RE: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)

Hi all,

s.17(1)(c)

I am not sure whether these can be released or not or if any information must be concealed.

As a note:

s.17(1)(c)

Thanks -

s.17(1)(c)

From: Greer, John <john.greer@vancouver.ca>
Sent: Tuesday, July 4, 2023 7:32 AM
To: Au, Michelle <Michelle.Au@vancouver.ca>; Brar, Gurv <Gurv.Brar@vancouver.ca>
Cc: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>; Karami, Niloofar <Niloofar.Karami@vancouver.ca>
Subject: RE: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)

s.17(1)(c)

s.17(1)(c)

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish), and səlilwətaɬ (Tsleil-Waututh) Nations.

From: Au, Michelle <Michelle.Au@vancouver.ca>
Sent: Friday, June 30, 2023 3:49 PM
To: Brar, Gurv <Gurv.Brar@vancouver.ca>; Greer, John <john.greer@vancouver.ca>
Cc: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>; Karami, Niloofar <Niloofar.Karami@vancouver.ca>
Subject: RE: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)

Hi Gurv,

Yes we do. They are with Jessica and Niloofar. I think we just spoke about projects this at a previous meeting. Cc'ing them here.

Michelle

Michelle Au (she/her), Architect OAA
Assistant Director – Permitting Services
Development, Buildings and Licensing
604.871.6702

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish), and səlilwətaɬ (Tsleil-Waututh) Nations.

From: Brar, Gurv <Gurv.Brar@vancouver.ca>
Sent: Friday, June 30, 2023 3:44 PM
To: Greer, John <john.greer@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>
Subject: FW: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)

Hi,

s.17(1)(c) [redacted]

Thanks,

Gurv

From: Freedom of Information Office <FreedomofInformation.Office@vancouver.ca>
Sent: Friday, June 30, 2023 3:42 PM
To: Brar, Gurv <Gurv.Brar@vancouver.ca>
Subject: FOI Request: Our File No. 2023-391 - Question for Property Research (Please respond by July 6)

Hi Gurv,

We've received the following FOI request:

Records relating to the following addresses, including:

s.17(1)(c) [redacted]

Date range: January 1, 2016 to June 29, 2023.

s.17(1)(c)

Thank you for your assistance!

Best,

Danielle Lee

FOI/CRIM Clerk

Access to Information and Privacy | City of Vancouver

From: Ho, Cecilia
To: Blackmore, Jessica; Greer, John; Brar, Gurv; Au, Michelle
Subject: RE: MEDIA CALL - G&M - s.17(1)(c)
Date: Thursday, July 6, 2023 1:14:42 PM
Attachments: image004.png

Thank you!

From: Blackmore, Jessica
Sent: Thursday, July 6, 2023 1:13 PM
To: Ho, Cecilia ; Greer, John ; Brar, Gurv ; Au, Michelle
Subject: RE: MEDIA CALL - G&M - s.17(1)(c)

Hi all,
Sorry for the delay – there is one more s.17(1)(c)
s.17(1)(c)

From: Ho, Cecilia <Cecilia.Ho@vancouver.ca>
Sent: Thursday, July 6, 2023 12:02 PM
To: Greer, John <john.greer@vancouver.ca>; Brar, Gurv <Gurv.Brar@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>; Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Subject: RE: MEDIA CALL - G&M - s.17(1)(c)

Hi All,
A gentle nudge as we approach the reporter's deadline. Are the 3 listed by John the only ones?

s.17(1)(c)

Thanks,
Ceci

From: Suurkask, Ruth <Ruth.Suurkask@vancouver.ca>
Sent: Thursday, July 6, 2023 9:18 AM
To: Greer, John <john.greer@vancouver.ca>; Brar, Gurv <Gurv.Brar@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>; Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>; Ho, Cecilia <Cecilia.Ho@vancouver.ca>
Subject: RE: MEDIA CALL - G&M - s.17(1)(c)

Thanks everyone! Looping in Cecilia to take over this media call. You can remove me from responses going forward.
Once the info is confirmed by Jess, Andrea would like to see the statement before it goes out.

Ruth Suurkask | Senior Communications Specialist - DBL
Civic Engagement & Communications | City of Vancouver

From: Greer, John <john.greer@vancouver.ca>
Sent: Thursday, July 6, 2023 8:09 AM
To: Brar, Gurv <Gurv.Brar@vancouver.ca>; Suurkask, Ruth <Ruth.Suurkask@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>; Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>

Subject: RE: MEDIA CALL - G&M - s.17(1)(c)

HI Gurv,

These are the 3 that I know of , Jess are there any more?

s.17(1)(c)

I don't see any issues with releasing to media, once it's an application it's deemed public info

John

s.17(1)(c)

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish), and səlilwətaɬ (Tsleil-Waututh) Nations.

From: Brar, Gurv <Gurv.Brar@vancouver.ca>

Sent: Wednesday, July 5, 2023 5:34 PM

To: Suurkask, Ruth <Ruth.Suurkask@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>; Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>; Greer, John <john.greer@vancouver.ca>

Subject: RE: MEDIA CALL - G&M - s.17(1)(c)

Hi Ruth,

s.22(1), so I am looping in John and Jessica to help answer this one.

Please note we have received questions about this topic from Cllr Boyle as well – see attached email. Though her questions are specific to one school.

@John/Jessica - a couple questions:

- Can you answer Ruth's question - s.17(1)(c) s.17(1)(c)
- If so, should this information be released to media?

Gurv

From: Suurkask, Ruth <Ruth.Suurkask@vancouver.ca>

Sent: Wednesday, July 5, 2023 4:46 PM

To: Brar, Gurv <Gurv.Brar@vancouver.ca>; Au, Michelle <Michelle.Au@vancouver.ca>

Subject: MEDIA CALL - G&M - s.17(1)(c)

Hi Gurv and Michelle,

Globe & Mail is seeking info s.17(1)(c)

-s.17(1)(c) More details in the email, below. PDS is taking care of the question about population/VanPlan.

Ruth

From: Eng, Nancy <nancy.eng@vancouver.ca>
Sent: Wednesday, July 5, 2023 4:07 PM
To: Suurkask, Ruth <Ruth.Suurkask@vancouver.ca>
Subject: FW: Media inquiry

From: Xu, Xiao <XXu@globeandmail.com>
Sent: Wednesday, July 05, 2023 3:42 PM
To: Media <media@vancouver.ca>
Subject: [EXT] Media inquiry

City of Vancouver security warning: Do not click on links or open attachments unless you were expecting the email and know the content is safe.

Good afternoon,
I am a reporter with the Globe and Mail. Sorry to bother today.
The Vancouver school board is considering leasing or selling some of the school lands. We are hoping to ask:
- s.17(1)(c)

-According to the Vancouver Plan, the city is "expected to add about 260,000 more people (for a total population of about 920,000 people) and up to 210,000 more jobs (for a total of about 638,000 jobs) by 2050." Re population growth, does the city have the breakdown by age and neighborhood?
Thanks much. Can we expect a reply by 230 pm PT tomorrow?
Sincerely,
Xiao

Xiao Xu | Reporter
p: 6046316612| c: 7786683063
e: xxu@globeandmail.com

From: "Blackmore, Jessica" <Jessica.Blackmore@vancouver.ca>
To: "Co, Rebecca" <rebecca.co@vancouver.ca>
Date: 8/15/2023 2:29:00 PM
Subject: RE: s.17(1)(c)

---

s.17(1)(c)

Just helpful to see it in the memo to know it was looked at and considered!

Thanks,
s.17(1)(c)

From: Co, Rebecca
Sent: Monday, August 14, 2023 11:52 AM
To: Blackmore, Jessica
Subject: s.17(1)(c)

Hi Jessica,
I have a general question s.17(1)(c) Does Land Survey need to comment on this? s.17(1)(c) Thanks!

s.17(1)(c)

Rebecca (beki) Co,
Land Survey Branch
Engineering Services, City of Vancouver
604.873.7002

From: James deHoop
To: Blackmore, Jessica
Cc: Arthur Mak
Subject: s.17(1)(c)
Date: Wednesday, September 27, 2023 2:28:02 PM
Attachments: image002.png
image003.png

City of Vancouver Warning - This message is from an external sender
Do not click on links or open attachments unless you were expecting the email and know the content is safe.

Report Suspicious

Hi Jessica; we have the Site Disclosure Statement work underway and will pass it along as soon as it is completed in the next week or so.
Thanks
Jim

From: Blackmore, Jessica
Sent: Wednesday, September 20, 2023 11:52 AM
To: James deHoop
Subject: s.17(1)(c)
Hi Jim,
Would you be able to follow up with a Site Disclosure Statement for this application as requested by Environmental Review? Please forward that my way at your convenience.
s.17(1)(c)

From: Budau, Rose <Rose.Budau@vancouver.ca>
Sent: Thursday, September 7, 2023 4:12 PM
To: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Subject: s.17(1)(c)
Hi Jessica,
Can you please intake an SDS for this one? I can't find a related application to check.
Thanks!

Rose Budau, B.Sc.
ENVIRONMENTAL PROJECTS & PROGRAMS | CITY OF VANCOUVER
t: 604-873-7732 | e: rose.budau@vancouver.ca

REFM

From: Budau, Rose
To: Blackmore, Jessica
Subject: s.17(1)(c)
Date: Thursday, October 5, 2023 11:15:43 AM
Attachments: image001.png
image003.png
image002.png

Thank you, I have cleared my review ☺

Rose Budau, B.Sc.
ENVIRONMENTAL PROJECTS & PROGRAMS | CITY OF VANCOUVER
t: 604-873-7732 | e: rose.budau@vancouver.ca

REFM

From: Blackmore, Jessica
Sent: October 5, 2023 10:59 AM
To: Budau, Rose
Subject: s.17(1)(c)

Hi Rose, please let me know once you've had a chance to review ☺

From: James deHoop <jdehoop@vsb.bc.ca>
Sent: Thursday, October 5, 2023 8:36 AM
To: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Cc: Budau, Rose <Rose.Budau@vancouver.ca>
Subject: s.17(1)(c)

City of Vancouver Warning - This message is from an external sender

Do not click on links or open attachments unless you were expecting the email and know the content is safe.

Report Suspicious

Hi Jessica; as requested please find attached a Site Disclosure Statement for the above application.
Regards,

James (Jim) de Hoop, RPP MCIP, M. Ed. *(he/him/his)*
Senior Manager of Planning
Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8
e: jdehoop@vsb.bc.ca | **p:** 604-713-5193

VSB logo

www.vsb.bc.ca [vsb.bc.ca]

Honoured to be working and learning together on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh (Squamish) & səlilwətaɬ (Tsleil-Waututh) Nations

James.

From: jim@allianceehs.com <jim@allianceehs.com>

Sent: Wednesday, October 4, 2023 8:13 PM
To: James deHoop <jdehoop@vsb.bc.ca>; Arthur Mak <amak@vsb.bc.ca>
Subject: s.17(1)(c)

Hi Jim,

Please see attached Site Disclosure Statement for s.17(1)(c)

If you have any questions, please contact me any time.

Thanks

Jim Williams

Principal Consultant

604-722-7407

From: Blackmore, Jessica
To: James deHoop
Cc: "Flavia Coughlan"; "John Dawson"; "Ron Macdonald"
Subject: s.17(1)(c)
Date: Friday, January 19, 2024 4:56:00 PM
Attachments: image001.png
image002.png

Hi James –
Thank you for your quick attention – I'll note this on the files.
s.17(1)(c)

From: James deHoop
Sent: Friday, January 19, 2024 2:11 PM
To: Blackmore, Jessica
Cc: Flavia Coughlan ; John Dawson ; Ron Macdonald
Subject: s.17(1)(c)

City of Vancouver Warning - This message is from an external sender

Do not click on links or open attachments unless you were expecting the email and know the content is safe.

Report Suspicious

Hi Jessica; thank you for reaching out to have us clarify the status of s.17(1)(c)
s.17(1)(c)
Until we engage with the school stakeholders and obtain direction from our Board, s.17(1)(c)
s.17(1)(c)
s.17(1)(c)
We have received useful feedback from your staff up to this point and appreciate the patience with our evolving plans.
Kind regards,

James (Jim) de Hoop, RPP MCIP, M. Ed. *(he/him/his)*
Senior Manager of Planning
Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8
e: jdehoop@vsb.bc.ca | **p:** 604-713-5193

www.vsb.bc.ca [vsb.bc.ca]

Honoured to be working and learning together on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish) & səlilwətaɬ (Tsleil-Waututh) Nations

From: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Sent: Friday, January 12, 2024 3:02 PM
To: James deHoop <jdehoop@vsb.bc.ca>
Subject: s.17(1)(c)

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Hi James,
Happy New Year.
I was hoping to touch base on the status of s.17(1)(c) being:

- s.17(1)(c)
-

s.17(1)(c)

Please advise,
s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

s.17(1)(c)

[redacted]

From: s.17(1)(c)
To: James deHoop
Cc: Gresley, Jessie
Subject: s.17(1)(c)
Date: Thursday, January 9, 2025 5:00:00 PM
Attachments: image001.png
image002.png

Hi James,
I've cancelled 7410 Columbia Street – SD-2022-00027. You can see this through your online account s.15(1)(l) by logging in at https://plposweb.vancouver.ca/Public/Login.aspx.

Regards,
Maria

From: James deHoop <jdehoop@vsb.bc.ca>
Sent: Thursday, January 9, 2025 2:50 PM
To: s.17(1)(c)
Cc: Gresley, Jessie <jgresleyjones@vsb.bc.ca>
Subject: s.17(1)(c)

City of Vancouver Warning - This message is from an external sender

Do not click on links or open attachments unless you were expecting the email and know the content is safe.

Report Suspicious

Duly noted, that is correct. James.

From: s.17(1)(c)
Sent: Thursday, January 9, 2025 1:08 PM
To: James deHoop <jdehoop@vsb.bc.ca>
Cc: Jessie Gresley-Jones <jgresleyjones@vsb.bc.ca>
Subject: s.17(1)(c)

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Good afternoon James,

s.17(1)(c)

s.13(1), s.17(1)(c)

Regards,
Maria

From: James deHoop <jdehoop@vsb.bc.ca>
Sent: Thursday, January 9, 2025 10:07 AM
To: s.17(1)(c)
Cc: Gresley, Jessie <jgresleyjones@vsb.bc.ca>
Subject: s.17(1)(c)

Hello Maria; good to connect.

Thank you for the support in the initial stages of the s.17(1)(c) s.17(1)(c) and the feedback provided by staff. Although previous explorations for site subdivision were explored, because there are no plans to subdivide or consider subdividing the grass field at Sexsmith Elementary School at this time we would like to close that file.

Regards

Jim de Hoop, RPP MCIP (he, him, his pronouns)
Senior Manager Facilities Planning
Vancouver School District #39

Vancouver School District 1580 West Broadway, Vancouver BC V6J 5K8 e:
jdehoop@vsb.bc.ca |
www.vsb.bc.ca [vsb.bc.ca] | Instagram | Facebook | Twitter | LinkedIn | TikTok | YouTube

With deep gratitude and respect, I am honoured to be learning and unlearning on the ancestral and unceded lands of
the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətaɬ (Tsleil-Waututh Nation)

From: s.17(1)(c)
Sent: Wednesday, January 8, 2025 11:40 AM
To: James deHoop <jdehoop@vsb.bc.ca>
Subject: s.17(1)(c)

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Good morning James,
The email below was about the s.17(1)(c) I believe you are inquiring about

them?

s.17(1)(c), s.22(3)(d)

Regards,
Maria

From: James deHoop <jdehoop@vsb.bc.ca>
Sent: Friday, January 19, 2024 2:11 PM
To: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Cc: Flavia Coughlan <fcoughlan@vsb.bc.ca>; John Dawson <jdawson@vsb.bc.ca>; Ron Macdonald <rmacdonald@vsb.bc.ca>
Subject: s.17(1)(c)

Hi Jessica; thank you for reaching out to have us clarify the status of s.17(1)(c) s.17(1)(c)

Until we engage with the school stakeholders and obtain direction from our Board, s.17(1)(c) s.17(1)(c)

We have received useful feedback from your staff up to this point and appreciate the patience with our evolving plans.

Kind regards,

James (Jim) de Hoop, RPP MCIP, M. Ed. *(he/him/his)*
Senior Manager of Planning
Vancouver School District
1580 West Broadway, Vancouver BC V6J 5K8
e: jdehoop@vsb.bc.ca | **p:** 604-713-5193 |

www.vsb.bc.ca [vsb.bc.ca]

Honoured to be working and learning together on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwxwú7mesh (Squamish) & səlilwətaɬ (Tsleil-Waututh) Nations

---

From: Blackmore, Jessica <Jessica.Blackmore@vancouver.ca>
Sent: Friday, January 12, 2024 3:02 PM
To: James deHoop <jdehoop@vsb.bc.ca>

Subject: s.17(1)(c)

This email originated from outside of the VSB. Do not click on links, attachments or reply to emails from unknown sources.

Hi James,

Happy New Year.

I was hoping to touch base on the status of s.17(1)(c) being:

s.17(1)(c)

s.17(1)(c)

Please advise,

s.17(1)(c)

From:	Chair (Vancouver DPAC)
To:	Group Trustees; Superintendent; STOffice
Cc:	Dix.MLA, Adrian; Don - M.P.
Subject:	2025-11-25 Provincial support for Carleton Elementary: URGENT
Date:	Tuesday, November 25, 2025 11:08:56 PM
Attachments:	image.png Jan 13 2021 facilities-planning-committee-agenda.pdf 2024-11-03 Letter to CSF with highlights.pdf

---

Dear Trustees and senior management,

I am writing further to my prior correspondence regarding Carleton Elementary.

While reviewing the public hearing comments from the November 24th meeting, I noted on the live video at about the 2:07 mark, a VSB Trustee stated that the Vancouver School Board had made multiple applications to the Province to save Carleton Elementary, with the most recent application being in 2019, and that the Board has received no support from the Province for this project.

Based on the VSB's own documents, this statement is simply not true.

In the VSB's own Facilities Planning Committee report dated January 13, 2021, at item 3.2, page 23, confirms that the Ministry clearly supported the development of a Project Definition Report for the seismic upgrading of Carleton Elementary in its Capital Plan Response Letter for the 2018–2019 capital plan.

The VSB's January 13, 2021 report further states that the VSB was not able to develop a feasible business case for the upgrade, either as an enrolling school or as a swing space, and that it was the VSB's choice to not advance the project to the Ministry for further consideration. Here is the exact wording from the report:

3.3.9 DEFERRED APPROVED PROJECTS (Revised)

The District did receive approval to develop a Project Definition Report for the seismic upgrading of Sir Guy Carleton Elementary in the Ministry's Capital Plan Response Letter for the 2018-2019 capital plan. The VSB has been unable to develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. Consequently, the Vancouver Project Office Steering Committee has not advanced this project to the Ministry for consideration. The District also received approval to develop a Project Definition Report for the seismic upgrading of Point Grey Secondary in the Ministry's Capital Plan Response Letter for the 2016-2017 capital plan. This project also has not been brought forward to the Vancouver Project Office Steering Committee for consideration. Both projects are listed as future priorities in the Ministry's listing of seismic projects but are deferred pending future business case work.

In other words, it was **not** a lack of provincial support that stalled this project, but the Vancouver Project Office's inability at that time to bring forward a viable business case.

Given the 2023 HSRDAA and other densification initiatives around Carleton, which is acknowledged in the VSB's own March 11, 2024 letter attached herewith, there is now a clear and compelling business case for Carleton.

I am deeply troubled that the Board's public statements shifted responsibility to the Province, despite the Ministry having supported the Project Definition Report, and that a public consultation on closure is proceeding while the Board's own documents clearly demonstrate the need to plan for this growing community. This, combined with a subdivision process that has been advanced by the VSB without transparent disclosure, is extremely concerning.

I have copied the Honourable Adrian Dix and Member of Parliament Don Davies on this correspondence.

Accordingly, I request that the Board immediately halt the closure process for Carleton Elementary and meaningfully engage with the community on a plan that reflects both current and future growth in Joyce-Collingwood.

In light of the clear documentation in this matter, the continuation of the public engagement process is inappropriate and must be paused without delay.

Sincerely,

Melanie Cheng

程美麗
Chair, Vancouver District Parent Advisory Council
(Cell/Text: 604.568.8565 - evenings are best)

Please note: This message is intended for you only. Kindly do not forward or share without permission.
Remember to update your profile at: https://vancouverdpac.org

I gratefully acknowledge that I am learning and unlearning on the traditional, unceded lands of the Musqueam, Squamish, and Tsleil-Waututh Peoples.

Website: vancouverdpac.org · Twitter: @VanDPAC · Facebook: @VSBDPAC

Confidentiality Notice: If you are not the intended recipient, please do not copy, distribute, or use this email or any information contained in it. Kindly notify the sender and delete this email from your system. Thank you.

Vancouver School District

NOTICE OF MEETING
FACILITIES PLANNING COMMITTEE

Secretary Treasurer's Office
January 13, 2021
Teams Live Broadcast

Allan Wong
Oliver Hanson
Jennifer Reddy
Carmen Cho
(Alternate - Lois Chan-Pedley)

Suzanne Hoffman, Superintendent of Schools
J. David Green, Secretary-Treasurer

Notice of Meeting

A Meeting of the **Facilities Planning Committee** will be held on Teams Live Broadcast on **Wednesday, January 13, 2021 at 5:00 pm.**

Trustees:	Fraser Ballantyne Lois Chan-Pedley Janet Fraser		Estrellita Gonzalez Barb Parrott
Student Trustee:	Ricky Huang		
Senior Management Staff:	Carmen Batista Pedro da Silva Jody Langlois		David Nelson Rob Schindel
Reps:	Terry Stanway, VSTA Allison Jambor, VESTA Kelly Egilsson, VASSA Karen Noel-Bentley, VEPVPA Tim Chester, IUOE Ajaz Hassan, PASA Shirley Ann Harris, CUPE 15 Amanda Hillis, DPAC Neil Munro, Trades Brent Boyd, CUPE 407 Joe Sugarman, VDSC	Alt:	Treena Goolieff, VSTA (Alt.) Rick Lopez, VASSA (Alt) Rose Mackenzie, VEPVPA (Alt) Tim De Vivo, IUOE Tammy Yazdanyar, CUPE 15 (Alt) Vik Khana, DPAC (Alt. 1) Alan Patola Moosmann, DPAC (Alt. 2)
Other Staff:	Ron Macdonald John Dawson James de Hoop		Alison Ogden Chris Stanger Shehzad Somji

Vancouver School District

FACILITIES PLANNING COMMITTEE
MEETING AGENDA (Revised)

Wednesday, January 13, 2021
at 5:00 pm
Teams Live Broadcast

The meeting is being held on the traditional unceded territory of the Musqueam, Squamish and Tsleil-Waututh Nations. The meeting is being live-streamed and the audio and visual recording will also be available to the public for viewing after the meeting. The footage of the meeting may be viewed inside and outside of Canada.

Meeting Decorum:
The Board has a strong commitment to ethical conduct. This includes the responsibility of committee members to conduct themselves with appropriate decorum and professionalism. As Chair of the Committee it is my responsibility to see that decorum is maintained. To do that I ask that:

i. All members/delegates request to speak through the chair;
ii. Civility towards others is maintained as stakeholder representatives and trustees share perspectives and participate in debate;
iii. Staff be able to submit objective reports without influence or pressure as their work is acknowledged and appreciated;
iv. Committee members refrain from personal inflammatory/accusatory language/action;
v. Committee members, trustees, representatives and /staff present themselves in a professional and courteous manner.

Please see reverse for the Purpose/Function and Power and Duties of this Committee.

1.	**Delegations re Referred Motion – No Sale of Public Land**		**Estimated Time**
	1.1	Nathan Davidowicz	5:05-5:10 pm
	1.2	Kyla Epstein	5:10-5:15 pm
2.	**Information Items**		**Presenters**
	2.1	Re-Naming of David Lloyd George and Sir Matthew Begbie Elementary Schools	David Nelson, Deputy Superintendent Chris Stanger, Director of Instruction Alison Ogden, Director of Instruction
3.	**Discussion Items**		
	3.1	Motion referred from the December 14, 2020 Board Meeting – No Sale of Public Land	Committee Chairperson
	3.2	Feedback report from the Joint Stakeholders/Trustee Workshop – January 6, 2021 re the 2020 Draft Long Range Facilities Plan	J. David Green, Secretary Treasurer
	3.3	Changes to 2020 Long Range Facilities Plan	J. David Green, Secretary Treasurer
	3.4	Feedback received from members of the public (up to 3:00 pm January 13, 2021)	John Dawson, Director of Educational Planning and Student Instruction
4.	**Items for Approval**		
	4.1	2020 Draft Long Range Facilities Plan	J. David Green, Secretary Treasurer
5.	**Information Item Requests**		

Date and Time of Next Meeting
Wednesday, March 10, 2021 at 5:00 pm

Facilities Planning Committee

2.1 Purpose/Function:

2.1.1 To review and provide recommendations to the Board in regard to assigned facilities planning matters.

2.2 Powers and Duties:

2.2.1 School Closures:

2.2.1.1 Review the materials provided by senior staff to the Board regarding a possible school closure and provide a recommendation to the Board as to whether the committee supports the possible closure advancing to the school closure public consultation process phase.

2.2.2 Naming and Renaming Schools:

2.2.2.1 Within the constraints of Board direction provided at the outset of any potential school naming or renaming process provide recommendations to the Board.

2.2.3 Student Enrolment:

2.2.3.1 Annually review enrolment and enrolment trends and the potential impact on capital planning, student accommodation and catchment changes.

2.2.4 Capital Planning:

2.2.4.1 Annually review and make recommendations regarding the draft five year capital plan for submission to the BC Ministry of Education.

2.2.5 Long Range Facilities Plan:

2.2.5.1 Annually review and make recommendations regarding the draft long range facilities plan for submission to the BC Ministry of Education.

2.2.6 Facilities Planning Matters Referred to the Committee by the Board:

2.2.6.1 Review matters referred and make recommendations as requested.

Speaking Notes, VSB Facilities Planning Committee, January 13, 2021

- Good evening. My name is [redacted]
- Thank you to Committee Chair Trustee Wong and Committee Members for the opportunity to speak.
- I know that a significant item before you this evening is the Long Range Facilities Plan and I want to acknowledge the incredible work done by parents from around the district - especially those involved in DPAC - for their dedicated and attentive advocacy around this plan.
- Facilities are a critical component of the public education system and facilities need land.
- The current land owned by the VSB provides the district with incredible potential for creatively and responsibly providing learning and working facilities for our local education system
- I am here this evening to support the motion brought forward by Trustee Reddy that would direct this board to not dispose of VSB-owned land except in the instances noted in the motion.
- Public land in Vancouver is hardly what we could call a renewable resource.
- Geography and development combine to make access to significant and substantive parcels of land scarce.
- And like all scarce resources, this is one that should be protected and stewarded for future generations.
- Given the discussions at city hall about the investments in housing that will, hopefully, result in more children living in Vancouver, we need to ensure VSB has land to build, restructure, and enlarge learning facilities as changes occur.

- And I should be clear, when I say “learning facilities” I also mean the spaces required for a learning and teaching community; including places to eat, connect, perform, create, and the spaces needed to adapt VSB facilities to treat students and workers with dignity - such as gender inclusive washrooms and spaces for working with (for example) local Indigenous carvers and to ensure there are spaces that can be used to respect the protocols of the land we are on.
- And those are just the changes we can reasonably anticipate.
- It has become abundantly clear over the past year that we need to be prepared to adapt to circumstances that we may not be able to imagine at this time and ensuring that these lands are secured for public purposes will help us adapt to what might come in the future.
- I’ve also heard previous commitments made by this district to recognizing UNDRIP and the TRC’s Calls to Action
- And this board operates within what is supposed to be a “City of Reconciliation”
- When I contemplate the idea of VSB selling off land I have to ask myself - is it even yours to sell?
- Shouldn’t VSB be engaged in deep and meaningful discussions with the local First Nations to talk about a future where this land is repatriated so that the nations to whom it belongs are able to act as its stewards?
- There is so much potential for the VSB to advance true and meaningful repair with local First Nations by exploring what it means to hold on to these pieces of the land for that respectful and rightful transfer of power and towards an agreement that thinks about how these lands can be used for educating learners for many generations ahead.
- [redacted] I hope to see this board make a decision tonight that proves that you can be entrusted to steward this land for the benefit of all.
- Thank you for listening and thank you to Trustee Reddy for bringing this motion to the table.

Vancouver School District

Interoffice memorandum

January 13, 2021

ITEM 2.1

TO: Facilities Planning Committee

FROM: Chris Stanger, Director of Instruction
Alison Ogden, Director of Instruction

RE: Re-Naming of David Lloyd George and Sir Matthew Begbie

Reference to Strategic Plan:
Goal 3: Create a culture of care and shared social responsibility.
Objective: Encourage and enhance practices that support cultural, emotional, physical and mental well-being.

INTRODUCTION:

Many schools in the District were constructed decades ago and named after prominent historical figures of the time. School names often hold strong and endearing connections for both current and former staff and students. It is for this reason the District is committed to following a clear, transparent, inquiry-based process by which historical names of school buildings can be reviewed and considered for possible renaming.

A working group of staff and stakeholders have undertaken a review of renaming practices within the District to inform development of a new administrative procedure (AP) which guides decisions around the renaming of school facilities. At the October 14, 2020 Policy and Governance Committee, staff presented a report outlining the work undertaken and a draft renaming procedure (AP 542). In this report staff noted the intent to pilot the process outlined in AP 542 with two schools, David Lloyd George Elementary and Sir Matthew Begbie Elementary, currently scheduled for full replacement as part of the ongoing seismic mitigation program.

BACKGROUND:

The draft AP 542 outlines a three phased process as part of any decision to rename an existing school facility.

Phase one: Ad hoc working group gathers information on the namesake of the school being considered for remaining. The information to be collected is outlined in appendix A of AP 542. The completed template is provided to the Facilities Planning Committee for consideration and recommendation.

Phase two: The Facilities Planning Committee reviews information provided on the namesake and makes a recommendation to the Board.

Phase three: The Board receives the Facilities and Planning Committee recommendation and determines whether a facility is to be renamed.

Phase One Timeline

Following is a summary of the process undertaken as part of phase one of the process at both David Lloyd George and Sir Mathew Begbie, as outlined in draft AP 542.

October 22, 2020: Invitation to ad hoc committee members with outline of purpose (to gather information contained in Appendix A for consideration of the Facilities Planning Committee).

November 4, 2020: Initial Virtual TEAMS meeting with ad hoc committee members (co-chaired by DOIs from each school, principals from David Lloyd George and Sir Matthew Begbie, a VESTA representative, a representative from the Facilities Planning Committee, a DPAC representative, and a District VP):

- Shared AP development process
- Reviewed phases of proposed re-naming AP
- Reviewed purpose of phase one ad hoc committee work
- Shared information about pilot school names: DLG, Begbie
- Discussed specific roles and work to be done
- Assigned tasks and set timeline for work, set date for follow up meeting

December 2, 2020: Second virtual Teams meeting to share findings, complete template, addition of Indigenous Ed District Principal to provide framing and perspective

December 7, 2020: Final contributions submitted via shared document; feedback survey completed.

NEXT STEPS:

A completed summary of information, as outlined in appendix A of draft AP 542, has been completed for both David Lloyd George and Sir Matthew Begbie (attached).

As per draft AP 542, it is the role of the Facilities Planning Committee to receive and review this information and to make a recommendation for the Board's consideration.

Attachments

1. Renaming Report to October 14, 2020 Policy and Governance Committee
2. Draft AP 542
3. Completed AP 542 Appendix A for David Lloyd George
4. Completed AP 542 Appendix A for Sir Matthew Begbie

Inter office Memorandum
vancouver school board

ATTACHMENT 1

DATE: October 14, 2020

TO: Policy and Governance Committee

FROM: David Nelson, Deputy Superintendent

RE: Naming and Renaming Update

Reference to Strategic Plan:

Goal 3: Create a culture of care and shared social responsibility.

OVERVIEW

In October 2018, a Naming and Renaming Working Group was formed to review and advise on the development of updated administrative procedures to guide both the naming of new facilities and the renaming of existing facilities, as per the Board motion of June 25, 2018:

> *It is recommended that a Naming/Renaming Working Group be formed to develop draft guidelines and considerations in the revision of Board policies governing the naming and renaming of facilities.*

Administrative Procedure 541 - Naming New Facilities was revised by the Naming and Renaming Working Group, reviewed by the Administrative Procedures Working Group, presented to Policy and Governance Committee for input, and then approved by the Superintendent. This revised AP came into effect on June 5, 2019.

Over the 2019/2020 school year the Naming and Renaming Working Group met to review updates to AP 541, Appendix A – Re-naming Existing School Facilities. The focus of the discussion has been on the identification of a process to review existing school names through a transparent and evidence-based approach. As previously reported to the Policy and Governance Committee on February 5, 2020 members of the working group focused on the establishment of criteria (considerations) for use in guiding any decision to rename an existing school. The intent of the criteria is to guide collaborative discussion and impartial decision-making before the renaming of a school or facility is pursued. The Naming and Renaming Working Group also discussed ways a school or facility could be considered for renaming as part of a revised Administrative Procedure.

CONTEXT

It was acknowledged by the Working Group that the renaming of a school building can trigger strong opinions and emotions. It is for this reason the Working Group outlined a process involving an analysis of the primary legacy of the namesake and of their contributions. Included in this analysis is the Working group's recommendation that consideration be given to the

association of the namesake within the school and broader community, as to whether it remains an endearing association or whether it has developed an adverse association for the school community. To this end, the Naming and Renaming Working Group generated a list of questions about the namesake to guide considerations for renaming of an existing school.

Based on input from the Working Group, District staff revised draft AP (renumbered as AP 542 – Renaming Existing School Facilities) and identified three pathways through which an existing school name could be reviewed and considered for renaming:

a) Seismic mitigation replacement
b) School Community request
c) Board motion

The AP also outlines the role of an Ad Hoc Working Group moving the renaming process forward, inclusive of gathering the information contained in Appendix A for consideration of the Facilities Planning Committee. The decision to rename a school remains via the Facilities and Planning Committee making a recommendation to the Board for decision.

Staff propose to work through the new process as outlined in draft AP 542 with two schools approved for full replacement as part of the seismic mitigation program: Sir Matthew Begbie and David Lloyd George. This pilot of the process will be used to inform revisions to draft AP 542 prior to the AP being reviewed by the Administrative Procedures Working Group and then approved by the Superintendent.

CONCLUSION

Staff are seeking feedback from the Policy and Governance Committee to proceed with a pilot of this draft AP for Sir Matthew Begbie and David Lloyd George schools.

Attachments

- Draft AP 542 – Renaming Existing School Facilities
- Draft AP 542 – Renaming Existing School Facilities - Appendix A

RE-NAMING EXISTING SCHOOL FACILITIES

Background

Many school buildings were named decades ago in memory of prominent historical figures. School names often hold strong and endearing connections for both current and former staff and students. It is for this reason the District is committed to following a clear and transparent process by which historical names of school buildings can be reviewed and considered for possible renaming.

Procedures

1. The name of an existing school facility will be reviewed and considered for possible renaming under one of three possible pathways:

   1.1. The school building has been approved and funded to undergo a full replacement as part of the seismic mitigation program. An automatic review of the school name for possible renaming will occur as soon as possible following approval of funding.

   1.2. The school community brings forward a request that the school name be reviewed and considered for possible renaming. This request can be initiated by the school administration, staff or students, and the Parents' Advisory council. This request must have been thoroughly discussed by each of these groups prior to formally requesting a review of the school name occur.

   The request to have a school name reviewed shall be submitted, in writing, to the attention of the Secretary Treasurer and shall be signed by the School Principal and the School PAC Chair.

   1.3. The Board passes a motion requesting a school name be reviewed.

2. If one of the three pathways in section 1 has been met a *Consideration for Renaming Summary Report* (Appendix A) will be completed by an ad hoc working group and submitted to the Facilities Planning Committee for consideration.

   2.1. The working group will be assembled by the Director of Instruction for the school who will also chair the committee.

   2.2. Representatives on the committee will include:
   - 2.2.1. The School Principal
   - 2.2.2. The District Principal, Educational Planning
   - 2.2.3. A representative from VTF, DPAC, and VDSC

3. The *Consideration for Renaming Summary Report* (Appendix A) will be submitted to the Facilities Planning Committee for review once complete.

4. The Facilities Planning Committee will make a recommendation to the Board to either retain the current school name or to start a renaming process for the school.

DRAFT

5. If approved for renaming by the Board the process as outlined in Administrative Procedure 541: Naming a School Facility will be followed.

Reference: Sections 22, 65, 85 School Act

Adopted: May 4, 1992
Revised: September 1994; January 1999; October 2000; September 24, 2018, (DATE TBD)

DRAFT

Administrative Procedure 542 – Appendix A

RE-NAMING EXISTING SCHOOL FACILITIES

The process of considering a school for renaming is guided by Administrative Procedure 542 (Renaming Existing School Facilities)

Administrative Procedure 542 outlines 3 pathways for a school to be identified for possible renaming.

1. The school has been approved and funded for full replacement as part of the seismic mitigation program.
2. The school community, including students*, staff, and PAC, have put forward a request, in writing, to the Superintendent to have the school name reviewed and considered for possible renaming.
3. By passing of a Board Motion for a review of the school name. (Policy 2)

*grade 6 to 12 students

Please indicate which of the following pathways for renaming review have taken place:
__X__ funding has been advanced (Project Agreement) for seismic replacement of the school
____ review has been supported by school community
____ Board Motion has been adopted to review the name

At least one of the above must be indicated for a review to proceed.

Process:
The following information will be reviewed and considered by the Facilities Planning Committee. The Committee will make a recommendation following discussion which will be forwarded to the Board for decision.

Part I: Information for Consideration of Facilities Planning Committee

Current School Name: David Lloyd George

Information on the school namesake

Birth: Jan 17, 1863
Death: March 26,1945
Occupation(s): Politician and UK Prime Minister
Citizenship: British/Welsh

Other relevant demographic information:

- Was noted for bringing public voting to all men and women by 1918
- Key player in the Paris Peace Conference of 1919: advocated for a reasonable reparation plan, but was outvoted by other Allied leaders
- Negotiated for Irish independence in 1921 would grand Ireland free statehood
- Initiated reforms in education, housing, wages, health, public works
- Activated a national insurance act 1911, which became a model for similar employment and health insurance acts in other Commonwealth nations such as Canada
- Prime Minister from 1916-22

Name sakes connection to Canada? (To British Columbia? To Vancouver?)

Canada is a member of the British Commonwealth, DLG was Prime Minister of UK.
Health Insurance Act of 1911 impacted service delivery in Canada as a commonwealth nation.
No available info in terms of connection to BC or Vancouver
Only visited Canada once.

Namesakes connection to Indigenous communities in Canada?

No apparent connection to Indigenous communities in Canada.

Did the namesake have a connection to education?

Contributions to Education in UK include: The Education Act 1918 raised the school leaving age to 14, increased the powers and duties of the Board of Education (together with the money it could provide to Local Education Authorities), and introduced a system of compulsory part-time continuation schools for children between the ages of 14 and 16. These initiatives in the UK may have influenced developments in Canadian education system.

Was the namesake a member of a group underrepresented in current VBE school names?

No

What is the primary legacy of the namesake? Is this legacy one that has positive associations within the community?

- ***a) contributions and impact on education? Children and youth?***
- ***b) contributions to literature? Science? Arts? Medicine? Technology?***
- ***c) contributions to advancement of progressive laws related to human rights and freedoms?***
- ***d) Other contributions?***

Progressive laws and changes to Health, Education, Workers' rights, Voters' rights…

Does the primary legacy of the namesake align with District Mission and Values of respect, cooperation, and social responsibility?

Political initiatives and advocacy work, albeit enmeshed in the cultural attitudes of his time period, illustrate a social conscience dedicated to supporting social change and progressive programs in areas of Public Health, Education and Employment rights/benefits.

Is the school name strongly connected to the school identify? What is the current feeling within the school community about the possibility of changing the name?

No real feeling of connection to the name within the school community.
Some staff felt a school should not be named after him. Others were indifferent.
Some families did not know what the actual name was: Lloyd George, David Lloyd, DLG…
Students did not express connection to the name nor knew anything about who the namesake was and so also expressed a lack of connection to and indifference to the name.
PAC: some members acknowledged privilege and acknowledged that such a name could be seen as a reflection of that and so felt the name no longer would be appropriate for a school name.
Open to a new name, though curious about what a new name might be…

Other information and/or considerations in regard to the legacy and contributions of the namesake?

Did bring a progressive perspective in terms of advancing social rights and equality, though he was a person of his time.
Recognize that by nature of who he was, he does represent a colonial figure and so may no longer be an appropriate namesake for a VSB school building.

Part II: Recommendation of Facilities Planning Committee to the Board

- That the school be renamed.
  OR
- That the school name be retained.

Adopted: (DATE TBD)

Administrative Procedure 542 – Appendix A

RE-NAMING EXISTING SCHOOL FACILITIES

The process of considering a school for renaming is guided by Administrative Procedure 542 (Renaming Existing School Facilities)

Administrative Procedure 542 outlines 3 pathways for a school to be identified for possible renaming.

1. The school has been approved and funded for full replacement as part of the seismic mitigation program.
2. The school community, including students*, staff, and PAC, have put forward a request, in writing, to the Superintendent to have the school name reviewed and considered for possible renaming.
3. By passing of a Board Motion for a review of the school name. (Policy 2)

*grade 6 to 12 students

Please indicate which of the following pathways for renaming review have taken place:
____ funding has been advanced (Project Agreement) for seismic replacement of the school
____ review has been supported by school community
____ Board Motion has been adopted to review the name

At least one of the above must be indicated for a review to proceed.

Process:
The following information will be reviewed and considered by the Facilities Planning Committee. The Committee will make a recommendation following discussion which will be forwarded to the Board for decision.

Part I: Information for Consideration of Facilities Planning Committee

Current School Name: Sir Matthew Begbie Elementary

Information on the school namesake

Birth: May 9, 1819
Death: June 11, 1894
Occupation(s): judge and politician
Citizenship: Canadian

Other relevant demographic information:

He was knighted by Queen Victoria in 1875.

Name sakes connection to Canada? (To British Columbia? To Vancouver?)

Matthew Begbie was born on a British ship en route to the island of Mauritius, where he lived until he was seven. He then moved back to Great Britain where he pursued his education and became a lawyer. He moved to Fort Langley at the age of 39 on the invitation of James Douglas, who had just been named the governor of British Columbia.

Bebgie was the colony of British Columbia's first judge from 1858-1871, chief justice of the Supreme Court of the United Colonies from 1870 to 1871, and the province's first chief justice from 1871-1894. Begbie was first sworn into office in Fort Langley, BC on November 19, 1858.

Begbie's primary contribution to British Columbia was to bring British law to the scattered mining communities. He spent his time travelling to virtually all settled areas in the colony and holding court. Later, in his role as chief justice, Begbie prepared much of the colonial legislation. The three most important statutes proclaimed in the colony prior to its union with Vancouver Island in 1866 were the product of his work: the Aliens Act (1859), the Gold Fields Act (1859), and the Pre-emption Act (1860).

Namesakes connection to Indigenous communities in Canada?

Much of Begbie's connection to Indigenous communities in British Columbia is detailed below in the 'primary legacy' section. Additional information includes Begbie's controversial attitudes (at the time) and his positive opinion of BC's Indigenous peoples. In 1860, Begbie found a white Californian man by the name of William Marshall guilty of assaulting an Indigenous man based only on the testimony of Indigenous people, the first time this had ever occurred. In 1889, he overturned the conviction of a man who had plead guilty to potlatching, holding that the law against it was too vague and unfair to support lawful convictions.

Begbie spoke the Chinook trade language and used it in court to converse with Indigenous people who also spoke the language. He recognized the concept of Indigenous marriage and allowed an oath for truth-telling that recognized Indigenous beliefs. He allowed people of other cultures to swear an oath of truth on an object sacred to them in place of the Bible.

He fought efforts to displace Indigenous people from their homes and grazing lands, and in the 1870s he persuaded the federal government to preserve their traditional fishing rights on the lower Fraser River. He was also responsible for provincial legislation giving Indigenous women who had lived in common-law relationships with white men a percentage of their estates if they died intestate.

Did the namesake have a connection to education?

No

Was the namesake a member of a group underrepresented in current VBE school names?

No

What is the <u>primary legacy</u> of the namesake? Is this legacy one that has positive associations within the community?

a) contributions and impact on education? Children and youth?
b) contributions to literature? Science? Arts? Medicine? Technology?
c) contributions to advancement of progressive laws related to human rights and freedoms?
d) Other contributions?

Begbie's primary legacy, which is overwhelmingly negative, is that he is known as the hanging judge. In 1864, Begbie presided over the murder trial of six Tsilhqot'in men (Klatsassin, Telloot, Chessus, Piell, Tahpit and Chedekki) who were part of the Chilcotin War and accused of killing 20 people. Begbie appointed George Barnston as defense counsel when Barnston was related by marriage and business ties to one of the parties that the Tsilhqot'in believed spread smallpox. Begbie also concealed from Governor Seymour information that the Tsilhquot'in had been induced to attend a peace conference with false promises. The six Tsilhquot'in men were found guilty by juries and sentenced to hang. The juries were not independent as many were employees at the HBC at Fort Alexandria (where employees had been hiding in the fields with rifles during the Chilcotin War). Begbie pronounced the mandatory sentence. Because of this, he was referred to as "the hanging judge".

In 1993, the NDP attorney general, Colin Gabelmann, apologized for the executions, and in 2014 Liberal premier Christy Clark exonerated the chiefs, who asserted they were driven by the fear of disease from encroaching settlements and the planned road from Bute Inlet on the coast to Barkerville in the Cariboo gold fields.

Does the primary legacy of the namesake align with District Mission and Values of respect, cooperation, and social responsibility?

No

Is the school name strongly connected to the school identify? What is the current feeling within the school community about the possibility of changing the name?

Staff
Discussions have taken place at SAC meetings beginning in May 2019 when issues regarding the removal of the Begbie statue in New Westminster came to light in the media. Staff were informed of the possibility of a policy change with respect to school re-naming and the timeliness of considering a name change.

At two Staff Advisory Committee (SAC) meetings in the fall of 2020, the question was considered as a discussion item with respect to school connection to the current name and the possibility of a new name. The question of the involvement of Indigenous voice in the process was brought to the table.

Given the discussion at SAC meetings, it is fair to say the consensus at this time is that the school name is not strongly connected to the school identity. The current feeling within staff, is people are in support of a name change at this time.

Parents
Discussion has taken place at several PAC meetings beginning in Spring of 2019 due to news reports involving the school namesake. Questions of timing and process were discussed at that time as the re-naming policy was under review. There was discussion from several parents speaking in support of a name change. Other parents spoke in support of retaining the name.

In the Autumn of 2020, the question was again discussed by PAC members with the adoption of the new naming policy. One parent presented research regarding the history of the namesake and spoke strongly in support of a name change. There was also discussion of the question of the relative progressive nature of the namesake when compared with the times.

Given the discussion at PAC meetings, it is fair to say the consensus opinion at this time is that the school name is not strongly connected to the school identity. The current feeling within the parent community is people are in support of a name change at this time.

Overall – there were not strong feelings from school staff or the community about a connection between the name and the school identity. Parents felt more strongly in support of changing the school name than did staff.

Other information and/or considerations in regard to the legacy and contributions of the namesake?

There were two statues of Begbie located in Vancouver, one in the foyer of the Law Society of British Columbia offices and one outside the Law Courts in New Westminster. In 2017, the Law Society of BC removed the statue of Begbie from the foyer of its Vancouver building and took his name off the bronze awards given to honour lifetime contributions to the legal profession. The statue of Begbie was removed from the Law Courts in New Westminster on July 6, 2019.

Part II: Recommendation of Facilities Planning Committee to the Board

- That the school be renamed.
  OR
- That the school name be retained.

Adopted: (DATE TBD)

January 13, 2021

ITEM 3.1

TO: Facilities Planning Committee

FROM: Board of Trustees

RE: Motion referred from the December 14, 2020 Board Meeting: No Sale of Public Land

The attached motion, with rationale, was presented at the December 14, 2020 Board meeting by Trustee Reddy and was referred to Committee for consideration and feedback.

Attachment

ATTACHMENT

No Sale of Public Land

REFERENCE TO STRATEGIC PLAN:

Goal 1: Engage our learners through innovative teaching and learning practices.
Goal 2: Build capacity in our community through strengthening collective leadership.
Goal 3: Create a culture of care and shared social responsibility.
Goal 4: Provide effective leadership, governance and stewardship.

PROPOSED MOTION:

That the Vancouver Board of Education not dispose of any of its land by sale or transfer in fee simple. This would not preclude land swaps or leases pursuant to the procedure in Policy 20.

RATIONALE:

WHEREAS
The Vancouver School Board Trustees are holding public lands on behalf of current and future generations of children, youth, and families in Vancouver.

WHEREAS
The Long Range Facilities Plan consultation process engaging over 4,000 individuals has indicated that the public does not support the sale of Vancouver School Board land

January 13, 2021

ITEM 3.2

TO: Facilities Planning Committee

FROM: J. David Green, Secretary Treasurer
John Dawson, Director of Planning

RE: Feedback from Joint Stakeholder/Trustee Workshop – January 6, 2021 Re: 2020 Long Range Facilities Plan

Reference to Strategic Plan:
Goal 2: Build capacity in our community through strengthening collective leadership
Objective: Encourage and appreciate the contributions made by our students, families, employee groups and community partners

Goal 4: Provide effective leadership, governance and stewardship.
Objectives: Implement the recommendations of the Long Range Facility Plan
Effectively utilize school district resources and facilities.

INTRODUCTION:

This report is for information but does contain considerations the Committee may want to recommend to the Board of Education for inclusion in the Long Range Facilities Plan or referred to the Advocacy Committee.

BACKGROUND:

A draft of the 2020 Long Range Facilities Plan was released to Facilities Planning Committee stakeholders and Trustees on December 23, 2020 for review and the formulation of feedback for a joint workshop of stakeholders and Trustees on January 6, 2021. This workshop was the next step in the approved timeline for the Board's consideration of the Long Range Facilities Plan with feedback going to the January 13, 2021 Facilities Planning Committee meeting. It is expected that the Facilities Planning Committee will make final changes to the draft plan and recommend approval to the Board of Education for the public meeting to be held on January 25, 2021.

DISCUSSION:

Much of the discussion at the joint workshop was simply around questions of clarification. Other discussion resulted in changes that were agreed to be made and questions that were taken away for further consideration, either to be presented to the Facilities Planning Committee to be included in the plan or to be advanced to the Advocacy Committee.

As a result of the discussion at the joint workshop the following changes have been made to the draft 2020 Long Range Facilities Plan:

- The reference to considering the closure of Carleton has been changed to now read “Consider finding an alternate educational or public use for Carleton elementary school and/or site and then consider initiating a school closure process.”

- The Elementary Music Program review that was presented to the Student Learning Well-Being Committee in June 2020 has been added to Table 2 on page 20. It should be noted this review is still in the hands of the Committee and the recommendations in it have not been adopted by the Board.

- In the table in section 5.1 the headings have been changed to say, “Space Included in Capacity” and “Space not Included in Capacity” instead of “Instructional Space” and “Non Instructional Space”.

- In Chapter 7 Section 7.1 additional wording has been provided to explain what “least cost option” means more clearly.

With respect to matters taken away for further consideration, does the Facilities Planning Committee wish to include any of the following in the draft for consideration by the Board of Education:

- Can the enrolment tables in the Families of Schools sections include a column for “market share”?
- Is there a need for an appendix that lists the 114 portables and what they are being used for?
- For the seismic charts can you overlay where kids live?
- Is there a need to include information on tiered schools?
- Does there need to be a section that addresses active transportation?

With respect to matters taken away that staff consider should be advocacy statements, does the Facilities Planning Committee wish to include any of the following in the draft for consideration by the Board of Education or refer them to the Advocacy Committee:

- Can the District get the Ministry to exclude space that has been repurposed for a use other than instructional use from capacity utilization calculations?

- In Section 5.8 Community Use of Schools - Can we add an advocacy bullet to this section to "Encourage the Province" to allow NLC's to be designated for these purposes that are not purpose built?

CHANGES MADE IN DRAFT AFTER DISCUSSION WITH MINISTRY:

Section 3.2.1- Section 3.2.4 on Facility Condition Index

The table explaining the details of the different FCI categories and the elementary and secondary maps have been removed. This is because the FCI ratings in Appendix J are from 2016 and will need to be updated. The Ministry of Education engages a company to conduct assessments on school district buildings every five years. Because work has been done on many District facilities since they were last assessed (roof replacements, electrical upgrades, heating plane replacements, etc.) using Annual Facilities Grant funding and minor capital grant funding (SEP and CNCP) the ratings will have improved

reflecting that work. Therefore, the ratings in Appendix J represent, for many schools, a poorer condition than actually exists. The FCI for all schools and facilities will be updated when the new assessments are completed.

Section 3.3.9 has been reworded.

3.3.9 PROJECTS NOT SUPPORTED BY THE MINISTRY (Original)

The previously approved project to upgrade Sir Guy Carleton Elementary is no longer being supported by the Ministry as the VSB could not develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. In addition, District staff have been informed by Ministry staff that the previously approved project for Point Grey Secondary is no longer being supported. This position by Ministry staff is not reflected in the Ministry's latest seismic listings, where it still shows as a future project.

3.3.9 DEFERRED APPROVED PROJECTS (Revised)

The District did receive approval to develop a Project Definition Report for the seismic upgrading of Sir Guy Carleton Elementary in the Ministry's Capital Plan Response Letter for the 2018-2019 capital plan. The VSB has been unable to develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. Consequently, the Vancouver Project Office Steering Committee has not advanced this project to the Ministry for consideration. The District also received approval to develop a Project Definition Report for the seismic upgrading of Point Grey Secondary in the Ministry's Capital Plan Response Letter for the 2016-2017 capital plan. This project also has not been brought forward to the Vancouver Project Office Steering Committee for consideration. Both projects are listed as future priorities in the Ministry's listing of seismic projects but are deferred pending future business case work.

Executive Summary Change

The reference to the consideration of the closure of Carleton in the executive summary has been changed to now read: "Consider finding an alternate educational or public use for Carleton elementary school and/or site and then consider initiating a school closure process."

RECOMMENDATION:

This report is for information only and consideration by the Committee.

Date: January 13, 2021

ITEM 3.3

TO: Facilities Planning Committee

FROM: J. David Green, Secretary Treasurer

RE: Changes to 2020 Long Range Facilities Plan

Reference to Strategic Plan:

Goal 2: Build capacity in our community through strengthening collective leadership.

Objective: Encourage and appreciate the contributions made by our students, families, employee groups and community partners.

Goal 4: Provide effective leadership, governance and stewardship.

Objectives: Implement the recommendations of the Long Range Facility Plan.
Effectively utilize school district resources and facilities.

INTRODUCTION:

This report is provided for information and does not contain a recommendation.

BACKGROUND:

The initial draft of the 2020 Long Range Facilities Plan was sent confidentiality to Facilities Planning Committee stakeholder representatives and Trustees on December 23, 2020. The recipients of the draft were asked not to submit feedback until January 4, 2021. Feedback was received from some trustees by that date and further feedback was received from stakeholders and trustees at the joint workshop held on January 6, 2021.

After a release of the initial draft to the Ministry of Education on January 7, 2021 further changes were made between January 8, 2021 and January 11, 2021 because of several conversations with Ministry staff.

ANALYSIS

The purpose of this report is to identify the changes that have been made in the Long Range Facilities Plan from the release of the initial draft on December 23, 2020 and the version included in the agenda of this meeting and posted on the District website on January 11, 2021. The table below summarizes the changes that have been made (not including spelling errors and grammar changes and page #'s will differ).

Table 1. Changes in Long Range Facilities Plan (Dec. 23, 2020 to Jan. 11, 2021)

December 23, 2020 Wording	January 11, 2021 Wording
Page 4 The Board did, however, in April and May of 2019 adopt the 16 recommendations associated with the plan.	**Page 4** The Board did, however, in April and May of 2019 adopt 17 recommendations associated with the plan. The 17th recommendation: *That the Board of Education requests a report outlining the financial costs and the risk to human lives in the event of a seismic event as a result of operating the District with current surplus capacity* was rescinded by the Board of Education at the December 14, 2020 Public Board meeting.
Page 6	**Page 6** With the rescinding of the 17th recommendation the remaining 16 recommendations associated with the 2019 Draft Long-Range Facilities Plan remain in force for future iterations of the Plan.
Page 10 • 76 elementary schools (Kindergarten to Grade 7) • 1 elementary school (Kindergarten to Grade 5)	**Page 10** • 77 elementary schools (Kindergarten to Grade 7) **(to correct Norma Rose Point)**
Page 9 Southeast Region • Consider initiating a school closure process for Carleton elementary school	**Page 9 Southeast region** • Consider finding an alternate educational or public use for Carleton elementary school and/or site and then consider initiating a school closure process
Page 19- 21 2.2 REGULATORY REQUIREMENTS	**Page 19-21** The tables on pages 20 and 21 have been corrected for duplication and Table 2 now has a reference to Phase 2 of the Spur Engagement and Table 3 now has a link to the June 2020 Music Review report that went to the Student Learning Well-Being Committee
Page 25 – 29 FACILITY CONDITION INDEX sections	3.2.1 FACILITY CONDITION INDEX Chart on Page 26 of the December draft has been removed. Section 3.2.2 FACILITY CONDITION INDEX OF ELEMENTARY SCHOOLS & ANNEXES and Section 3.2.3 FACILITY CONDITION INDEX OF SECONDARY SCHOOLS have been removed. The former Section 3.2.4 is now section 3.2.2

3.3.9 PROJECTS NOT SUPPORTED BY THE MINISTRY The previously approved project to upgrade Sir Guy Carleton Elementary is no longer being supported by the Ministry as the VSB could not develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. In addition, District staff have been informed by Ministry staff that the previously approved project for Point Grey Secondary is no longer being supported. This position by Ministry staff is not reflected in the Ministry's latest seismic listings, where it still shows as a future project.	**3.3.9 DEFERRED APPROVED PROJECTS** The District did receive approval to develop a Project Definition Report for the seismic upgrading of Sir Guy Carleton Elementary in the Ministry's Capital Plan Response Letter for the 2018-2019 capital plan. The VSB has been unable to develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. Consequently, the Vancouver Project Office Steering Committee has not advanced this project to the Ministry for consideration. The District also received approval to develop a Project Definition Report for the seismic upgrading of Point Grey Secondary in the Ministry's Capital Plan Response Letter for the 2016-2017 capital plan. This project also has not been brought forward to the Vancouver Project Office Steering Committee for consideration. Both projects are listed as future priorities in the Ministry's listing of seismic projects but are deferred pending future business case work.
Page 32 At the current point in time in the SMP the District has 17,840 seismically safe elementary seats and 7,925 seismically safe seats.	**Page 29** At the current point in time in the SMP the District has 17,840 seismically safe elementary seats and 7,925 seismically safe **secondary** seats.
Page 37 For projects to be considered for approval by the Ministry a defensible business case (Project Definition Report) that considers enrolment and capacity utilization factors.	**Page 33** For projects to be considered for approval by the Ministry a defensible business case (Project Definition Report) that considers enrolment and capacity utilization factors i**s required.**
Page 42 Assessing the enrolment impact of changes to residential housing stock in a local area relies on using accurate student yield assumptions in combination with development information from the City of Vancouver UBC/UEL and Indigenous Nations.	**Page 38** Assessing the enrolment impact of changes to residential housing stock in a local area relies on using accurate student yield assumptions in combination with development information from the City of Vancouver UBC/UEL and ~~Indigenous~~ **First Nations.**
Page 45 Table headings: Instructional Space and Non-Instructional Space	**Page 41** Table headings: Space Included in Capacity and Space Not used in Capacity

Page 57 Of relevance for the VSB, Boards are also required to contribute funding for Seismic Mitigation Projects where a school district chooses to advance a difference project scope that is not the least cost option.	**Page 53** Of relevance for the VSB, Boards are also required to contribute funding for Seismic Mitigation Projects where a school district chooses to advance a different project scope that is not the least cost option, as would be the case where the least cost option is the seismic upgrading of the school. When the District develops a business case for the seismic upgrading of a school it will develop costing for the seismic upgrading as well as costing for either a partial or a full replacement of the school. In some cases, the least cost option is a replacement.
Page 61 The Board has commenced initial work on the some of the opportunities in the 1-3 years' timeframe	**Page** The Board has ~~**commenced**~~ **explored** initial work on the some of the opportunities in the 1-3 years' timeframe
Page 61 For the Maple Grove Elementary and Bayview Elementary projects these additional costs amount to $1.9 million.	**Page 57** For the Maple Grove Elementary project these additional costs amount to $1.0 million.
Page 66 (1st Page of Central Region) Column headings in Table were Hamber, John Oliver, Tupper and Laurier	**Page (1st Page of Central Region)** Column headings in Table are Hamber, John Oliver, Tupper and **Churchill**
Central Region page 10 Kindergarten waitlists are not expected at Lloyd George and Osler in the future,	**Central Region page 10** Kindergarten waitlists are not expected at Lloyd George and ~~Osler~~ in the future,
Central Region page 12 • Continue to restrict out of catchment enrolment at Sexsmith and Laurier, • Begin to limit out of catchment enrolment at Lloyd George and Osler • If necessary, use nearby schools to accommodate placed students from Churchill FOS • Continue to manage cross boundary enrolment to ensure effective use of staffing • Begin limiting out of catchment enrolment at Nightingale to ensure that there is sufficient capacity to accommodate catchment students	**Central Region page 12** The December draft had wording for Churchill in the first three bullets. The corrected wording is: ~~• Continue to restrict out of catchment enrolment at Sexsmith and Laurier,~~ ~~• Begin to limit out of catchment enrolment at Lloyd George and Osler~~ ~~• If necessary, use nearby schools to accommodate placed students from Churchill FOS~~ • Continue to manage cross boundary enrolment to ensure effective use of staffing • Begin limiting out of catchment enrolment at Nightingale to ensure that there is sufficient capacity to accommodate catchment students

Downtown Region Page 2 Under the Table at 4.3 the wording is: Hudson stopped enrolling a kindergarten cohort of EFI beginning in September 2020 will not be enrolling a grade 6 cohort in the LFI program in September 2021 which is the first year of the phased relocation of the Gordon LFI program.	**Downtown Region Page 2** Under the Table at 4.3 the wording is: Hudson stopped enrolling a kindergarten cohort of EFI beginning in September 2020
Downtown Region Page 10 (Scenario 3) **The wording is in 4.10.2** The Vancouver School District collaborating with the City of Vancouver on the West End Community Centre/King George Master Planning process (WECC/KGS). The WECC/KGS Master Planning process is currently in the Planning and Discovery Phase which is scheduled to conclude in December 2020. In January 2021, the process is scheduled to move into phase 2 - storytelling and setting direction.	**Downtown Region Page 10 (Scenario 3)** **The wording is moved to 4.10.1 (it was in the wrong place)** The Vancouver School District collaborating with the City of Vancouver on the West End Community Centre/King George Master Planning process (WECC/KGS). The WECC/KGS Master Planning process is currently in the Planning and Discovery Phase which is scheduled to conclude in December 2020. In January 2021, the process is scheduled to move into phase 2 - storytelling and setting direction.
Southeast Region Page 14 Graph Should the orange line be zero and a gray line added	**Southeast Region Page 14 Graph** Graph was corrected to remove the orange line and insert a gray line
Southeast Region Page 15 The December report had an error in the numbering of Section 6.11 – the numbering went from 6.11.1 Overview to 6.11.3 David Thompson FOS	**Southeast Region Page 15** Numbering has been corrected so that David Thompson FOS is now 6.11.2
Southeast Region Page 16 Section 6.11.4 **8th Bullet -** Carleton is no longer a supported seismic project.	**Southeast Region Page 16 Section 6.11.3** **8th bullet –** While Carleton remains on the Ministry's listing for future priorities the District has been unable to develop a feasible business case that could be advanced to the Vancouver project office for consideration.
Southeast Region Page 17 Section 6.11.4 **Scenario 4 – 6th Bullet** Fire damage at Carleton has not been repaired because funding has not been advanced through the School Protection Plan.	**Southeast Region Page 17 Section 6.11.3** **Scenario 4 – 6th Bullet** Fire damage at Carleton has not been repaired at this time as the VSB has not made a decision on the future use (business case) and due to the high seismic risk of the school. Because the cost to mitigate the fire damage is over $500,000, the cost of this mitigation would need to be funded from the Ministry of Education capital plan.

Southeast Region Page 18 Section 6.11.4 Scenario 4 – 1st Bullet In 2019, Ministry of education staff informed the District that Carleton is no longer supported for a seismic upgrade in the SMP due to the weak business case for this project.	**Southeast Region Page 18 Section 6.11.3 Scenario 4 – 1st Bullet** In 2019, The Vancouver Project Office Steering Committee determined there was not a feasible business case for the seismic upgrading of Carleton that could be advanced to the Ministry for consideration.
Southeast Region Page 18 Section 6.11.4 Scenario 4 – 2nd Bullet Carleton could be considered for a closure process as outlined in Board Policy 14	**Southeast Region Page 18 Section 6.11.3 Scenario 4 – 2nd Bullet** Because of that, the District should focus on finding an alternate use and business case that can be supported for Carleton at which time it would be considered for closure as an enrolling school through the process outlined in Board Policy 14.

RECOMMENDATION(S):

This report is provided for information.

ITEM 3.4

2020 LRFP Feedback Received by 3 pm January 13, 2021

Total Number of e-mails = 29

Feedback by Theme (Note that several e-mails contained feedback in more than one category)

Category	Support/Concerns/Issues	*Number of e-mails
Process	• Short window to provide feedback on document • Increased time for feedback would be helpful • Lack of consultation with school community • Concern about SPUR consultation process • Desire for community-based consultation • Request for more time to gather feedback from parents (Point Grey) • Suggestions to consider regarding planning for any change at Point Grey • Need for business case for PG/PW consolidation • Need for a new facility prior to closure of PG	16
Enrolment Forecasting	• Concern about not capturing impact of future development in enrolment forecasts (Jericho Lands) • Multi-residential development in the NE (Hastings, Nanaimo, Renfrew) • Possibility of densification in Southwest • Concern about not capturing impact of future development in enrolment forecasts (Nightingale) • Concern about enrolment forecast for Hudson (too low) • Enrolment forecast for Hastings Sunrise does not capture growth due to development • Enrolment forecast for Cavell does not capture impact of development • Concern that utilization at Crosstown is not accurately represented	10
School Closure Consolidation	• Retain all school sites for future requirements	7

	• Request that Tillicum Annex is identified as a school to remain open • Ideas about how to proceed with PG/PW consolidation • Concern about impact on students if PG is closed • Support for PG/PW consolidation	
Feedback from PAC Executives	• Point Grey Pac Executive providing information from LRFP to Point Grey PAC members • Nightingale PAC Exec concern that SMP will not address facility condition, and that enrolment forecast is not capturing the impact of future development in the area • Strathcona PAC Exec – detailed feedback about site concerns including presence of seismically unsafe structure (Building D) • L'ecole Bilingue PAC Exec – multiple concerns	3
Safe Active Transport	• Access to safe options to get to school	2
COVID-19 Response	• Suggest that schools at low capacity are appropriate in response to COVID-19	1
SMP/Facility Condition	• Concern about SMP not addressing deferred maintenance/poor facility condition (Nightingale) • Concern about school not being prioritized in Capital Plan (Quilchena) • Concern about progress of SMP in relation to Southlands	3
Co-Location of Alternates	• Concern about co-location of alternates ie. certain programs need satellite locations	1
Educational Programming	• Concern about availability of space in EFI • Sustain programming if schools consolidated	2

Feedback by Group

- Most feedback was received from parents of VSB students
- Several e-mails from PAC executives

Feedback by Community

- Most feedback by a wide margin from Point Grey community
- Nightingale
- Cavell

Vancouver School District

2020 LONG RANGE FACILITES PLAN

Draft - Facilities Planning Committee
January 13, 2021

Table of Contents

Executive Summary....4

Status of 2019 Draft Long-Range Facilities Plan Recommendations....6

2020 Draft Long-Range Facilities Plan....8

Central Region....8

Southwest Region....8

UBC and Vancouver west....9

Kitsilano and Downtown Region....9

Downtown East Region....9

Southeast Region....9

1.1 Background....10

1.1.1 District Overview....10

1.1.2 District Map....12

1.2 Purpose....12

1.2.1 Purposes of a Long-Range Facilities Plan....12

1.2.2 Ministry of Education Perspective....13

1.2.3 VSB District Perspective....14

1.3 Scope....14

1.3.1 Scope of the VSB Long-Range Facilities Plan....14

1.3.2 Ministry of Education Perspective....14

1.3.3 VSB District Perspective....15

1.3.4 VSB Long-Range Facilities Plan Structure....17

2.1 District Policy 1: Foundational Statements....19

2.2 Regulatory Requirements....19

2.3 Guiding Principles....21

2.4 Major Assumptions....22

2.5 public engagement process....23

3.1 Age of VSB Schools....24

3.2 Facility Condition Index of VSB Schools....24

3.2.1 Facility Condition Index....24

3.2.2 Facility Condition Index and Deferred Maintenance....25

3.3 Seismic Condition of VSB Schools....25

3.3.1 Provincial Seismic Mitigation Program 25
3.3.2 Seismic Risk Categories 26
3.3.3 Vancouver Project Office and Ministry of Education 27
3.3.4 District Process for moving projects forward 27
3.3.5 Seismic Project Approval Process 28
3.3.6 Current Status of VSB Projects in the SMP 28
3.3.7 Seismic Condition of VSB Schools 29
3.3.8 Projects Supported by the Ministry 31
3.3.9 deferred Approved Projects 31
3.3.10 Current VSB SMP Implementation Plan 31
3.4 new school space requested 34
4.1 Enrolment Forecasts and methodology 35
4.1.1 Data Sources 35
4.1.2 Forecasting Assumptions 35
4.1.3 Baseline Enrolment Forecasts 36
4.1.4 Planning Context for Enrolment Forecasting 36
4.1.5 Alternative Forecasting Methodology 37
4.1.6 Assessing the Impact of Development 37
4.2 Enrolment Trends 38
4.2.1 Net Out Migration of Youth Population – Impact of Immigration 38
4.2.2 Redistribution of Students 39
4.2.3 District Enrolment Forecast 39
5.1 Operating Capacity 41
5.2 2019 Updated LRFP Guidelines 42
5.3 Classroom Capacity 42
5.4 Comparison to other Districts 42
5.5. District Operating Capacity and Capacity Utilization – BC Residents 43
5.6 District Operating Capacity and Capacity Utilization – Total Enrolment 43
5.7 Space Use at Elementary Schools 44
5.8 Optimizing the Utilization of School Assets 44
5.9 Seismic Mitigation Program 45
5.10 Consolidation 45
6.1 2019 Capacity Utilization and Space Use 46

6.2 Enrolment Management Strategies....48
6.3 Out of Catchment Enrolment....49
6.4 Kindergarten Waitlists....49
6.5 Online Registration Services....50
6.6 Maximizing Enrolling Space....51
6.7 Programs and Grade Range....51
6.8 Catchment Boundary Adjustments....51
6.9 Major Capital Projects to Increase Capacity....52
7.1 Required funding contributions for major capital projects....53
7.2 Converting Seismic Upgrade Projects to Replacement School Projects....54
7.2.1 Replacement projects (full and partial) will achieve the following benefits for VSB....54
7.3 Revenue Generation to Enhance Capital Projects....55
7.4 Development and Implementation of a Capital Asset Management Plan....56
7.5 Capital Funding required for current Projects....57
8.1 Secondary Enrolment Trends – Regular Program....58
8.2 Enrolment Breakdown – Program Type....59
8.3 District Choice Program Enrolment....60
8.4 Family of schools....60
8.5 Elementary Enrolment Trends – Regular Program....61

APPENDICES

Appendix A – LRFP Strategy 2020-2030

Appendix B – Public Engagement Process Phase II (pending)

Appendix C – LRFP 16 Recommendations

Appendix D – Elementary Programs and Locations

Appendix E – Secondary Programs and Locations

Appendix F – School Enrolment History 2010-2019

Appendix G – School Enrolment Forecasts 2020-2029

Appendix H – Closed Boundary Forecasts 2020-2029

Appendix I – Operating Capacity and Capacity Utilization 2019 & 2029

Appendix J – Seismic Status, FCI and Facility Condition Rating

Appendix K – 2021-2022 Five Year Capital Plan Summary

Appendix L – Space Use for Elementary Schools Survey Summary 2019-2020

Appendix M – Childcare Locations

Appendix N – East to West Secondary Regular Program Enrolment

Executive Summary

The intent of the Long-Range Facilities Plan (LRFP) is to outline facilities management strategies in support of long-term accommodation of projected students in support of educational programs. The LRFP is a Board of Education-driven document that provides a framework for facilities planning and investment decisions to support the District's annual review of its Five-Year Capital Plan and proposed capital projects. The LRFP establishes facility needs, space requirements, priorities, and strategies to inform and guide facilities projects, priorities, and decisions from both a Ministry requirement perspective and a local Vancouver perspective.

In alignment with those perspectives, the LRFP presents a wide-ranging vision for the use of the Board's current and potential future inventory of capital assets to provide broad strategies for the most-effective delivery of education programs. The LRFP also considers alternative community use of space in open schools and closed schools, as well as the use of school property for educational purposes and community use.

In late 2018 and early 2019 Vancouver School District (District or VSB) produced a Long-Range Facilities Plan which was presented to the Board of Education in February 2019. It remains in draft form on the District website as it was not formally adopted by the Board of Education. The Board did, however, in April and May of 2019 adopt 17 recommendations associated with the plan. The 17th recommendation: *That the Board of Education requests a report outlining the financial costs and the risk to human lives in the event of a seismic event as a result of operating the District with current surplus capacity* was rescinded by the Board of Education at the December 14, 2020 Public Board meeting.

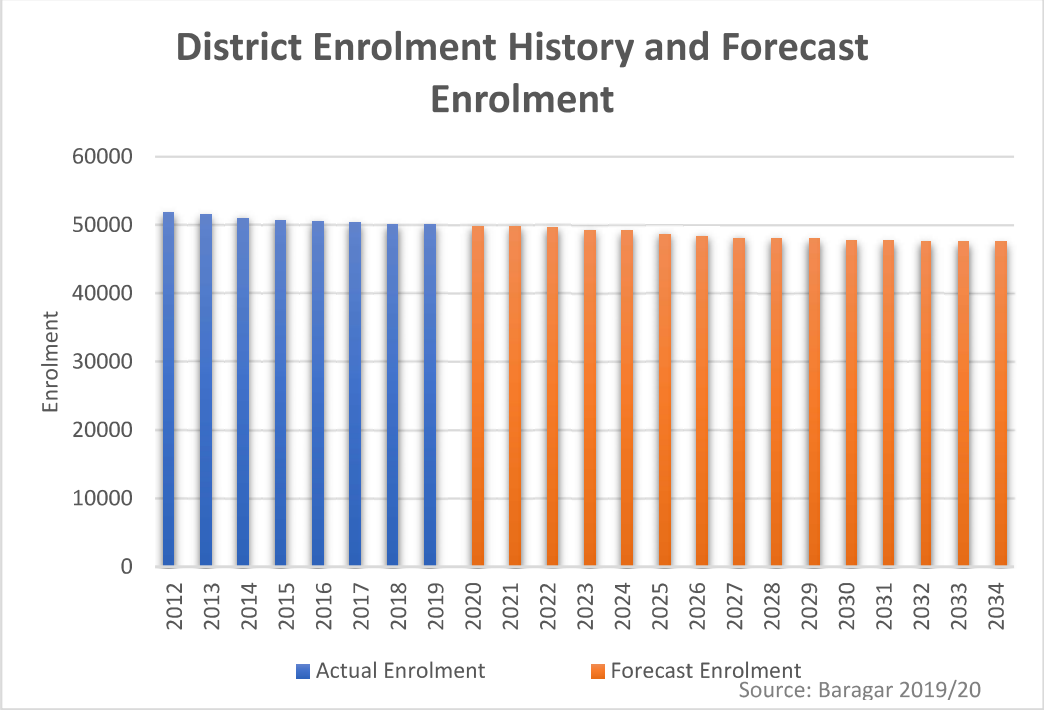
This 2020 Long-Range Facilities Plan builds on those recommendations and is the District's mechanism to demonstrate that facility planning is taking place in support of the District's educational plans over a 10-year window, using 2019 as the base year.

As described in the Long-Range Facilities Plan guidelines, Appendix C in the Ministry of Education 2020-2021 Five-Year Capital Plan instructions, the fundamental purpose of the LRFP is to provide a mechanism for districts to demonstrate they are managing facilities in an effective, economic, and efficient way in support of educational goals. The LRFP places the need for capital projects in a district-wide context and becomes the basis for submission of capital project requests by the District and for investment decisions by the Ministry. Also, the LRFP is a comprehensive plan outlining how the District will manage its school facilities in order to deliver its educational programs within the educational vision adopted by the Board of Education.

The VSB operates 125 active facilities consisting of 77 Elementary schools, 18 Secondary schools, 13 Annexes, 8 District Schools (leased or district program sites), 6 District Support Facilities and 3 properties on which businesses operate. The School District also has several portable classrooms. The operating capacity of the Districts' schools is 57,989. The September 2019 resident student enrolment was 48,404

for a capacity utilization of 83.5%. When the population of 1,815 tuition-paying international students of is factored in, the capacity utilization increases to 86.6%.

The District has experienced declining enrolment for several years, with 3,900 fewer regular program students in 2019 than there were in schools in 2010. The declining enrolment trend is projected to continue with a further decline of 2,100 students anticipated by 2029 when the resident student enrolment is projected to be 46,301 for a capacity utilization of 79.8%. The projection resident enrolment after 2029 shows only a slight decline before levelling out over the next five years to 2034, as illustrated in the chart below:



The VSB's inventory of schools consists of many older buildings with significant seismic safety concerns and deferred maintenance requirements. The District's focus, with respect to capital investment needs, has been on the Seismic Mitigation Program (SMP). The Provincially Funded SMP supports the lowest cost option for seismic upgrade projects and this has occasionally resulted in a replacement school rather than the upgrading of an existing school. The District has been able to commit financial support for several seismic projects with additional capital funds (Dr. George B. Weir Elementary, Eric Hamber Secondary and Henry Hudson Elementary) but needs to identify opportunities and put in place a plan to generate capital fund revenue to support those projects and future ones. The development of a Capital Asset Management Plan will position the District to develop that plan. This strategy was also one of the themes of the year-long consultation that took place with the VSB community in 2020. The District should endeavor to continue to advance the SMP to ensure that all students and staff will be in seismically safe schools in the future and the District will be able to address facility end-of-life realities with capital requests for new schools (e.g., Olympic Village) over the longer term.

STATUS OF 2019 DRAFT LONG-RANGE FACILITIES PLAN RECOMMENDATIONS

The Long-Range Facilities Plan process is dynamic. With the rescinding of the 17th recommendation the remaining 16 recommendations associated with the 2019 Draft Long-Range Facilities Plan remain in force for future iterations of the Plan. They are at various stages of completion and a status report, as of November 2020, is provided in Appendix C. They are embedded in the Draft Plan on the website (refer to Section references in the Plan).

1. That the District establishes guidelines on preferred student population size with the goal of determining appropriate ranges of school size to inform planning decisions. (Section 1)

2. That the District should continue the investigation of options to co-locate Alternate Programs in facilities which support comprehensive educational program delivery (gym space, applied design and technology labs, science labs, etc.) and the centralization of key services, resources and supports. (Section 2)

3. That the District should continue to explore options that enable it to implement the Board approved recommendations of the French Program Review. That in exploring options to enable the Board to implement the approved recommendations of the French Program Review, consideration be given to including a geographical equity lens in how the District delivers French Immersion, identifying a minimum number of Kindergarten spaces to be maintained and possible ways to expand the program. (Section 2)

4. That the District builds on the initial work done on a Capital Asset Management Plan to develop a comprehensive strategic plan to guide the District in effectively managing the asset inventory in the future. (Section 3)

5. That the District updates the addition and expansion project requests in the 2020-2021 Five-Year Capital Plan for Board of Education approval, including determining the need for elementary schools at Olympic Village, East Fraser Lands and Wesbrook at UBC, secondary school space at King George Secondary and the need for additional capacity in the North Hamber study area. (Section 3)

6. That the District continues to maximize opportunities for the provision of childcare space within VBE facilities, while recognizing that its primary obligation is to provide K-12, including Adult Education, educational programs. (Section 3)

7. That the District undertakes an Enrolment Data Validation process for all facility and education planning purposes. This process would consist of a validation study of short, medium, and long-range enrolment projections as well as updating student yield metrics for areas of the District with significant development and redevelopment proposed or underway. (Section 4)

8. That the District continue to collaborate with the City of Vancouver, University Endowment Lands and local First Nations on development and community plans, for example and including specifically the City-Wide Plan, Broadway Corridor, the Squamish Nation's housing development and the Oakridge and Wesbrook developments. (Section 4)

9. That the District continues to work with the City of Vancouver to construct Coal Harbour Elementary and develop a catchment and enrolment plan for the school. (Section 7)

10. That the District should develop an Administrative Procedure setting out guiding principles and detailed procedures for governance and stakeholder consultation for SMP projects, including engagement with Indigenous communities as a key part of the District's commitment to reconciliation. (Section 9)

11. That the District should conduct a detailed analysis on the impact of reducing school capacity through the SMP ('right sizing') in relation to the goals and priorities of the Long-Range Facilities Plan. (Section 9)

12. That the District decide, in conjunction with the advancement and development of the Carleton Seismic Project Definition Report, if a seismically upgraded Sir Guy Carleton Elementary should be used as temporary accommodation for the SMP or as an enrolling school. (Section 9)

13. That the District investigates the implications of the new LRFP guidelines, arrange for community information sessions, and report to Committee and Board.

14. That the District will undertake a year-long envisioning/consultation process with communities and neighbourhoods to envision and identify opportunities for enhanced and renewed teaching and learning environments to inform the 2020 Long-Range Facilities Plan, and that as an early part of this process request a meeting with the Education Minister.

15. That a working group comprised of stakeholders, community education partners and the VSB be formed to develop and action plan, and that the ultimate goal be Ministry capital plan funding guidelines that include:
    a. Community and neighbourhood needs
    b. Student safety
    c. Special spaces in schools such as auditorium and gyms
    d. Innovative programs/learning spaces
    e. Predictions of school population growth

    And the Minister of Education be invited to take part in periodic discussions with the working group.

16. That the Board direct staff to develop a way to assess capacity utilization of VBE school facilities, with the intent to inform the 2020 LFRP that includes consideration of special needs, indigenous and vulnerable students and reflects the value we place on holistic education including physical

education, music, and arts programs. The intent of the work is to inform the 2020 Long-Range Facilities Plan.

2020 DRAFT LONG-RANGE FACILITIES PLAN

The 2020 Long-Range Facilities Plan adopted a Families of Schools Regions approach to programming and planning needs, using secondary schools and their associated elementary schools as overall families of schools. The six zones examined are:

- Central Region (Hamber, Tupper, John Oliver, and Churchill)
- Southwest Region (Magee, Prince of Wales, and Point Grey)
- UBC and Vancouver West Region (University Hill, and Byng)
- Kitsilano and Downtown Region (Kitsilano, and King George)
- Downtown East Region (Britannia, Templeton, and Vancouver Technical)
- Southeast Region (Gladstone, Windermere, Killarney, and David Thompson)

The 2020 plan was also developed in conjunction with a Long-Range Facilities Plan 2020-2030 Strategy document, co-developed by Trustees, stakeholders, and staff. The Strategy document includes a broad educational vision for the District and key educational programming priorities, addresses learning environments through an equity lens and identifies foundational support and actions necessary for planning success. The plan not only recognizes a local VSB perspective on how facilities and space in schools should be used but also acknowledges the process and Ministry of Education requirements for submission of project requests in the annual Five-Year Capital Plan.

Instead of specific recommendations as the 2019 plan has, the 2020 plan contains considerations for the Board of Education and staff to further examine. The following considerations from the zonal analysis work are presented:

CENTRAL REGION

- Conduct a local planning study to assess future enrolment demand in the North Hamber area, and nearby schools in the Kitsilano FOS, and Vancouver Technical FOS
- Review capital plan priorities in the North Hamber Area and nearby schools in the context of the commitment by the provincial government to build a new school at Olympic Village
- Conduct a local planning study to determine catchment and enrolment options for the new school at Olympic Village

SOUTHWEST REGION

- Consider a community based public engagement strategy to envision seismic mitigation options for schools in the southwest region

UBC AND VANCOUVER WEST

- Continue to monitor and assess the impact of development on forecast enrolment

KITSILANO AND DOWNTOWN REGION

- As more detailed information becomes available, monitor, and assess the impact of the Seńáḵw development on forecast enrolment in the Kitsilano FOS
- Continue to work in partnership with the City of Vancouver on the King George and West End Community Centre master planning process
- Conduct a local planning study to determine catchment and enrolment options for the Downtown FOS in the context of the scheduled occupancy of the new school at Coal Harbour in 2024, and the availability of additional capacity at the Roberts annex site in the future

DOWNTOWN EAST REGION

- Continue to work in partnership with the City of Vancouver on the Britannia Master planning process

SOUTHEAST REGION

- Consider finding an alternate educational or public use for Carleton elementary school and/or site and then consider initiating a school closure process.

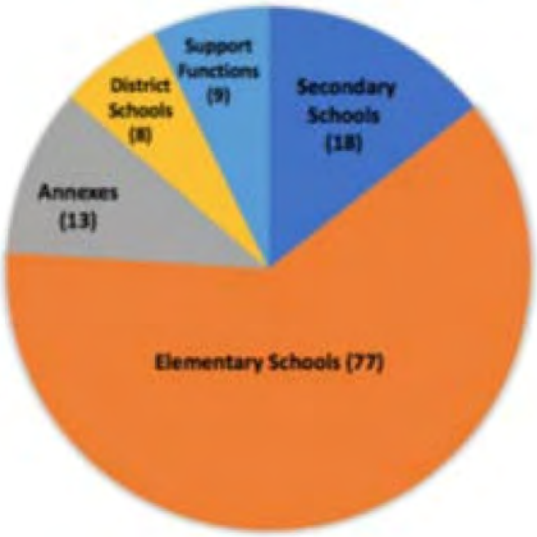
Chapter 1 - Background, Purpose and Scope

1.1 BACKGROUND

1.1.1 DISTRICT OVERVIEW

School District No. 39 (Vancouver) (SD39) is in the Metro Vancouver region of British Columbia and serves over 49,600 Kindergarten to Grade 12 students in the City of Vancouver. The City of Vancouver has an estimated population of 2,851,079 (2020). Neighbouring communities are Richmond (SD38) and Burnaby (SD41) to the south, North Vancouver (SD44) or the north and West Vancouver to the west. The Strait of Georgia forms its western border.

SD39 has 125 District-owned sites as illustrated in the chart below:



These consist of:

- 77 elementary schools (Kindergarten to Grade 7)
- 13 elementary annexes (Kindergarten to Grade 3)
- 18 secondary schools (Grades 8-12)
- 8 District schools
    - Adult education at Gathering Place and South Hill
    - Ideal Mini (alternate education)
    - Spectrum (alternate education)
    - Total Ed (alternate education)
    - Shannen Park Annex leased to the Vancouver Hebrew Academy
    - Leased to the Conseil Scolaire Francophone de la Colombie-Britannique (CSF)
        - Sir Wilfrid Laurier Annex

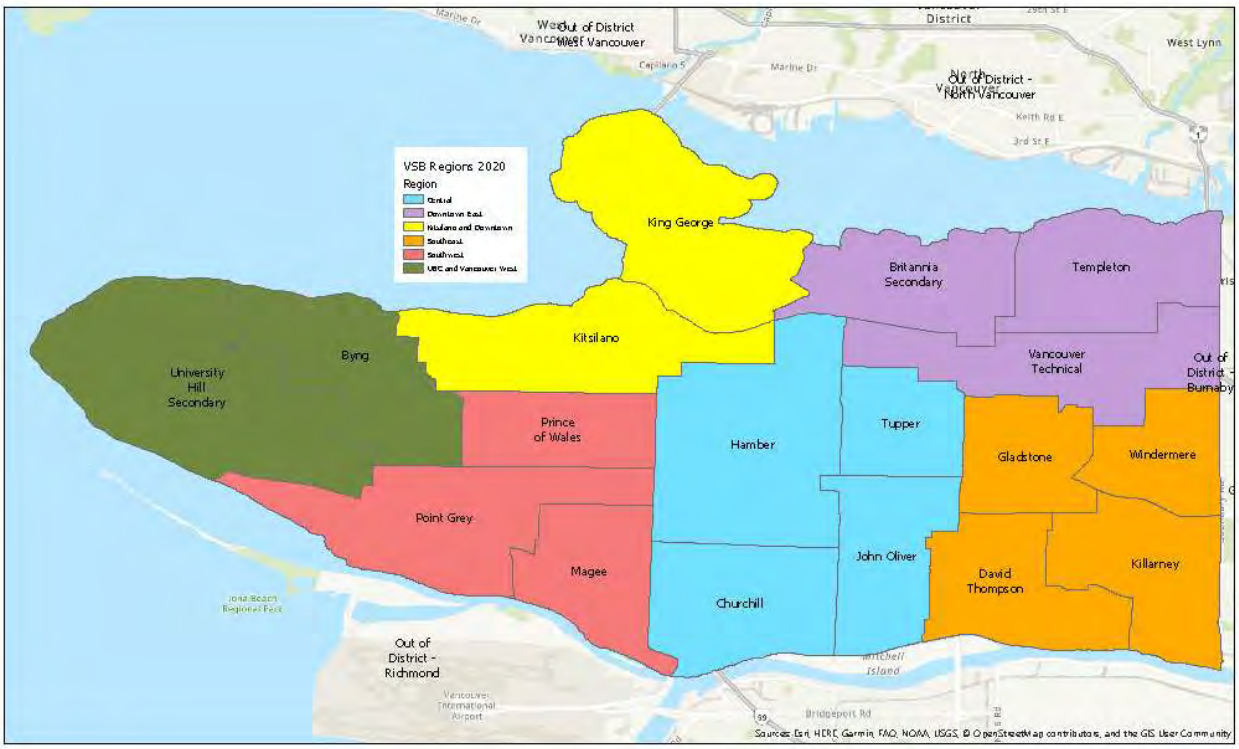
        - Henderson Annex
        - Chief Maquinna Annex
- 9 sites providing support functions
    - The Education Centre at 1580 Broadway
    - The Education Centre park on which the Reconciliation Pole stands
    - The land the Triton Apartment occupies on 10th Avenue
    - The land the Bentall Corporation occupies on Granville Street
    - Three individual properties at the VSB Maintenance & Construction Yard at Clark Drive
    - The VSB Nursery facility on Wales Street
    - The land on which Kingsgate Mall occupies
- The total District-owned land area is 242 hectares (600 acres).
- The assessed value of this land from the 2018 BC Assessments was $7.6 billion.
- The total District-owned permanent building area is 756,524 square meters (8,139,000 square feet)
- There are 114 District portable classrooms on District sites totaling another 10,340 square meters (111,240 square feet)
- There are 17 portables on District sites owned by others

In addition to owned property, the District leases space at the following locations:

Provincial Resource Programs	
AT-BC	#108 – 1750 W. 75th Ave.
CAYA	#700 – 655 W. Kent Avenue N.
PRCVI	#106 – 1750 W. 75th Ave. #110 (warehouse)
SET-BC	#105, 110, 212 & 216 1750 W. 75th Ave. #103A (warehouse)

Other Sites	
Camosun Park	Sublease for Oval
Collingwood	License for a shared gym
Elsie Roy	License to operate a school site

1.1.2 DISTRICT MAP



1.2 PURPOSE

1.2.1 PURPOSES OF A LONG-RANGE FACILITIES PLAN

The purposes for a School District to have a Long-Range Facilities Plan are contained in Guidelines contained in Appendix C of the Ministry's Annual Five-Year Capital Plan Instructions. The current guidelines were published by the Ministry of Education in April 2019. The current version revised the previous guidelines published in 2017. The following purposes for having a LRFP are contained in the guidelines:

- To provide the Ministry of Education with supporting information to assist in making capital funding decisions that support a district's educational goals
- To provide a school district with a tool to consolidate the various strategies it uses to manage its inventory of capital assets.
- To provide a school district with the ability to support changes in student enrolment and deliver educational programming in an effective manner
- To provide a mechanism for a school district to maintain a wide-ranging vision for use of its inventory of capital assets

- To provide a school district with opportunities to consider the alternative community use of space in open schools and closed schools, as well as the use of school property
- To provide a school district with the ability to compare its current situation to future potential changes, including enrolment changes, educational programming changes, building conditions and maintenance costs
- To provide a school district with guidance to identify capital projects for submission in the annual Five-Year Capital Plan process

A District-wide LRFP places the need for capital projects in a district-wide context and plays a key role in the submission of capital project requests by the District as it forms the basis of capital investment decisions by the Ministry. The factors considered in the LRFP include:

- Educational program requirements and trends
- Current and 10–15-year projections in enrolments and community demographics
- Operating capacities, utilization, and condition of existing facilities, including temporary accommodation and/or rental facilities
- Current and anticipated changes in land use
- Future trends or anticipated new initiatives, including both those of the school district and the government
- Transportation of students

Under Ministry of Education guidelines, the LRFP is intended to provide rationale for capital investment priorities contained in the District's annual Five-Year Capital Plan submission and should assist in the determination of the Ministry's Annual Facility Grant allocations to the District.

The LRFP also provides a District-wide framework for key local decisions in optimizing facility assets such as catchment area configurations, locations for District programs, use of surplus District facilities and space in schools, addressing areas of the District with low enrolment, and maintenance priorities. The LRFP outlines concrete plans for a ten-year planning horizon with more general considerations for the longer term.

As indicated, a well-developed LRFP provides a school district with significant flexibility in how it manages its inventory of capital assets now and in the future. That flexibility places responsibility for managing its capital assets on the District's Board of Education. The responsibility for the Ministry of Education to efficiently allocate public funds in support of needed capital infrastructure in school districts provides a more specific perspective when it comes to how the information in a LRFP is utilized.

1.2.2 MINISTRY OF EDUCATION PERSPECTIVE

The Ministry's perspective on long-range facilities planning is based on their responsibility to allocate public funds for minor and major capital requests from school districts, as submitted in annual Five-Year Capital Plans, in the most effective manner, addressing priority needs across the Province. The Ministry expects capital requests from school districts to be realistic and, while long term planning is encouraged,

requests should reflect on a district's plan for managing its capital assets over a ten-year timeframe. While the Ministry does not require a LRFP to be submitted for concurrence anymore, it may request a school district to reference relevant sections of the LRFP to help inform its capital plan review process.

1.2.3 VSB DISTRICT PERSPECTIVE

The VSB perspective on long-range facilities planning is based on the flexibility in the Ministry's LRFP guidelines. The main themes in the District's perspective are:

- Children should be able to travel to their neighbourhood school in a safe manner, with active transport options
- Facility planning should be focused on where kids live and will live
- The planning horizon for facilities should be longer than ten years
- Local planning will focus on space use in schools
- When developing scope for planning studies a zonal approach should be used

More details on the VSB perspective are contained in the Long-Range Facilities Planning Strategy 2020-2030 document in Appendix A.

While both perspectives address an overall theme of effective management of assets and the associated capital and maintenance costs, the VSB perspective has more of a focus on space planning and alternate use of space, in support of educational programming. It is visionary and expresses a preferred future. Having said that, the Board and District staff understand the Ministry's perspective is more prescriptive, relying on practical data to inform its decision-making process to approve capital projects submitted in the annual Five-Year Capital Plan process.

1.3 SCOPE

1.3.1 SCOPE OF THE VSB LONG-RANGE FACILITIES PLAN

The scope of the VSB Long-Range Facilities Plan is focused on demonstrating that the District is managing its facilities in an efficient and effective way in support of educational goals and operational goals for facilities.

1.3.2 MINISTRY OF EDUCATION PERSPECTIVE

The LRFP is a strategic framework for planning that, from the Ministry of Education's perspective, provides a rationale for the inclusion of capital requests in the annual Five-Year Capital Plan submission. As explained in the Ministry's 2020-2021 Capital Plan Instructions, the purpose of the Annual Five-Year Capital Plan is:

"Annual Five-Year Capital Plan submissions from boards of education are used by the Ministry to determine which priority capital projects may be included in the Ministry's Capital Plan for the following fiscal year. The capital plan submissions also provide the Ministry with important insight into future year priorities, which can be used in longer term government planning and the determination of potential future capital planning requirements for the public education system."

The Five-Year Capital Plan, submitted annually by the VSB to the Ministry, contains a list of major capital projects proposed to be implemented over a five-year period starting in the next Provincial fiscal year:

- Seismic Mitigation Program (SMP)
- School Expansion Program (EXP)
- School Replacement Program (REP)

The VSB submission is focused on the SMP and the EXP programs.

As well as minor capital projects proposed to be implemented in the next Provincial fiscal year:

- School Enhancement Program (SEP)
- Carbon Neutral Capital Program (CNCP)
- Building Envelope Program (BEP)
- Playground Equipment Program (PEP)

The VSB submission is focused on the SEP, CNCP and PEP programs.

Each Board of Education is expected to have an LRFP in place for its school district that outlines management strategies for its inventory of capital assets in support of educational programming goals. The LRFP does not need to be submitted as part of a Five-Year Capital Plan, although the Ministry may request pertinent sections to inform its capital plan review process.

1.3.3 VSB DISTRICT PERSPECTIVE

The LRFP is also a strategic framework for key local decisions - these local considerations are embedded in the Board's Long-Range Facilities Planning 2020-2030 Strategy document in Appendix A. The LRFP Strategy Document represents a long-term vision that will slowly evolve over time. The narrative below outlines the process that unfolded in the fall of 2020 in the development of the Long-Range Facilities Planning 2020-2030 Strategy.

'At the September 28, 2020 public meeting of the Board of Education, a Timeline and Workplan was adopted by motion by the Board to formalize the process to update the 2019 draft LRFP to a 2020 LRFP for Board approval in January 2021.

After the September meeting a Strategy Document was developed by the Board and staff and was presented to the Facilities Planning Committee on October 21, 2020. The Committee recommended it to the Board for approval subject to changes made by trustees before being finalized. The Board adopted

that motion at the public meeting of October 26, 2020. A series of Trustee workshops, with transparent communication to stakeholders and feedback from them, took place in November to make changes to the strategy which was completed by the Board on December 3, 2020. ‘

The original version and the last version of the Strategy Document both have the same District Context section and Annual Long-Range Facilities Planning Process sections. The table below compares, in major categories and sub-categories, the content of both versions, illustrating the work the Trustees did to reach the last version.

Original Version	Final Version
Educational Vision • The Educated Citizen • Student Success • VSB Strategic Plan – District Vision Statement • VSB Strategic Plan – Goal 1 and Objectives	**Broad Educational Vision** • Strategic Work that Supports Improving Student Outcomes • Sustainability Action Plan
Educational Programming Priorities • Indigenous Education • Diverse Learners • Secondary Programming • French Immersion Programs	**Educational Programming Priorities** • Indigenous Education • Diverse Learners • Elementary Programming • Secondary Programming • Choice Programming • Community Programming
Guiding Principles for Planning • Equity of Access 1. Access to Neighbourhood Schools 2. Access to Safe Schools 3. Preferred School Size 4. Stable Catchments 5. Sustainability/Active Transportation 6. Partnerships • Building for Modern Learning 1. New and Replacement Schools 2. Flexible Buildings & Sites 3. Maximize Funding for Programs & Services	**Learning Environments** • Through an Equity Lens 1. Neighbourhood Schools 2. Safe Schools 3. Spaces for Learning 4. Partnerships that Support Student Learning

4. Balancing Enrolment with Capacity	
	Foundational Supports and Actions • Supporting Documents 1. Active Transportation 2. Green Spaces, Resource Conservation and Climate Change 3. Capital Asset Management Plan • Additional Actions 1. Preferred School Size 2. Projections for Student Numbers 3. Seismic Mitigation Program 4. Flexible Buildings & Sites 5. Maximize Funding for Programs & Services 6. Balancing Enrolment with Capacity 7. Capacity Utilization 8. Collaboration with COV and UEL 9. Planning Horizon

The finalized document is attached as Appendix A.

Many of the changes and additions that were made to the original document reflect the flexibility provided in the Ministry of Education's Long-Range Facilities Plan Guidelines. In addition to adding more educational programming priorities, the final document espouses the local vision the Board and the Vancouver community has with respect to facilities use and planning, especially in the areas of space use and capacity utilization. Having said that, there is an understanding that, in line with one of the purposes of a Long-Range Facilities Plan, requests for funding for capital projects will reflect the area standards of the Ministry and the associated capacity utilization calculations.

1.3.4 VSB LONG-RANGE FACILITIES PLAN STRUCTURE

Supporting the Long-Range Facilities Planning Strategy 2020-2030, this LRFP Document, as a dynamic document, is a more detailed document that will reflect annual changes to programming, enrolment, SMP and expansion projects and will guide the development of concepts for planning studies. The planning studies are the most dynamic component of the planning process as they are meant to be responsive to emerging District and Board priorities and requirements.

As a planning process, the separate components of the LRFP (strategy, framework, planning studies) provide a structure that correlates to a predictable annual cycle that aligns with established business and operational cycles. The annual cycle, as illustrated in the table below, will lead to effective capital planning and the identification of project requests in the District's annual Five-Year Capital Plan submission.

Process	People	Schedule
Facilities Organization Scan	District Staff	Late Summer/Early Fall
Identify Study Concepts	District Staff	Fall
Review and prioritize study Concepts	District Staff and Board	Fall/Early Winter
Update Long-Range Facilities Plan	District Staff	Winter/Spring
Ministry Capital Submission Response Letter	Board	April
LRFP – FPC Review/Board Approval	Board	April/May
Develop Capital Plan Submission	District Staff	Spring
Capital Plan FPC Review/Board Approval	Board	Prior to June 30

Because the LRFP serves two distinct purposes (Ministry requirement and local decision making) it is important to communicate to District stakeholders the process for how planning studies will be undertaken. The table below illustrates the implementation process for these planning studies:

Stage	Process
Policy and Procedure Review	Conduct Studies in accordance with appropriate Policy and Procedure
Detailed Planning Study	Develop options for review by SMT or FPC (when Board approval will be required)
Public and Stakeholder Engagement	Conduct Public and Stakeholder Engagement Events
Final Reporting – Board Approval Not Required	Inform trustees and publish engagement report on District website Report for information to FPC as requested
Final Reporting – Board Approval Required	Report to FPC with recommendation

While a planning study could focus on any aspect of District operations as it relates to facilities and how they are used, it is anticipated that planning studies will be undertaken for the following reasons:

- To work towards the completion of the 16 recommendations in the draft 2019 LRFP
- To support the implementation of a Long-Range Facilities Planning strategy
- To support the work of the Vancouver Project Office
- To address emergent issues and priorities

Chapter 2 – Vision, Regulatory Requirements, Guiding Principles and Assumptions

2.1 DISTRICT POLICY 1: FOUNDATIONAL STATEMENTS

Our Vision:
We inspire student success by providing an innovative, caring and responsive learning environment.

Our Mission:
To enable students to reach their intellectual, social, aesthetic and physical potential in challenging and stimulating settings which reflect the worth of each individual and promote mutual respect, cooperation and social responsibility.

Motto*:*
Shaping our future together.

Guiding Principles

Collaboration:
We value strong relationships and open communication to promote the sharing of ideas and practice.

Engagement:
We encourage and support the use of creative and innovative practices.

Excellence:
We strive for excellence in everything we do.

Inclusion:
We value and celebrate diversity by supporting the well-being of every individual, creating a sense of belonging.

Transparency*:*
We are open, honest, and accountable.

2.2 REGULATORY REQUIREMENTS

The development of the VSB's Long-Range Facilities Plan has been guided by Ministry of Education legislative requirements as well as VSB Board polices, work being undertaken on the recommendations in the 2019 Draft Long Range Facilities Plan, program reviews that have taken place and direction provided by public engagement processes. The LRFP is a planning document and has no authority to amend the intent or direction of any of the legislative documents or Board policy that guide the development. The LRFP planning process is also supported by various District information documents and procedures. While the LRFP may identify a potential school closure or property disposition, the implementation of those processes is guided by other regulations and policies. The Ministry's School Opening and Closure Order M194/08 the Disposal of Land or Improvements Order M193/08 guide those processes. The requirements

of those orders have been included in the Board of Education's Board Policy Handbook in Policy 14 and Policy 20.

The information and analysis provided in the LRFP was developed with a view to consistency and alignment with Ministry of Education legislative requirements and agreements between the Ministry of Education and the VSB.

Table 1 has links to these legislative requirements and agreements.

Document Source	Detailed Reference	Link to Document
School Act	School Opening and Closure Order	Ministerial Order 194/08
	Disposal of Land Improvements Order	Ministerial Order 193/08
Ministry of Education Capital Plan Instructions	Appendix C: Long-Range Facilities Plan Guidelines	Capital Plan Instructions
Memorandum of Understanding	Memorandum of Understanding Regarding VBE Seismic Mitigation Project Office	MOU

Table 2 has links to Board Policy, the VSB Strategic Plan, program reviews, and public engagement processes that govern and guide Long-Range planning processes.

Document Source	Detailed Reference	Link to Document
Board Policy Manual	Policy 8 – Board Committees – Facilities Planning Committee Powers and Duties	Policy 8 Board Committees
	Policy 14 – School Closure	Policy 14 School Closure
	Policy 20 – Disposal of Land and Improvements	Policy 20 - Disposal of Land and Improvements
VSB 2021	VSB 2021 Strategic Plan Goal 1 and Goal 4	Strategic Plan 2021
Building for Modern Learning	Interim Report – Phase 1	Interim Report - Phase 1
Building for Modern Learning	Final Report – Phase 2 (Incorporates Phase 1)	
Program Reviews	Committee III – June 6, 2018	French Immersion Program Review
	Committee III – May 9, 2018	Special Education Programs Review
	Student Learning and Well-Being Committee – June 10, 2020	Elementary Music Program Review
Environmental Sustainability Plan	Board Meeting – May 28, 2018	Environmental Sustainability Plan
Capital Plan	Board Meeting – June 22, 2020	2021-22 Five-Year Capital Plan

Table 3 has links to District information and procedures that support Long-Range planning processes and the 2019 Draft LRFP update process.

Document Source	Detailed Reference	Link to Document
District Administrative Procedures Manuel	AP 300 Admission to School	AP 300
	AP 305 School Catchment Boundaries	AP 305
	AP 313 Incompatible Land Uses Near Schools	AP 313
Planning and Facilities	Draft LRFP and Appendices	Long-Range Facilities Plan
	Preferred School Size Working Group	Preferred School Size Working Group
	Seismic Mitigation Program	Seismic Mitigation Program
Board Workplan	Board Workplan – Long-Range Facilities Plan and Capital Considerations (Strategic Plan Goal 4)	Board Workplan pg. 24
Environmental Sustainability Plan	VSB Environmental Sustainability Plan – Action 4, Action 6, Action 8, Action 10	VSB Environmental Sustainability Plan

2.3 GUIDING PRINCIPLES

The following guiding principles for the 2020 LRFP reflect the District's emphasis on student safety, student learning, effective use of school resources, connection to community, and strengthening partnerships:

- Improve the overall safety and quality of facilities so that schools are modern and healthy places for learning.
- Plan for innovative learning environments that promote student engagement, student inclusion, and the delivery of diverse high-quality programs.
- Effectively use school District resources and facilities in alignment with long-term financial and sustainability goals.
- Develop a plan to create and optimize capital revenue to reduce operating and deferred maintenance costs while respecting community use
- Work towards a future where all students wishing to attend their catchment school have the option to do so.
- Sustain and strengthen our relationships with the City of Vancouver, and community partners to facilitate the delivery of services to the broader community

These guiding principles build on the principles used to develop the Draft 2019 LRFP. They are still focused on safe schools, improved building conditions and innovative learning environments. They are more specific in addressing the desire to have students have access to their catchment schools, to create capital revenue and to strengthen relationships with the City of Vancouver and other community partners.

The LRFP guiding principles are designed to:

- Provide safe schools that best serve the needs of students in their communities
- Ensure that facilities planning is aligned with our District Vision, Mission and Values.
- Support safe, accessible, appropriately resourced and energy efficient learning environments for all students in their communities and working environments for employees in all locations.
- Value input from local governments, from the community and from stakeholder groups.
- Increase efficiency in operational and capital costs, with financial decisions made that are sustainable over the long term
- Ensure the LRFP is robust, resilient, and adaptable as the District faces future unforeseen challenges, new needs and updated information
- Consider recommendations and decisions that are made in the best interest of students.

2.4 MAJOR ASSUMPTIONS

The following major assumptions were used in this LRFP:

- The student enrolment data in this LRFP is from September 2019 and the enrolment projections are for a ten-year planning horizon to 2029. Some District projections are for a 15-year planning horizon to 2034. Unless otherwise indicated, the student enrolment data is for the K-12 Regular Program. Specific reference to enrolment data for District programs and the International Student Program will be made as necessary
- The District will continue with its long-standing enrolment procedures
- The enrolment projection methodology currently used by the District will remain for planning purposes but with the local knowledge component improved to consider how student yields from City of Vancouver developments that have been approved and where a timeline for completed construction and occupancy can be determined. City of Vancouver planned developments will not be included in this analysis work until they have been approved and are moving to the construction phase
- The seismic mitigation program may have an end date after 2030. Every Vancouver student will have a safe seat at the end of the program
- A goal of the SMP is to have replacement schools either as the lowest cost option with the Ministry of Education providing funding or by the VSB contributing the additional capital funds for the replacement option when the lowest cost option is a seismic upgrade.
- The District will generate capital revenue through the Capital Asset Management Plan to support enhancements to projects in the SMP or to contribute to new schools or other capital assets

- For determining capacity utilization to support capital plan submissions the operating capacity of a school is determined by *adjusting* its nominal capacity to reflect class size, based on class size limits in the local collective agreement
- The LRFP will reflect the directions outlined in the District's Strategic Plan
- The LRFP is a dynamic document that will be revised as needed but updated but at least annually.
- The Plan is an operational document to support staff work to inform the annual Five-Year Capital Plan submission
- The Plan will comply with Ministry of Education requirements and guidelines

2.5 PUBLIC ENGAGEMENT PROCESS

The Board of Education engaged the VSB community in a broad consultation during 2020 in response to Recommendation # 14 of the Draft 2019 LRFP. As per the recommendation, this engagement was intended to identify opportunities for enhanced and renewed teaching and learning environments to inform the 2020 LRFP. The engagement, Building for Modern Learning, was conducted by a consulting firm, Spur Communications. The structure for the engagement was co-developed by Trustees and staff and in consultation with stakeholders. It was conducted in two phases – one in the spring of 2020 through a district-wide survey and one in the fall through a series of online workshops (due to the pandemic), in which trustees were active participants. The final Phase II report is still being worked on but Phase I from the engagement has been completed.

Overall, the engagement revealed the following key findings:

1. Participants encourage the VSB to invest in building materials that reduce costs and environmental impacts
2. Student comfort is integral to support learning and if seismic upgrades and replacement schools do not address student comfort then additional investments would be required
3. Modern learning should be in contemporary schools and include the entire spectrum of learning features such as adaptable and integrated technology, flexible spaces and culturally responsive design, to opportunities to learn through the arts and in hands-on ways
4. Most participants do not support selling portions of VSB properties. They favour short-term leases of full properties, and long-term leases of portions of properties, to generate revenue to fulfil the expectations above.

In addition, there have been several opportunities this year for stakeholders and the public to provide input at meetings of the Facilities Planning Committee on various matters related to long-range facilities planning matters. Also, to provide every opportunity for input, Trustees welcomed input from stakeholders outside of formal structures which was shared with staff and incorporated into the Long-Range Facilities Planning Strategy 2020-2030 document.

Chapter 3 – Age & Condition of Facilities

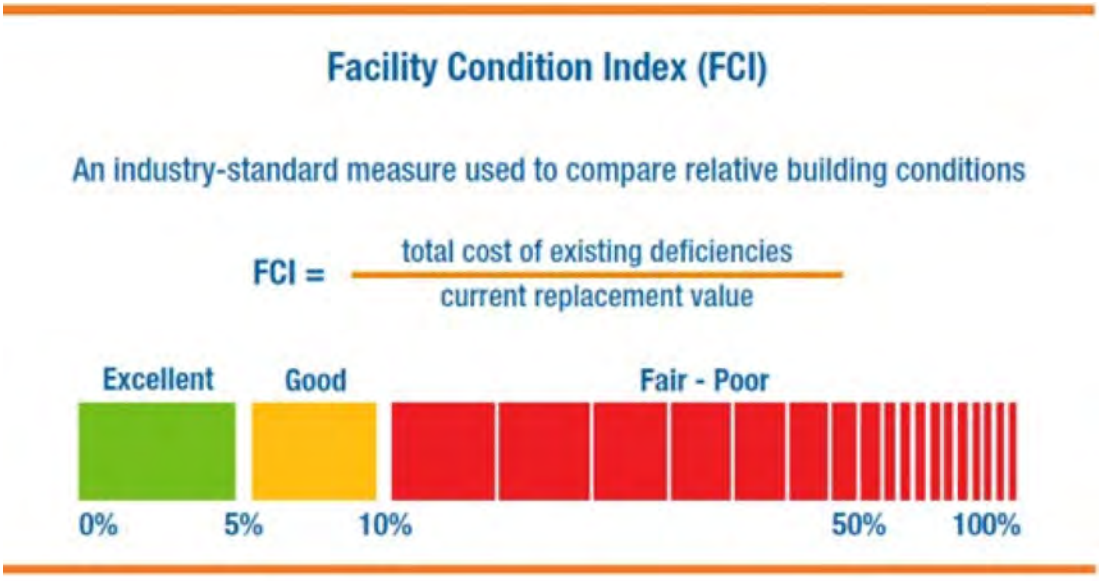
3.1 AGE OF VSB SCHOOLS

The average age of VSB schools is 73 years, with 50% of the schools being more than 70 years old. Only 12 schools (nine elementary and three secondary) have been built new or built as replacement schools in the Seismic Mitigation Program (SMP) since 2000. As such, many of the schools are beyond their originally intended useful life.

3.2 FACILITY CONDITION INDEX OF VSB SCHOOLS

3.2.1 FACILITY CONDITION INDEX

Because of their age, the operating systems (electrical, structural, mechanical, life safety, plumbing etc.) in many schools are also beyond their useful lives and are in poor or very poor condition. This has led to a serious deferred maintenance situation as measured by an index called the Facility Condition Index (FCI). The (FCI) of a building is the ratio of deferred maintenance dollars (existing deficiencies) to replacement dollars, as illustrated below:



The lower the FCI is, the lower the need for remedial or renewal funding relative to the facility's value. For example, an FCI of 0.1 signifies a 10 percent deficiency, which is considered low, and an FCI of 0.7 means that a building needs extensive repairs or replacement. The FCI is a relative indicator of condition and tracking the FCI over time maximizes the District's understanding of the condition of facilities in relation to each other. It is advantageous to define condition ratings based on ranges of the FCI. A common set of ratings has been used: Excellent (under 0.05); Good (0.05 to 0.10), Fair (0.10 to 0.30), Poor (0.30 to 0.60); and Very Poor (over 0.60).

The Ministry of Education engages a company to conduct assessments on school district buildings every five years. When the last FCI ratings were updated in 2016, the estimated FCI Requirement for the District was approximately $751 million. These most recent FCI ratings for all VSB schools and facilities is attached as Appendix J.

Because work has been done on many District facilities since they were last assessed (roof replacements, electrical upgrades, heating plant replacements, etc.) using Annual Facilities Grant funding and Ministry minor capital funding (SEP and CNCP) the ratings will have improved reflecting that work. Therefore, the ratings in Appendix J represent for many schools a poorer condition than actually exists. The FCI for all schools and facilities will be updated when new assessments are completed.

3.2.2 FACILITY CONDITION INDEX AND DEFERRED MAINTENANCE

The current level of FCI requirements represents a significant deferred maintenance problem for the District. With an Annual Facilities Grant from the Ministry of only $10.8 million, District staff is challenged to make improvements in the condition of the building systems in District schools. As per the District's 2019-2020 audited financial statements, 12.5% of the total expenses in the operating fund were incurred in the Operations and Maintenance function. This percentage is higher than the 11% average of total expenses being incurred in that function in Metro school districts and represents a higher annual cost of approximately $7.5 million. The higher cost is indicative of the extra maintenance work required to keep aging systems functional. It also illustrates that the deferred maintenance problem is diverting funding away from the District's student learning responsibility.

The current focus on District buildings has been on the SMP. Unless the lowest cost option in a seismic upgrade is a replacement school or a partial replacement, there is no significant improvement in the FCI of a building when only a seismic upgrade is completed. Seismic upgrading focusses on the structural elements of the building. Since most projects funded through the SMP are upgrades, and given the age of schools, the issue of deferred maintenance is expected to continue to worsen. Consequently, the cost to maintain an inventory of aging schools will also continue to increase.

To mitigate these increasing costs, the District should direct its attention to generating capital funding and use that funding to supplement projects in the seismic program. Providing supplemental funding to switch a seismic upgrade to a replacement school is a strategy that would reduce the deferred maintenance problem, as well as provide modern learning environments for students now and in the future.

3.3 SEISMIC CONDITION OF VSB SCHOOLS

3.3.1 PROVINCIAL SEISMIC MITIGATION PROGRAM

The Seismic Mitigation Program (SMP) is a major province-wide initiative to make schools in earthquake zones safer in the event of a seismic event by minimizing the probability of structural collapse. In November 2004, the Provincial Government announced Phase 1 of the SMP with a $1.5 billion plan for

seismic upgrading of 747 affected schools over 15 years. The schools identified in Phase 1 were re-evaluated, starting in 2005, by a technical team led by the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC), working with its partners at the University of British Columbia. The engineers, based on the latest research and the availability of more detailed local geotechnical information, developed new technical guidelines and assessment methodology that refined the list of high priority schools to be addressed under the SMP. Using this new assessment methodology, schools previously identified for seismic upgrading were evaluated and the resulting list of 491 schools now comprises the Phase 2 of Province's SMP. Of this total as of December 2020, 184 schools have been seismically upgraded, 27 are under construction, 13 are proceeding to construction, 23 are in the business case development phase and 244 are identified as future projects. The Ministry of Education maintains listings of all schools in the Province by district that are part of Phase 2 of the SMP.

Under Phase 2 of the SMP, the Provincial Government identified 152 schools in BC with at least one "high risk" building section that need to be addressed with structural upgrades under the SMP. The cost to address these high-priority schools was estimated at the time to be $1.3 billion. The remaining schools have building sections classified as "low" or "medium" risk, which means seismic safety can be achieved through non-structural mitigation or through a school district's regular capital renewal process.

3.3.2 SEISMIC RISK CATEGORIES

Based on the new assessment methodology developed by the Provincial engineers, new seismic risk categories were released in 2012. These new categories are described below:

- **High 1 (H1):**
  Most vulnerable structure; at highest risk of widespread damage or structural failure; not reparable after event Structural and non-structural seismic upgrades required.
- **High 2 (H2):**
  Vulnerable structure; at high risk of widespread damage or structural failure; likely not reparable after event Structural and non-structural seismic upgrades required.
- **High 3 (H3):**
  Isolated failure to building elements such as walls are expected; building likely not reparable after event Structural and non-structural seismic upgrades required.
- **Medium (M):**
  Isolated damage to building elements is expected; non-structural elements (such as bookshelves, lighting) are at risk of failure. Non-structural upgrades are required. Building to be upgraded or replaced within the Capital Plan when it has reached the end of its useful life.
- **Low (L):**
  Least vulnerable structure. A structure would experience isolated damage and would probably be reparable after an event Non-structural upgrades may be required.

The Provincial Government is focused on providing funding to structurally upgrade schools that have a high-risk rating (High 1, High 2 or High 3), as identified above.

3.3.3 VANCOUVER PROJECT OFFICE AND MINISTRY OF EDUCATION

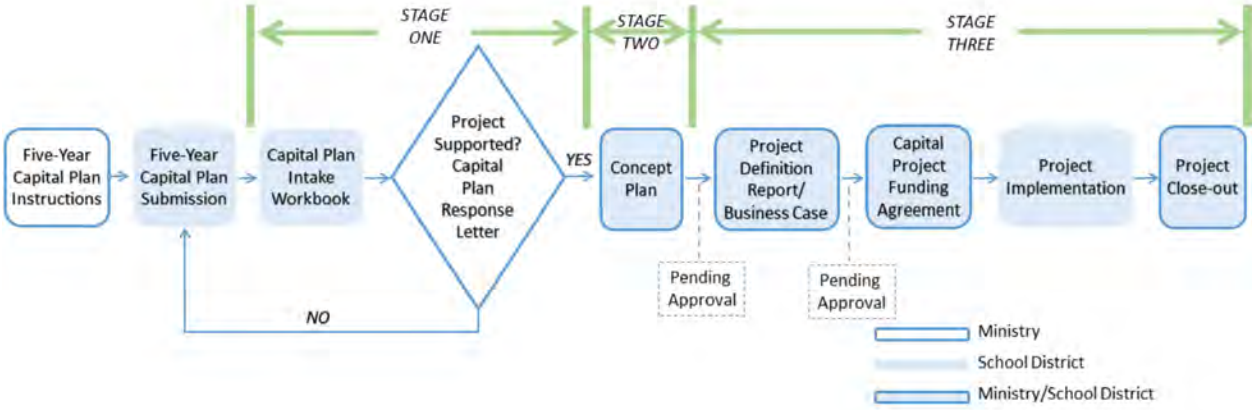
The Vancouver Project Office oversees the Seismic Mitigation Program in Vancouver. A Memorandum of Understanding, originally signed in 2014 and renewed in August 2017 for another three years, governs the SMP. The MOU has not been renewed but its terms remain in effect due to an agreement between the VSB and the Ministry of Education to have negotiations on several of the terms in it, identified in the letter sent to the Ministry in July 2020.

The seismic program was originally scheduled to end in 2030. The District has the responsibility, in collaboration with the Ministry of Education, to ensure that Vancouver students are educated in seismically safe schools. The Ministry of Education has indicated it is committed to providing funding to the District to ensure that all VSB students can attend schools that are seismically safe through the mitigation of high-risk segments (H1, H2 and H3).

3.3.4 DISTRICT PROCESS FOR MOVING PROJECTS FORWARD

3.3.5 SEISMIC PROJECT APPROVAL PROCESS

Beginning with the 2012 Capital Plan instructions, the Ministry directed school districts to review and prioritize requirements for future seismic projects based on the new categories. The identification and prioritization of schools to advance for seismic upgrading in the District's annual Five-Year Capital Plan submission forms the major portion of the annual Capital Plan submission. The following 2-stage process chart illustrates the required steps to bring a project through the SMP to its conclusion. Of note, is the new requirement, mandated in 2019, to submit a concept plan for Ministry supported projects, prior to the Project Definition Report Phase.



3.3.6 CURRENT STATUS OF VSB PROJECTS IN THE SMP

The Ministry of Education maintains listings of all schools in the Province by district that are part of Phase 2 of the SMP. According to that listing in December 2020, the following 29 Vancouver schools have received seismic upgrades:

	School Name		School Name
1	Britannia Community Elementary	**16**	Maple Grove Elementary
2	Captain James Cook Elementary	**17**	Queen Mary Elementary
3	Charles Dickens Elementary	**18**	Simon Fraser Elementary
4	Dr. Annie B. Jamieson Elementary	**19**	Sir Charles Kingsford-Smith Elementary
5	École Jules Quesnel Elementary	**20**	Sir James Douglas Annex
6	General Gordon Elementary	**21**	Sir James Douglas Elementary
7	Ideal Mini School (Laurier Elementary Site)	**22**	Sir Richard McBride Elementary
8	J.W. Sexsmith Community Elementary	**23**	Sir Wilfred Laurier Elementary
9	John Norquay Elementary	**24**	Total Education (General Brock Annex)
10	Kerrisdale Elementary	**25**	Trafalgar Elementary
11	Kitsilano Secondary	**26**	University Hill Secondary

12	Laura Secord Elementary	**27**	Vancouver Technical Secondary
13	L'Ecole Bilingue Elementary	**28**	Walter Moberly Elementary
14	Lord Kitchener Elementary	**29**	Lord Nelson Elementary
15	Lord Strathcona Community Elementary		

Using nominal capacity, the 29 schools above account for 11,425 elementary seats and 4,200 secondary seats that have been seismically upgraded. Aside from the Provincial SMP the VSB has been successful in seismically upgrading or building another 6,415 elementary seats (thirteen schools or annexes) and 3,725 secondary seats (three schools). At the current point in time in the SMP the District has 17,840 seismically safe elementary seats and 7,925 seismically secondary safe seats.

According to the Ministry listing, the following 16 schools are in various stages of the approval process described above.

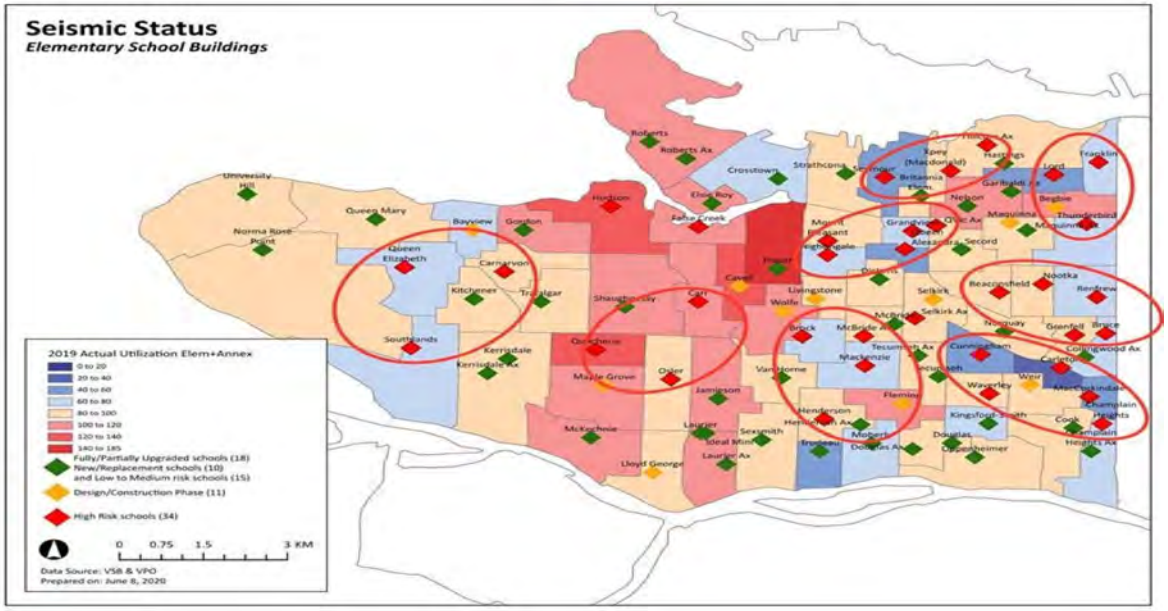
Proceeding to Construction	Under Construction	Business Case Development
School Name	**School Name**	**School Name**
Dr. George M. Wier Elementary	Bayview Community Elementary	False Creek Elementary
Henry Hudson Elementary	Lord Tennyson Elementary	David Thompson Secondary
Edith Cavell Elementary	Sir Sandford Fleming Elementary	Killarney Secondary
	Chief Maquinna Elementary	Sir Wilfred Grenfell Elementary
	Eric Hamber Secondary	
	General Wolfe Elementary	
	Lord Byng Secondary	
	Lord Selkirk Elementary	
	Sir Matthew Begbie Elementary	

Using nominal capacity, these 16 schools, when complete, will account for another 5,310 elementary seats and 4,950 secondary seats. Once these projects are completed the District will have 23,150 seismically safe elementary seats and 12,875 seismically safe secondary seats. Future new elementary schools at Coal Harbour, Lord Roberts Annex and Olympic Village will add another 1,000 to 1,400 safe seats (Lord Roberts Annex and Olympic Village are yet to be designed).

3.3.7 SEISMIC CONDITION OF VSB SCHOOLS

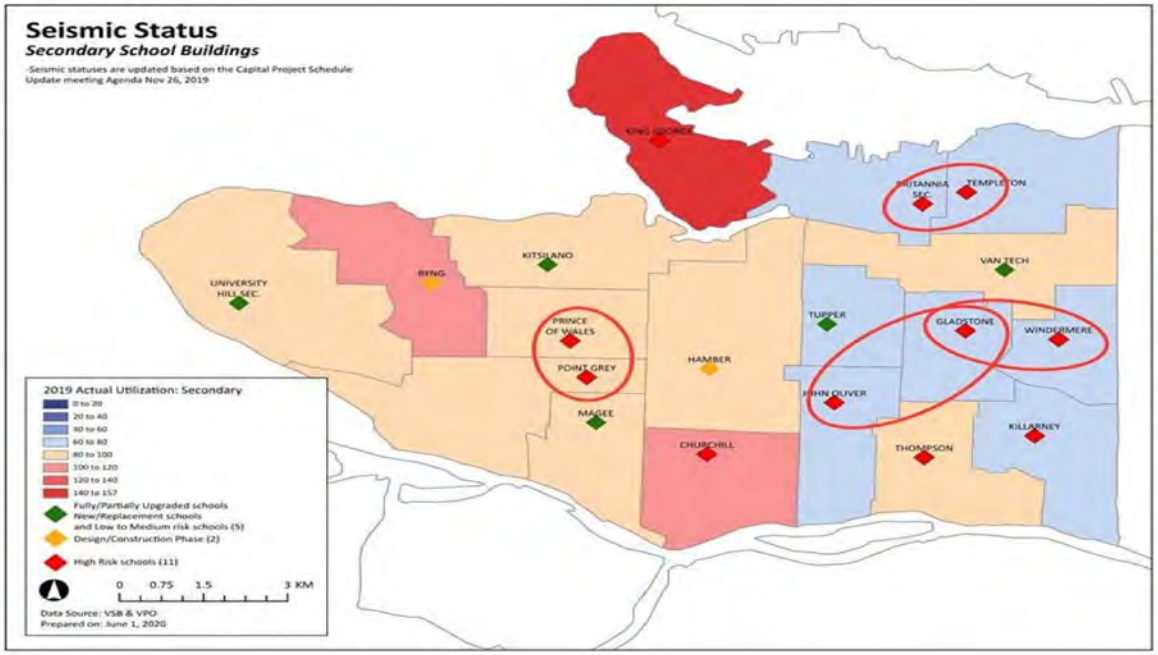
While 45 VSB schools have been or are being addressed in the Provincial SMP, another 45 schools with high seismic risk factors have yet to be advanced in the program, as illustrated in the following diagrams.

3.3.7.1 Elementary Schools & Annexes



As illustrated in the image above, as of June 2020 there are 34 elementary schools and annexes that have a high seismic rating that have not been advanced in the Five-Year Capital Plan process for potential approval by the Ministry.

3.3.7.2 Secondary Schools



As illustrated in the image above, as of June 2020 there are 11 secondary schools that have a high seismic rating that have not been advanced in the Five-Year Capital Plan process for potential approval by the Ministry.

3.3.8 PROJECTS SUPPORTED BY THE MINISTRY

The Ministry of Education responds to a district's Five-Year Capital Plan submission in an annual Capital Plan Response Letter (CPRL). The Ministry did not approve any new projects for the VSB in response to the 2020-2021 submission. The last projects that have been approved to move forward were in the CPRL for the 2019-2020 submission. These are:

- David Livingstone Elementary
- False Creek Elementary
- Sir Wilfred Grenfell Elementary
- Killarney Secondary
- Henry Hudson Elementary

Henry Hudson was originally approved in the 2018-2019 Five-Year Capital Plan submission as a seismic upgrade but was brought forward in the 2019-2020 plan as a replacement school after the Board of Education committed to contribute $1.1 million to the project to support the replacement option and the project is now proceeding to construction.

In addition, the VSB has submitted a Concept Plan Ministry for the previously approved David Thompson Secondary project and is awaiting approval to move ahead with a Project Definition Report. The District has been working on a business case for this project for a few years.

3.3.9 DEFERRED APPROVED PROJECTS

The District did receive approval to develop a Project Definition Report for the seismic upgrading of Sir Guy Carleton Elementary in the Ministry's Capital Plan Response Letter for the 2018-2019 capital plan. The VSB has been unable to develop a feasible business case for the seismic upgrade for the school to be used either as an enrolling school or as a swing space school. Consequently, the Vancouver Project Office Steering Committee has not advanced this project to the Ministry for consideration. The District also received approval to develop a Project Definition Report for the seismic upgrading of Point Grey Secondary in the Ministry's Capital Plan Response Letter for the 2016-2017 capital plan. This project also has not been brought forward to the Vancouver Project Office Steering Committee for consideration. Both projects are listed as future priorities in the Ministry's listing of seismic projects but are deferred pending future business case work.

3.3.10 CURRENT VSB SMP IMPLEMENTATION PLAN

The District's current SMP Implementation Plan is reflected in the 2021-2022 Five-Year Capital Plan submission that was submitted to the Ministry in July 2020. That Five-Year Capital Plan was built with a different methodology than how previous plans were developed. The following table illustrates the seven planning criteria and the priority ranking that each criterion has that are used in this new methodology:

Criteria	Priority	Description
High Seismic Risk Factor	1	Statistic - % High risk X Enrolment
Geographic Location is Essential	1	Geographic accessibility or isolation
Capacity	2	Prioritizing schools that have sufficient capacity to accommodate students from nearby schools that are not seismically safe
Forecast CU is high	2	Forecast CU% is high (2025)
Capacity of Surrounding Schools	3	Assessment of safe capacity in surrounding schools to receive students
Availability of TA	3	Temporary Accommodation Site is Available
Quick Wins	3	Potential for MOE supported due to limited scope

Using this methodology, the following schools were included in the 2021-2022 Five-Year Capital Plan submission:

CP year	School Name	Seismic Risk	Nominal Capacity
1	Mackenzie	H1	635
1	Renfrew	H1	760
2	Waverley	H1	510
2	Nightingale	H1	390
2	Carr	H1	290
3	Franklin	H1	295
3	Osler	H1	315
3	Mount Pleasant	H3	315
4	Champlain Heights	H3	495
4	Beaconsfield	H1	315
4	MacCorkindale	H2	490
5	Grandview	H1	220
5	Southlands	H1	340
5	Seymour	H1	370

CP year	School Name	Seismic Risk	Nominal Capacity
1	Churchill	H1	1900
2	John Oliver	H1	1700
3	King George	H1	350
4	Windermere	H1	1500
5	Templeton	H1	1400

For projects to be considered for approval by the Ministry a defensible business case (Project Definition Report) that considers enrolment and capacity utilization factors is required. This is particularly true for projects in the first three years of the submission. Projects requested in years 4 and 5 are more notional in nature. The 14 elementary schools and the 5 secondary schools included in the 2021-2022 Five-Year Capital Plan submission represent 5,740 elementary seats and 7,950 secondary seats.

The following chart illustrates the significant components of elementary and secondary projects in the SMP in Vancouver and highlights some differences.

Consideration	Secondary	Elementary
Approval Process	Some supported projects may not be funded	Supported projects are funded.
Timeline	7 – 9 Years from feasibility to occupancy.	5 – 6 Years from feasibility to occupancy
Costs	Range $90-$120M	Range $20- $40 M
Procurement	Design Build or Construction Management	Design Bid Build or Construction Management
Temporary Accommodation	Single site required to move students offsite	Challenging but feasible, more options are available
Educational Programming	Comprehensive programming - sustaining educational programming options requiring specialty spaces is a primary concern	Less requirement for specialty spaces

As illustrated, there are significant lengths of time from the feasibility phase to occupancy for seismic projects. With the projects currently underway and the ones identified above in the Five-Year Capital Plan it is reasonable to conclude that the SMP in Vancouver may not be completed by 2030 as originally thought.

3.4 NEW SCHOOL SPACE REQUESTED

The 2021-2022 Five-Year Capital Plan submission contained the following new school and expansion requests which, if approved, will add an additional 1,430 safe elementary seats and 625 safe secondary seats for District students:

Project	Added Nominal Capacity
Olympic Village Elementary (New)	510 - (60K 450E)
Henry Hudson Elementary (Expansion)	170 - (20K 150E)
False Creek Elementary (Expansion)	120 - (20K 100E)
Edith Cavell Elementary (Expansion)	220 - (20K 200E)
King George Secondary	625
Elementary School at UBC	410 - (60K 350E)

Chapter 4 – Enrolment Forecasts and Trends

4.1 ENROLMENT FORECASTS AND METHODOLOGY

Most school districts in BC and all metro school districts, including the VSB, rely on population data and enrolment projections provided by Baragar Infosystems combined with local knowledge to forecast catchment enrolment. Local knowledge consists of information unique to the District as well as development information from the City of Vancouver. The methodology used by Baragar Infosystems to provide enrolment has been independently validated by Stats Can.

4.1.1 DATA SOURCES

Administrative data sources including, 1701 enrolment reports, the birth registry from Vital Statistics BC, and the Universal Child Care Benefit recipient data from CRA are used to develop forecasting assumptions.

4.1.2 FORECASTING ASSUMPTIONS

Enrolment forecasts are built on two sets of assumptions.

1. Population Assumptions
2. Enrolment Assumptions

The accuracy and reliability of forecasting is contingent on the degree to which assumptions accurately reflect reality.

Population Assumptions have three components:

1. **Births**
   Baragar uses historical data from Vital Statistics to project births in Vancouver and UEL in the coming years.
2. **Migration**
   Baragar forecasts net migration, by comparing the number of children in successive age cohorts to the previous year's age cohorts. A *net* migration rate for each age cohort is forecast. Net *in*-migration occurs when an age cohort grows from one year to the next and net *out*-migration occurs when age cohorts become smaller from one year to the next.
3. **Housing**
   Impact of changes to residential housing stock in a local area

Enrolment Assumptions have three components:

1. **Participation Rate in the regular program:**
   Past enrolment data is used to forecast participation rate which is the number of students attending their catchment school compared with the available population of school-aged students
2. **Out of Catchment Enrolment in the Regular Program:**

Past enrolment data is used to forecast out of catchment enrolment

3. **District program Enrolment**
   Past enrolment data is used to forecast out of district program enrolment

4.1.3 BASELINE ENROLMENT FORECASTS

The LRFP is a strategic framework for planning. As a strategic framework there is less detailed analysis in an LRFP than what is found in planning studies. Enrolment forecast referenced throughout this report are the Baragar baseline forecasts and do not include local assessments of the impact of changes to residential housing stock in a local area. When local planning studies are undertaken, the impact of changes to residential housing stock in a local area will be assessed and reported.

Baseline enrolment forecasts have been shown to be accurate and reliable in areas of stable enrolment, in areas of enrolment decline and in areas of enrolment growth including Olympic Village and the Cambie Corridor, False Creek and Kitsilano, and Yaletown and Downtown. The District data enrolment validation was presented at the Facilities Planning Committee on November 6, 2019. One reason that baseline enrolment forecasts prove to be accurate and reliable is that youth population changes and enrolment changes resulting from development and re-development in the COV occur slowly and are therefore captured by net migration trends and changes to the annual birthrate in a local area. Birth rates and net migration trends for 0- to 4-year-olds are leading indicators of enrolment change.

It is important to refine baseline enrolment forecasts by assessing and including the impact of changes to residential housing stock in the following scenarios:

- New residential developments on previously undeveloped land
- New multi-residential developments in existing neighbourhoods in areas that have had limited redevelopment in the past
- New affordable and social housing initiatives that increase student yields

4.1.4 PLANNING CONTEXT FOR ENROLMENT FORECASTING

For school districts, accurate and reliable enrolment forecasts are foundational to good planning processes and are an expectation of the Ministry of Education to support requests for capital investments. With additional detailed development information from the City of Vancouver the VSB may be able to further refine its enrolment forecasts in specific local areas. At present, and for the next several years, the main strategic uses enrolment forecasts will be the following:

- to continue planning effectively to enable students to attend their catchment school with the understanding that in certain local areas there is insufficient capacity to fully realize this priority
- to develop strong business cases that support the Capital Program with the priority of enabling all VSB students to attend seismically safe schools
- to support educational programming priorities

4.1.5 ALTERNATIVE FORECASTING METHODOLOGY

Interest has been expressed in modelling enrolment based on 'where kids live and will live'. Closed Boundary enrolment forecasting methodology has been used to forecast enrolment based on the following assumptions:

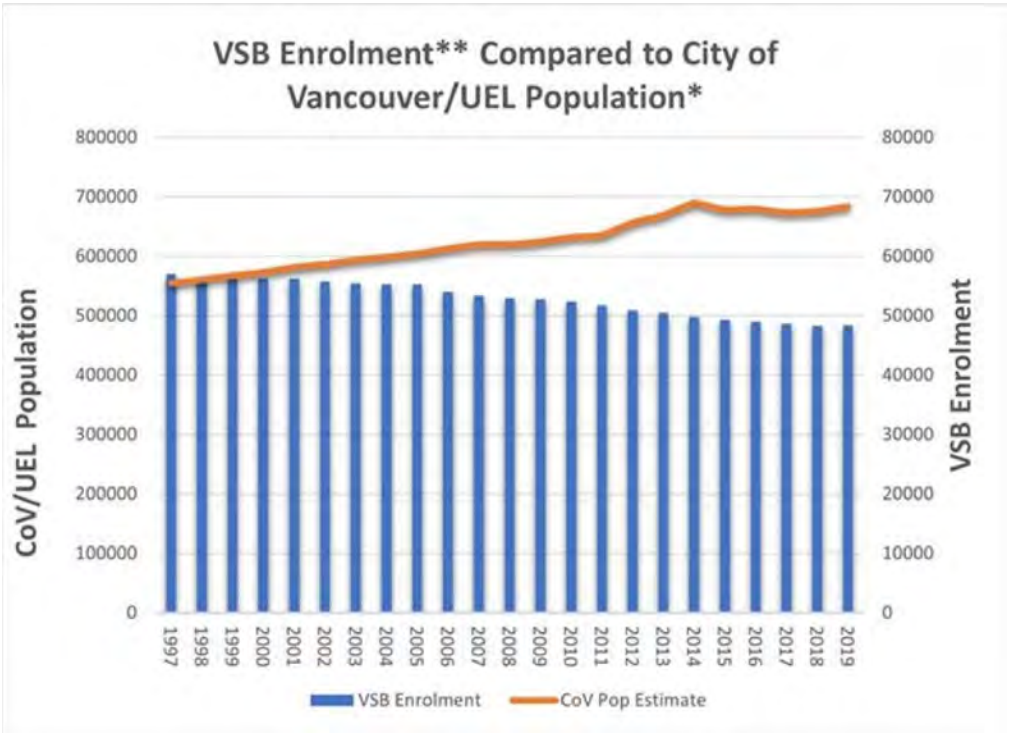
- plan based on where kids live' means that enrolment forecasting should only consider the catchment of residence for students and essentially model the district based on assumption that students will enrol at their catchment school
- district choice programs will remain intact

The analysis can be found in Appendix H.

Closed boundary methodology is used to forecast potential enrolment at a 'full' school if all its catchment students were able to attend that school. This approach gives a sense of 'demand' or need for added capacity in areas of the District with full schools and enrolment pressure. Where appropriate, closed boundary methodology is used in local planning studies to adjust the baseline forecast additional assumptions to better reflect reality and provide a more accurate assessment of enrolment demand.

4.1.6 ASSESSING THE IMPACT OF DEVELOPMENT

Since peaking in 1997, VSB school enrolment has declined steadily despite significant and ongoing residential development and overall population growth in the City of Vancouver and the UEL. As development proceeds and development trends evolve the impact of changes to local housing stock on birth rate, youth population and enrolment will continue to be included in local planning studies.



Assessing the enrolment impact of changes to residential housing stock in a local area relies on using accurate student yield assumptions in combination with development information from the City of Vancouver UBC/UEL and First Nations. Student yield assumptions used by the District have be verified and validated in the following ways:

- Comparing the yield assumptions available in the planning software used by the District with student yield metrics established from an internal study which merged BC Assessment authority housing data with residential address information for students
- Local spot checking of residential developments to determine historical enrolment averages for comparison with forecasts based on yield metrics
- The vendor of the planning software used by the District has validated its yield assumptions, and refines yield assumptions on an ongoing basis

4.2 ENROLMENT TRENDS

There are several established demographic and enrolment trends in the District including the following:

Youth Population

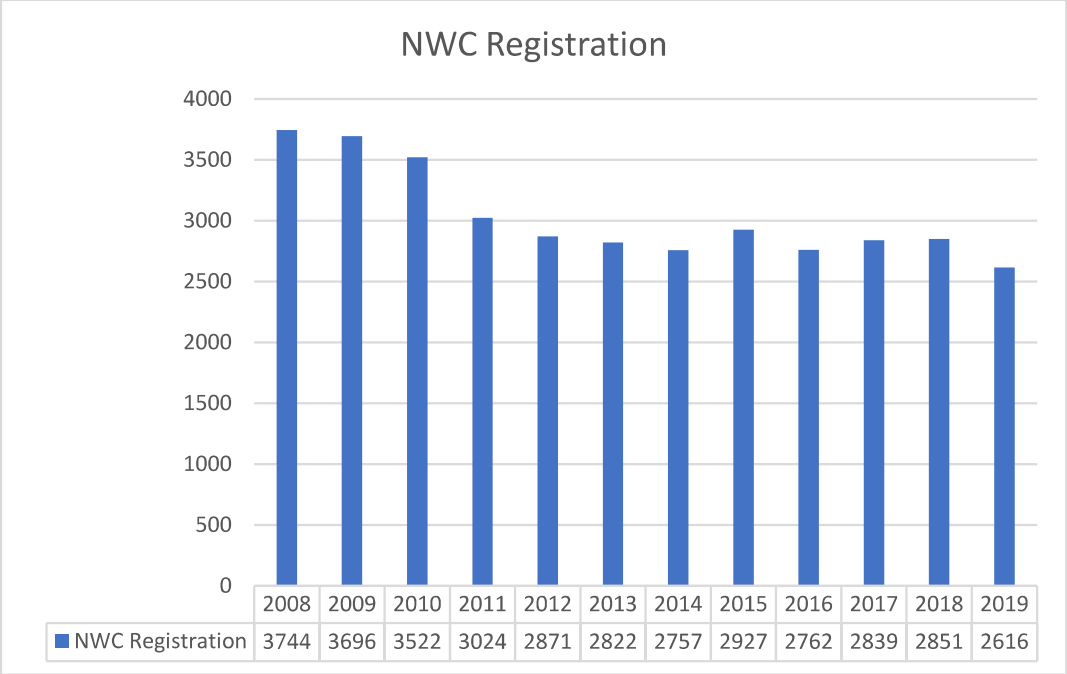
- Stable birth rate
- Net out migration of youth population (children aged 0-17 years)
- Low student yields from multi-unit residential development

Enrolment

- Declining enrolment
- Stable participation rate
- Established out of catchment enrolment trends
- Stable enrolment in District Programs

4.2.1 NET OUT MIGRATION OF YOUTH POPULATION – IMPACT OF IMMIGRATION

A large source of new students to the VSB is provided through the arrival of new Canadians via immigration and refugee processes. All K-12 students born outside Canada and grade 1-12 students who do not speak English as their home language begin the registration process at the New Student Welcome Centre (NWC). The number of students registering annually at the NWC is tracked. This source of in-migration offsets local out migration; however, net out-migration and its negative impact on enrolment is a long-standing population trend that is forecast to continue for many years. The importance of the arrival of new Canadians for mitigating enrolment decline is apparent this year when the Covid-19 pandemic restricted immigration.



Registration at DRPC declined between 2008 and 2012. From 2012 onward has been about 850 fewer students per year than in 2008.

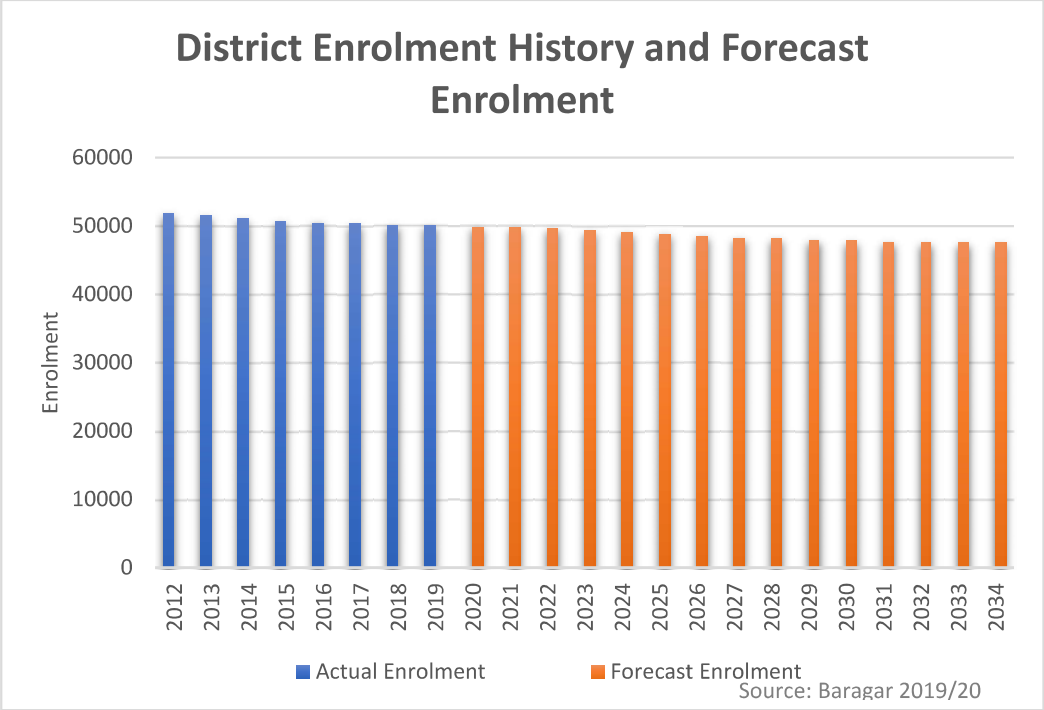
4.2.2 REDISTRIBUTION OF STUDENTS

One hypothesis proposed to account for areas of the District with low enrolment is that due to the availability of choice of which school to attend in the regular program students are being unequally redistributed throughout the District.

An analysis of the East to West redistribution of secondary students in found Appendix N.

4.2.3 DISTRICT ENROLMENT FORECAST

In 2020, the total K-12 enrolment in the VSB dropped below 48,000. The chart below shows enrolment forecast based on pre-pandemic data. Enrolment is forecast to decline by about 250 students per year or 0.50% per year until 2026 Enrolment is forecast to stabilize in subsequent years.



Enrolment forecasts for each VSB school are in Appendix G.

Chapter 5 – Operating Capacity and Capacity Utilization

5.1 OPERATING CAPACITY

Operating Capacity is defined as the number of students a school building can accommodate based on the total number of classroom spaces as determined by criteria established by the Ministry of Education (MOE). When determining a school's capacity, only purpose-built "instructional" spaces are considered. As a rule, classrooms identified as such in the original school design are instructional space and therefore included in determining operating capacity. Rooms that have been re-purposed as non-instructional classrooms in subsequent years are still counted as instructional space for the purpose of determining an operating capacity for each school.

A detailed list of spaces that are included and not included in determining operating capacity is shown below:

Space Included in Capacity	Space not Included in Capacity
General Instruction Classrooms	Portables
Kindergarten Classrooms	Purpose-Built Neighbourhood Learning Center
Science Classrooms	Strong Start Program Classroom
Choral Music (Fine Arts Classroom)	Administration/Health
Art (Fine Arts Classroom)	Gym Activity
Drama & Theatre (Fine Arts Classroom)	Gym Ancillary
Music (Fine Arts Classroom)	Media/Technology Center
Drafting (Industrial Education)	Counselling
Technology (Industrial Education)	Offices
General Shop (Industrial Education)	Library
Metalwork (Industrial Education)	Cafeteria
Mechanics (Industrial Education)	Purpose-Built Staff Room
Construction Wood (Industrial Education)	Multi-Purpose Rooms
Clothing Room (Home Economics)	Special Education Classrooms
Foods Room (Home Economics)	Assisted Learning Classrooms
Teaching Kitchen (Home Economics)	Play Areas
Business Education	General Storage
Computers	Utility Rooms
Full-Day Kindergarten Modulars	Mechanical and Electrical Rooms
	Washrooms
	Design Space (e.g., hallways, staircases)

5.2 2019 UPDATED LRFP GUIDELINES

In 2019, the Ministry of Education released updated LRFP guidelines. Previous instructions had provided a provincial definition of operating capacity. In response to the restoration of class size and composition provisions in the local collective agreement, the updated guidelines enabled the school District to adjust the provincial operating capacity standard to reflect local conditions.

5.3 CLASSROOM CAPACITY

In this LRFP, an adjusted classroom capacity standard is used to determine operating capacity for schools. The adjusted classroom capacity is based on the overall average class size averages for the 2018/19 and 2019/20 school years.

Classroom Type	Provincial Classroom Capacity Standard	VSB Adjusted Classroom Capacity Standard
Kindergarten	19	18.20
Grade 1-7	23.29	22.63
Grade 8-12	25	25

[1] *Class size averages for K and Grade 1-7 are averages of 2018/19 and 2019/20 class sizes.*

5.4 COMPARISON TO OTHER DISTRICTS

The adjusted classroom capacity standard used in the VSB is in alignment with the capacity standards in use in other school districts.

District	Methodology	Kindergarten	Grade 1-7	Secondary
Vancouver	Average Class Size	18.2	22.6	25
Burnaby	Average Class Size	19	23.29	25
Richmond	Average Class Size	19	22.6	25
Surrey	Average Class Size	19	23.29	25
Victoria	Average Class Size	19	22.6	25

5.5. DISTRICT OPERATING CAPACITY AND CAPACITY UTILIZATION – BC RESIDENTS

District operating capacity is the total operating capacity for all schools operating in the District. Capacity Utilization is determined by dividing enrolment by operating capacity. Capacity utilization is a ratio and is expressed as a percentage.

School Type	2019 Operating Capacity	2019 BC Resident Enrolment	2029 Resident Enrolment	2019 Capacity Utilization	2029 Forecast Capacity Utilization	2019 Surplus Capacity	2029 Forecast Surplus Capacity
Elementary	33039	28771	26850	87%	81%	4268	6189
Secondary	24950	19633	19501	79%	78%	5317	5449
Total	**57989**	**48404**	**46351**	**83%**	**80%**	**9585**	**11638**

By 2029 it is anticipated that the District will have additional operating capacity with the availability of new schools at the Coal Harbour site, Roberts Annex site, and Olympic Village site. Schools at the Coal Harbour and Lord Roberts Annex sites are being funded by the Board with proceeds from the sale of an underground air parcel at the Lord Roberts site to BC Hydro to construct a substation.

Forecast operating capacity may be reduced through the Seismic Mitigation Program

5.6 DISTRICT OPERATING CAPACITY AND CAPACITY UTILIZATION – TOTAL ENROLMENT

The District is responsible for the intake of International students. The Ministry does not provide capital funding for enrolling space to accommodate International students. International students fund their education directly through fee payments to the District. The District has jurisdiction over the school placement of International Students.

School Type	2019 Operating Capacity	2019 BC Total Enrolment	2029 Total Enrolment	2019 Capacity Utilization	2029 Forecast Capacity Utilization	2019 Surplus Capacity	2029 Forecast Surplus Capacity
Elementary	33039	28972	27051	88%	82%	4067	5988
Secondary	24950	21123	20991	85%	84%	3827	3959
Total	**57989**	**50095**	**48042**	**86%**	**83%**	**7894**	**9947**

Capacity utilization is forecast to decline as BC resident student enrolment declines. Surplus capacity will increase if operating capacity remains at its current level.

5.7 SPACE USE AT ELEMENTARY SCHOOLS

Operating Capacity is a used by the Ministry of Education as a metric to assess the availability of capacity in schools to accommodate students. Operating capacity and capacity utilization are essential metrics when developing a business case for capital funding requests from the Ministry of Education.

For the District, operating capacity is a useful metric to make preliminary assessments for student accommodation planning and educational program planning. Additional factors are considered by the District to ascertain a more complete understanding of the number of students that can be safely and practically enrolled at a particular school. For elementary schools, these additional factors include the number of enrolling classrooms, class size limits, grade distribution and overall school organization. When local planning studies are undertaken, they include information about space use in schools. An inventory of elementary space use is provided in Appendix L.

Secondary schools have more organizational complexity and flexibility with respect to how space is used. In most cases, the scheduling capacity of a secondary school is 10% greater than its operating capacity.

5.8 OPTIMIZING THE UTILIZATION OF SCHOOL ASSETS

The Long-Range Facilities Plan intends to provide a framework for aligning the use of school assets with future educational space needs while maximizing community and school use opportunities. These strategies and alternatives consider utilization of surplus capacity available for student accommodation with complementary uses within schools.

The accommodation of suitable programs and community uses of space within schools by the Board of Education should be informed by the school community and stakeholders, with an understanding of the social, demographic, and economic characteristics of local neighbourhoods. The following categorized strategies and alternatives are planning considerations intended to improve the optimization of space within schools:

Enrolment Planning and Management

- Secondary schools continue to manage sustainable school cohorts to support educational programming
- At all schools continue to manage cross boundary enrolment to ensure effective use of staffing

Choice Program Location

- Consider choice program locations or moves that may improve space utilization

District Use

- Continue to provide office space, workspace, and meeting space for District functions such as Learning Services and Vancouver Learning Network that cannot be accommodated at the Education Center

- Encourage the Province to provide exemption from operating capacity for classrooms used permanently for District functions

Community Use of Schools

- Continue to expand the availability of school space for community uses, such as pre-school childcare, out of school care, and other various community health and social services.

Operating Capacity

- As provided for in the LRFP guidelines use class size averages to determine operating capacity

5.9 SEISMIC MITIGATION PROGRAM

In developing a business case for future options for SMP implementation, consider including evaluate possibilities to reduce surplus capacity to sustainable levels which may include:

- Permanent conversion of classroom space for appropriate and essential community uses if a reduction is surplus capacity can be supported by the Ministry
- Replacing schools that have been used beyond their useful life with a new building with a smaller capacity where appropriate in the context of zonal enrolment trends, and availability of seismically safe capacity with a zone
- Replacement of a school building that has seismic risk with a modernized larger capacity school to accommodate students from multiple school catchments with possible consolidation considerations.

5.10 CONSOLIDATION

After considering other alternatives for optimizing the utilization of school assets, the Vancouver School District may consider consolidation of school populations to reduce surplus capacity in Family of Schools regions where it would improve learning environments and provide the efficient and effective accommodation of students in schools. Any such consideration would involve public consultation as provided for in Ministry of Education orders and Board policy.

The following guidelines would support a planning process to optimize utilization of school assets

- Preferred school size range guidelines
- Walk time targets and transit standards
- Geographical and/or natural boundary considerations

Chapter 6 – Approaches to Balancing Enrolment with Capacity

There are six main approaches available to balance enrolment and capacity:

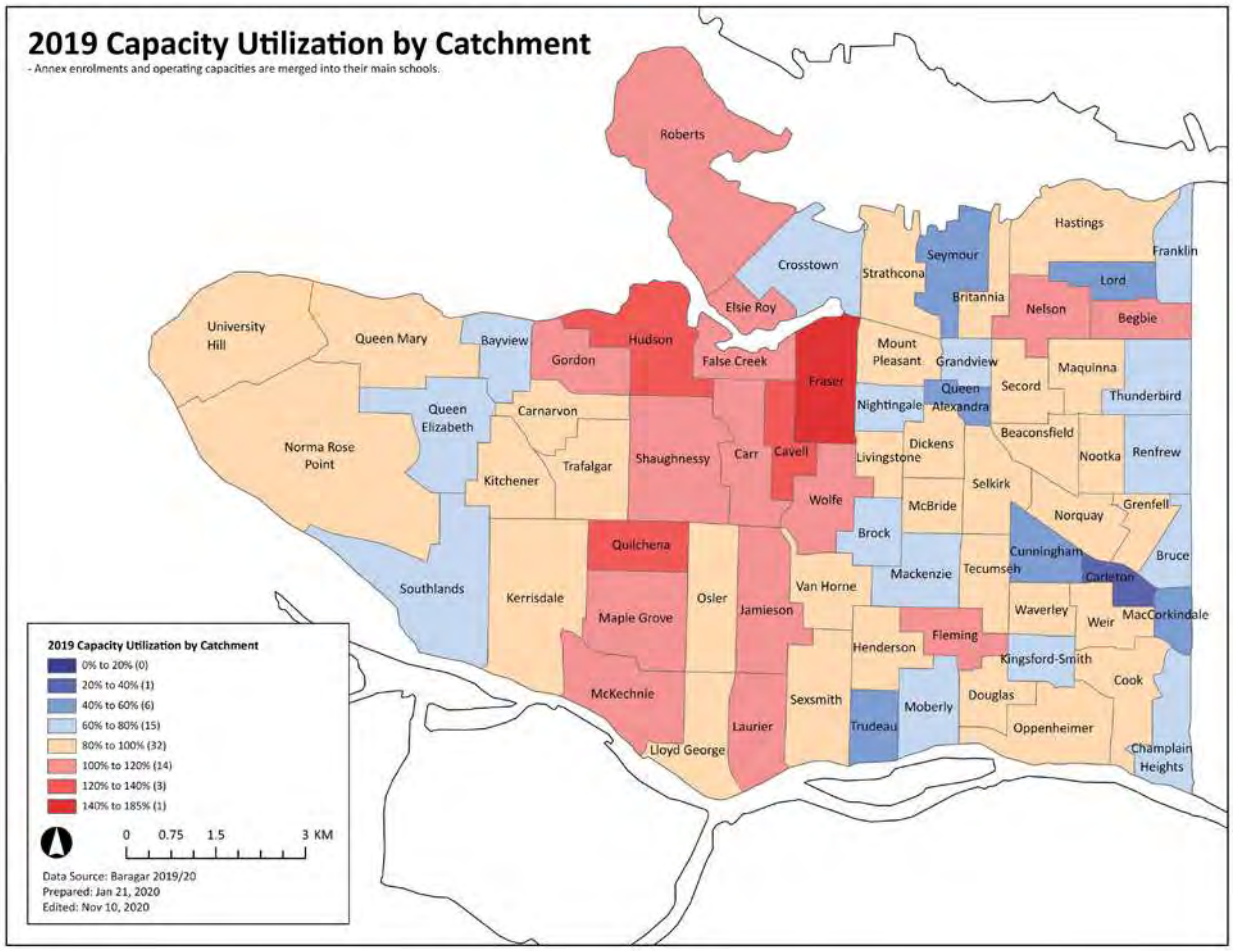
Approach	Planning Timeframe	Implementation timeframe for full impact on available capacity
Enrolment management	Ongoing annual process	Immediate
Maximize enrolling space	One to two years depending on facility considerations	Immediate once project is completed
Changes to District Programs	One to three years	One to many years – usually gradual
Alter grade configurations at specific sites	One to three years	One to many years – usually gradual
Adjust school catchment boundaries	One to three years	Many years
Major Capital Projects	3 to 7 years once funded Longer timeframe for unfunded projects	Immediate once construction phase is complete

The District considers available options related to each of these approaches when determining the most effective way to balance enrolment and capacity in the short, medium, and long term.

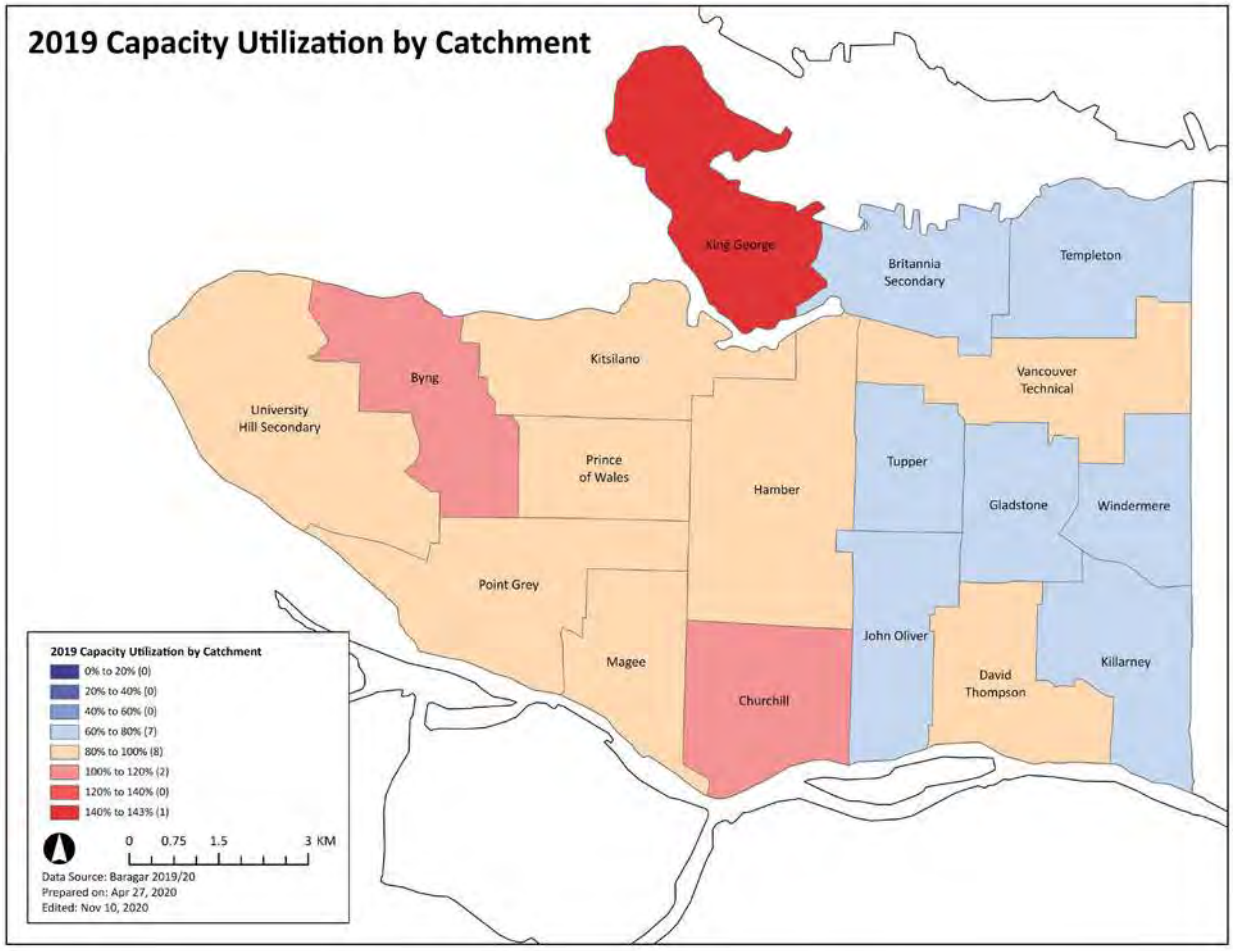
6.1 2019 CAPACITY UTILIZATION AND SPACE USE

Capacity utilization and space use at schools varies widely across the District. At present, many schools in the District have low-capacity utilization. There are also areas of the district experiencing enrolment pressure where schools have insufficient capacity to accommodate catchment student enrolment demand. The 'heat maps' below illustrate the wide variance in capacity utilization across the District in elementary and secondary schools.

2019 Capacity Utilization at Elementary Schools



Current Capacity Utilization at Secondary Schools



6.2 ENROLMENT MANAGEMENT STRATEGIES

The District manages enrolment in accordance with procedures set out in AP 300 Admission to School.

Enrolment management strategies are used for the following purposes:

- To ensure continuity and stability for students and their families
- To provide equitable access to programs and support educational programming
- To maximize the number of students that can be accommodated at catchment schools
- To ensure efficient and effective use of resources allocated to staffing schools

The table below lists enrolment management strategies that are used by the district to maximize student accommodation at full schools.

Strategy	Purpose
Restrict out-of-catchment enrolment	New out of catchment applicants are not enrolled at schools where catchment students cannot be accommodated.
Place students from full schools at nearby schools with available capacity	When there is insufficient capacity to accommodate catchment students, the district places students at nearby schools.
Maintain ordered catchment waitlists	If capacity becomes available, schools offer placements to catchment students who could not be accommodated when they applied to enroll.
Align the timeline for placement offers for Kindergarten Choice programs with catchment enrolment offers	Parents are provided with information about their enrolment status at their catchment school and their status with respect to their Kindergarten Choice program applications to simplify decision making.

6.3 OUT OF CATCHMENT ENROLMENT

At elementary schools three levels of out of catchment enrolment management are used:

1. Restricting out of catchment enrolment - out of catchment applicants are not enrolled at the school. This approach is used at schools that cannot accommodated their catchment enrolment
2. Limiting out of catchment enrolment - only out of catchment Kindergarten aged siblings are offered enrollment at schools where there is sufficient capacity to accommodate current catchment enrolment; however, forecasts indicate that all available capacity may be required to accommodate catchment enrolment demand in future years
3. Offer enrolment to out of catchment applicants as space in the school organization permits

For many years all secondary schools have been able to accommodate their catchment enrolment.

To mitigate the educational programming challenges faced by secondary schools due to declining enrolment, for the past several years, the District has managed out of catchment enrolment in the regular program to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size.

6.4 KINDERGARTEN WAITLISTS

Kindergarten students may be waitlisted at their catchment school for two separate and independent reasons:

1. There is insufficient instructional space at the catchment school to accommodate catchment enrolment demand
2. Kindergarten and grade 1 classes are not combined in the District which limits the options to organize and staff elementary schools efficiently and effectively

The class size maximum for Kindergarten is 20 students. When a school has insufficient Kindergarten applicants to warrant staffing of an addition Kindergarten division. Students that cannot be accommodated at their catchment are waitlisted and placed a nearby school.

Waitlists in general, and Kindergarten waitlists in particular are a source of uncertainty and frustration for many families. Kindergarten waitlists that are generated due enrollment demand exceeding capacity are localized to schools in two Families of Schools Regions of the District:

- Downtown and Kitsilano FOS,
- Hamber FOS.

Kindergarten waitlists that are generated because of school organization constraints are scattered throughout the District. These waitlists have few students and are partially or fully resolved before school opens in September.

6.5 ONLINE REGISTRATION SERVICES

Parents access online registration services to apply to attend their catchment school, apply for a Kindergarten choice program, and/or apply for a cross boundary placement.

The administrative data collected through these applications supports efficient, predictable, and transparent enrolment processes.

Strategy	Purpose
Online enrolment service for parents	Online application for students new to the VSB completes the first step of the registration procedure. Parents verify documentation in person at catchment school Provides the district with direct access to the number of enrolment applications at each VSB school.
Online cross-boundary application service for parents	Online application for cross boundary placement Provides the District with direct access to the number of cross-boundary applications at each VSB school.
Online Kindergarten Choice Application service for parents	Online application for Kindergarten Choice Programs. Parents rank preferences. Provides the District with direct access to the number of applications for each Kindergarten Choice Program.

6.6 MAXIMIZING ENROLLING SPACE

Enrolment management is complimented through maximizing the availability and use of enrolling space at full schools.

Strategy	Purpose
Use all available enrolling spaces	At schools with enrolment pressure, the district ensures that all rooms designed as enrolling classrooms are used as enrolling classrooms. This could include renovating existing space.
Portables on site	Where feasible, the district may install a portable on the school site to create additional enrolling capacity. As portables are expensive, and viewed as a short-term solution, portable installation is often not the preferred strategy.

6.7 PROGRAMS AND GRADE RANGE

The district has additional options to balance enrolment with available capacity that require planning and community engagement to implement. Planning and implementation of these changes requires one to three years. After implementation, it may take several years for the full impact on enrolment caused by the change to be realized.

Strategy	Purpose
Grade Range Adjustment	The District uses Grade Range Adjustment to balance enrolment between nearby schools and between annexes and their main school.
Locate, re-locate, and consolidate district programs	The District can locate and re-locate district programs to other VSB facilities to manage enrolment. District programs are intended to support the entire district and, as such, the catchment area for these programs is the entire district.

6.8 CATCHMENT BOUNDARY ADJUSTMENTS

Adjustments to catchment boundaries could be considered in the following situations:

- Redistribute enrolment at schools
- Establishing a catchment for a new school
- Optimize capacity utilization at schools
- To further student safety with respect to arterial roads or natural boundaries

- To align boundaries of elementary feeder schools with secondary boundaries within a family of schools

Using catchment boundary adjustments as an approach to redistribute enrolment at full schools to nearby schools with available space to accommodate students is challenging for the following reasons:

- Areas experiencing enrolment pressure encompass several elementary school catchments – catchment boundary adjustments within these areas would only serve to redistribute students between schools that are already full.
- Continuity and stability are highly valued by families
- Small adjustments to catchment boundaries cause slight changes to enrolment – so it would take many years to improve or resolve enrolment pressure at full schools.

Adjustments to catchment boundaries will be made in accordance with AP 305 School Catchment Boundaries.

6.9 MAJOR CAPITAL PROJECTS TO INCREASE CAPACITY

Major capital projects require Ministry approval to proceed. In the five-year capital plan submission, the Board requests capital funding for projects that have been prioritized.

Strategy	Purpose
Expansion/Addition	Where feasible, the district may renovate a school to create additional enrolling capacity. The District prioritizes requests for new schools in the annual Capital Plan submission to the Ministry.
Building new schools	In areas with ongoing enrolment pressure, a new school may be required to provide additional operating capacity. The District prioritizes requests for new schools in the annual Capital Plan submission to the Ministry.

Chapter 7 - Capital Asset Management Plan

Capital Asset Management Planning is intended as an ongoing process for the effective management of physical assets to systematically reduce operating costs and liabilities, preserve value, and generate revenue for reinvestment to support the organization's mandate and achievement of its long-term strategic goals and objectives.

Capital Asset Management Planning serves as a support to the Long-Range Facilities Plan, aligning its guiding principles. Effective Asset Management Planning provides the school district with the opportunity to advance the objectives of the Long-Range Facilities Plan, including the priorities identified within the Five-Year Capital Plan. As Capital Asset Management Planning is self-initiated and directed towards increased levels of local control, there are additional opportunities available to address VSB priorities beyond the funding levels provided by the Ministry of Education.

VSB has the richest physical asset base of any school district in British Columbia. However, it is challenged by the unique circumstances related to costs associated with aging infrastructure, the seismic condition of facilities, and excess capacity within its schools. More effective and strategic management of these assets will provide the VSB with the opportunity to improve its financial position and to advance and enhance capital projects in the future.

7.1 REQUIRED FUNDING CONTRIBUTIONS FOR MAJOR CAPITAL PROJECTS

The Ministry of Education, through its Project Contribution Policy, requires the Boards of Education to contribute to the cost of major projects including new schools, replacement schools, additions, and expansions. Of relevance for the VSB, Boards are also required to contribute funding for Seismic Mitigation Projects where a school district chooses to advance a different project scope that is not the least cost option, as would be the case where the least cost option is the seismic upgrading of the school. When the District develops a business case for the seismic upgrading of a school it will develop costing for the seismic upgrading as well as costing for either a partial or a full replacement of the school. In some cases, the least cost option is a replacement.

The funding contribution expected of the Board is not a replacement, or substitute, for the capital funding responsibilities of the Ministry of Education. Rather, this funding is considered a 'premium,' or supplement, necessary to achieve an enhanced level of project; a new, replacement school (partial, or full), instead of a seismic upgrade project. It should be noted that a new, replacement school is the lowest cost option for a sizable number of SMP projects, with full funding provided by the Ministry of Education.

Where a funding 'gap' exists between a seismic upgrade project and a new, replacement school, the Board may provide the 'premium' to fund its preference for a new, replacement school. This contribution will be confirmed within the Project Agreement between the Board and the Ministry. The financial contribution can be from several sources such as the Ministry of Education restricted capital, local capital, and/or operating surplus.

While the opportunity to convert projects from seismic upgrades to new, replacement schools has been available to the VSB, a lack of financial reserves has prevented the Board from achieving this more desirable outcome in many cases. In many of these cases, the result has been a seismically upgraded school that will still have deferred maintenance concerns. The more desirable outcome of a replacement school results initially in a school with no deferred maintenance concerns, allowing limited operating funds to be redirected to support students in the classroom.

7.2 CONVERTING SEISMIC UPGRADE PROJECTS TO REPLACEMENT SCHOOL PROJECTS

Seismic upgrade projects are focussed on improving the safety for building occupants during a seismic event. With a focus on the structural integrity of the building for life-safety, funds are not available within these projects to address existing liabilities related to operational inefficiencies, deferred maintenance, and poor building design. Improvements in classroom and school design to support the delivery of modern instructional practices and effective learning environments, and many partnership agreements are simply not possible within the scope of these projects.

The construction processes required for seismic upgrade projects are highly intrusive, often requiring the use of temporary accommodation for students and staff who are displaced from their school for an extended period. On occasions where a seismic upgrade project can proceed on a 'phased approach', students and staff are often 'shifted' from one section or block of the building to another as construction proceeds through its multiple phases. While this method may enable the continued accommodation of students and staff within the school, the potential for ongoing disruption is considerable. The time required for the upgrade project to be completed in a phased approach will extend well beyond the time required where temporary accommodation is used.

There are significant benefits that can be achieved through the conversion of seismic upgrade projects to new, replacement school projects, whether these include full, or partial replacement. The investment of locally generated capital funds to support the 'premium' for a new replacement school, rather than a seismic upgrade, has far-reaching benefits for the VSB.

7.2.1 REPLACEMENT PROJECTS (FULL AND PARTIAL) WILL ACHIEVE THE FOLLOWING BENEFITS FOR VSB

- Reduced future operating and maintenance costs, preserving more operating funds for instructional purposes – the delivery of programs and services to students within modern teaching and learning environments,

- Elimination of deferred maintenance costs; many of these costs remain as liabilities upon the completion of a seismic upgrade project,

- Strong potential to expedite the SMP program by securing a higher proportion of new, replacement schools, rather than seismic upgrade projects,

- Potential to build new, replacement schools 'on site', avoiding the disruption and displacement of students and staff through temporary accommodation,

- Reduced energy consumption and green-house gas emissions, supporting VSB environmental sustainability goals, while reducing operating costs,

- Increased opportunities for partnership agreements for the construction of dedicated space for child-care, daycare and other priorities identified within the community, and

- Built to current seismic standards, new, replacement schools will achieve a superior level of seismic safety compared to a seismic upgrade project.

The investment in the 'premium' to convert a seismic upgrade project to a new, replacement school results in a short 'payback' period, with significant long-term financial and educational benefits to the school district.

7.3 REVENUE GENERATION TO ENHANCE CAPITAL PROJECTS

With a comprehensive portfolio of physical assets, the Board has significant potential to generate revenue, while preserving these assets and their value for longer-term needs.

As many properties were acquired by the VSB, without a financial contribution from the Ministry, the Board has greater discretion and flexibility in the use of revenues generated through these properties to address local priorities. Funds generated through long-term lease and/or sale of land parcels would be available to the Board to fund the 'premium' required to convert a seismic upgrade project to a new, replacement school. Additionally, the Board would also be able to consider the enhancement of major capital projects through the investment of local capital funds to achieve specific, local priorities.

Enhancements to major capital projects across British Columbia have occurred on a regular basis through Board contributions ranging from 100s of thousands of dollars to more than $20 million for multiple projects. Through these funding contributions, and with Ministry agreement, Boards have achieved enhanced outcomes for projects, including gymnasia, performing arts theatres, increased capacity to sustain international student enrolment, modern learning environments, and expanded building capacity.

Major capital projects have also been enhanced through partnership agreements resulting in the construction of dedicated day care and childcare facilities, shared use gymnasium, artificial turf fields, and community meeting space. These partnership agreements are often facilitated through a new, or replacement school project, enabling joint planning and shared use. There is excellent potential to identify opportunities for enhanced partnerships with the City of Vancouver and other community partners.

7.4 DEVELOPMENT AND IMPLEMENTATION OF A CAPITAL ASSET MANAGEMENT PLAN

The development and implementation of a comprehensive Capital Asset Management Plan will serve to support the guiding principles of the Long-Range Facilities Plan, while advancing the priorities identified within the Five-Year Capital Plan. The Capital Asset Management Plan will serve to identify a full range of revenue generation opportunities, as well as cost-saving measures, to provide the Board with the capacity to contribute funds, as required by the Ministry, to achieve the benefits associated with new, replacement schools and enhanced capital projects.

During the 2018-2019 school year the District engaged consultants to create a complete inventory of Vancouver School District properties and to begin the process of identifying opportunities to generate capital fund revenue so that funding contributions can be made to seismic projects and to new schools. Following up on that work the Board of Education adopted the following motion, now included in the Draft 2019 LRFP.

That the District builds on the initial work done on a Capital Asset Management Plan to develop a comprehensive strategic plan to guide the District in effectively managing the asset inventory in the future.

In early 2020 a professional consulting firm, Urban Systems Ltd, was selected to prepare the strategic plan. Urban Systems provides services to local governments, regional districts, provincial agencies, and First Nations in the fields of asset management, urban planning, strategic property management, municipal engineering, landscape architecture and other government services.

Through a series of workshops in the first quarter of 2020 attended by staff and Trustees the following guiding principles were developed for this work:

- To have modern, safe, and healthy schools
- Maximize revenue generation while respecting community use
- Reduce operating costs and deferred maintenance
- Effective management of capital assets

The Board has agreed with the guiding principles and has accepted the following criteria (pictured below) to ensure that sustainable and successful land asset decisions are economically viable, technically feasible, publicly acceptable, and environmentally compatible.

In June 2020, a draft Land Asset Strategy was presented to the District's Facilities Planning Committee. That report identified opportunities to be included in a Capital Asset Management Plan to be looked at over the following timelines: 1-3 years; 3-5 years; 5- 10 years; and 10 plus years. These opportunities will inform the Board about future decisions in implementing the District's Long-Range Facilities Plan. The Board has explored some initial work on the some of the opportunities in the 1-3 years' timeframe and the VSB continues to work with Urban Systems Ltd. by developing a General Service Agreement which will have as some of its terms work to develop a protocol agreement and MOU with the Musqueam Indian Band, Squamish Nation, Tsleil-Waututh Nation.

7.5 CAPITAL FUNDING REQUIRED FOR CURRENT PROJECTS

The use of the 'premium' to convert a seismic upgrade project to a new, replacement or partial replacement school has already been made by the Board of Education for the 75% replacement of Dr. George B. Weir Elementary and the full replacement of Henry Hudson Elementary. The funding for these two commitments is approximately $4.0 million. In addition, the Board has committed to fund 50% of the auditorium at Eric Hamber Secondary for an estimated $3.5 million. In addition to these costs the District is always responsible for all the costs of any capital project that are more than the maximum funding provided by the Ministry in the project's Capital Project Funding Agreement. For the Maple Grove Elementary project these additional costs amount to $1.0 million.

Chapter 8 – Families of Schools (FOS) Regions

The District is divided into six Families of Schools regions which are defined by secondary school catchment boundaries.

The Vancouver School District is relatively compact with few natural boundaries that distinctly define regions in the District. Defining FOS regions is supported by planning considerations including the following:

- Enrolment trends including distribution of out of catchment students
- Arterial roads and transportation corridors
- Choice program locations
- Capacity utilization

8.1 SECONDARY ENROLMENT TRENDS – REGULAR PROGRAM

Most secondary students attend their catchment school. At the grade 8 level out of catchment enrolment in the regular program is managed by the District. Out of catchment enrolment at secondary schools is supported in the following ways:

- Enrolment procedures
- Value that parents and students place on choice
- Availability of capacity
- Transportation options and infrastructure
- School choice legislation

Secondary students who do not attend their catchment school often attend a school in an adjacent or nearby catchment. Most secondary students attend a secondary school in their region. As pointed out earlier in this report, the redistribution of students from East of Main Street to West of Main Street is limited in scale. After accounting for redistribution between adjacent catchments in the central region bounded by Fraser Street on the east, and Granville Street on the west, the net flow from East of Fraser to West of Granville is about 200 students or 1% of total secondary school enrolment.

Region	Enrolment from Region	Enrolment within Region	Students living and attending within region	Students attending outside region	% of Regional Attendance
Central	3637	3651	3246	391	89%
Southwest	1337	1678	1225	112	92%
UBC and Vancouver West	1440	1496	1370	70	95%

Kitsilano and Downtown	1222	1167	1043	179	85%
Downtown East	1804	1791	1608	196	89%
Southeast	4092	3992	3682	410	90%

As an example, there are 3637 VSB students living in the Central region, of those, 391 (11%) attend a school outside the central region and 3246 (89%) attend a school within the central region.

8.2 ENROLMENT BREAKDOWN – PROGRAM TYPE

Regional enrolment breakdown by program type is shown in the table below:

Program Category	Central	Southwest	UBC and Vancouver West	Kitsilano and Downtown	Downtown East	Southeast	District Total
Regular	3651	678	1496	1167	1791	3992	12775
District Choice	1407	403	432	627	907	375	4151
District Learning Services	194	93	28	59	169	434	977
Total Resident	**5252**	**1174**	**1956**	**1853**	**2867**	**4801**	**17903**
District International	375	453	174	153	114	221	1490
District Total	**5627**	**1627**	**2130**	**2006**	**2981**	**5022**	**19393**

Students in the International program are integrated in the regular secondary program, these students do not enrol in District Choice or Learning Services Student Programs.

A regional analysis of aggregate program enrolment breakdown by percent for BC residents is shown below. The District average for regular program enrolment is 71% with a range of 58% in the Southwest region to 83% in the Southeast. The wide range of District program attendance reflects the current location of these programs.

Program Category	Central	Southwest	UBC and Vancouver West	Kitsilano and Downtown	Downtown East	Southeast	District Average
Regular	69%	58%	77%	63%	62%	83%	71%
District Choice	27%	34%	22%	34%	32%	8%	23%
District Learning Services	4%	8%	1%	3%	6%	9%	6%

Fifty-five percent of students in International Education attend schools in the central and southwest regions.

International Education Program	Central	Southwest	UBC and Vancouver West	Kitsilano and Downtown	Downtown East	Southeast	District Total
Enrolment	375	453	174	153	114	221	1490
Percent by Region	25%	30%	12%	10%	8%	15%	100%

8.3 DISTRICT CHOICE PROGRAM ENROLMENT

Secondary student enrolment trends are also supported by access to District Choice Programs.

Consideration	Context
District as Catchment	Students from anywhere in the *District can apply to any choice program with the same priority for enrolment * Three priority registration zones for FI
Location of Programs	Largest programs are located west of Main 1. Byng Arts – 392 students 2. Hamber Challenge – 218 students 3. Churchill IB – 209 students 4. Churchill FI – catchment goes from Boundary Rd to Dunbar Ave - 536 students
Availability of Choice	The District prioritizes choice programs - students/families make choices that reflect their preferences

1. Choice programs located west of Main enrol about 1,000 more students than those east of Main (2,475 vs 1,476)
2. The largest choice programs are located west of Main – these programs draw students from both east and west of Main
3. One third of all choice program enrolment (1,407) is in the Central region with the majority being located at Churchill and Hamber

8.4 FAMILY OF SCHOOLS

A family of schools (FOS) is defined as a secondary school and its feeder elementary schools. At present in Vancouver, there are many instances where an elementary school catchment is split between two secondary schools. When this is the case, the portion of the catchment containing the main school building is used to determine which FOS the elementary school is assigned to.

8.5 ELEMENTARY ENROLMENT TRENDS – REGULAR PROGRAM

Most elementary students attend their catchment school. Out of catchment enrolment at elementary schools is supported in the following ways:

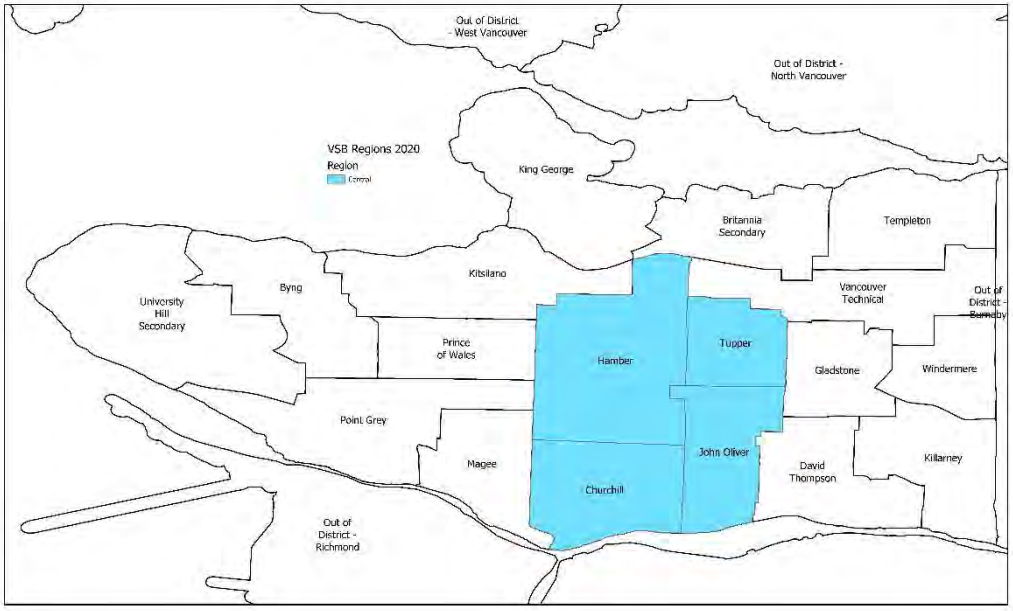
- Enrolment procedures
- Value that parents and students place on choice
- Logistical considerations particular the location and availability of childcare and out of school care
- Availability of capacity
- Proximity of schools
- Transportation options and infrastructure
- School choice legislation

Elementary enrolment is localized to neighbourhood schools, the majority of out of catchment students live in adjacent school catchments. From the perspective of the District as a whole, there is minimal redistribution from east of Main to West of Main. There is some redistribution between adjacent and nearby catchments on both sides of Main street. At many individual schools, the inflow and outflow of students is balanced. Inflow and outflow are generally balanced between families of schools. At full schools that cannot accommodate catchment enrolment demand outflow of students exceeds inflow either through student placements made by the District, choice program enrolment or out of catchment enrolment.

Section 3 of the LRFP provides a strategic analysis for the six families of school's regions. For each region information is organized under the headings below.

1. Educational Programming Considerations - Choice, Learning Services
2. Secondary Student Accommodation Considerations
3. Secondary Student Accommodation Strategy
4. Elementary Student Accommodation Considerations
5. Elementary Student Accommodation Strategy (FOS)
6. Balancing Capacity with Enrolment
7. Secondary Facilities Condition and Seismic Upgrade Considerations
8. Elementary Facilities Condition and Seismic Upgrade Considerations
9. Catchment Boundary Considerations
10. Summary

1 PLANNING STRATEGIES FOR CENTRAL FAMILY OF SCHOOLS REGION



1.1 FAMILIES OF SCHOOLS IN CENTRAL REGION

The central region has four families of schools, as illustrated below:

Hamber	John Oliver	Tupper	Churchill
Carr	Henderson	Brock	Laurier
Cavell	Mackenzie	Dickens	Lloyd George
Fraser	Moberly	Dickens Ax	Sexsmith
Jamieson	Trudeau	Livingstone	
L'Ecole Bilingue		McBride	
Osler		McBride Ax	
Van Horne		Nightingale	
Wolfe			

1.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE CENTRAL REGION OF ELEMENTARY SCHOOLS

- Due to their central location, schools in the central region are desirable locations for district choice programs
- One third of secondary district choice program enrolment is accommodated in the central region

School	Mini-school Academic	Language	IB	Other
Hamber		Mandarin/Bilingual		Hamber Challenge
John Oliver	Mini school			
Tupper	Mini school			
Churchill	Mini school	Early French	IB Certificate, IB Diploma	

School/Program Types	LifeSkills	Learning Assistance LifeSkills	Learning Assistance	Learning Support	Other
Hamber	Yes	Yes	Yes		
John Oliver	Yes	Yes	Yes	Yes	
Tupper	Yes			Yes	Gateway to Employment
Churchill				Yes	Autism Resource

- There are no proposed changes to the secondary learning services student programs available in the central region

1.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE CENTRAL REGION

School	Family of Schools	Program
Jamieson	Hamber	Mandarin/Bilingual
L'Ecole Bilingue	Hamber	EFI
Brock	Tupper	IF

1.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE CENTRAL REGION

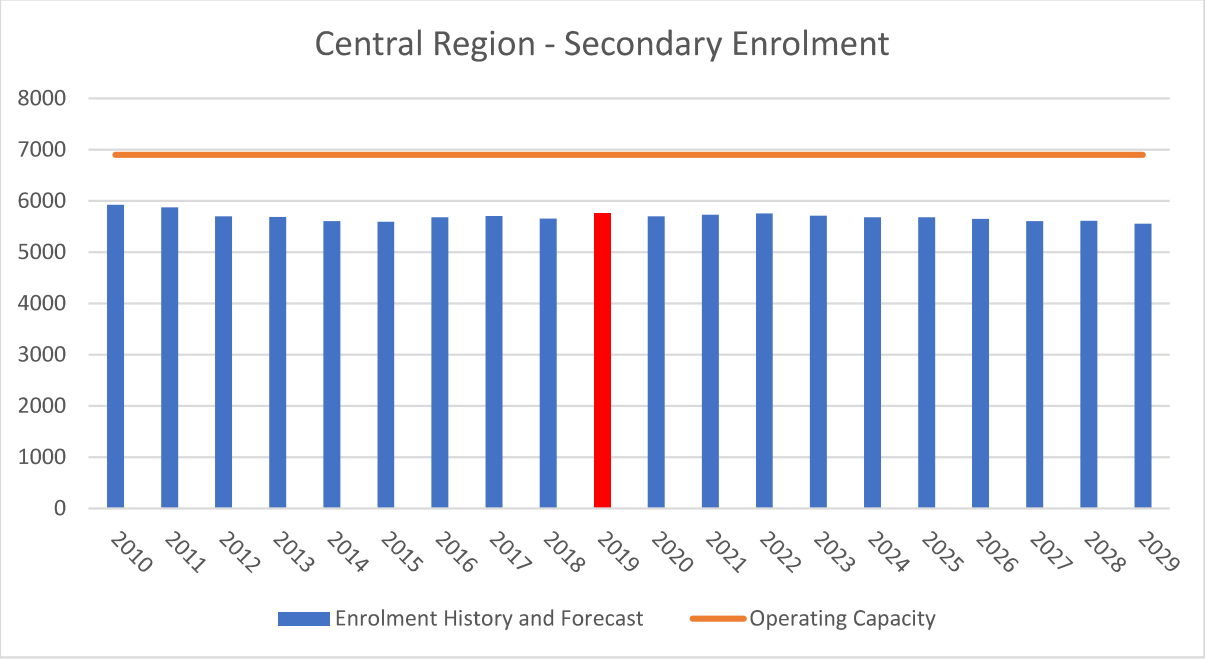
School	Family of Schools	Program
Brock	Tupper	Excellence in Social Emotional Learning, Learning Support
Dickens	Tupper	Learning Support
Henderson	John Oliver	Excellence in Social Emotional Learning
Mackenzie	John Oliver	Life Skills
McBride	Tupper	Excellence in Social Emotional Learning
Moberly	John Oliver	Learning Support
Nightingale	Tupper	Excellence in Social Emotional Learning
Osler	Hamber	MACC-Gifted Education
Trudeau	John Oliver	Autism Resource

- Beginning in September 2020 an ExSEL program was located at Osler Elementary.

1.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

1.5.1 OVERVIEW

- In 2019 there was surplus capacity at each of the secondary schools in the central region, except for Churchill which is operating at capacity
- Catchment students can be accommodated at their secondary catchment schools
- Regular program enrolment is stable, except for John Oliver where enrolment decline is forecast
- Forecasts indicate that all program enrolment will be able to be accommodated for many years



1.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

- Resident enrolment includes all in catchment, out of catchment, and out of District enrolment in the regular, choice, school specialty, and learning services student programs
- Total enrolment also includes fee paying students in the International Education Program

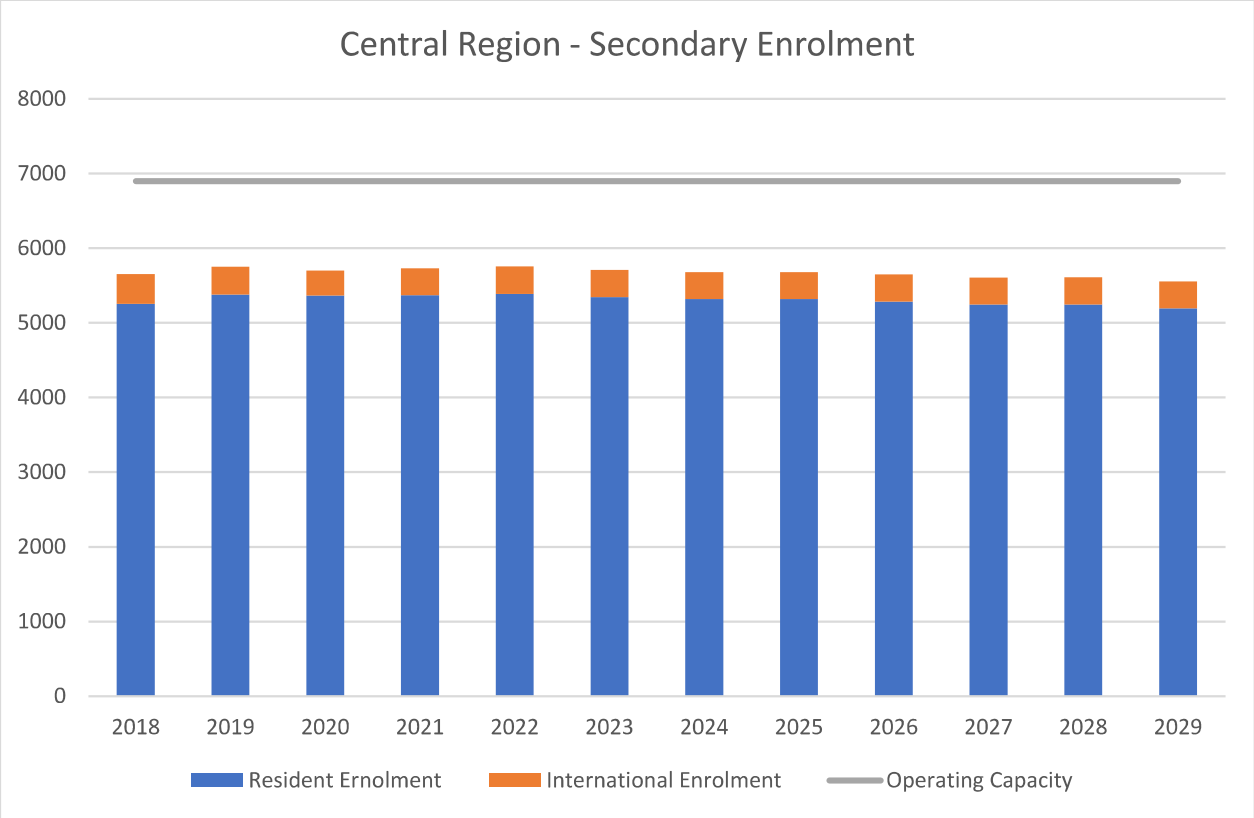
2019 Secondary School Operating Capacity and Capacity utilization

Region	Total OC	Resident Enrolment	Total Enrolment	CU Resident	CU Total
Central	6900	5377	5752	78%	83%

- The total surplus capacity available in the Southwest region is 1148
- The forecast enrolment trend is stable in regular program enrolment
- The main school building at Churchill has an operating capacity of 1850, Ideal mini school is accommodated in a satellite building with a capacity of 150.

Program Category	Enrolment Total	Enrolment %
Regular	3651	63%
District Choice	1407	24%
***District Learning Services**	319	6%
District International	375	7%
Total	5752	100%

*Includes Student Learning Services Programs and Alternative Programs

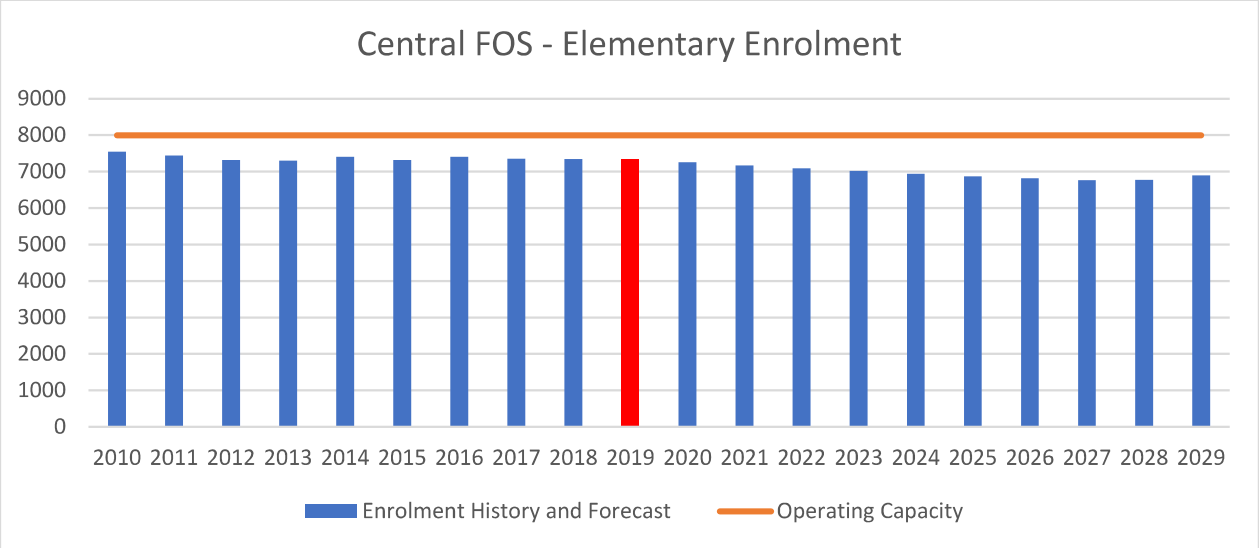


1.6 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years all secondary schools in the central region have had sufficient space to accommodate all catchment students that wish to attend their catchment school.
- For the past several years, the District has managed out of catchment enrolment in the regular program to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size.
- Ongoing management out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Southwest Region continue to have sustainable grade 8 cohort size.
- Enrolment forecasts indicate that there will be sufficient capacity to accommodate all catchment students in the regular program at their catchment school in the central region for many years
- There is sufficient capacity in the central region to accommodate all current program needs. Enrolment forecasts indicate that there will be sufficient capacity to accommodate all programs currently available in the Southwest Region for many years
- No changes to current enrolment procedures are required

1.7 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

- The central region is a large and dynamic region of the District

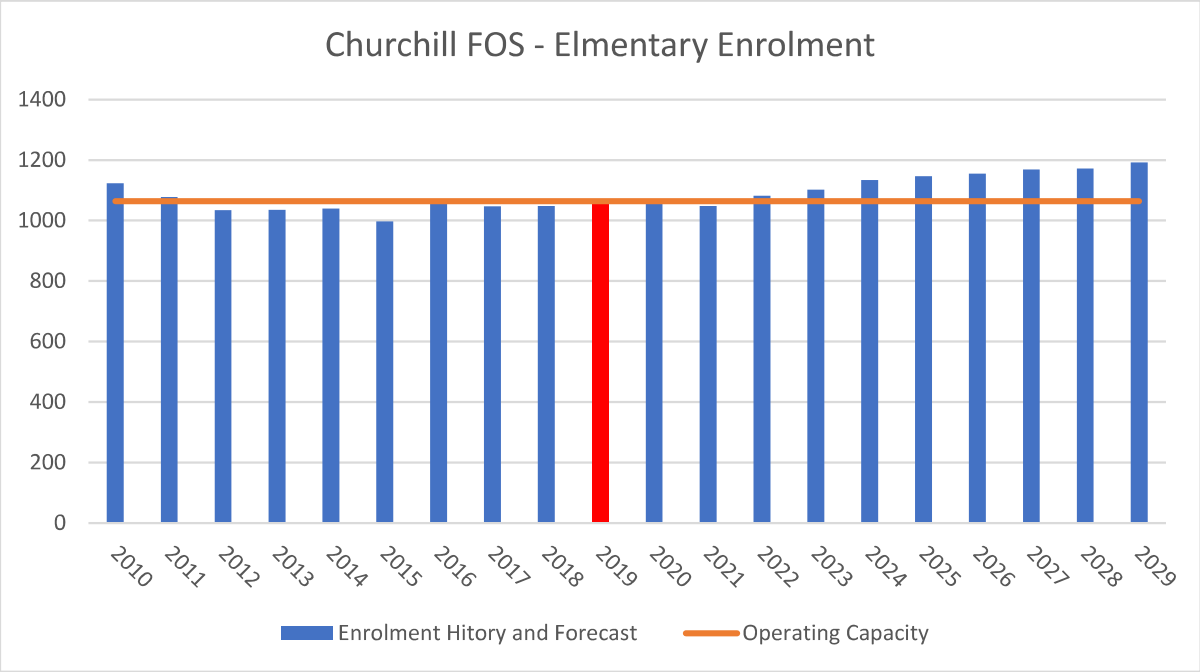


Family of Schools	Total OC	2019 Total Enrolment	2029 Total Enrolment	2019 CU	2029 CU	*Total Enrolment Trend
Churchill	1064	1063	1192	100%	112%	Increasing
Hamber	2685	2929	2801	109%	104%	Stable
John Oliver	2137	1543	1349	72%	63%	Declining
Tupper	2113	1801	1558	85%	74%	Declining
Total	**7999**	**7336**	**6778**	**92%**	**85%**	**Declining**

*If the change in capacity utilization is less than or equal to 5% then the enrolment trend is stable. If capacity utilization is forecast to increase by more than 5%, the enrolment trend is increasing. If capacity utilization is forecast to decrease by more than 5%, the enrolment trend is decreasing.

1.7.1 CHURCHILL FOS

- In 2019 enrolment and capacity were balanced in the Churchill FOS. No students were placed by the District
- Out of catchment enrolment is restricted at Laurier and Sexsmith
- Enrolment pressure is expected to increase at Laurier and Sexsmith in future years



1.7.2 HAMBER FOS

- The Hamber FOS encompasses 8 elementary schools, in consideration of enrolment trends and patterns. The Hamber FOS has been subdivided into two study areas to assist in analysis:

North Hamber	South Hamber
Fraser	Osler
Cavell	Jamieson
Carr	Van Horne
Wolfe	
*L'Ecole Bilingue	

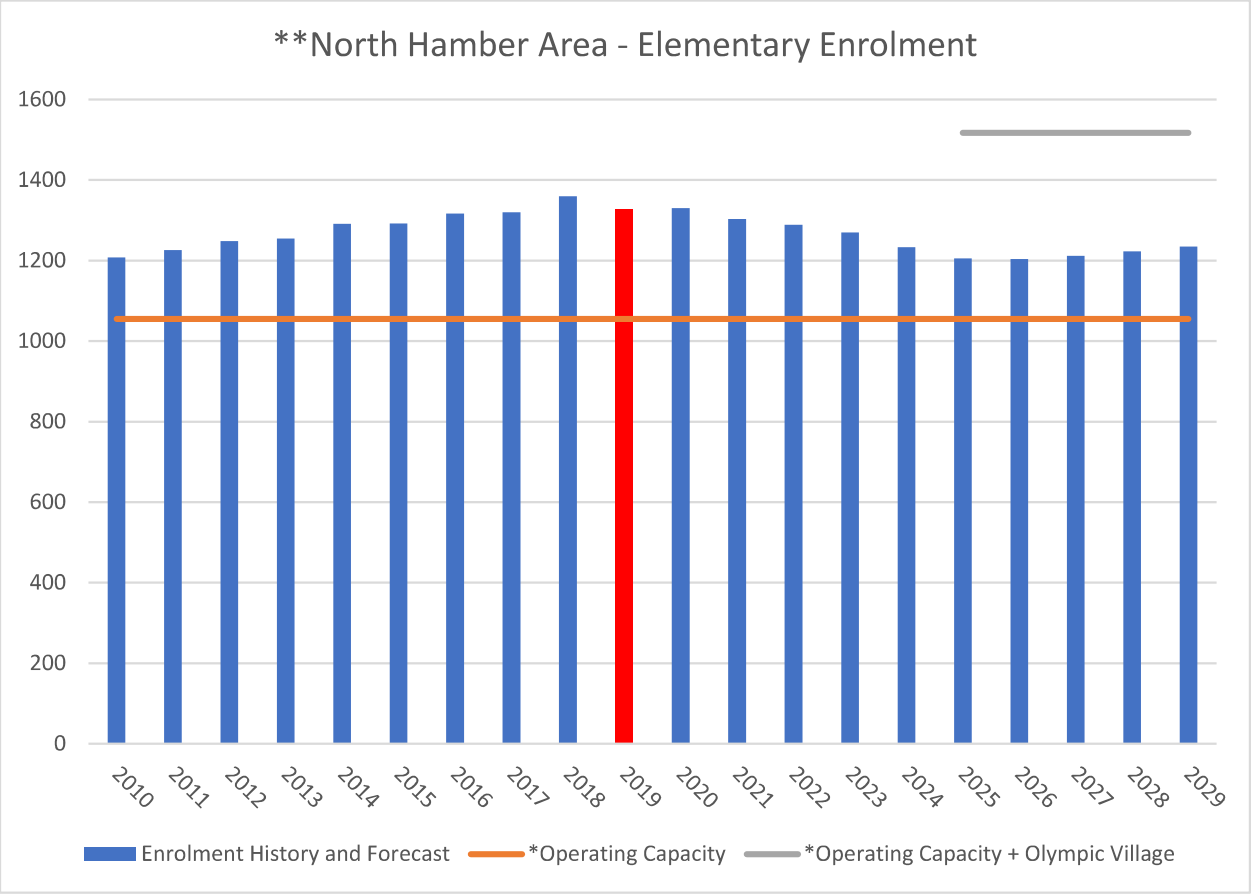
*District French Immersion school

1.7.3 NORTH HAMBER AREA

- Overall enrolment exceeds capacity in Hamber FOS. Fraser, Cavell, and Carr schools have insufficient capacity to accommodate current and forecast enrolment levels
- Fraser elementary has severe enrolment pressure resulting in lengthy catchment waitlists for the school.

- Out of catchment applicants are not admitted to Fraser.
- Enrolling space has been maximized inside the school and portables have been added to the Fraser site.
- Overflow from Fraser is accommodated at Nightingale and Wolfe elementary
- Wolfe elementary students are currently accommodated at the South Hill temporary accommodation site while Wolfe undergoes a seismic upgrade
- Cavell elementary has enrolment pressure resulting in catchment waitlists for the school.
- There was a Kindergarten waitlist at Cavell in 2019 and in prior years.
- Students who cannot be accommodated at Cavell have been placed at Shaughnessy
- Cavell elementary students are currently accommodated at the Maple Grove temporary accommodation site while Cavell undergoes a seismic upgrade
- Carr is full and has had small Kindergarten waitlists in some years
- Students who cannot be accommodated at Carr have been placed at Shaughnessy

The chart shows enrolment and capacity for the following schools in the North Hamber area: Cavell, Fraser, and Carr

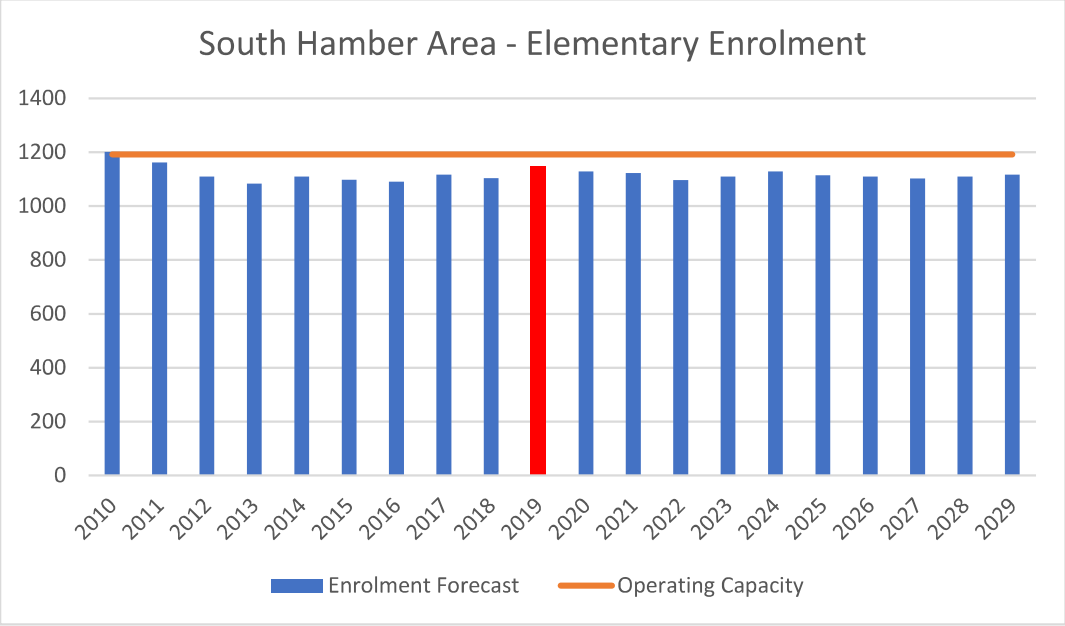


*Shows estimated additional capacity from a new school at Olympic Village. At present, there is no project agreement in place for Olympic Village. The date of availability of the new school is uncertain, 2025 is a placeholder until additional information is available.

**Does not included enrolment in the early French immersion program at L'Ecole Bilingue

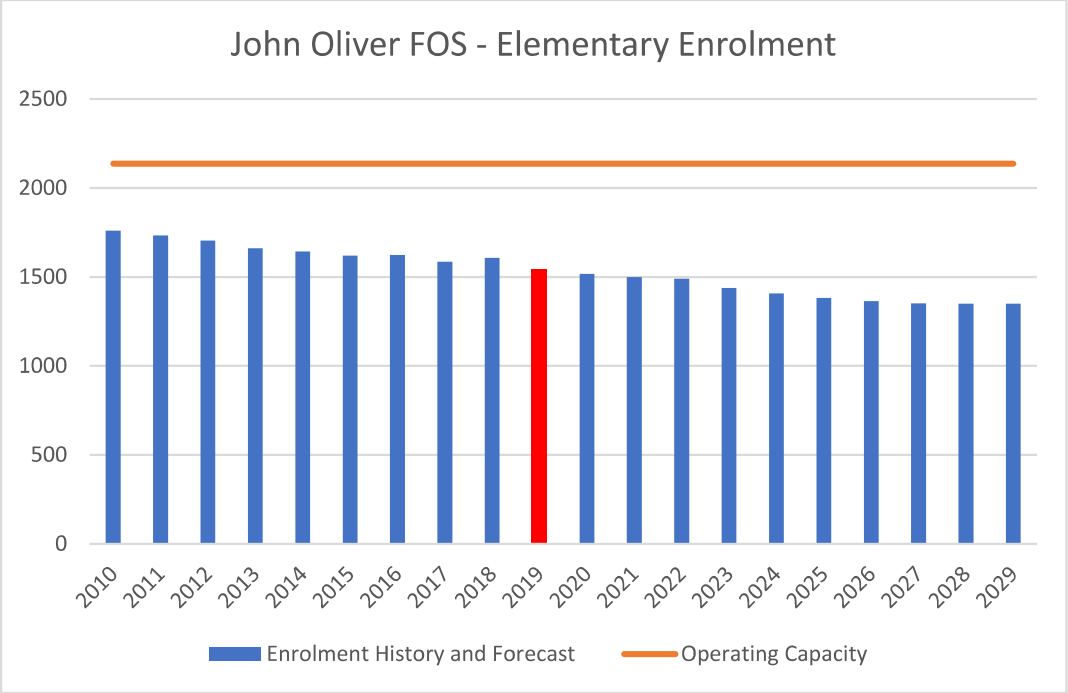
1.7.4 SOUTH HAMBER AREA

- Catchment demand has created enrolment pressure at Jamieson
- In 2019 the Late Mandarin Bilingual program located at Jamieson enrolled four divisions
- The Late Mandarin Bilingual program is being relocated to Trudeau through a phased process beginning in September 2021
- There is sufficient capacity at Osler and Van Horne to accommodate catchment Kindergarten enrolment demand
- Forecasts indicate that Osler and Van Horne will both continue to accommodate their catchment enrolment demand for many years



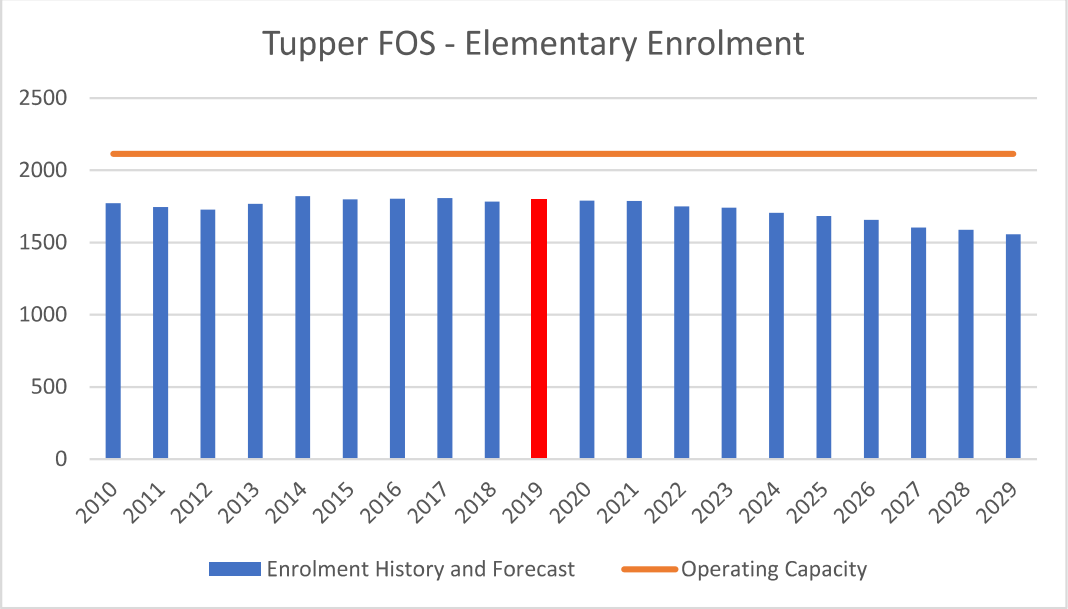
1.7.5 JOHN OLIVER FOS

- There is surplus capacity in the John Oliver FOS, all Kindergarten students who wish to do so are able to attend their catchment school
- There is sufficient capacity at all schools in the John Oliver FOS to accommodate catchment Kindergarten enrolment demand for many years



1.7.6 TUPPER FOS

- There is surplus capacity in the Tupper FOS and all Kindergarten students who wish to do so are able to attend their catchment school
- Nightingale has been used as an overflow school for the Fraser catchment.

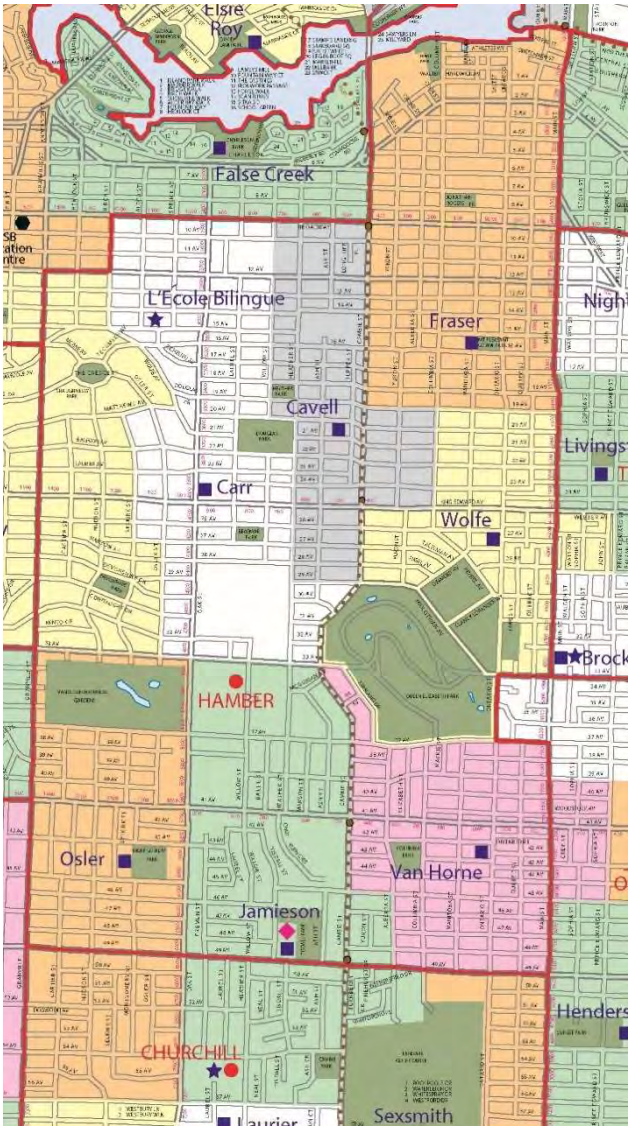


1.8 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

1.8.2 CHURCHILL FOS

- Kindergarten waitlists are not expected at Lloyd George in the future, Laurier and Sexsmith may experience demand for Kindergarten that exceeds capacity in the future
- Continue to restrict out of catchment enrolment at Sexsmith and Laurier,
- Begin to limit out of catchment enrolment at Lloyd George and Osler (Hamber FOS)
- If necessary, use nearby schools to accommodate placed students from Churchill FOS

1.8.3 HAMBER FOS – NORTH HAMBER AREA

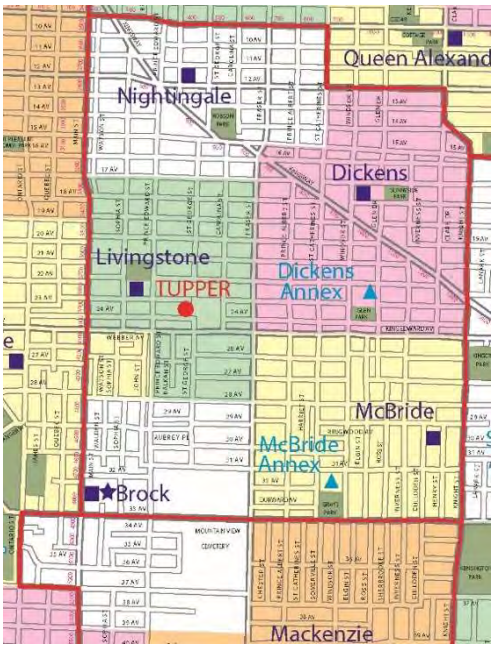


- The recent commitment by the Provincial Government to build an elementary school in Olympic Village provides a pathway to a long-term resolution to some of the enrolment challenges in the Hamber FOS and at False Creek elementary (Kitsilano FOS)
- An enrolment plan for the school at Olympic Village will need to be developed prior to occupancy
- An expansion at Cavell has been requested in the Capital Plan. To date, this capital request has not been supported by the Ministry
- Continue to restrict out of catchment enrolment
- Enrolling space has been maximized through interior renovations
- Place waitlisted students at nearby schools
- Use Nightingale and Wolfe as overflow sites for Fraser catchment students
- Wolfe will continue to have surplus capacity to accommodate overflow from the Fraser catchment in future years
- Continue to monitor enrolment at Shaughnessy to ensure that there is sufficient capacity to accommodate catchment enrolment

1.8.4 HAMBER FOS – SOUTH HAMBER AREA

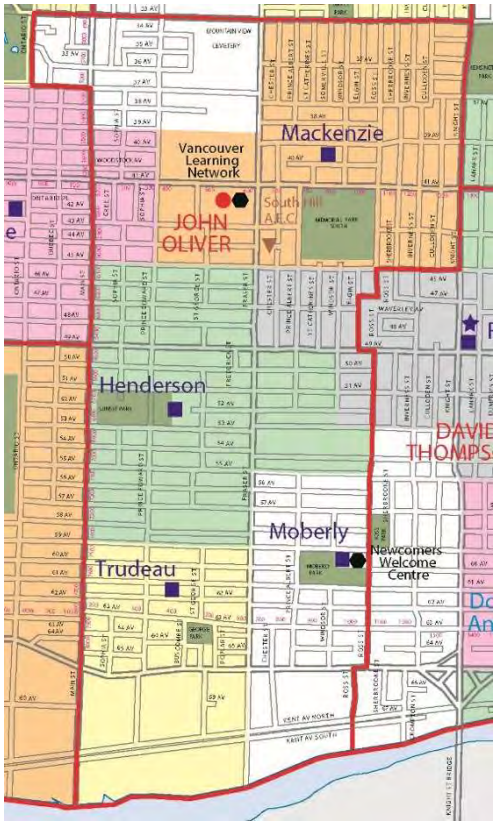
- To ensure that Jamieson will be able to accommodate its catchment enrolment, the Mandarin Bilingual Program at Jamieson will be relocated to Trudeau through a phased relocation process beginning in September 2021

1.8.5 TUPPER FOS



- Continue to manage cross boundary enrolment to ensure effective use of staffing
- Begin limiting out of catchment enrolment at Nightingale to ensure that there is sufficient capacity to accommodate catchment students

1.8.6 JOHN OLIVER FOS



- Continue to manage cross boundary enrolment to ensure effective use of staffing

1.9 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY FOS

1.9.1 OVERVIEW

- Enrolment pressure is localized at five schools in the central region
- At the remaining 16 schools with local catchments enrolment and capacity are balanced, or surplus capacity exists
- A new school at Olympic village will enable the District to alleviate enrolment pressure in the South Hamber FOS area and at False Creek (Kitsilano FOS)
- Balancing enrolment with capacity in the central region will remain challenging for many years

1.9.2 CHURCHILL FOS

- Enrolment is forecast to exceed capacity

1.9.3 HAMBER FOS

- Overall enrolment is forecast to decline
- Enrolment pressure at Fraser will remain high for many years

1.9.4 TUPPER FOS

- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 – 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report

1.9.5 JOHN OLIVER FOS

- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 – 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report

1.10 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

1.10.1 OVERVIEW

- 24% of the operating capacity is rated as medium risk
- 86% of the operating capacity is rated as high risk
- When the replacement school for Hamber is completed, 25% of the operating capacity will be seismically safe
- Churchill is prioritized in year 1 of the 2021-22 capital plan
- John Oliver is prioritized in year 2 of the 2021-22 capital plan
- Each school in the central region has a very poor building condition rating based on their FCI
- Due to their complexity and their large capital requirements, once supported in secondary seismic projects take 7 to 9 years to move from the feasibility study phase to occupancy.

1.10.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

FCI and Seismic Status of Secondary Schools in the Central Region

School Name	Building Age (Year)	Building Condition Rating	Seismic Risk Rating	SMP Status
CHURCHILL	64	Very Poor	H1	Unsupported
HAMBER	58	Very Poor	H1	Design/Construction
JOHN OLIVER	99	Very Poor	H1	Unsupported
TUPPER	62	Very Poor	M	Completed

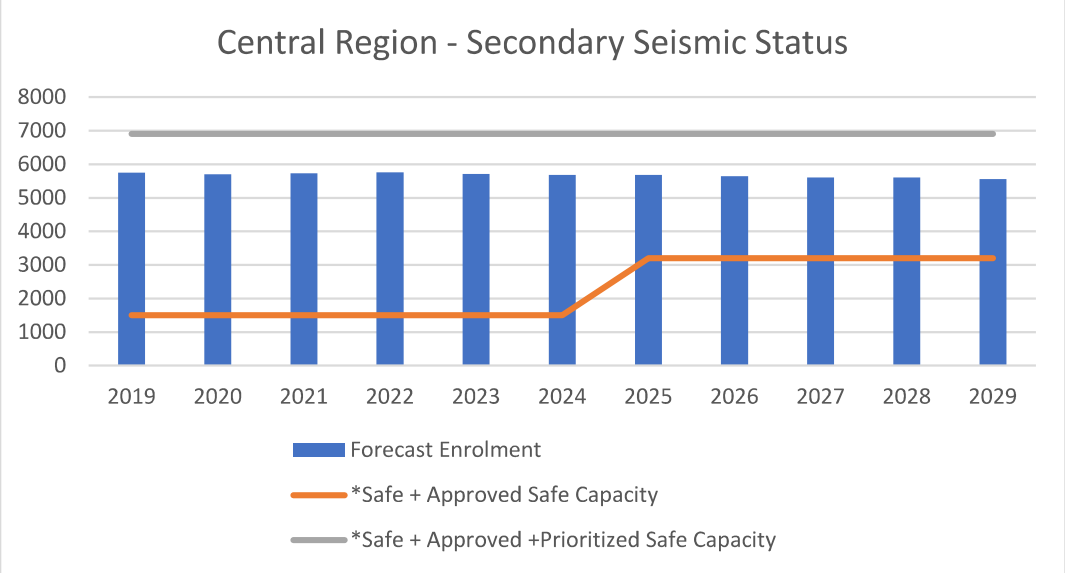
Seismically safe capacity and enrolment in the Central region

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
CHURCHILL	2000	2021	1864	157	2035
HAMBER	1700	1524	1358	166	1454
JOHN OLIVER	1700	1108	1093	15	901
TUPPER	1500	1099	1062	37	1167
Total	**6900**	**5752**	**5377**	**375**	**5557**

- Hamber will be replaced through the SMP
- The new school is currently in the detailed design phase.
- Construction of the new building is scheduled to begin in 2022
- Occupancy for the new school is scheduled for 2025
- The availability of the current building on the Hamber site for use in the future as temporary accommodation will be integral to the completion of the SMP for secondary schools
- Churchill is prioritized in year 1 of the 2021-22 capital plan
- John Oliver is prioritized in year 2 of the 2021-22 capital plan
- Churchill is the largest school in the District with a nominal capacity of 1850 in the main school building. There is an additional capacity of 150 included in the overall capacity for Churchill in recognition of the satellite building that accommodates the Ideal Mini school. In 2019 Churchill enrolled over 2000 students.
- Enrolment at Churchill is forecast to remain stable for many years. The school is centrally located, and it is essential to accommodate a large population of secondary students in the VSB. There is insufficient seismically safe capacity in schools surrounding Churchill to accommodate its students and this situation will prevail in future years.
- Once the replacement school at Hamber is completed, the existing Hamber building could be integral to a temporary accommodation plan for Churchill
- John Oliver is prioritized in year 2 of the 2021-22 capital plan
- John Oliver is ideally located in relation to public transit to serve current and future District enrolment needs. It is a large school with a nominal capacity of 1700 students. Currently the school enrolls close to 1100 students. John Oliver's enrolment and capacity utilization are forecast to decline in future years. Developing a strong business case for John Oliver could rely on implementing strategies to reduce surplus capacity at nearby secondary schools.
- If, through the SMP, a replacement school was built at the John Oliver site, the availability of the current school building for use as a large centrally located temporary accommodation facility could potentially accelerate the overall SMP for secondary schools.
- Tupper was structurally strengthened in the 1990's, the school building is rated as being at medium risk in a seismic event. Tupper is not prioritized in the 2021-22 capital plan. Schools rated as being at high risk in a seismic event are prioritized for funding through the SMP.

Future Scenarios

- All secondary schools in the central region are essential to accommodate VSB students



*Includes schools with a medium seismic risk rating

1.11 ELEMENTARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS – CENTRAL REGION FOS

1.11.1 OVERVIEW

- 45% of operating capacity is seismically safe
- 8% of operating capacity is rated as medium risk
- 47% of operating capacity is rated as high risk
- Cavell, Lloyd George, Wolfe and Livingstone are in the design construction phase of the SMP
- The table shows the percentage of capacity in each seismic risk category
- MacKenzie is prioritized in year 1 of the capital plan, Nightingale is prioritized in year 2 of the capital plan

1.11.3 CHURCHILL FOS

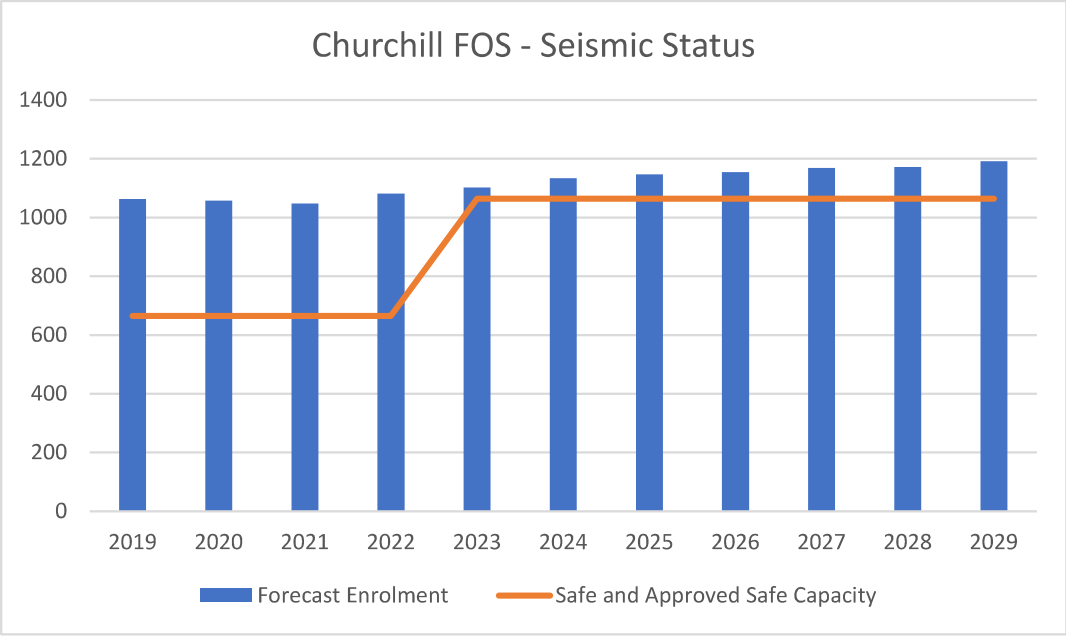
- Sexsmith and Laurier are completed projects
- Lloyd George is scheduled for occupancy in 2023
- The SMP will be complete in the Churchill FOS with the completion of Lloyd George

Elementary Facilities Condition and Seismic Risk

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Total Enrolment	2029 Total Enrolment
Lloyd George	Poor	H1	Design/Construction	398	361	409
Sexsmith	Excellent	Completed	Completed	398	394	471
Laurier	Excellent	Completed	Completed	267	308	312
Total				**1063**	**1063**	**1192**

Future Scenario

- Forecasts indicate that in future years enrolment may exceed seismically safe capacity in the Churchill FOS
- As needed, surplus seismically safe capacity in nearby schools, including Osler and Trudeau may be used to accommodate overflow from the Churchill FOS
- Further study and analysis of the enrolment demand in relation to seismically safe capacity may be required in the Churchill FOS



1.11.4 HAMBER FOS

The Hamber FOS encompasses 8 elementary schools, in consideration of enrolment trends and patterns. The Hamber FOS has been subdivided into two study areas to assist in analysis:

North Hamber	South Hamber
Fraser	Osler
Cavell	Jamieson
Carr	Van Horne
Wolfe	
*L'Ecole Bilingue	

*District School

1.11.5 NORTH HAMBER STUDY AREA

- 41% of capacity is seismically safe
- 59% of capacity is rated as high risk
- Wolfe is scheduled for occupancy in 2022
- Cavell is scheduled for occupancy in 2023
- Carr is prioritized in year 2 of the 2021-22 capital plan

Elementary Facilities Condition and Seismic Risk

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Enrolment	2029 Enrolment
Carr	Very Poor	H1	Unsupported	263	307	302
Cavell	Poor	H1	Design/Construction	263	331	278
Fraser	Poor	Completed	Completed	177	327	420
L'Ecole Bilingue	Excellent	Completed	Completed	439	454	450
Wolfe	Very Poor	H1	Design/Construction	353	363	235
Total				**1495**	**1782**	**1685**

Future Scenarios

- The completion of Wolfe and Cavell will increase safe capacity by 616 for a total of 1232
- When the new school at Olympic village is complete there will be additional seismically safe capacity at the north end of the Hamber FOS
- The nominal capacity for Olympic Village in the capital plan is 510 (60K/450E)
- Further study and analysis of the enrolment demand in the North Hamber study area will be required. Some of the considerations for further study would include:
    - Planning for forecast enrolment growth in False Creek (Kitsilano FOS)
    - Analyzing the extent to which enrolment at schools in the North Hamber study area has been suppressed by insufficient capacity to accommodate enrolment

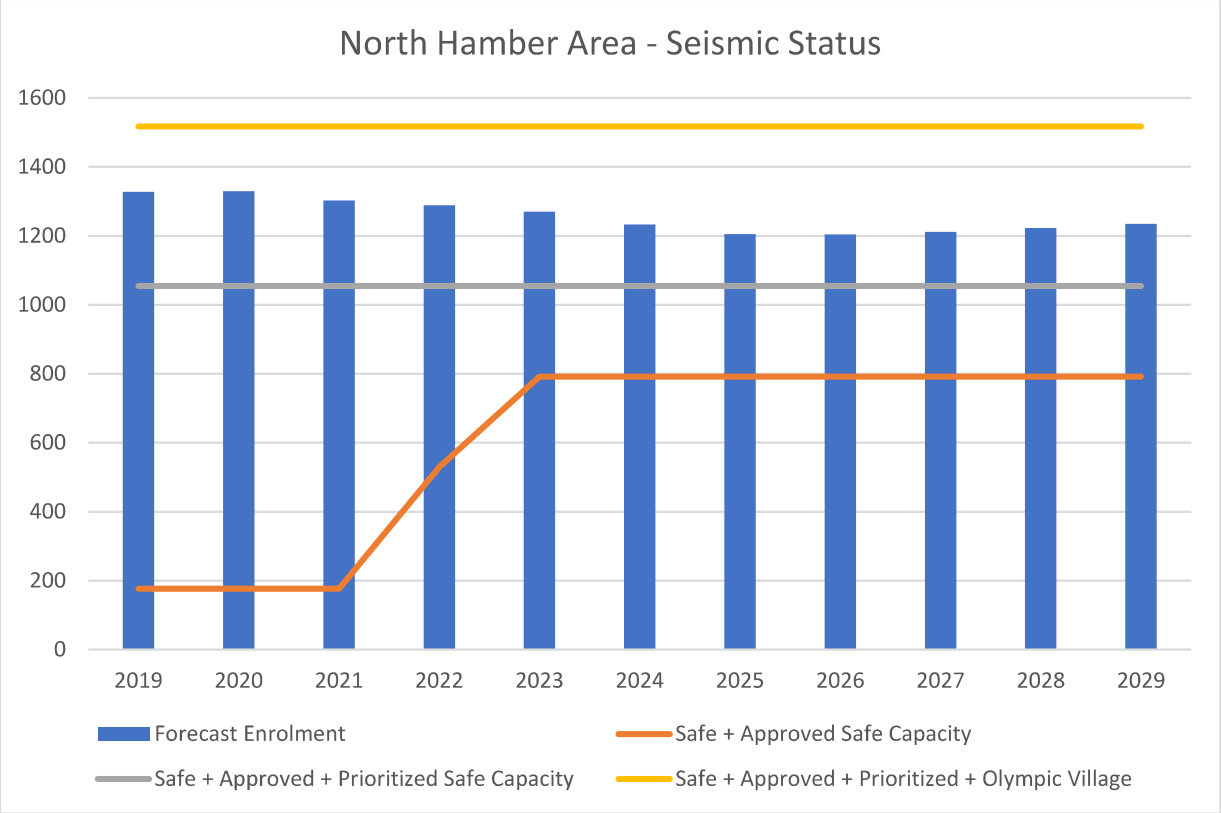
- Impact of additional capacity at Olympic Village on enrolment forecasts for Nightingale and Wolfe

Scenario 1 – Carr advances in the SMP

- The completion of Carr would increase safe capacity in the North Hamber Study area by 263 to 1495
- When the nominal capacity for Olympic Village is included the total safe capacity for the North Hamber FOS study area will be 2005

Scenario 2 – Carr is not advanced in the SMP

- The completion of the school at Olympic Village will increase the safe capacity in the North Hamber Study area to 1742



1.11.6 SOUTH HAMBER STUDY AREA

- 39 % of capacity is seismically safe
- 37% of capacity is rated as medium risk
- 24% of capacity is rated as high risk
- Osler is prioritized in year 3 of the 2021-22 capital plan

Elementary Facilities Condition and Seismic Risk

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Enrolment	2029 Enrolment
Van Horne	Poor	L	Completed	439	409	390
Jamieson	Poor	Completed	Completed	466	505	527
Osler	Poor	H1	Unsupported	285	233	199
Total				**1190**	**1147**	**1116**

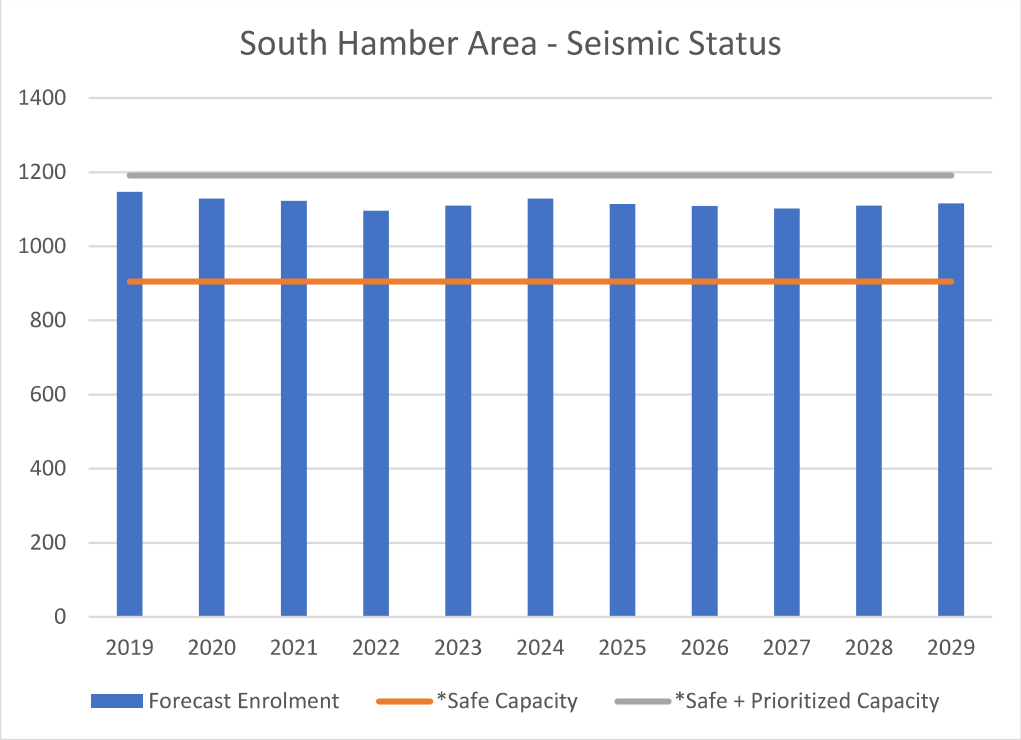
Future Scenarios

Scenario 1 – Osler advances in the SMP

- If Osler is advanced to completion the safe capacity in the South Hamber Study Area would increase by 285 and provide sufficient safe capacity to accommodate forecast enrolment at schools that are seismically safe or at medium risk in a seismic event

Scenario 2 – Osler does not advance in the SMP

- If Osler is not advanced for funding through the SMP there will be a safe capacity deficit in the South Hamber FOS study area
- There will likely be insufficient seismically safe capacity in the South Hamber FOS or nearby schools in other FOS to accommodate students from Osler at a seismically safe school



*Includes schools at medium seismic risk

1.11.7 JOHN OLIVER FOS

- 47% of capacity is seismically safe
- 53% of capacity is rated as high risk
- There are no projects supported by the SMP in the John Oliver FOS
- MacKenzie is prioritized in year 1 of the 2021-22 capital plan
- Henderson is not yet prioritized in the capital plan

Elementary Facilities Condition and Seismic Risk

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Enrolment	2029 Enrolment
Mackenzie	Poor	H1	Unsupported	575	423	432
Moberly	Poor	Completed	Completed	657	471	386
Henderson	Very Poor	H3	Unsupported	552	452	390
Trudeau	Poor	Completed	Completed	353	197	141
Total				**2137**	**1543**	**1349**

- Enrolment forecasts indicate an overall decline in the John Oliver FOS from 2019 enrolment of 1543 to 1349 students in 2029
- The enrolment forecast does not include the impact of relocating the Jamieson Late Mandarin Bilingual program to Trudeau which will likely increase enrolment above the baseline forecast for that site

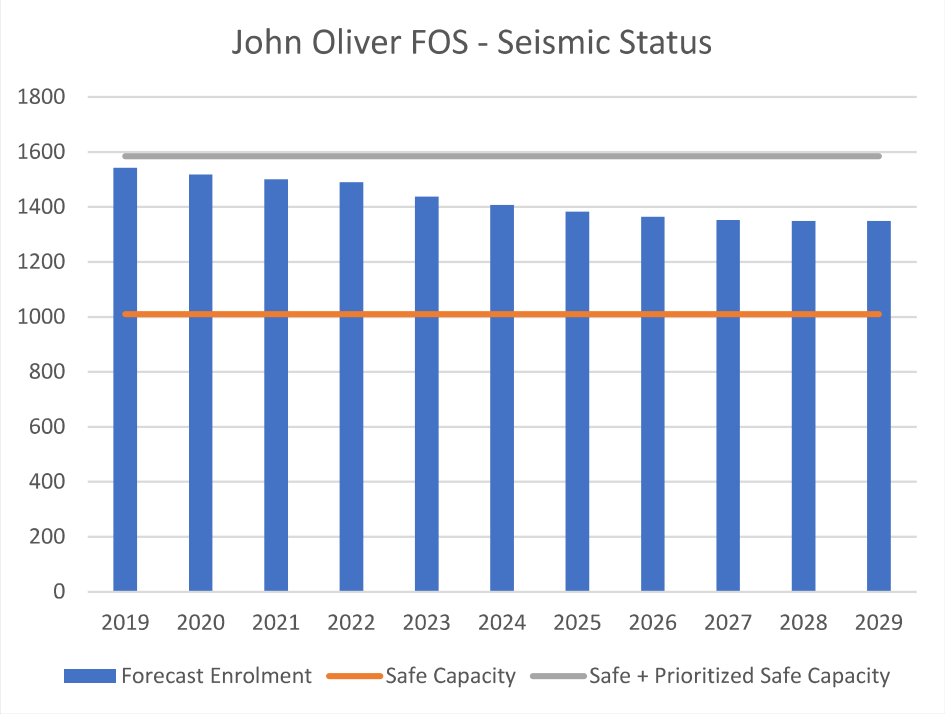
Future Scenarios

Scenario 1 – MacKenzie is advanced in the SMP

- If MacKenzie is advanced to completion through the SMP the safe capacity would increase to 1585
- There would be sufficient seismically safe capacity in the John Oliver FOS to accommodate forecast enrolment

Scenario 2 - MacKenzie is not advanced in the SMP

- If MacKenzie is not advanced for funding through the SMP there will be a safe capacity deficit in the John Oliver FOS
- There will likely be insufficient seismically safe capacity in the John Oliver FOS or nearby schools in other FOS to accommodate forecast enrolment in the John Oliver FOS



1.11.8 TUPPER FOS

- 40% of capacity is seismically safe
- 11% is rated as medium risk
- 49% of capacity is rated as high risk
- Livingstone is in the design/construction phase of the SMP
- Livingstone will be replaced with a new school building and is scheduled for occupancy in 2024
- Nightingale is prioritized in year 2 of the 2021-22 capital plan
- Brock is not yet prioritized in the capital plan

Elementary Facilities Condition and Seismic Risk

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Enrolment	2029 Enrolment
Livingstone	Poor	H1	Design/Construction	331	323	248
Dickens	Fair	Completed	Completed	444	451	309
McBride	Very Poor	Completed	Completed	398	354	348
McBride Annex	Poor	H3	Unsupported	118	73	70
Nightingale	Poor	H1	Unsupported	353	259	261
Brock	Poor	H2	Unsupported	353	227	234
Dickens Annex	Poor	M	Unsupported	116	114	88
Totals				**2113**	**1801**	**1558**

Future Scenarios

- With the scheduled occupancy of Livingstone in 2024 the seismically safe capacity in the Tupper FOS will increase to 1173
- There is an additional capacity of 234 with a Medium seismic risk rating

Scenario 1 – Nightingale is advanced in the SMP

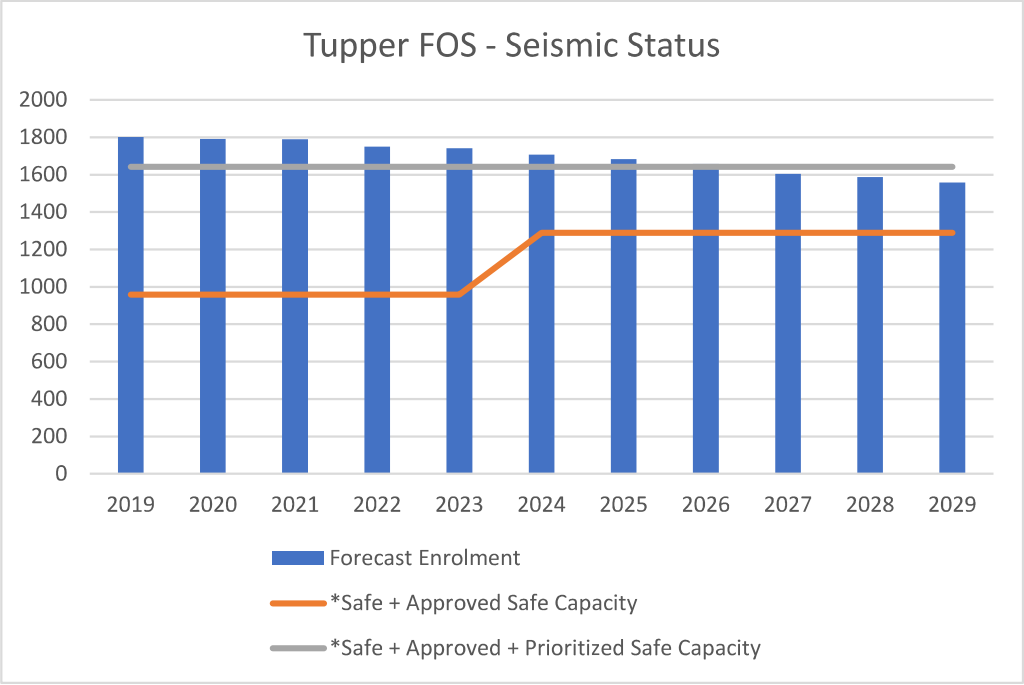
- If Nightingale is advanced to completion through the SMP the safe capacity would increase by 353 to a total safe capacity of 1526, and additional capacity of 234 at medium risk
- There would be sufficient seismically safe capacity and capacity at medium risk in the Tupper FOS to accommodate forecast enrolment

Scenario 2 - Nightingale is not advanced in the SMP

- If Nightingale is not advanced for funding through the SMP there will be a safe capacity deficit in the Tupper FOS
- There will likely be insufficient seismically safe capacity in the Tupper FOS or nearby schools in other FOS to accommodate forecast enrolment in the Tupper FOS

Other Considerations in the Tupper FOS

- Optimal utilization of seismically safe capacity available in the Tupper FOS could be considered through a planned relocation of students attending McBride Annex to McBride Elementary school
- Optimal utilization of seismically safe capacity available in the Tupper FOS could be considered through a planned relocation of students Dickens Annex to Dickens Elementary school



*Includes schools at medium seismic risk

1.12 CATCHMENT BOUNDARY CONSIDERATIONS

- Adjusting elementary catchment boundaries to manage enrolment in the central region has been studied. Several elementary schools with adjacent catchments are experiencing enrolment pressure which limits the usefulness of catchment boundary adjustments as an enrolment management strategy in this region
- There are few opportunities to make minor catchment boundary adjustments in the central region to align elementary and secondary boundaries within a single FOS
    - Many elementary feeder school catchment boundaries are aligned with the secondary school within their FOS
    - Where secondary school boundaries do cut across elementary school catchments there are large sections of the elementary catchment on both sides of the secondary catchment boundary

1.12.1 CATCHMENT BOUNDARY CONSIDERATIONS HAMBER FOS

- Prior to occupancy, catchment boundaries for the school at Olympic Village will need to be established along with an enrolment plan.

1.13 SUMMARY

1.13.1 PROGRAMMING CONSIDERATIONS

- No changes are proposed for Secondary district choice programs
- Trudeau will begin enrolling one cohort in the Late Mandarin Bilingual (LMB) program in September 2021 which is the first year of the phased relocation of the Jamieson LMB

1.13.2 SECONDARY STUDENT ACCOMMODATION STRATEGY

- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Southwest Region continue to have a sustainable grade 8 cohort size.
- No changes to current enrolment procedures are required

1.13.3 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

- Continue to manage out of catchment enrolment in order to ensure effective use of staffing in all families of schools
- Continue to restrict or limit out of catchment enrolment at Fraser, Cavell, Carr, Wolfe, Nightingale, Jamieson, Laurier, Lloyd George, Sexsmith, Livingstone

1.13.4 BALANCING CAPACITY WITH ENROLMENT

- The availability of additional capacity with the completion of a new school at Olympic Village provides an opportunity to resolve issues related to enrolment pressure in the North Hamber area
- Future surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the District Overview Section of this report.

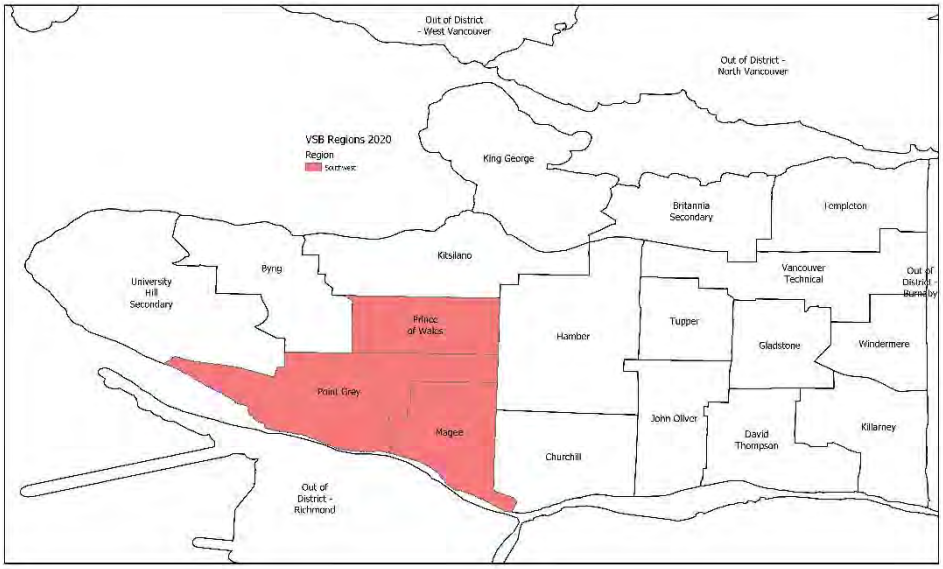
1.13.5 SEISMIC PROGRAM CONSIDERATIONS

- 41% of secondary capacity is seismically safe, 45% of elementary capacity is seismically safe
- The 2021-22 capital plan submission provides a framework for increasing the seismically safe capacity in the central region
- Hamber replacement school is scheduled for occupancy in 2025
- Cavell, Wolfe, Livingstone, and Lloyd George are moving towards completion
- The new school at Olympic Village will provide seismically safe capacity in the North Hamber area

1.13.6 CATCHMENT BOUNDARY CONSIDERATIONS

- Prior to occupancy, catchment boundaries for the school at Olympic Village will need to be established
- Catchment boundary adjustments as an enrolment management strategy in the North Hamber area are not recommended prior to the establishment of a catchment for the school at Olympic Village

2 PLANNING STRATEGIES FOR SOUTHWEST FAMILY OF SCHOOLS REGION



2.1 FAMILIES OF SCHOOLS IN SOUTHWEST REGION

The southwest region has three families of schools

Magee	Point Grey	Prince of Wales
Maple Grove	Kerrisdale	Carnarvon
McKechnie	Kerrisdale Annex	Shaughnessy
	Quilchena	Trafalgar
	Southlands	

2.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE SOUTHWEST REGION

School	Mini-school Academic	Language	IB	Other
Magee				SpArts
Point Grey	Mini school			
Prince of Wales	Mini school			TREK

- The SpArts program is an academic program designed to provide students involved in high level community-based arts and sports opportunities, and the opportunity to complete their academic program in the morning through flexible course scheduling.
- The Prince of Wales TREK program is an outdoor education program for grade 10 students. Students from other schools attending the TREK program return to their home school in grade 11.
- There are no proposed changes to the secondary District Program opportunities available in the Southwest Region of the District

School/Program Types	LifeSkills	Learning Assistance LifeSkills	Learning Assistance	Learning Support	Other
Magee		Yes		Yes	
Point Grey	Yes	Yes		Yes	
Prince of Wales				Yes	GOLD

- There are no proposed changes to the secondary Learning Services Student Programs available in the Southwest Region of the District

2.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE SOUTHWEST REGION

School	Family of Schools	Program
Maple Grove	Magee	Montessori
Kerrisdale	Point Grey	EFI
Quilchena	Point Grey	EFI
Trafalgar	Prince of Wales	EFI and *LFI
Southlands	Point Grey	IB

*Trafalgar will begin enrolling one grade 6 cohort in the LFI program in September 2021 which is the first year of the phased relocation of the Gordon LFI program.

The EFI program at Quilchena has an intake of one Kindergarten cohort. In alignment with the recommendations in the French Immersion program review and recommendation 3 from the 2019 draft LRFP, the District could consider studying options to achieve the goal of having a minimum intake of 2 K cohorts at all EFI programs while maintaining overall enrolment in the program.

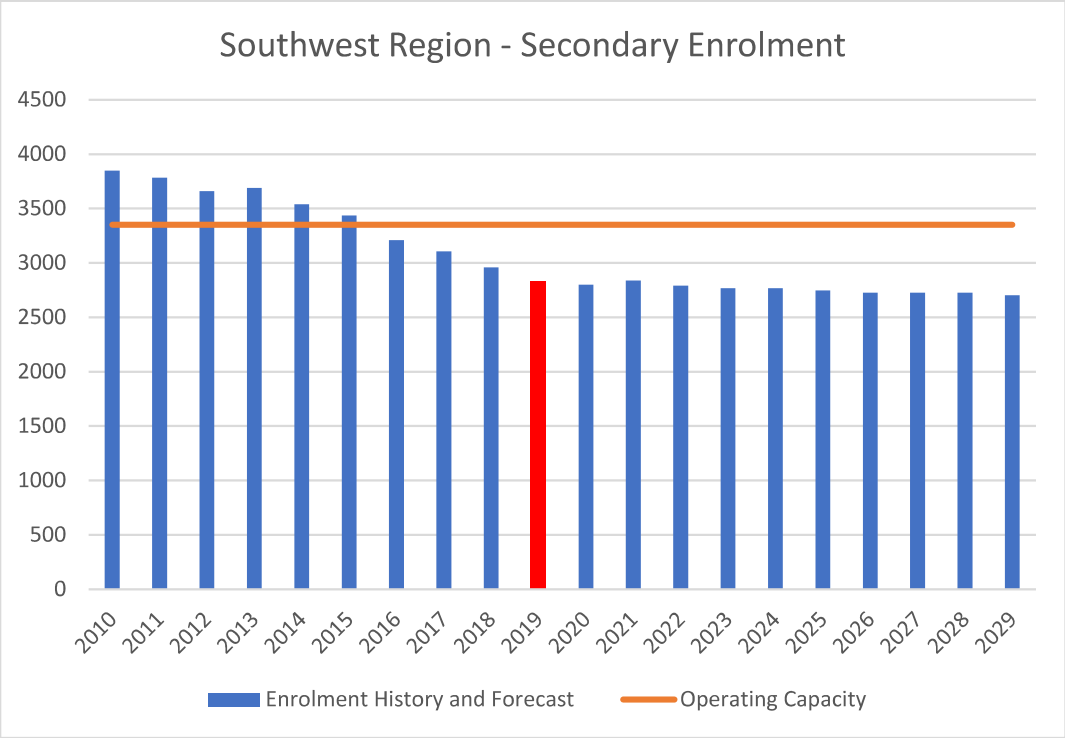
2.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE SOUTHWEST REGION

- Kerrisdale Elementary hosts the Multi-age Cluster (MACC) French Immersion Program for grade 5, 6 and 7 students who are gifted and interested in French Immersion.

2.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

2.5.1 OVERVIEW

- In 2019 there was surplus capacity at each of the secondary schools in the Southwest region
- Catchment students can be accommodated at their secondary catchment schools
- Regular program enrolment decline is forecast
- Forecasts indicate that all program enrolment will be able to be accommodated for many years



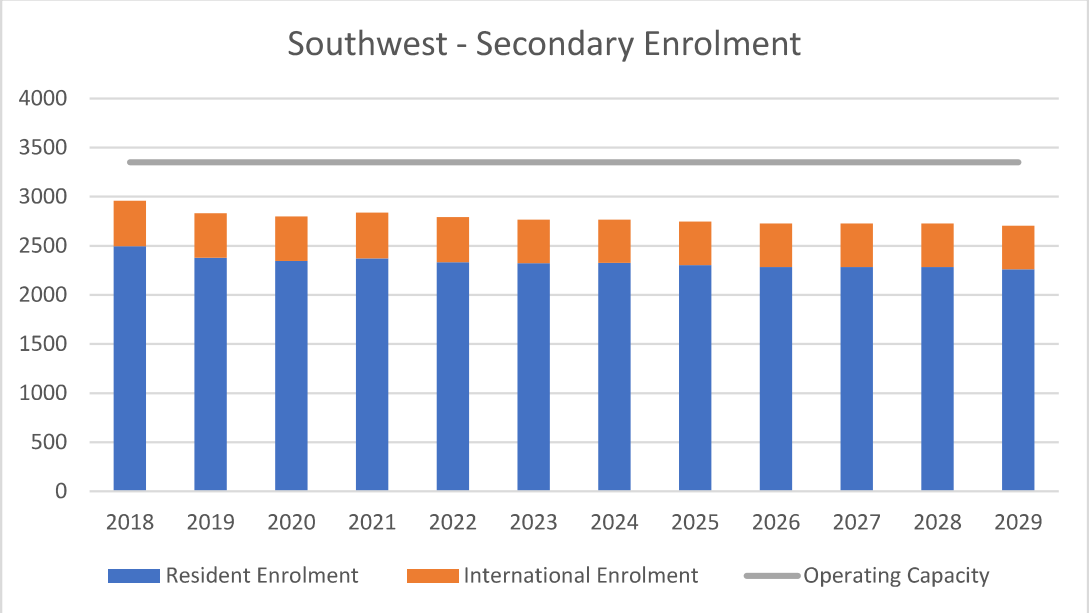
2.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

- Resident enrolment includes all in catchment, out of catchment, and out of District enrolment in the regular, choice, school specialty, and learning services student programs
- Total enrolment also includes fee paying students in the International Education Program

Region	Total OC	Resident Enrolment	Total Enrolment	CU Resident	CU Total
Southwest	3350	2379	2832	71%	85%

- In 2019, the total surplus capacity available in the Southwest region was 518
- The forecast enrolment trend is decline in regular program enrolment

Program Category	Enrolment Total	Enrolment %
Regular	1728	61%
District Choice	539	19%
District Learning Services	112	4%
District International	453	16%
Total	2832	100%



2.5.3 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years all secondary schools in the Southwest region have had sufficient space to accommodate all catchment students that wish to attend their catchment school.
- For the past several years, the District has managed out of catchment enrolment in the regular program to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size.
- Ongoing management out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Southwest Region continue to have sustainable grade 8 cohort size.
- Enrolment forecasts indicate that there will be sufficient capacity to accommodate all catchment students in the regular program at their catchment school in the Southwest Region for many years
- There is sufficient capacity in the Southwest Region to accommodate all current program needs. Enrolment forecasts indicate that there will be sufficient capacity to accommodate all programs currently available in the Southwest Region for many years
- No changes to current enrolment procedures are required

2.5 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

- In 2019, enrolment and capacity in this area were balanced. Catchment students can be accommodated at their catchment school in all elementary schools in the Southwest region
- Regular program enrolment decline is forecast
- Forecasts indicate that all program enrolment (regular and choice) will be able to be accommodated for many years
- Shaughnessy is used as an overflow school for students placed by the District from the Central region
- Quilchena is operating above 100% capacity utilization. Two portables at the Quilchena site provide additional capacity to accommodate students. The additional capacity these portables provide is not included in the schools operating capacity.
- The Kerrisdale Elementary and Annex are organized to ensure efficient use of staff

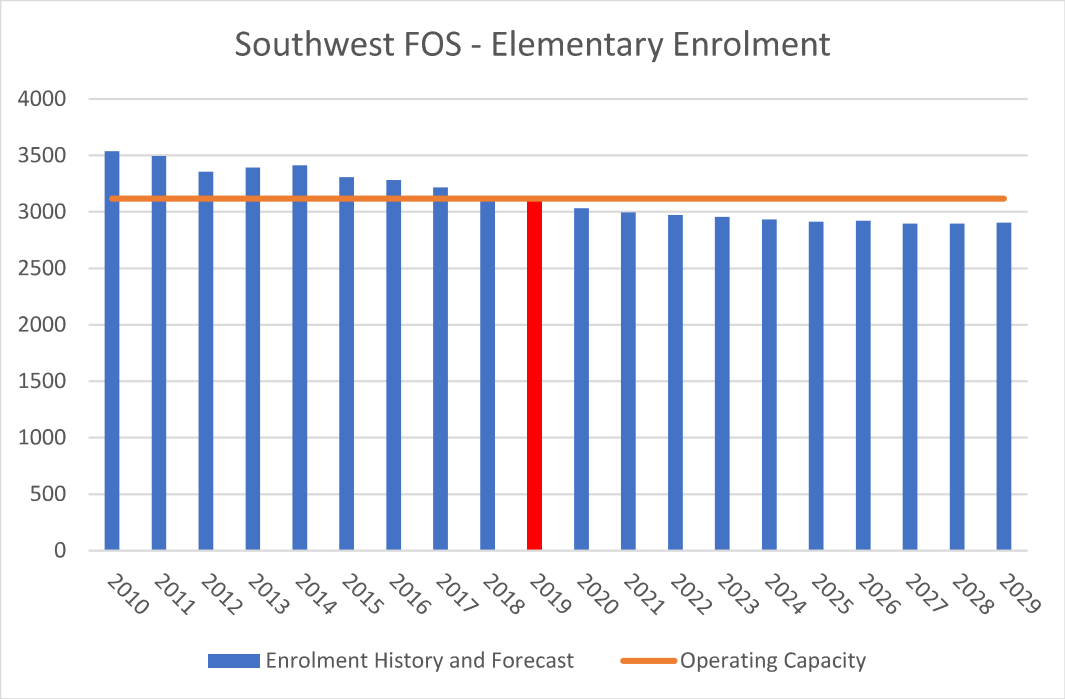
Family of Schools	Total Operating Capacity	2019 Enrolment	2029 Enrolment	2019 CU	2029 CU	*Enrolment Trend
Magee	729	766	676	105%	93%	Declining
Point Grey	1153	1141	959	99%	83%	Declining
Prince of Wales	1236	1208	1271	98%	103%	Stable
Total	**3118**	**3115**	**2906**	**100%**	**93%**	**Declining**

*If the enrolment change in capacity utilization is less than or equal to 5% then the enrolment trend is stable. If capacity utilization is forecast to increase by more than 5%, the enrolment trend is increasing. If capacity utilization is forecast to decrease by more than 5%, the enrolment trend is decreasing.

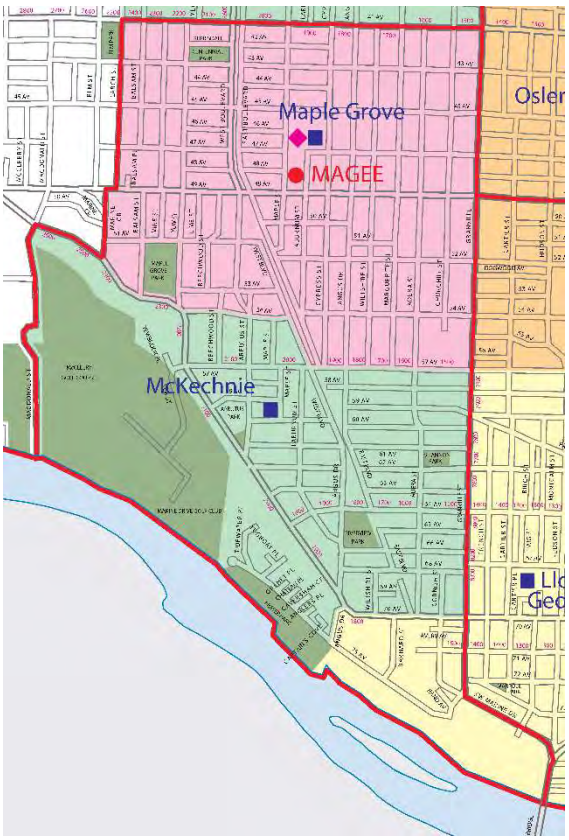
2.6 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

2.6.1 OVERVIEW

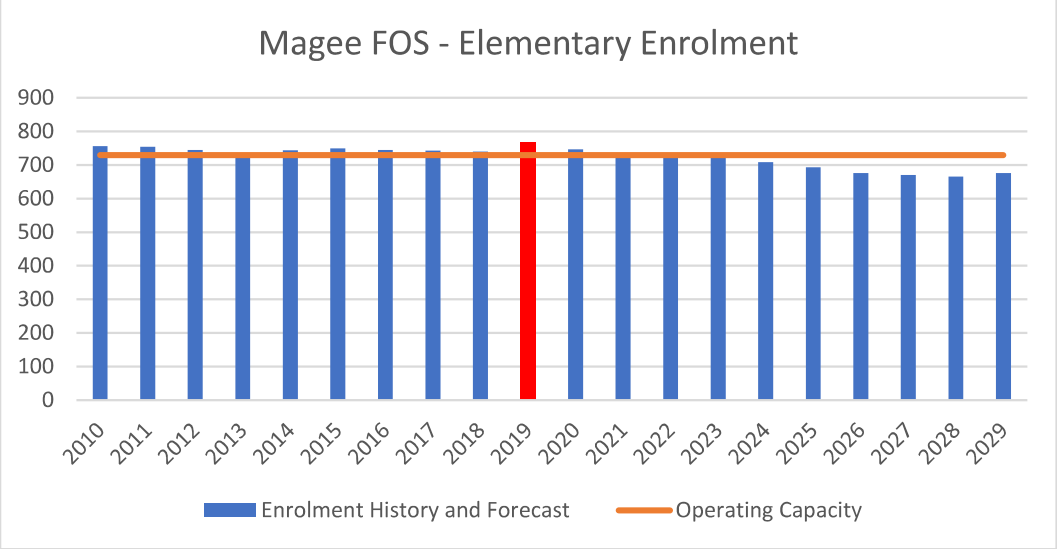
- In 2019 enrolment and capacity were balanced at the elementary schools in the Southwest region.
- Forecasts indicate that there will be surplus capacity as enrolment in the regular program declines in the Southwest region



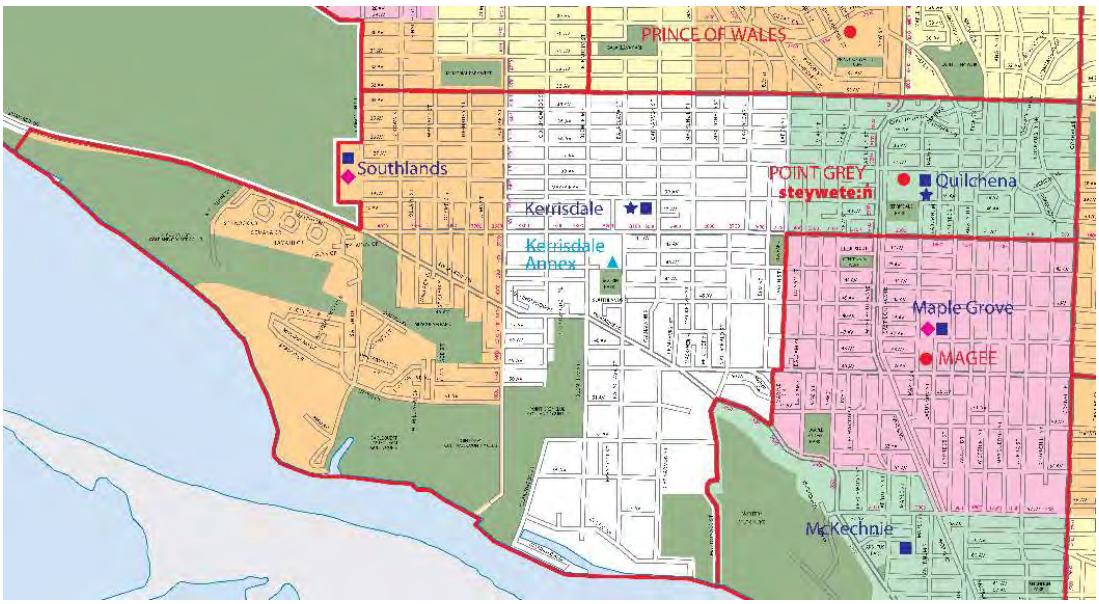
2.6.2 MAGEE FOS



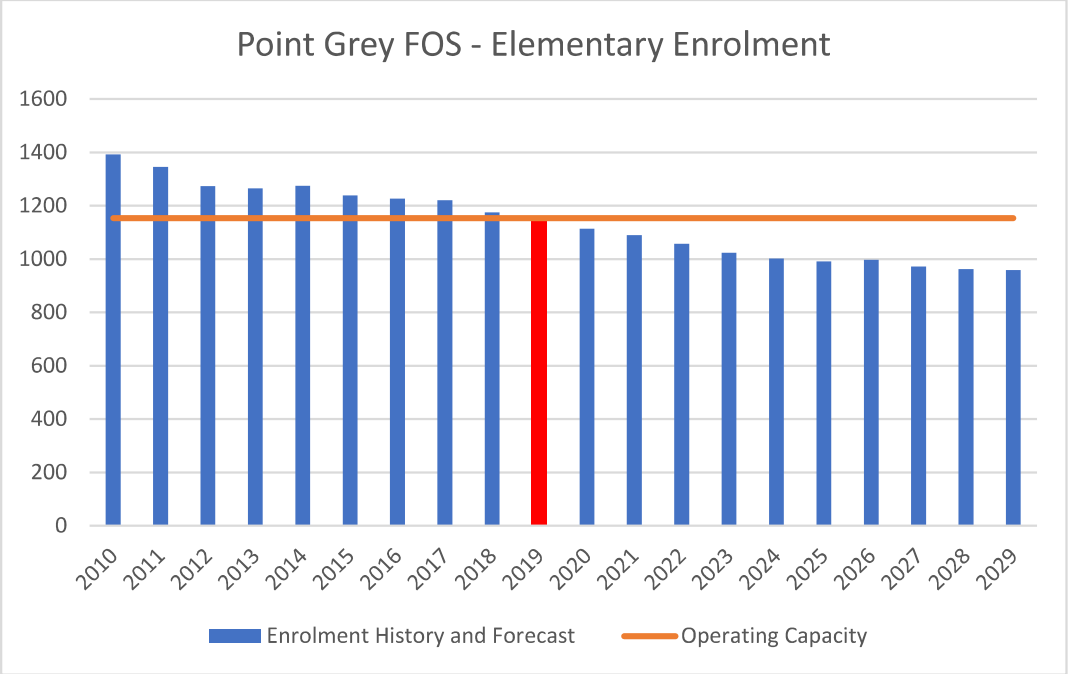
- Out of catchment enrolment is restricted at Maple Grove.
- In future years, out of catchment enrolment at McKechnie could be restricted to accommodate catchment students as required. The current and future availability of space for out of catchment students is reviewed on an annual basis.
- Continue to manage cross boundary enrolment to ensure effective use of staffing



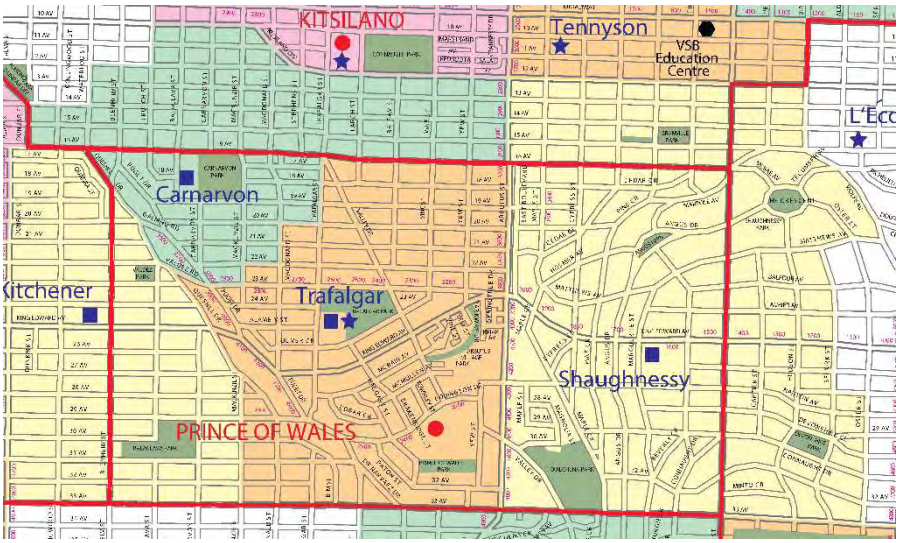
2.6.3 POINT GREY FOS



- Continue to manage cross boundary enrolment to ensure efficient and effective use of staffing

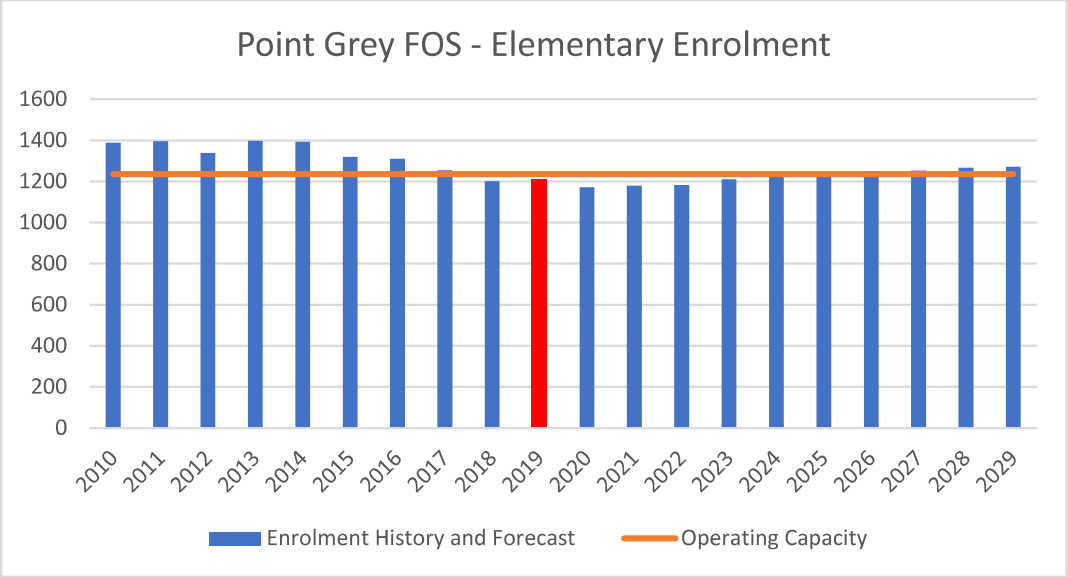


2.6.4 PRINCE OF WALES FOS



- The enrolment forecast at Shaughnessy indicates that enrolment could exceed capacity in future years.
- Continue to restrict out of catchment enrolment at Shaughnessy
- As regular program enrolment grows the District may need to find another location to place overflow students from the central region to ensure that all catchment Kindergarten students who wish to enroll at Shaughnessy can be accommodated
- Continue to manage cross boundary enrolment in order to ensure efficient staffing

- From September 2021 onward Trafalgar will enroll one grade 6 cohort in the LFI program which will increase the District program enrolment at that school by up to 60 students.
- Out of catchment enrolment in the regular program will be monitored to ensure there is sufficient capacity to enroll all catchment students who wish to attend Trafalgar



2.7 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY FOS

2.7.1 OVERVIEW

- In 2019 enrolment and capacity were balanced at the elementary schools in all 3 families in the Southwest region.
- By 2029 enrolment forecasts indicate that there will be about 250 surplus spaces due to declining enrolment in the regular program
- Future surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the District Overview Section of this report.

2.7.2 MAGEE FOS

- In 2019 enrolment exceeded capacity by 36 students at elementary schools in the Magee FOS
- Overall enrollment in the regular program at elementary schools in the Magee FOS is forecast to decline by 90 students by 2029.
- Enrolment decline is forecast at both schools in the Magee FOS
- In 2029 the forecast surplus capacity in the Magee FOS is 54 spaces.

2.7.3 POINT GREY FOS

- In 2019 there was minimal surplus capacity within the Point Grey FOS.
- Overall enrollment in the regular program at elementary schools in the Point Grey FOS is forecast to decline by 182 students by 2029.
- Enrolment decline in the regular program is forecast at all elementary schools within the Point Grey FOS except for Quilchena where enrolment is forecast to remain stable.
- In 2029 the forecast surplus capacity in the Point Grey FOS is 207 spaces.

2.7.4 PRINCE OF WALES FOS

- In 2019 there was minimal surplus capacity within the Prince of Wales FOS.
- Overall enrollment in the regular program at elementary schools in the Prince of Wales FOS is forecast to remain stable.

2.8 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

2.8.1 OVERVIEW

- Magee is the only seismically safe secondary school in the Southwest Region
- 36% of operating capacity is seismically safe
- In 2019 35% of students in the Southwest region attended Magee
- Point Grey and Prince of Wales are not supported projects in the SMP
- Point Grey and Prince of Wales have a poor building condition rating based on their FCI
- Due to their complexity and the large capital funding required, once supported in the SMP, secondary seismic projects take 7 to 9 years to move from the feasibility study phase to occupancy.

2.8.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status
Magee	Poor	Completed	Completed
Point Grey	Very Poor	H1	Unsupported
Prince of Wales	Poor	H1	Unsupported

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
Magee	1200	980	854	126	1002
Point Grey	1050	924	745	179	814
Prince of Wales	1100	928	780	148	887
Total	**3350**	**2832**	**2379**	**453**	**2703**

- Magee is the only seismically safe secondary school in the Southwest Region of the District. The operating capacity of Magee is 1200. In 2019 there were 2832 secondary students enrolled in the Southwest region of the District. The 2029 forecast indicates a total enrolment of about 2700 students in 2029 assuming current enrolment procedures and programming options remain unchanged. Of the total forecast enrolment, about 2250 will be BC residents, with about 450 students enrolled in the International Education Program
- At present there is insufficient seismically safe capacity to accommodate current and forecast enrolment in the Southwest Region. Point Grey and Prince of Wales are not currently supported projects in the SMP. The Ministry confirmed that although previously supported, Point Grey is no longer a supported project. Point Grey and Prince of Wales were not been prioritized in the 2021-22 five-year capital plan submission to the Ministry

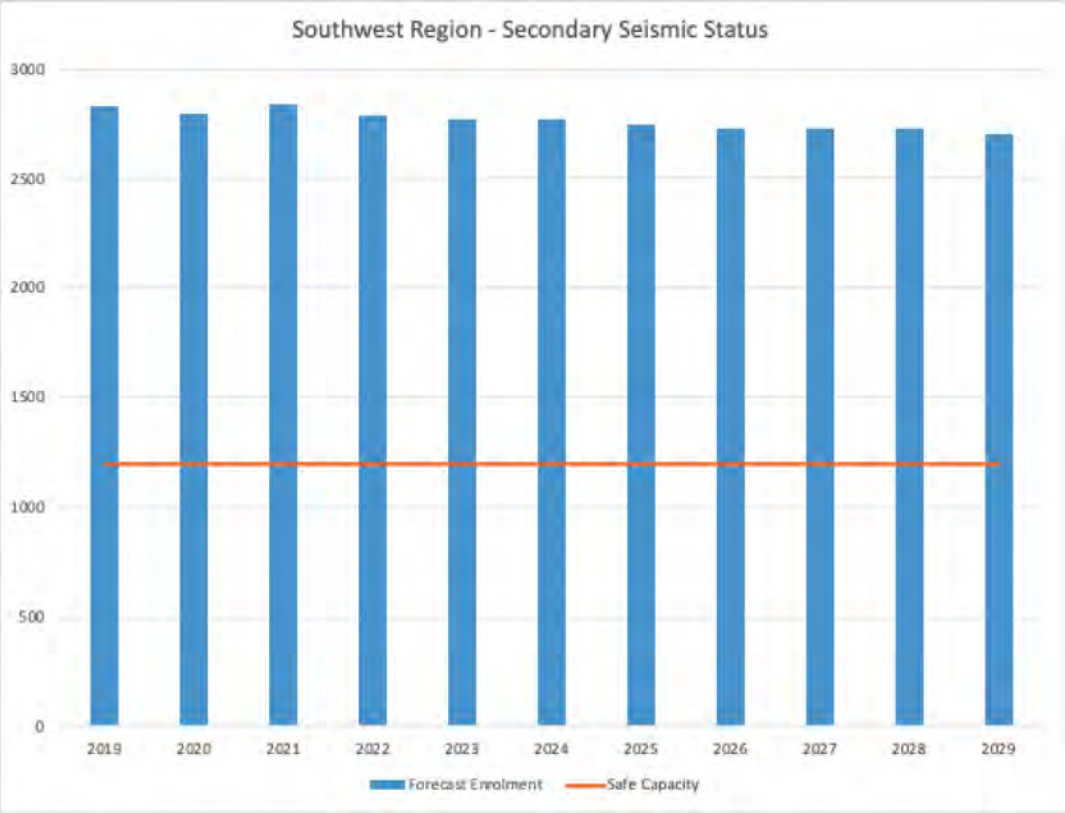
Future Scenarios

Scenario 1 – Status Quo

- Point Grey has not advanced in the SMP, and is not prioritized n the 2021-22 5-year capital plan request
- Prince of Wales has not been prioritized in the 2021-22 5-year capital plan request
- It may be challenging for the Ministry to prioritize funding to seismically upgrade both Point Grey and Prince of Wales secondary schools due to the weak business case for either of these projects.
- Most students attending a secondary school in the Southwest Region of the District will not have access to a seismically safe school for many years.

Scenario 2 – Consolidation and Replacement Option

- Replacement of Prince of Wales and Point Grey with a single larger capacity modernized facility that along with Magee secondary has sufficient capacity to accommodate forecast secondary enrolment needs for the Southwest Region
- The District could engage in a community based public engagement with the Point Grey and Prince of Wales to envision seismic mitigation planning options such as the consolidation and replacement option for the two high risk secondary schools in the Southwest FOS region



2.9 ELEMENTARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

2.9.1 OVERVIEW OF SOUTHWEST FOS REGION

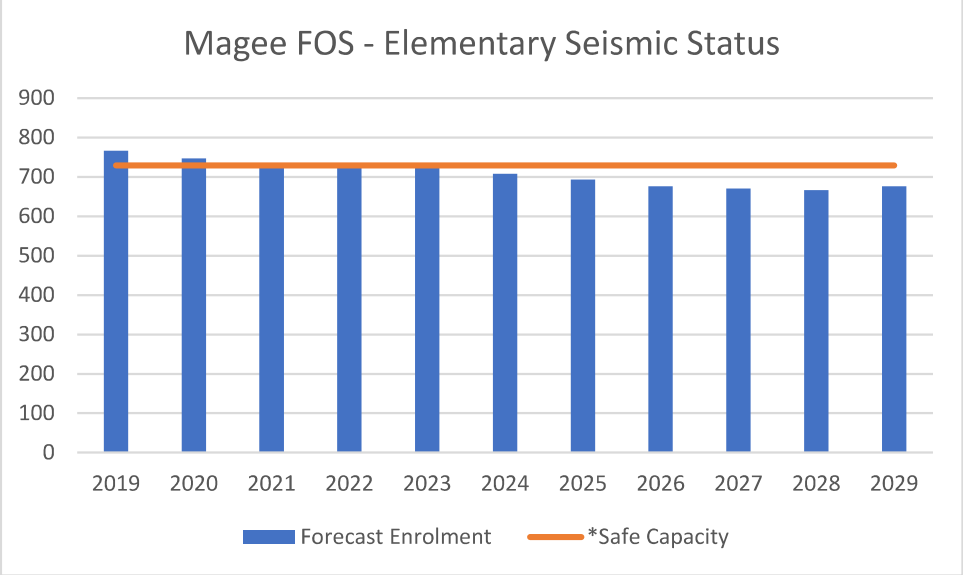
- 68% of operating capacity is seismically safe
- 3% of operating capacity is rated as medium risk
- 29% of operating capacity is rated as high risk
- Southlands elementary has been prioritized in year 5 of the capital plan

2.9.2 MAGEE FOS

- 66% of operating capacity is seismically safe
- 34% of operating capacity is rated as medium risk
- The replacement school for Maple Grove Elementary has recently been completed and is now in operation. The existing school on the Maple Grove site will be used as temporary accommodation for the remainder of the SMP. Students from Cavell elementary school are currently being accommodated at the Maple Grove site while their school is seismically upgraded.

- There is sufficient seismically safe capacity and capacity rated at medium risk in the Magee FOS to accommodate current and future forecast enrolment. Enrolment forecasts indicate that surplus capacity in the Magee FOS may be available in future years to accommodate students from nearby schools that are not seismically safe.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
McKechnie	Very Poor	M		244	273	235
Maple Grove	Excellent	Completed	Completed	484	493	441
Total				**729**	**766**	**676**



*Includes schools with a low or medium seismic risk rating

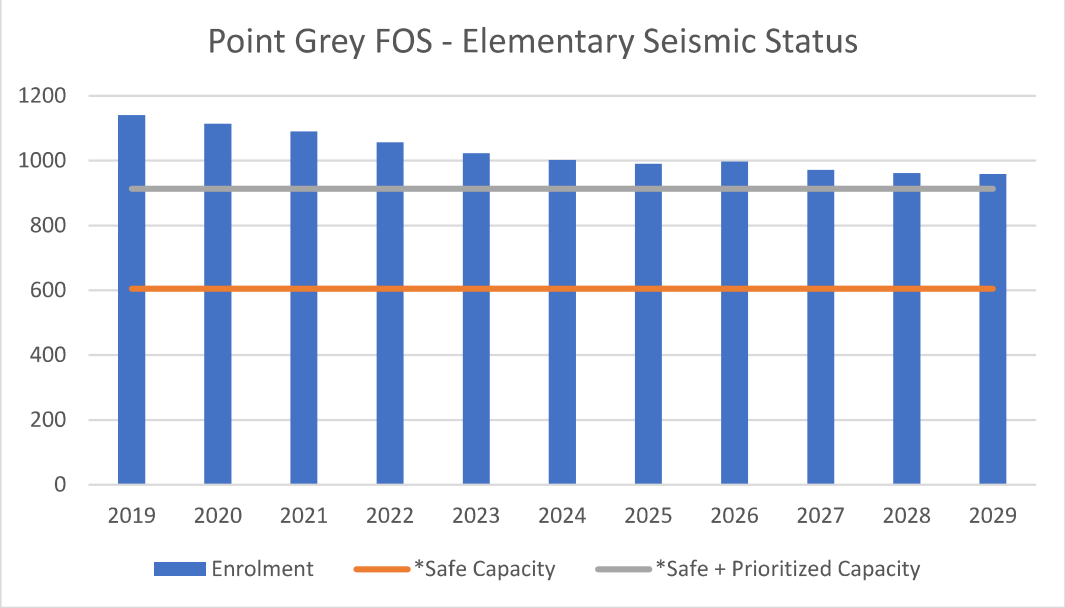
2.9.3 POINT GREY FOS

- 44% of operating capacity is seismically safe
- 9% of operating capacity is rated as medium risk
- 47% of operating capacity is rated as high risk
- At present, there is insufficient seismically safe capacity in the Point Grey FOS to accommodate current and forecast enrolment.
- Southlands has been prioritized in year 5 of the 2021-22 five-year capital plan submission to the Ministry. Enrolment at Southlands in forecast to decline significantly by 2029.
- Quilchena has not been prioritized in the capital plan

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Total Enrolment	2029 Total Forecast Enrolment
Quilchena	Poor	H1	Unsupported	240	301	313
Kerrisdale Annex	Very Poor	M		98	81	81
Kerrisdale	Very Poor	Completed	Completed	507	527	451
Southlands	Poor	H1	Unsupported	308	232	114
Total				**1153**	**1141**	**959**

Future Scenarios

- A seismic upgrade for Southlands elementary school will provide safe capacity to serve the southwest area of the Point Grey FOS which serves students from the Musqueam reserve, and other local residents
- With declining enrolment in the regular program and a high proportion of students enrolled in District Programs it may be challenging for the Ministry to prioritize funding to seismically upgrade both Southlands and Quilchena elementary schools due to the weak business case for either of these projects.
- In future years, enrolment trends indicate there may be lower enrolment at schools that are currently seismically safe in the Point Grey FOS. Forecasts indicate that there will be surplus seismically safe capacity available at the following schools:
    - Kerrisdale
    - Maple Grove
    - Kitchener



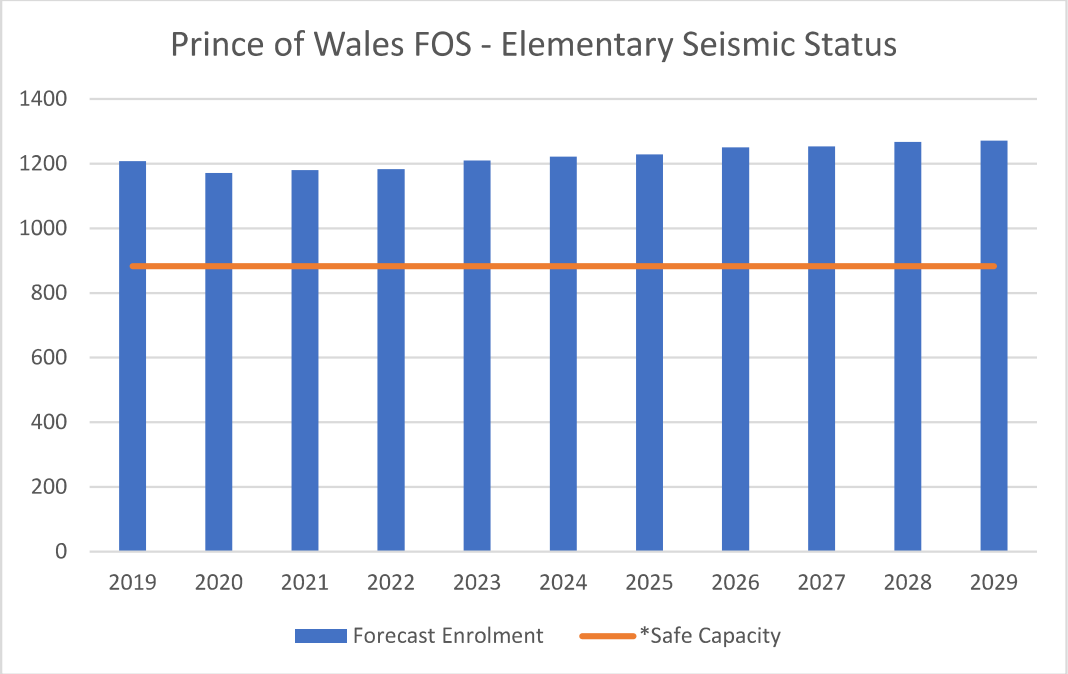
2.9.4 PRINCE OF WALES FOS

- 37% of operating capacity is seismically safe
- 17% of operating capacity is rated as medium risk
- 29% of operating capacity is rated as high risk
- At present, there is insufficient seismically safe capacity in the Prince of Wales FOS to accommodate current and forecast enrolment.
- Shaughnessy and Trafalgar are seismically safe, Carnarvon has an H3 rating
- Carnarvon has not been prioritized in the capital plan

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	Operating Capacity	2019 Total Enrolment	2029 Total Forecast Enrolment
Carnarvon	Very Poor	H3	Unsupported	353	341	226
Shaughnessy	Fair	L	Completed	421	423	517
Trafalgar	Fair	Completed	Completed	462	444	528
Total				**1236**	**1208**	**1271**

Future Scenarios

- A seismically upgraded for Carnarvon elementary would provide additional safe capacity to accommodate students in the Prince of Wales FOs
- To the south, Carnarvon is adjacent to Hudson and Gordon which are in areas of enrolment growth.
- With declining enrolment in the regular program and a high proportion of students enrolled in District Programs it may be challenging for the Ministry to prioritize funding to seismically upgrade Carnarvon elementary schools due to the weak business case this project.
- Forecasts indicate that there will be surplus seismically safe capacity available at the following nearby schools which will be available to accommodate students from schools in the Prince of Wales FOS that are not seismically safe:
    - Bayview
    - Kitchener



*Includes schools with a low or medium risk rating

2.10 CATCHMENT BOUNDARY CONSIDERATIONS

2.10.1 OVERVIEW

- There are opportunities to make minor catchment boundary adjustments in the Southwest region to align elementary and secondary boundaries within a single FOS
- Aligning secondary school catchment boundaries with elementary school catchment boundaries would provide access for an entire elementary grade 7 cohort to attend the regular program at the same secondary school.

2.10.2 CATCHMENT BOUNDARY CONSIDERATIONS

- If scenario 2, the consolidation and replacement option for Point Grey and Prince of Wales, described in Section 2.8.2 above, is studied further, adjustments to school boundaries would be one of the considerations to be included in the scope of work.
- In the Southwest Region, the Carnarvon catchment is transected by the south boundary of the Prince of Wales catchment. The west boundary of the Prince of Wales catchment transects the Kitchener catchment.
- A small portion of the Southlands catchment is contained within the Byng catchment while most of the catchment is within the Point Grey secondary catchment.
- Similarly, a small portion of the Lloyd George catchment is within the Magee catchment while most of the catchment is within the Churchill secondary catchment.

- Both Lloyd George and Southlands catchments may provide opportunities for relatively minor adjustments to align elementary and secondary catchment boundaries.

2.11 SUMMARY

2.11.1 PROGRAMMING CONSIDERATIONS

- No changes are proposed for Secondary district choice programs
- Trafalgar will begin enrolling one grade 6 cohort in the LFI program in September 2021 which is the first year of the phased relocation of the Gordon LFI program.
- The EFI program at Quilchena has an intake of one Kindergarten cohort. In alignment with the recommendations in the French Immersion program review and Recommendation 3 from the 2019 draft LRFP, the District could consider studying options to achieve the goal of having a minimum intake of 2 K cohorts at all EFI programs while maintaining overall enrolment in the program.

2.11.2 SECONDARY STUDENT ACCOMMODATION STRATEGY

- Ongoing management out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Southwest Region continue to have sustainable grade 8 cohort size.
- No changes to current enrolment procedures are required

2.11.3 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

- Continue to manage out of catchment enrolment in order to ensure effective use of staffing in all families of schools
- Continue to restrict out of catchment enrolment at Shaughnessy and Maple Grove
- Monitor impact of students placed by the District on enrolment at Shaughnessy to retain sufficient capacity for catchment students
- Monitor McKechnie to determine whether out of catchment enrolment should be further restricted
- Monitor EFI intake at Trafalgar to retain sufficient capacity for catchment students

2.11.4 BALANCING CAPACITY WITH ENROLMENT

- Future surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report

2.11.5 SEISMIC PROGRAM CONSIDERATIONS

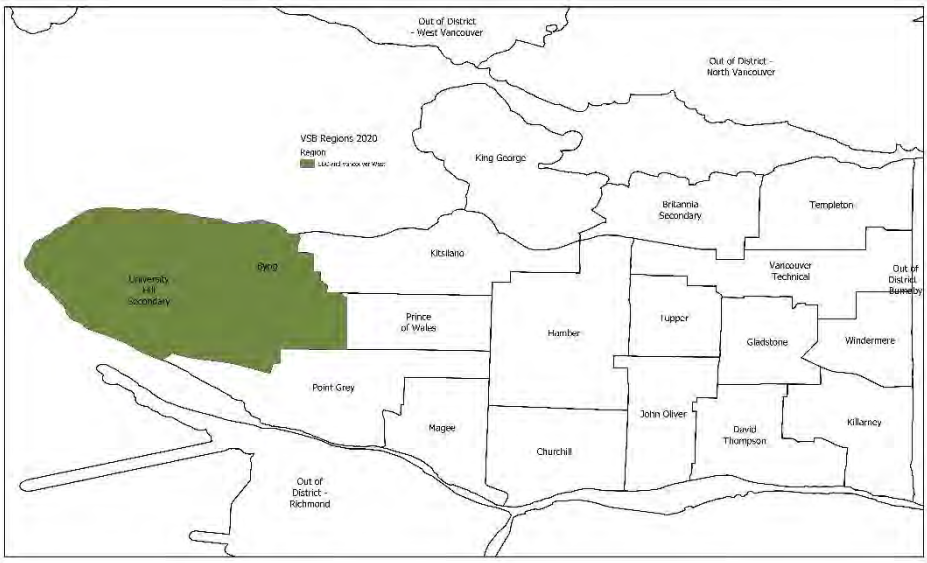
- 36% of secondary capacity and 68% of elementary capacity is seismically safe

- Consider a community based public engagement strategy to envision seismic mitigation options for secondary schools in the southwest region

2.11.6 CATCHMENT BOUNDARY CONSIDERATIONS

- Catchment boundary adjustment options could be developed once a preferred seismic mitigation options have been envisioned

3 PLANNING STRATEGIES FOR UBC AND VANCOUVER WEST FAMILY OF SCHOOLS REGION



3.1 FAMILIES OF SCHOOLS IN UBC AND VANCOUVER WEST REGION

The UBC and Vancouver West region has two families of schools, University Hill and Byng.

Region	Secondary School/Family	Elementary Schools in FOS
UBC and Vancouver West	Lord Byng Family of Schools	Kitchener
		Queen Elizabeth Annex
		Queen Elizabeth
		Queen Mary
		Quesnel
	University Hill Family of Schools	Norma Rose Point
		University Hill

3.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE UBC AND VANCOUVER WEST REGION OF ELEMENTARY SCHOOLS

School	Mini-school Academic	Language	IB	Other
University Hill				University Transition Program
Byng	Arts Mini			

- The Byng Arts mini-school program is an arts focused program. It is the largest mini-school in the District. In 2019, the Byng Arts program enrolled 392 students, the program enrolls three cohorts of grade 8's annually.

School/Program Types	LifeSkills	LA LifeSkills	Learning Assistance	Learning Support	Other
Byng		Yes			
University Hill					Strategies

3.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE UBC AND VANCOUVER WEST REGION

- Jules Quesnel and Queen Elizabeth Annex enroll students in the Early French Immersion (EFI) Choice program.
- Students applying to EFI for Kindergarten enrollment may enroll at Queen Elizabeth Annex, or Jules Quesnel. When students attending Queen Elizabeth Annex finish grade 3, they continue the EFI program at Quesnel.

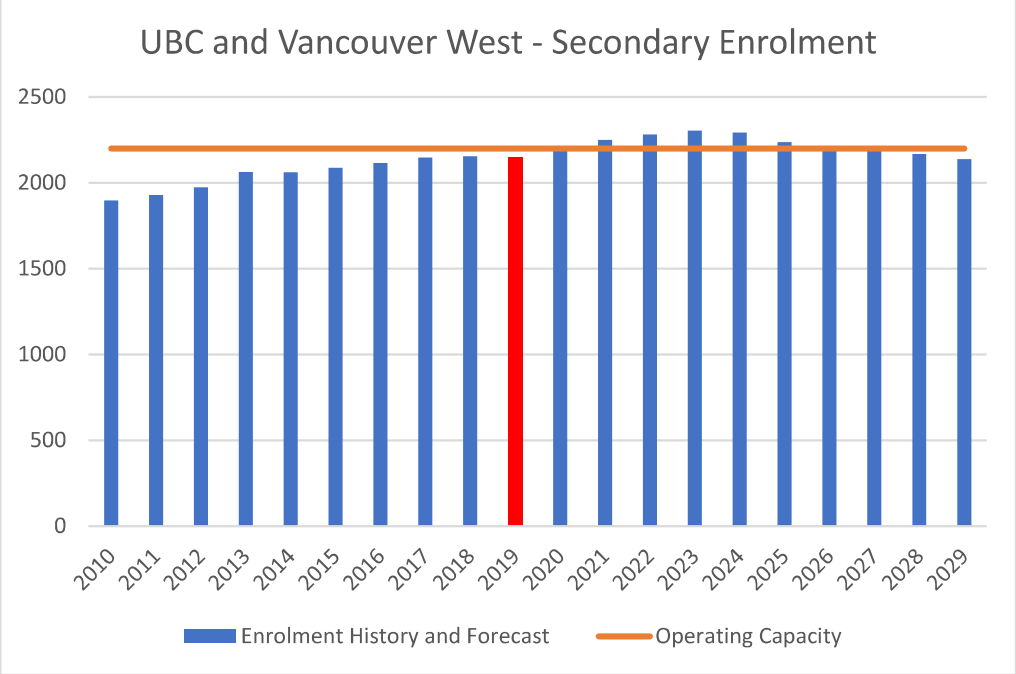
3.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE UBC AND VANCOUVER WEST REGION

- Queen Elizabeth has 15 students in a Learning Support 1 program.

3.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

3.5.1 OVERVIEW

- Enrolment and capacity are balanced at the Byng and University Hill Secondary schools.
- Catchment students are able to be accommodated at their secondary school
- Regular program enrolment is forecast to remain stable
- Forecasts indicate that all program enrolment can be able to be accommodated for many years



3.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

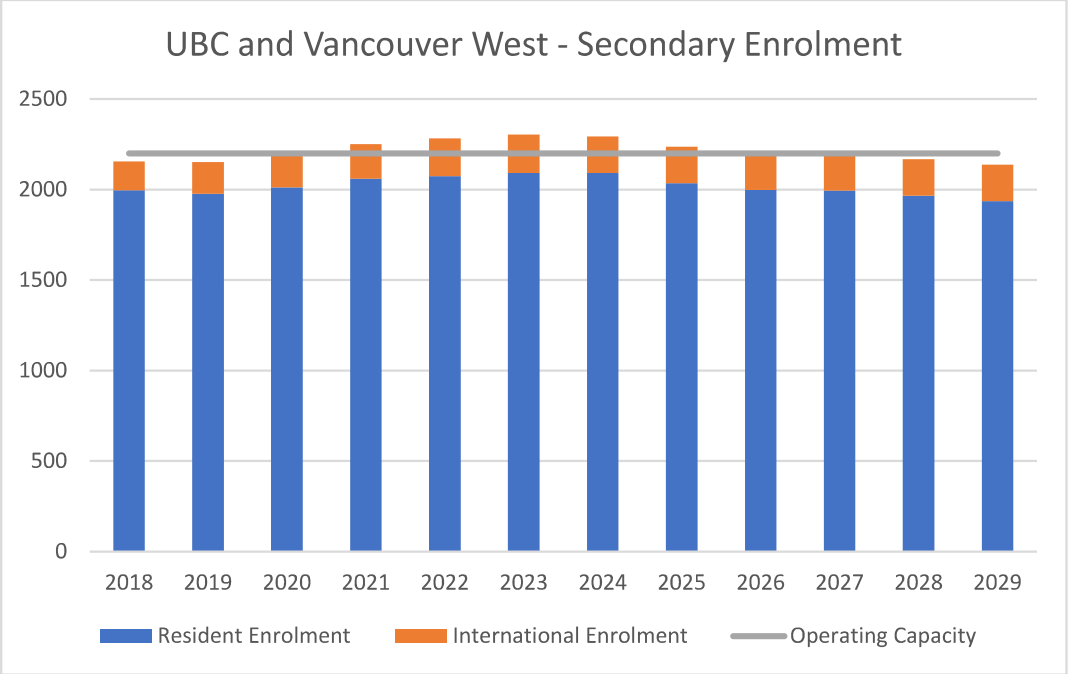
- Resident enrolment includes all in catchment, out of catchment, and out of District enrolment in the regular, choice, school specialty, and learning services student programs
- Total enrolment also includes fee paying students in the International Education Program

Region	Total OC	Resident Enrolment	Total Enrolment	CU Resident	CU Total
UBC and Vancouver West	2200	1977	2151	90%	98%

- In June 2018, the Board approved grade reconfiguration in the UBC FOS to better balance enrolment with capacity.
- The grade reconfiguration process will be complete in the 2020-21 school year

Year	UHE	NRP	UHS
*2018-19	K-5	K-8	9-12
2019-20	K-6	K-7	8-12
2020-21	K-7	K-7	8-12

Program Category	Enrolment Total	Enrolment %
Regular	1496	70%
District Choice	432	20%
District Learning Services	28	1%
District International	174	8%
Total	2130	100%



3.6 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years, secondary schools in the UBC and Vancouver West region have had sufficient space to accommodate all catchment students that wish to attend their catchment school
- Out of catchment enrolment at Byng is limited to ensure that there is sufficient capacity to accommodate catchment enrolment
- Some regular program enrolment increase is anticipated at Byng until 2021 as larger grade cohorts move through to graduation. Regular program enrolment is forecast to begin declining thereafter
- At University Hill Secondary, enrolment increased with the introduction of grade 8 in 2019, regular program enrolment is forecast to remain stable
- Enrolment forecasts indicate that there will be sufficient capacity to accommodate all catchment students in the regular program at their catchment school in the UBC and Vancouver West region for many years
- There is sufficient capacity in the UBC and Vancouver West Region to accommodate all current program needs. Enrolment forecasts indicate that there will be sufficient capacity to accommodate all programs currently available in the UBC and West Vancouver region for many years
- No changes to current enrolment procedures are required

3.7 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

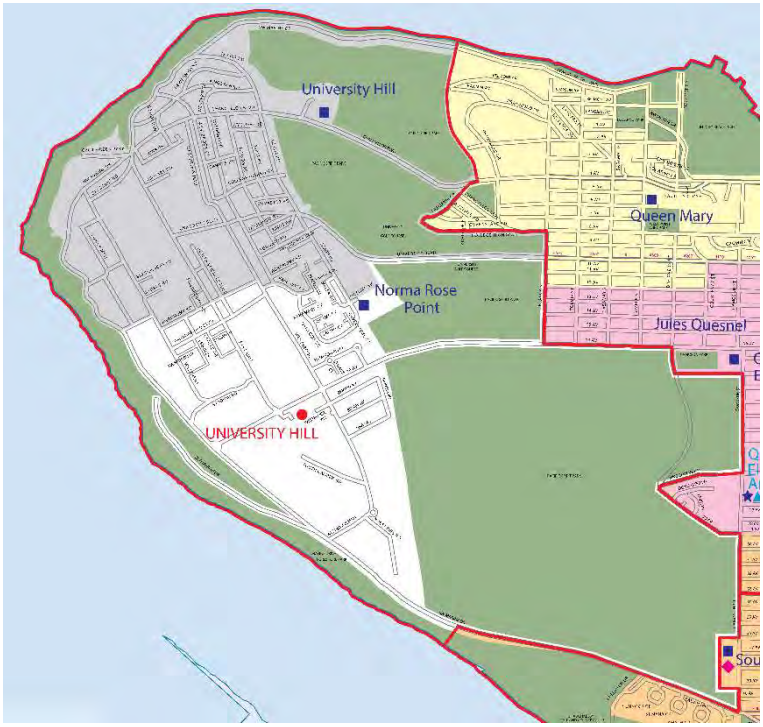
- Overall, there is sufficient capacity to accommodate student enrolment in the region
- The enrolment situation is different between the two FOS
    - There is enrolment pressure in the University Hill FOS
    - There is no enrolment pressure in the Byng FOS

Family of Schools	Total OC	2019 Enrolment	2029 Enrolment	2019 CU	2029 CU	*Enrolment Trend
Byng FOS Including EFI	1751	1529	1251	87%	71%	Declining
Byng FOS no EFI	1254	1085	801	87%	64%	Declining
University Hill FOS	1164	1124	952	97%	82%	Declining
Total No EFI	2418	2209	1753	91%	73%	Declining
Total Including EFI	2915	2653	2203	91%	76%	Declining

*If the change in capacity utilization is less than or equal to 5% then the enrolment trend is stable. If capacity utilization is forecast to increase by more than 5%, the enrolment trend is increasing. If capacity utilization is forecast to decrease by more than 5%, the enrolment trend is decreasing.

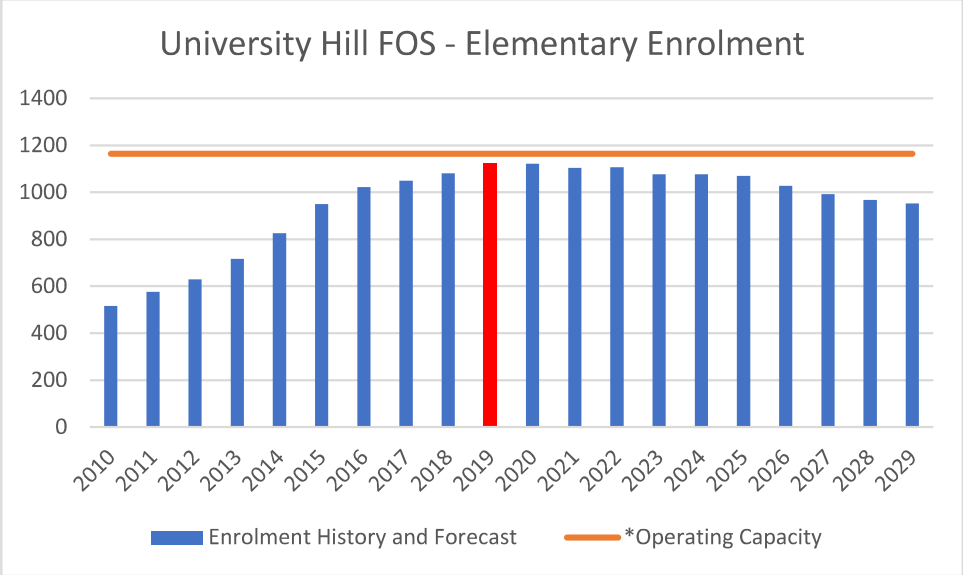
- UBC and UEL are areas with active new residential development. The District meets regularly with planners from both jurisdictions to assess the impact of future development in these areas
- The chart below shows baseline forecasts
- The Wesbrook site at UBC, which is suitable for an new elementary school, is available to accommodate future growth in student enrolment

3.7.1 UNIVERSITY HILL FOS



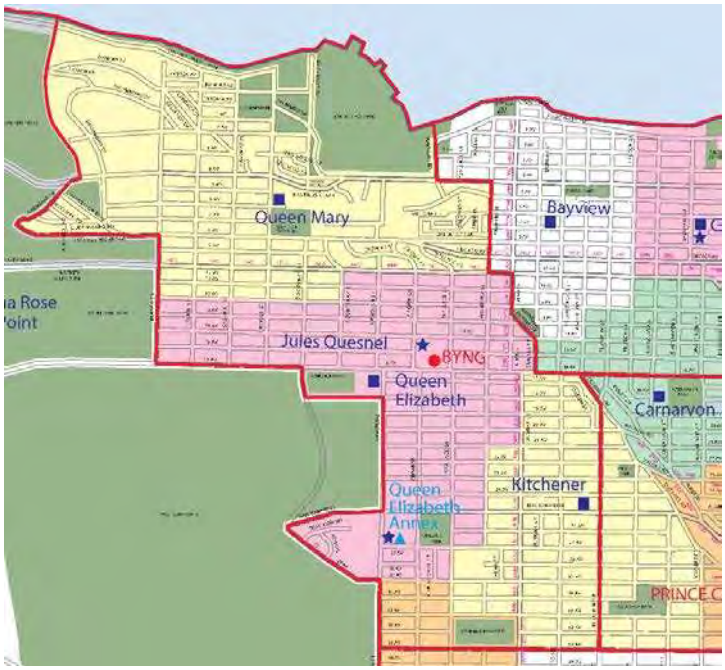
- Enrolment decline is forecast at University Hill elementary, while enrolment at Norma Rose Point (NRP) is forecast to increase
- Enrolment pressure may continue at NRP.
- If necessary, waitlisted catchment Kindergarten students can be accommodated within the University Hill FOS

- The reconfiguration of grades at the University Hill family of schools helped to balance the utilization of schools to accommodate enrolment
- If required in the future, surplus capacity is available at the following schools adjacent in Vancouver adjacent to the UEL
    - Queen Mary
    - Kitchener
    - Southlands (Point Grey FOS)

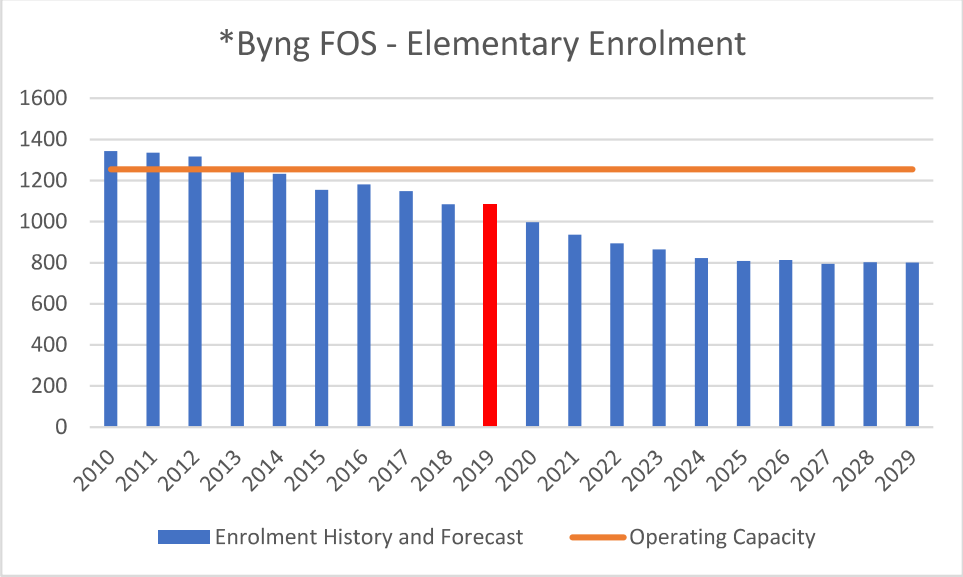


*Current operating capacity

3.7.2 BYNG FOS



- Schools in the Byng FOS have sufficient capacity to accommodate catchment enrolment forecast enrolment
- Further enrolment decline is forecast to decline in the following schools:
    - Queen Mary
    - Kitchener
- The chart shows enrolment and operating capacity for Kitchener, Queen Mary, and Queen Elizabeth elementary schools



*Does not include District EFI Program Enrolment

3.8 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

3.8.1 UNIVERSITY HILL FOS

- Continue to restrict out of catchment enrolment at Norma Rose Point, and limit out of catchment enrolment at University Hill Elementary
- As necessary, in the near term, Norma Rose Point can be used to accommodate waitlisted students from University Hill Elementary
- If necessary, in the future, use nearby schools to accommodate placed students from UBC FOS
- The Wesbrook site is available for the construction of a new elementary school in the future
- A request for new school with a nominal capacity of 410 has been prioritized in year five of the 2021-22 capital plan

3.8.2 BYNG FOS

- Continue to manage out of catchment enrolment to ensure effective use of staffing

3.9 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY FOS

3.9.1 OVERVIEW

- Enrolment pressure is localized at Norma Rose Point

3.9.2 UNIVERSITY HILL FOS

- Enrolment is forecast to exceed capacity at Norma Rose Point

3.9.3 BYNG FOS

- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the District Overview Section of this report.

3.10 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

3.10.1 OVERVIEW

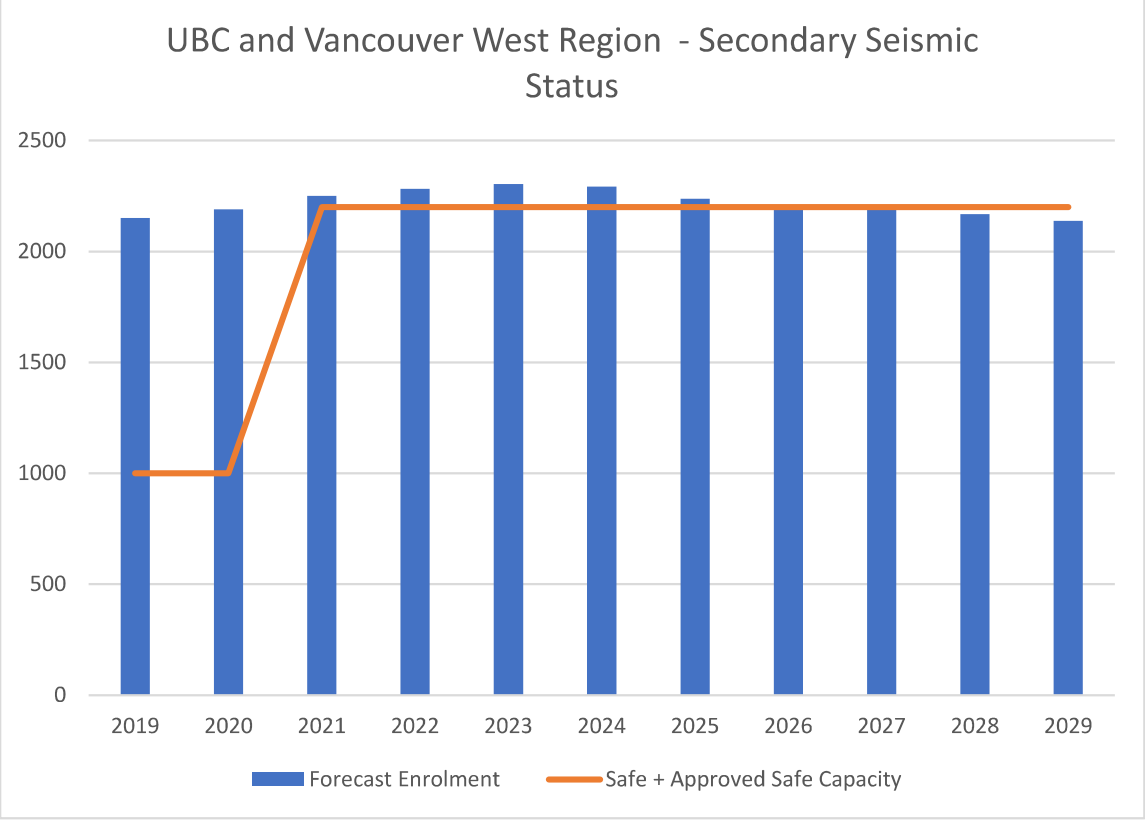
- 45% of secondary school capacity is seismically safe
- Seismic upgrading at Byng is scheduled for completion in fall 2021
- At that time, 100% of secondary school capacity will be seismically safe

3.10.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

- University Hill Secondary is seismically safe
- At Byng, the workshop, gymnasium, cafeteria, and auditorium are in the construction phase of seismic upgrading, anticipated completion data is Fall 2021
- The entire Byng school structure will be seismically safe with the completion of the final phased of the current Byng seismic project seismic.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status
BYNG	Poor	H3	Design/Construction
UNIVERSITY HILL SEC.	Excellent	Completed	Completed

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
BYNG	1200	1284	1279	5	1175
UNIVERSITY HILL SEC.	1000	867	698	169	963
Total	2200	2151	1977	174	2138



3.11 ELEMENTARY FACILITIES CONDITION AND UPGRADE CONSIDERATIONS

3.11.1 OVERVIEW

- 83% Elementary school capacity is seismically safe
- 17% Elementary school capacity is rated as high risk
- Queen Elizabeth Elementary and QE Annex are not prioritized in the Capital Plan
- There is sufficient seismically safe capacity in the region to accommodate forecast enrolment to 2029.

3.11.2 UNIVERSITY HILL FOS

- 100% of the total capacity is seismically safe
- There is sufficient seismic safe capacity to accommodate forecast enrolment to 2029

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Enrolment
Norma Rose Point	Excellent	Completed	Completed	793	773	758
University Hill	Poor	Completed	Completed	371	351	194
Total				**1164**	**1124**	**952**

Future Scenarios

Scenario 1 – Low enrolment impact from Development

- Available safe capacity remains sufficient to accommodate student enrolment

Scenario 2 – High enrolment impact from development

- Student yields from ongoing development at UBC/UEL yields to support a business case for the building of a new elementary school on the Wesbrook site
- It may be challenging for the Ministry of Education to support and fund this major capital request with surplus safe capacity available at nearby schools in the Byng FOS

3.11.3 BYNG FOS

- 72% of the total capacity is seismically safe
- 68% of the capacity used for the regular program is seismically safe
- Queen Elizabeth Elementary and QE Annex are not prioritized in the Capital Plan

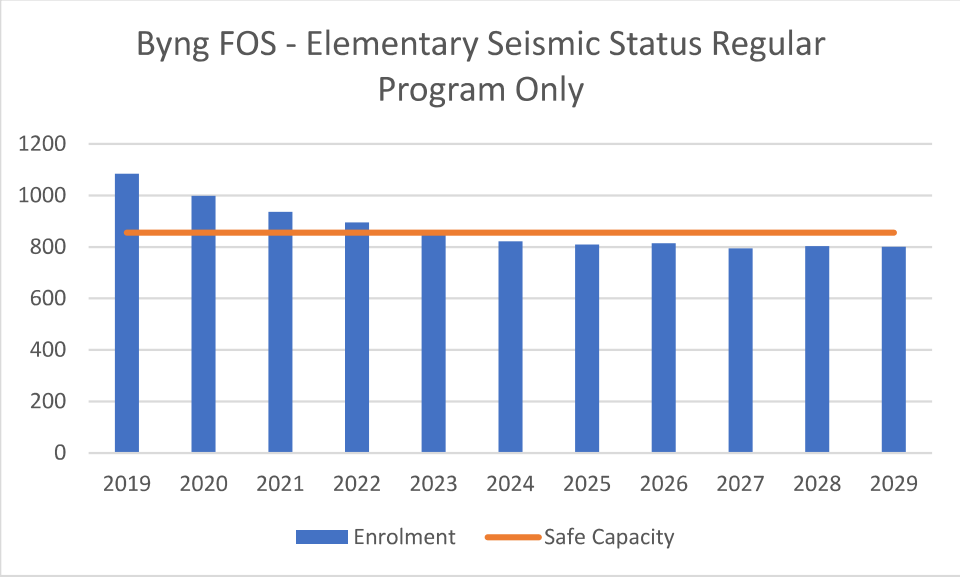
School	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Enrolment
Kitchener	Excellent	Completed	Completed	462	438	333
Queen Elizabeth	Poor	H3	Unsupported	398	328	248
Queen Elizabeth Annex	Very Poor	H3	Unsupported	98	67	70
Queen Mary	Good	Completed	Completed	394	319	220
Quesnel	Good	Completed	Completed	398	377	380
Total				**1751**	**1529**	**1251**

Future Scenarios

- In the future scenarios, Quesnel and Queen Elizabeth Annex are not included as they are single track schools that accommodate students in the District EFI program. Quesnel is seismically safe, and it is anticipated that its enrolment will remain stable near the 2019 level.
- Optimal utilization of seismically safe capacity available in the Byng FOS could be considered through a planned relocation of students at Queen Elizabeth Annex to Quesnel or another nearby location with surplus seismically safe capacity

Scenario 1A - Regular Program Schools

- The seismically safe capacity in the Byng FOS is 856
- The 2029 regular program enrolment forecast is 801
- Forecasts indicate there will be sufficient seismically safe capacity to accommodate future enrolment
- Additional seismically safe capacity will be available at Bayview following the completion of a replacement school as part of the SMP process



3.12 CATCHMENT BOUNDARY CONSIDERATIONS

3.12.1 OVERVIEW

- Elementary catchment boundaries align with secondary FOS catchment boundaries with the exception of Kitchener

3.12.2 CATCHMENT BOUNDARY CONSIDERATIONS- BYNG FOS

- A small portion of the Southlands catchment is contained within the Byng catchment while the majority of the catchment is within the Point Grey secondary catchment.

3.13 SUMMARY

3.13.1 PROGRAMMING CONSIDERATIONS

- No changes are proposed for Secondary district choice programs
- Consider relocating students at Queen Elizabeth Annex to Jules Quesnel in alignment with the recommendation from the 2019 Draft LRFP to continue implementing the recommendations from the French Program Review

3.13.2 SECONDARY STUDENT ACCOMMODATIONS STRATEGY

- Ongoing management out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in UBC and Vancouver West Region continue to have a sustainable grade 8 cohort size.
- Continue to monitor the impact of development at UBC/UEL on secondary enrolment forecasts
- No changes to current enrolment procedures are required

3.13.3 ELEMENTARY STUDENT ACCOMMODATIONS STRATEGY

- Continue to manage out of catchment enrolment in the U-Hill FOS to ensure effective use of staffing and to serve the UBC and UEL community
- Restrict out of catchment enrolment at Norma Rose Point
- Limit out of catchment enrolment at University Hill elementary
- Continue to manage out of catchment enrolment to ensure effective use of staffing

3.13.4 BALANCING CAPACITY WITH ENROLMENT

- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

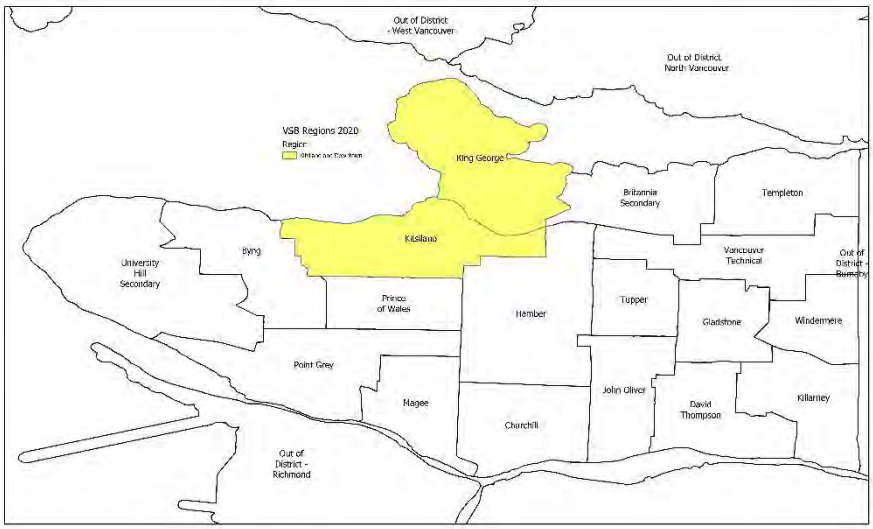
3.13.5 SEISMIC PROGRAM CONSIDERATIONS

- With the scheduled completion of the seismic upgrades at Byng in fall 2021, 100 % of secondary capacity will be seismically safe
- There is sufficient seismically safe capacity to accommodate forecast enrolment in the regular program

3.13.6 CATCHMENT BOUNDARY CONSIDERATIONS

- No catchment boundary changes are proposed for the University Hill or Byng FOS

4 PLANNING STRATEGIES FOR KITSILANO AND DOWNTOWN FAMILY OF SCHOOLS REGION



4.1 FAMILIES OF SCHOOLS IN KITSILANO AND DOWNTOWN REGION

The Kitsilano and Downtown region has two (2) families of schools.

Region	Secondary School/Family	Elementary Schools in FOS
Kitsilano and Downtown	King George Family of Schools	Crosstown
		Elsie Roy
		Roberts
		Roberts Ax
	Kitsilano Family of Schools	Bayview
		False Creek
		Gordon
		Hudson
		Tennyson

4.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE KITSILANO AND DOWNTOWN REGION

School	Mini-school Academic	Language	IB	Other
Kitsilano		EFI		
King George	Mini School		Middle Years Program	

- King George Mini School is an enriched academic and accelerated math program for grade 8 and 9 students

- The International Baccalaureate Middle Years Program (MYP) is a five-year school-based program from grade 6 to grade 10. All Grade 6 and 7 students at Elsie Roy and Roberts Elementary participate in the MYP Program. Grade 8 to 10 students at King George Secondary complete the final 3 years of the IB Middle Years Program (MYP)
- There are no proposed changes to the secondary District Program opportunities available in the Kitsilano and Downtown Region of the District

Secondary Learning Services Student Programs in the Kitsilano and Downtown Region

School/Program Types	LifeSkills	LA LifeSkills	Learning Assistance	Learning Support	Other
Kitsilano	Yes				Pre-Employment

- There are no proposed changes to the secondary learning services student programs available in the Kitsilano and Downtown region

4.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE KITSILANO AND DOWNTOWN REGION

School	Family of Schools	Program
Gordon	Kitsilano	LFI*
Tennyson	Kitsilano	EFI
Hudson	Kitsilano	EFI**

*Gordon will not be enrolling a grade 6 cohort in the LFI program in September 2021 which is the first year of the phased relocation of the Gordon LFI program.

** Hudson stopped enrolling a kindergarten cohort of EFI beginning in September 2020.

- Tennyson is a single-track Early French Immersion School
- Elsie Roy and Roberts both operate school based IB Middle Years Program (MYP) that enrolls all grade 6 and 7 students at these two schools. The final 3 years on this program are enrolled at King George Secondary

4.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE KITSILANO AND DOWNTOWN REGION

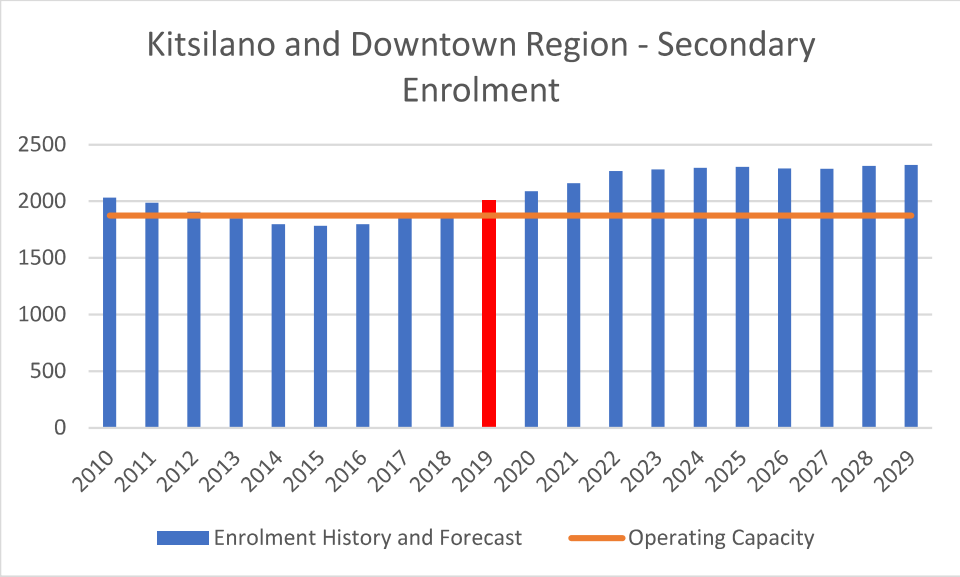
- An Excellence in Social Emotional Learning (ExSEL) program is located at Bayview

4.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

4.5.1 OVERVIEW

- In 2019, the Kitsilano and Downtown secondary school region was operating above its total operating capacity
- Catchment students can currently be accommodated at their secondary catchment schools

- Regular program enrolment is forecasted to increase at both secondary schools in the Kitsilano and Downtown region
- Forecasts indicate that all program enrolment may not be able to be accommodated in the future



4.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

- Resident enrolment includes all in catchment, out of catchment, and out of District enrolment in the regular, choice, school specialty, and learning services student programs
- Total enrolment also includes fee paying students in the International Education Program

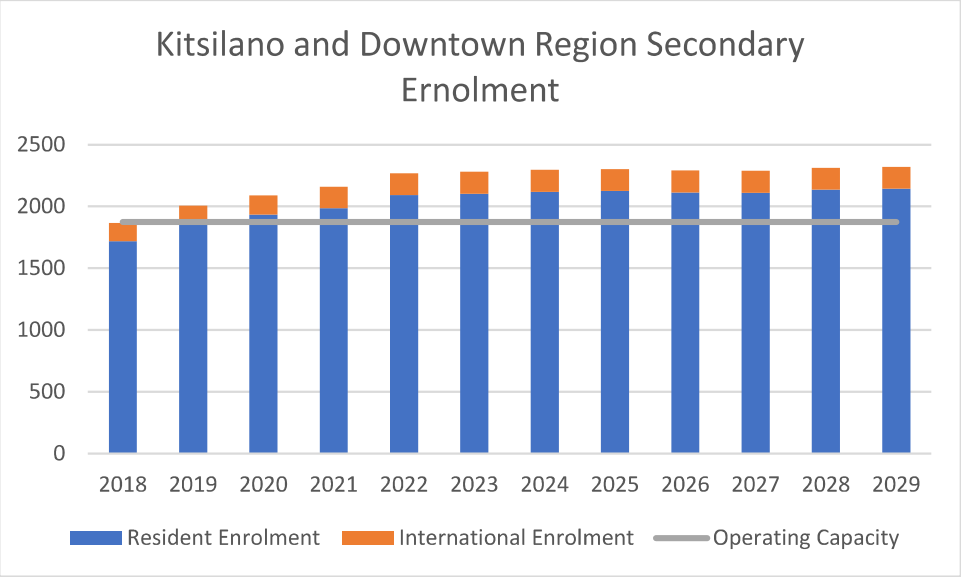
2019 Secondary School Operating Capacity and Capacity utilization

Region	Total OC	Resident Enrolment	Total Enrolment	CU Resident	CU Total
Kitsilano and Downtown	1875	1853	2006	99%	107%

- The Kitsilano and Downtown region is operating above operating capacity by 131 students
- The forecast enrolment trend is increasing at both secondary schools in this region for regular program enrolment

2019 Enrolment Breakdown by program category

Program Category	Enrolment Total	Enrolment %
Regular	1167	59%
District Choice	627	31%
District Learning Services	59	2%
District International	153	8%
Total	2006	100%



4.6 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years all secondary schools in the Kitsilano and Downtown region have had sufficient space to accommodate all catchment students that wish to attend their catchment school
- For the past several years, the District has managed out of catchment enrolment in the regular program to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size
- Ongoing management of out of catchments students will continue to be required in the future to allow space for catchment students in this region
- In 2019, King George was able to accommodate regular catchment student enrolment
- As Grade 8 catchment student cohorts increase in size at King George, enrolment forecasts indicate that the school will have enrolment pressure requiring waitlisting as soon as September 2021.
- There is surplus capacity at Britannia Secondary (Downtown East Region) to accommodate waitlisted students from King George in the future as required
- An expansion of King George has been requested in the Capital Plan. To date, this capital plan request has not been supported by the Ministry
- In 2019, Kitsilano Secondary was able to accommodate regular catchment enrolment and forecasts indicate that there will be sufficient capacity to accommodate catchment students in all educational programs currently located at the school. The school may operate above 100% capacity utilization in future years.

4.7 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

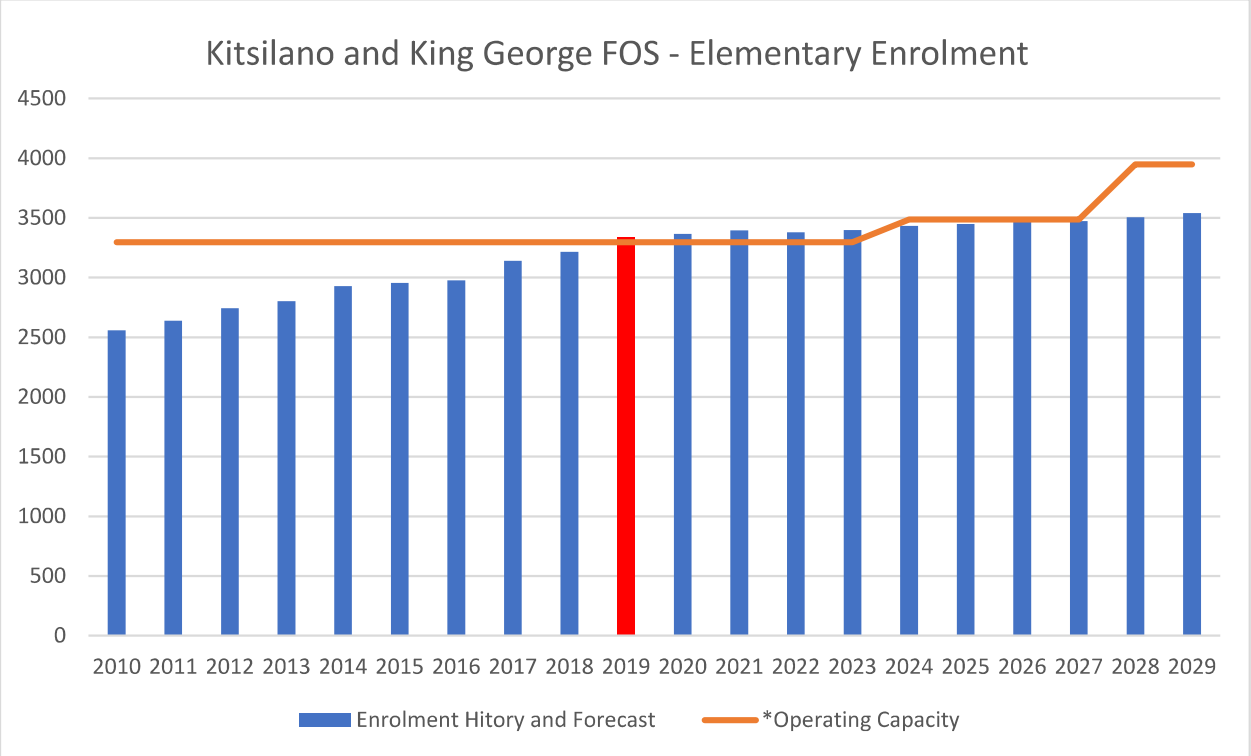
- The table below shows baseline forecasts for the Kitsilano and King George FOS. The Kitsilano FOS is shown with (Total Including EFI) and without (Total No EFI) enrolment from Tennyson which is a District single track Early French Immersion school.

2019 and 2029 Enrolment and Capacity Utilization

Family of Schools	Total OC 2019	Total OC 2029	2019 Enrolment	2029 Enrolment	2019 CU	*2029 CU	*Enrolment Trend
Kitsilano FOS Incl. EFI	1784	1784	1806	1710	101%	96%	Stable
Kitsilano FOS no EFI	1345	1345	1381	1285	103%	96%	Stable
King George FOS	1513	2165	1530	1829	101%	84%	Increasing
Total No EFI	**2858**	**3510**	**2911**	**3114**	**102%**	**89%**	**Increasing**
Total Including EFI	**3297**	**3949**	**3336**	**3539**	**101%**	**90%**	**Increasing**

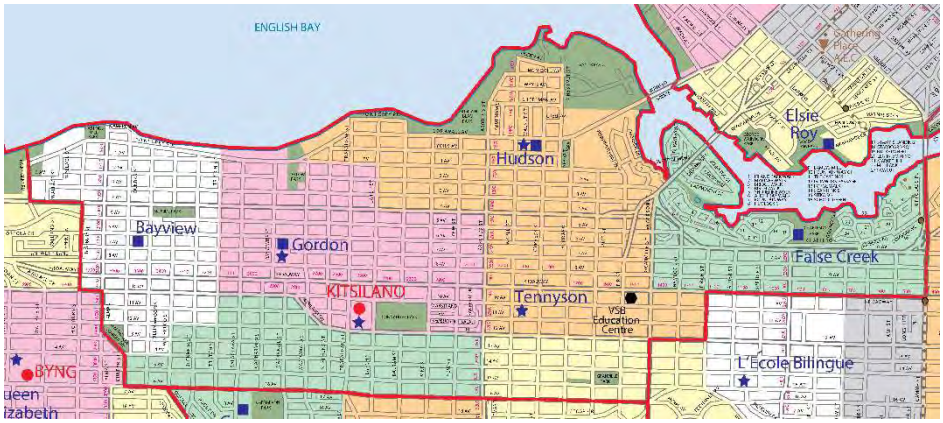
*2029 capacity utilization forecast based on availability of the new school at Coal Harbour and the new school at the Roberts Annex site

- Seven of the eight elementary schools in the Kitsilano and Downtown Region have enrolment pressure
- Enrolment in the King George FOS is suppressed due to limited capacity. The availability of additional capacity in the future will likely result in enrolment above the level of the baseline forecast
- Enrolment pressure is resulting in waitlists in King George FOS and False Creek, Hudson, and Gordon in the Kitsilano FOS

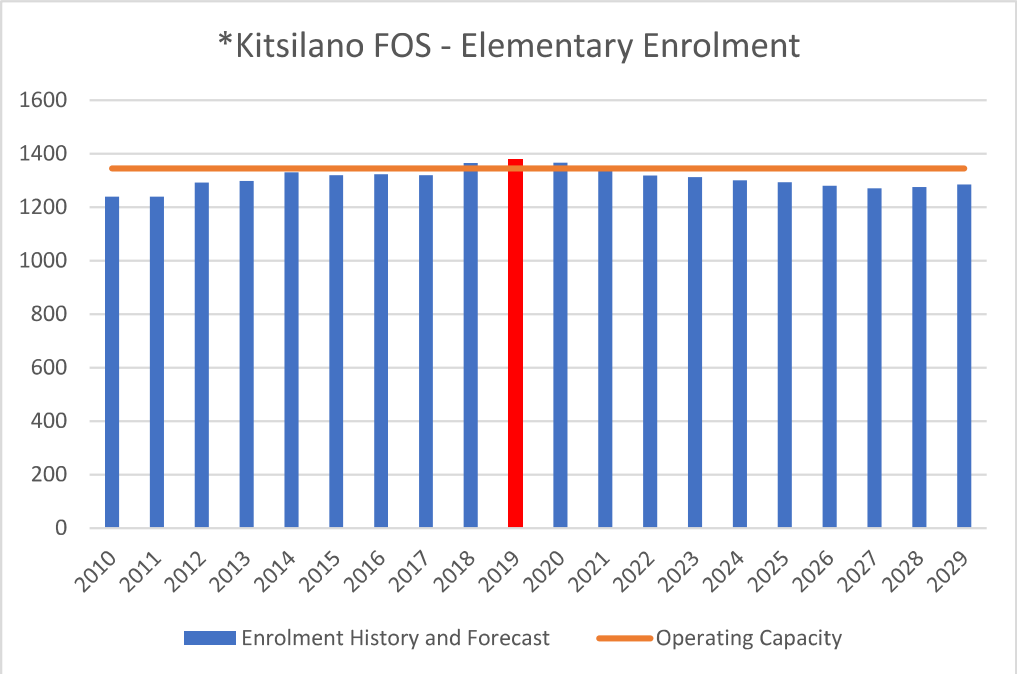


*2024 – 2029 is forecast operating capacity based on availability of the new school at Coal Harbour and the new school at the Roberts Annex site

4.7.1 KITSILANO FAMILY OF SCHOOLS

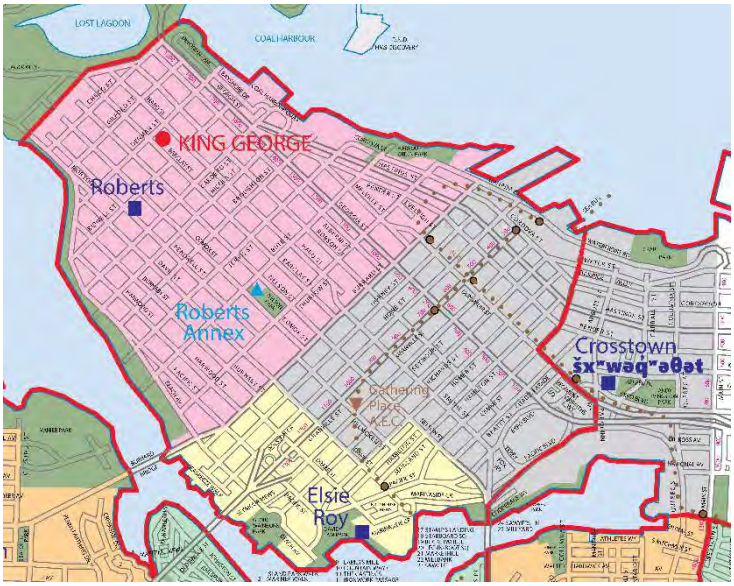


- The Kitsilano Family of Schools has five elementary schools (Bayview, False Creek, Gordon, Hudson, and Tennyson*)
- *Tennyson is a District French Immersion School
- False Creek, Gordon, and Hudson in the Kitsilano FOS are experiencing enrolment pressure.
- In 2019, False Creek and Gordon had waitlists of kindergarten students
- In 2019, waitlisted students from False Creek were placed at Mount Pleasant (Hamber FOS), waitlisted students from Gordon were placed at Queen Mary (Byng FOS)
- Hudson is full and has had kindergarten waitlists in some previous years
- Queen Mary and Bayview have been used in the past to accommodate waitlisted kindergarten students from Hudson and Gordon
- Bayview elementary students are currently accommodated at the Queen Elizabeth Swing Site temporarily while Bayview is being rebuilt as a seismic replacement school.
- Bayview can accommodate its catchment enrolment demand

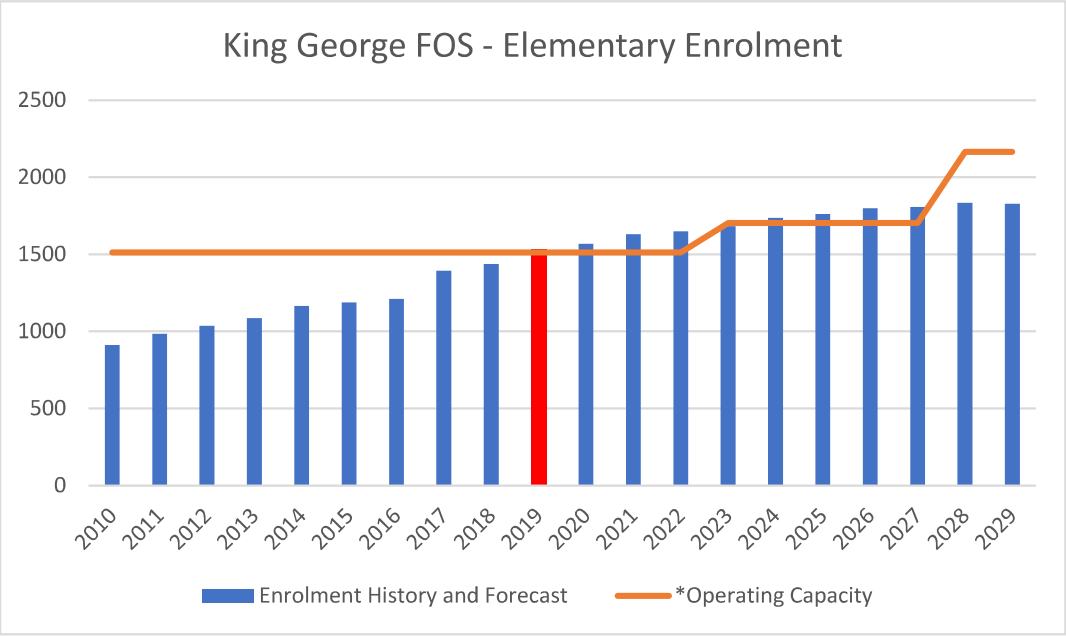


*Tennyson enrolment and capacity are not included in the data for this chart

4.7.2 KING GEORGE FAMILY OF SCHOOLS



- The King George Family of Schools has three elementary schools and one annex (Crosstown, Elsie Roy, Roberts, and Roberts Annex)
- All four elementary schools in the King George FOS have enrolment pressure and are forecasted to continue to have enrolment pressure
- Elsie Roy and Crosstown have had enrolment pressures resulting in lengthy waitlists.
- In 2019, Roberts and Roberts annex were able to accommodate their catchment students
- Strathcona, from the Downtown East Region, has been used as an overflow site to accommodate waitlisted students placed by the District from King George FOS
- Enrolment at Strathcona will continue to be monitored



*2024 – 2029 is forecast operating capacity based on availability of the new school at Coal Harbour and the new school at the Roberts Annex site

4.8 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

4.8.1 OVERVIEW

- Enrolment pressures in King George FOS will persist
- Enrolment at schools in the Kitsilano FOS is forecast to be stable

4.8.2 KING GEORGE FOS

- Enrolment waitlists are forecasted to continue at all elementary schools within King George FOS
- Continue to restrict out of catchment enrolment at all elementary schools within the King George FOS
- Continue to place waitlisted students at the closest schools that have available space
- Through VSB Land Asset Management and the sale of the subterranean rights to the Roberts Annex site to BC Hydro, the District is funding a new K-7 elementary school in Coal Harbour and a new K-7 elementary school on the current Roberts Annex site once the substation has been completed
- The school at Coal Harbour will be the first step to providing a pathway for a long-term resolution to some of the enrolment challenges in King George FOS
- The proposed new K-7 elementary school at the current Roberts Annex site in the future will be a second step to helping resolve some of the enrolment challenges in King George FOS
- The school at Coal Harbour will accommodate the students from Roberts Annex while the Roberts Annex site is under construction

4.8.3 KITSILANO FOS

- Kindergarten waitlists are not expected at Bayview Elementary in the future
- Enrolment waitlists are expected to continue for False Creek
- The recent commitment by the Provincial Government to build an elementary school in Olympic Village provides a pathway to a long-term resolution to some of the enrolment challenges at False Creek Elementary and the North Hamber FOS
- Continue to monitor enrolment at Hudson and Gordon
- An expansion at Hudson has been requested in the Capital Plan. To date, this capital plan request has not been supported by the Ministry
- An expansion at False Creek has been requested in the Capital Plan. To date, this capital plan request has not been supported by the Ministry
- Continue to restrict out of catchment enrolment at False Creek, Gordon, and Hudson
- To create additional capacity to accommodate catchment students at Hudson, the early French Immersion program is being phased out
- To create additional capacity to accommodate catchment students at Gordon, the Late French Immersion program is being phased out

4.9 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY FOS

4.9.1 OVERVIEW

- Enrolment pressure is widespread and affects seven of the eight schools within the Kitsilano and Downtown Region

4.9.2 KING GEORGE FOS

- When additional capacity becomes available with the building of Coal Harbour and the new school on the Roberts Annex site, they will be used to accommodate catchment students and ease enrolment pressure in the King George FOS.

4.9.3 KITSILANO FOS

- As the Early French Immersion program at Hudson and the Late French Immersion program at Gordon are phased out, the space can be utilized to accommodate catchment students to ease enrolment pressure in the Kitsilano FOS.

4.10 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

4.10.1 OVERVIEW

- Kitsilano Secondary has 73% of the operating capacity in the region and is seismically safe
- King George is not seismically safe, and is not yet supported as a project in the Seismic Mitigation Program
- King George expansion request has been prioritized in year 3 of the 2021-22 Capital Plan
- King George has very poor condition rating based on their FCI
- The Vancouver School District collaborating with the City of Vancouver on the West End Community Centre/King George Master Planning process (WECC/KGS). The WECC/KGS Master Planning process is currently in the Planning and Discovery Phase which is scheduled to conclude in December 2020. In January 2021, the process is scheduled to move into phase 2 - storytelling and setting direction.

4.10.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

FCI and Seismic Status of Secondary Schools in the Kitsilano and Downtown region

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status
KING GEORGE	Very Poor	H1	Unsupported
KITSILANO	Excellent	Completed	Completed

Seismically safe capacity and enrolment in the Kitsilano and Downtown region

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
KING GEORGE	375	535	522	13	770

KITSILANO	1500	1471	1331	140	1551
Total	1875	2006	1853	153	2321

Future Scenarios

Scenario 1 – Status Quo

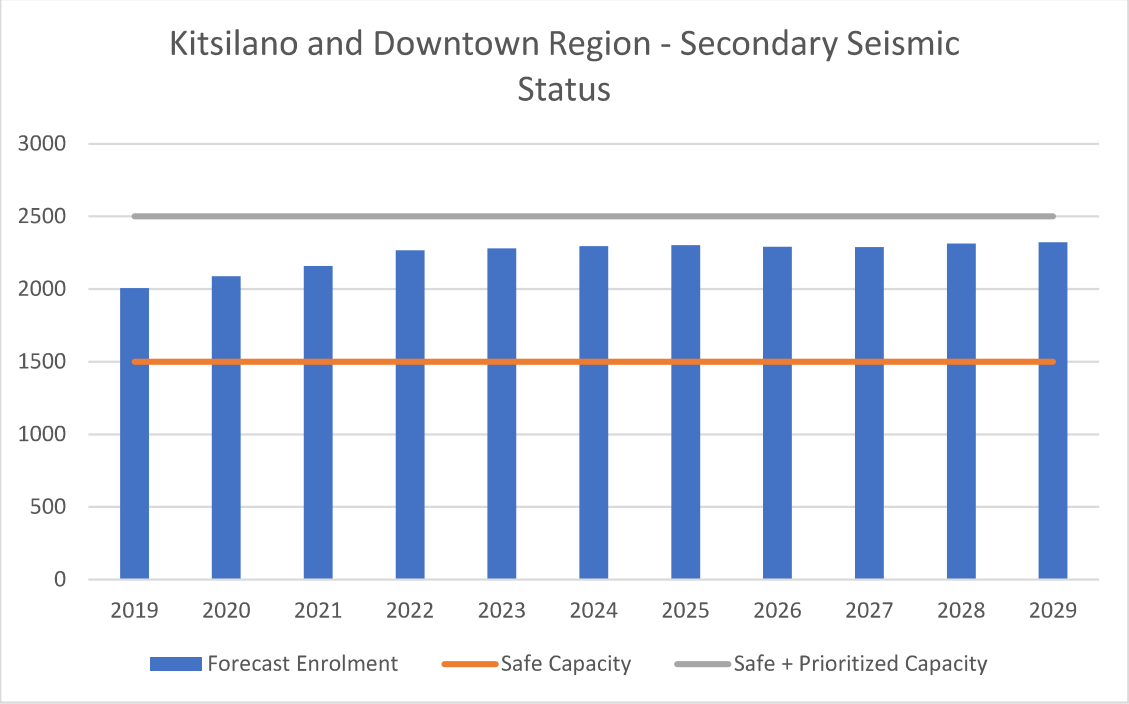
- Kitsilano will continue to be able to accommodate catchment students
- King George will experience an influx of enrolment resulting in an increased likelihood of catchment waitlists
- There will continue to be insufficient seismically safe capacity in the Kitsilano and Downtown region

Scenario 2 – Seismic Upgrade of King George Secondary

- Funding for a seismic upgrade has been requested in the Capital Plan. To date, this capital plan request has not yet been supported by the Ministry of Education
- With approved seismic mitigation funding for the current school size, King George is expected to experience increased enrolment pressures, possibly resulting in waitlists

Scenario 3 – Expanded Replacement King George Secondary

- A 625-student expansion at King George has been requested in the Capital Plan. This expansion would bring the total school capacity to 1000. To date, this capital plan request has not been supported by the Ministry
- Should the District receive this expansion capital funding and funding through the seismic mitigation program the total capacity for King George would become 1000. This would address the forecasted enrolment pressures for King George



4.11 ELEMENTARY FACILITIES CONDITION AND UPGRADE CONSIDERATIONS

4.11.1 OVERVIEW

- 51% of operating capacity in the Kitsilano and Downtown region is seismically safe
- 20% of operating capacity is rated as medium risk
- 29% of operating capacity is rated at high risk
- Bayview and Hudson are in the design/construction phase of the seismic mitigation program
- Coal Harbour is in the design/construction phase of a capital funded project to add additional seismically safe capacity

4.11.2 KING GEORGE FOS

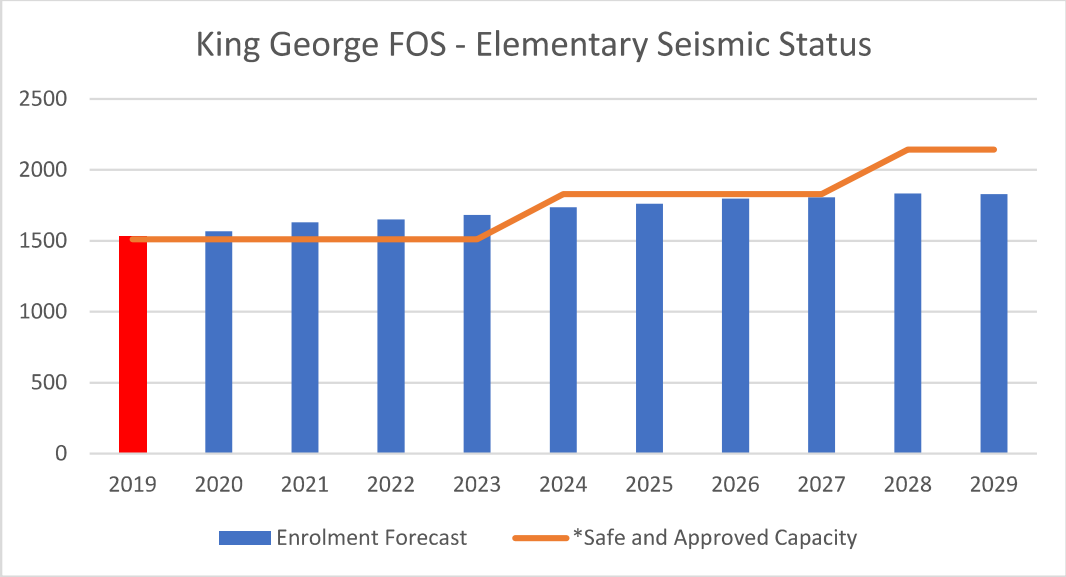
- 55% of operating capacity is safe
- A school at Coal Harbour will add an additional safe capacity to the King George FOS
- An additional 45% is medium risk

Seismically Safe Capacity and Enrolment in King George FOS

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Elsie Roy	Fair	Completed	Completed	376	420	500
Roberts	Poor	M	Completed	557	607	581
Crosstown	Excellent	Completed	Completed	462	364	577
Roberts Annex	Very Poor	M		118	139	171
Total				**1513**	**1530**	**1829**

Future Scenario

- Further study of the analysis and enrolment demand in the King George FOS will be required to determine the extent to which enrolment has been suppressed by insufficient capacity to accommodate enrolment needs
- The completion of a school at Coal Harbour and a new K-7 school at the current Roberts Annex site will create additional safe capacity for King George FOS



*Safe capacity includes schools at medium seismic risk

*Approved safe capacity includes net additional safe capacity of 190 for the new school at Coal Harbour scheduled for occupancy in 2024, and 462 seats of safe capacity at the Roberts Annex site available in 2028

4.11.3 KITSILANO FOS

- 47% of operating capacity is safe
- Bayview is scheduled for occupancy in Winter 2021
- Hudson is scheduled for occupancy in summer 2024
- The completion of Bayview and Hudson will increase the safe capacity by 684 seats bring the safe operating capacity of the Kitsilano FOS to 85%
- False Creek is a supported project under the seismic mitigation program but has not yet been funded
- A six-classroom expansion has been requested at Hudson, in year 1 of the 2021-22 capital plan
- A six-classroom expansion has been requested at False Creek, in year 1 of the 2021-22 capital plan

Seismically Safe Capacity and Enrolment in Kitsilano FOS

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Gordon	Excellent	Completed	Completed	398	438	437
Bayview	Poor	H1	Design/Construction	331	257	211
Hudson	Poor	H1	Design/Construction	353	398	267
False Creek	Poor	H1	Supported	263	288	370
Tennyson	Excellent	Completed	Completed	439	425	425
Total				**1784**	**1806**	**1710**

Future Scenarios

- Further study of the analysis and enrolment demand at False Creek, Gordon and Hudson will be required to determine the extent to which enrolment has been suppressed by insufficient capacity to accommodate enrolment needs
- The site of the Seńáḵw development is located in the Hudson catchment. The District is monitoring the progress of the development. As the development proceeds the impact of student yield from the Seńáḵw development will be assessed.

Scenario 1 – Status Quo

- False Creek does not advance in SMP and the funding is not received for the classroom expansion at Hudson
- There will be insufficient seismically safe capacity to accommodate students in the Kitsilano FOS

Scenario 2 – False Creek is advanced in the SMP

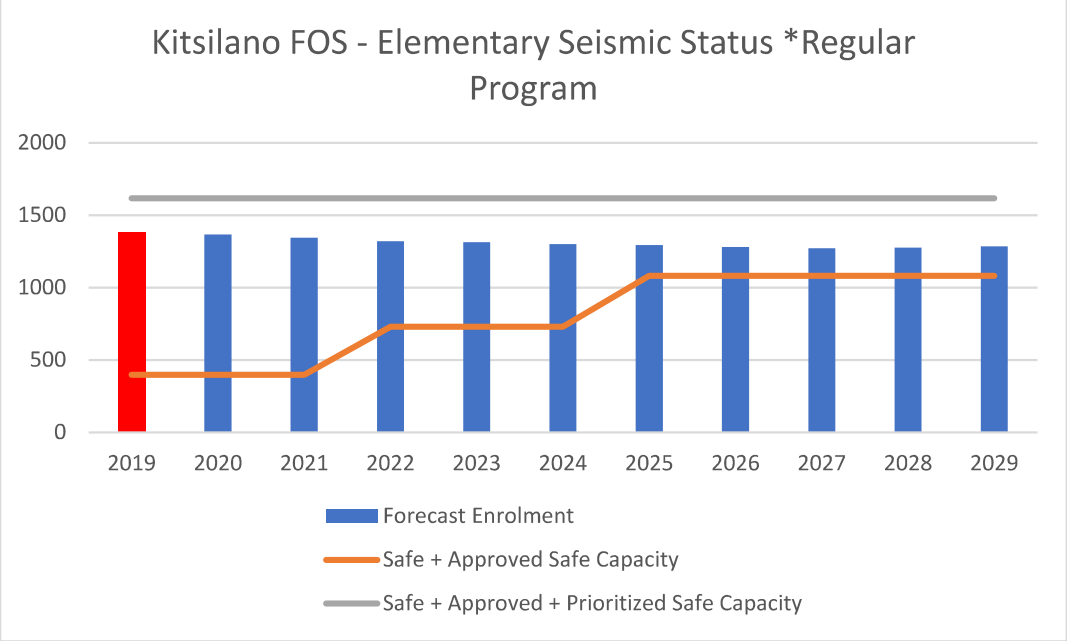
- If False Creek is seismically upgraded and retains its capacity the Kitsilano FOS will have a safe capacity of 1784

Scenario 3 – Expansion is funded for Hudson Elementary

- If a Hudson Expansion is funded, it would add an additional 6 classrooms to accommodate current enrolment needs and future enrolment including the Seńáḵw development

Scenario 4 – Expansion is funded for False Creek

- If a False Creek Expansion is funded, it would add an additional 6 classrooms to accommodate current enrolment needs



*The chart does not include Tennyson

4.12 CATCHMENT BOUNDARY CONSIDERATIONS

4.12.1 OVERVIEW

- A local planning study will be required to determine catchment and enrolment options for the Downtown FOS in the context of the scheduled occupancy of the new school at Coal Harbour in 2024, and the availability additional capacity at the Roberts annex site in the future
- Adjusting catchments for the Kitsilano FOS to manage enrolment has been studied. Several elementary schools with adjacent catchments are experiencing enrolment pressure which limits the usefulness of catchment boundary adjustments as an enrolment management strategy in this region

4.12.2 CATCHMENT BOUNDARY CONSIDERATIONS

- Prior to occupancy, catchment boundaries for the school at Coal Harbour and a new school at the Roberts Annex site will need to be established along with an enrolment plan
- The District could study a few different options for catchments for King George FOS
  - Option 1: Create traditional catchments to delineate catchment boundaries for each school. This is the same approach used in all other regions across the District
  - Option 2: Create an open catchment for students living in King George FOS. In this option, families would be given the opportunity to prioritize the elementary school in which they wish to attend within the King George FOS.
  - Option 3: Create micro-catchments around the elementary school downtown that gives priority to families living within those micro-catchments. An open catchment approach could be used for families living outside of the identified micro-catchments. Families living in the open catchment region would be given the opportunity to prioritize the elementary school in which they wish to attend within the King George FOS.

4.13 SUMMARY

4.13.1 PROGRAMMING CONSIDERATIONS

- No changes are proposed for Secondary District Choice Programs
- Gordon will begin phasing/relocating the LFI program in September 2021 and will not be enrolling a grade 6 cohort in the LFI program in September 2021
- Hudson started phasing out the EFI program beginning in September 2020 will not be enrolling a grade 6 cohort in the LFI program in September 2021

4.13.2 SECONDARY STUDENT ACCOMMODATIONS STRATEGY

- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to allow space for catchment students in the secondary schools within the Kitsilano and Downtown region

4.13.3 ELEMENTARY STUDENT ACCOMMODATIONS STRATEGY

- Continue to manage out of catchment enrolment to ensure effective use of staffing in all families of schools
- Continue to restrict or limit out of catchment enrolment at Crosstown, Elsie Roy, False Creek, Gordon, Hudson, Roberts, and Roberts Annex

4.13.4 BALANCING CAPACITY WITH ENROLMENT

- The availability of additional capacity with the completion of new schools at Coal Harbour and the current Roberts Annex site provide an opportunity to help resolve issues related to enrolment pressure in the King George FOS

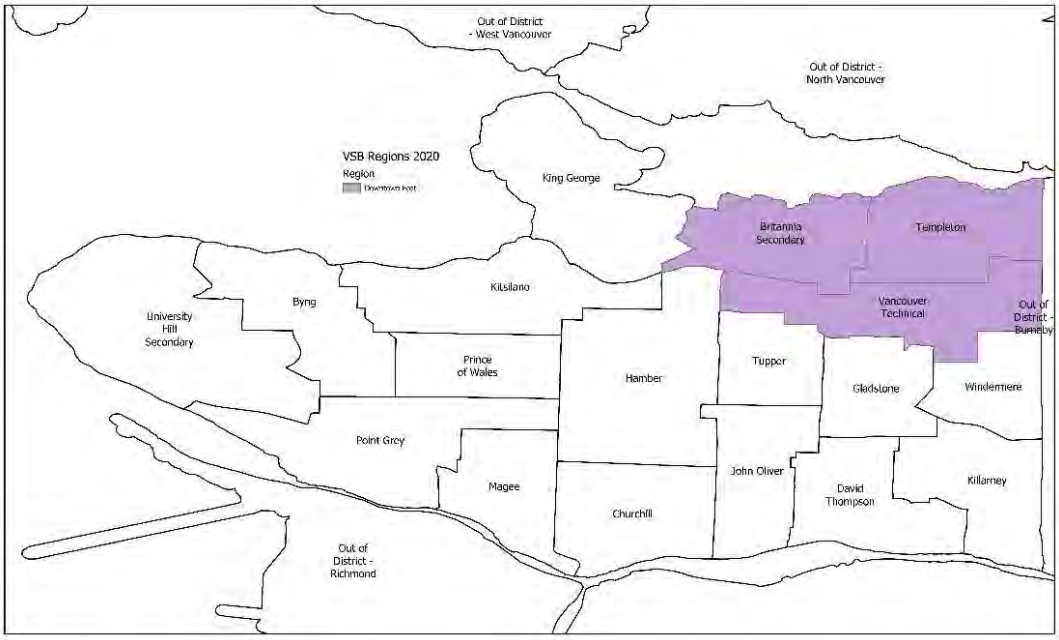
4.13.5 SEISMIC PROGRAM CONSIDERATIONS

- 73% of Secondary Capacity is seismically safe, 51% of Elementary capacity is seismically safe.
- The 2021-2022 Capital Plan submission provides a framework for increasing the seismically safe capacity in the Kitsilano and Downtown region
- Bayview, Hudson, and Coal Harbour are moving towards completion

4.13.6 CATCHMENT BOUNDARY CONSIDERATIONS

- Prior to occupancy, catchment boundaries for the schools at Coal Harbour and the current Roberts Annex site will need to be established
- Catchment boundary adjustments as an enrolment management strategy in the King George FOS is not recommended prior to the establishment of catchments for the schools at Coal Harbour and the current Roberts Annex site

5 Planning Strategies for Downtown East Family of Schools Region



5.1 FAMILIES OF SCHOOLS IN DOWNTOWN EAST REGION

The Downtown East region has 3 families of schools, as illustrated below:

Britannia	Templeton	Vancouver Technical
Britannia Elem.	Begbie	Grandview
Seymour	Franklin	Maquinna
Strathcona	Hastings	Mount Pleasant
	Lord	Nootka
	Nelson	Queen Alexandra
	Tillicum Annex	Queen Victoria Annex
	*Xpey'	Secord
		Thunderbird

*Xpey' is a District School that accommodates the Indigenous Focus choice program

5.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE DOWNTOWN EAST REGION OF ELEMENTARY SCHOOLS

Secondary District Choice Programs

Program Type	Britannia	Templeton	Van Tech
Mini-School/Academic	Venture	Mini-School	Flex and Summit
Language			French Immersion
International Baccalaureate	Certificate and Diploma		
Other	Hockey Academy		

Secondary Learning Services Student Programs in the Downtown East Region

School/Program Types	LifeSkills	Learning Assistance LifeSkills	Learning Assistance	Learning Support	Other
Britannia		Yes			Social Development Gateway to Adulthood Grade 13 Transition
Templeton	Yes			Yes	
Van Tech	Yes		Yes	Yes	

5.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE DOWNTOWN EAST REGION

District Choice Programs

School	Family of Schools	Program
Franklin	Templeton	IF*
Hastings	Templeton	EFI
Nootka	Vancouver Technical	Arts
Secord	Vancouver Technical	EFI, LFI
Strathcona	Britannia	EFI

*Franklin Intensive French is a school-based program

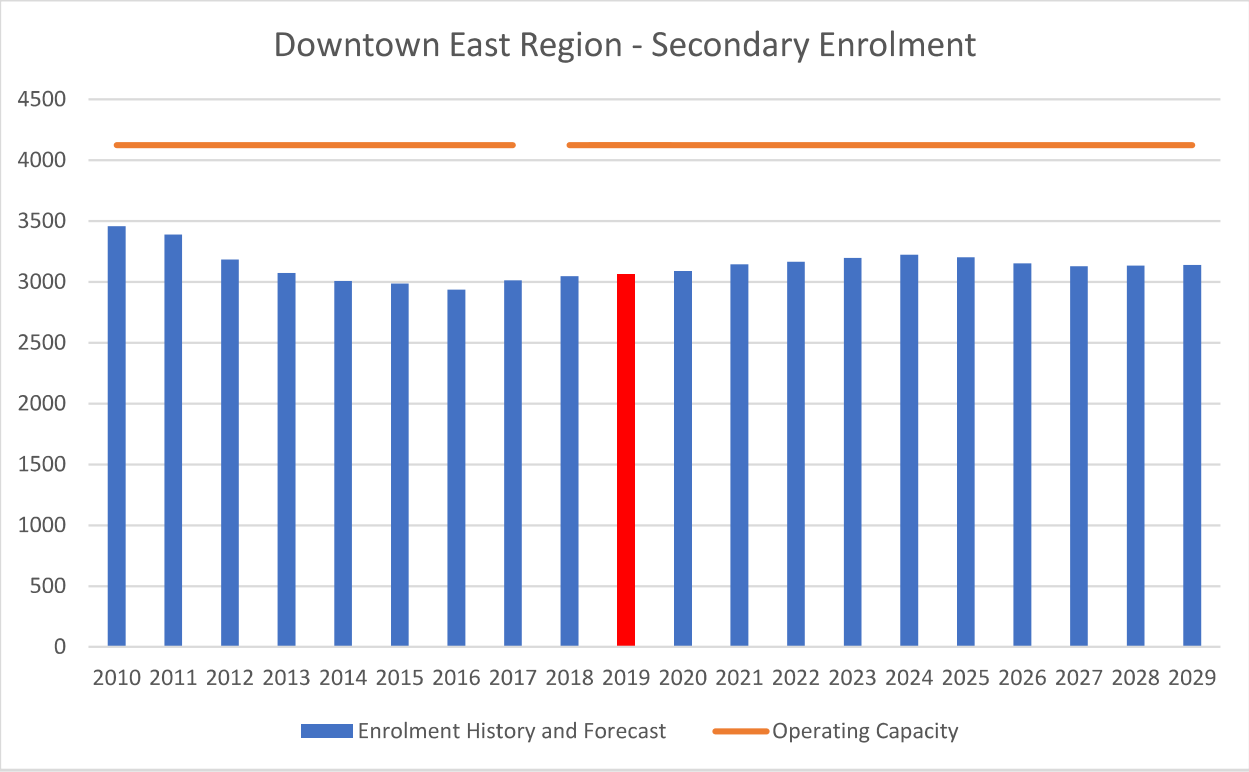
5.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE DOWNTOWN EAST REGION

School	Family of Schools	Program
Franklin	Templeton	Excellence in Social Emotional Learning
Nootka	Vancouver Technical	Learning Support

5.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

5.5.1 OVERVIEW

- In 2019 there was surplus capacity at each of the secondary schools in the Downtown East Region
- Catchment students can be accommodated at their secondary catchment schools
- Regular program enrolment is forecast to remain stable
- Forecasts indicate that all program enrolment will be able to be accommodated for many years



5.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

- Resident enrolment includes all in catchment, out of catchment, and out of District enrolment in the regular, choice, school specialty, and learning services student programs
- Total enrolment also includes fee paying students in the International Education Program

2019 Secondary School Operating Capacity and Capacity utilization

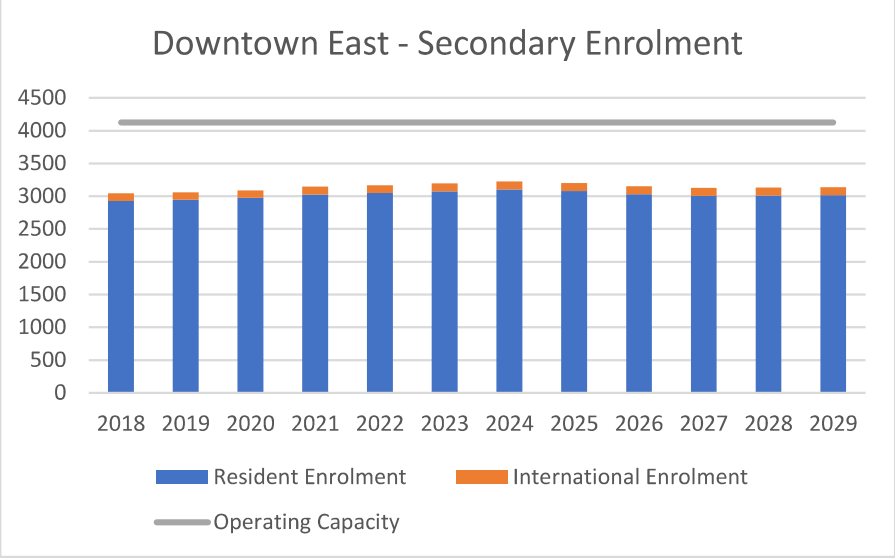
Region	Total OC	Resident Enrolment	Total Enrolment	Capacity Utilization Resident	Capacity Utilization Total
Downtown East	4125	2946	3060	71%	74%

- The total surplus capacity available in the Downtown East region is 1,065 spaces
- The forecast enrolment trend is for enrolment increase of 56 students in the regular program by 2029
- The forecast surplus capacity in 2029 is 1,009 spaces

2019 Enrolment Breakdown by Program Category

Program Category	Enrolment Total	Enrolment %
Regular	1791	58%
District Choice	905	30%
***District Learning Services**	250	8%
District International	114	4%
Total	3060	100%

*Includes Learning Services Student Programs and Alternative Programs



5.6 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years all secondary schools in the Downtown East region have had sufficient space to accommodate all catchment students that wish to attend their catchment school.
- For the past several years, the District has managed out of catchment enrolment in the regular program to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size.
- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Downtown East Region continue to have a sustainable grade

8 cohort size. In particular, educational programming at Britannia and Templeton is supported by this enrolment management approach

- Enrolment forecasts indicate that there will be sufficient capacity to accommodate all catchment students in the regular program at their catchment school in the Downtown East region for many years
- There is sufficient capacity in the Downtown East region to accommodate all current program needs.
- No changes to current enrolment procedures are required

5.7 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

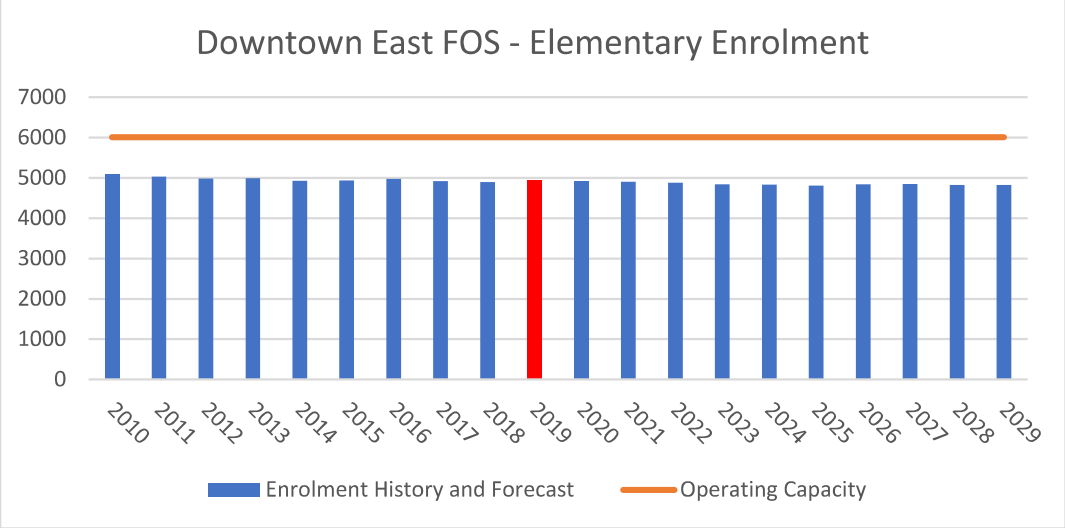
5.7.1 OVERVIEW

Enrolment and Capacity Utilization

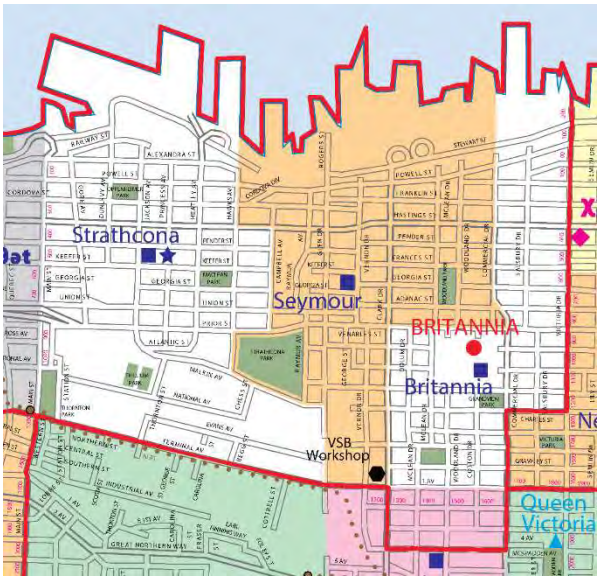
Family of Schools	Total OC	2019 Enrolment	2029 Enrolment	2019 CU	2029 CU	*Enrolment Trend
Britannia	1064	806	805	76%	76%	Stable
Templeton	2337	1973	1946	84%	83%	Stable
Vancouver Technical	2605	2159	2071	83%	80%	Stable
Total	**6006**	**4938**	**4822**	**82%**	**80%**	**Stable**

*If the change in capacity utilization is less than or equal to 5% then the enrolment trend is stable. If capacity utilization is forecast to increase by more than 5%, the enrolment trend is increasing. If capacity utilization is forecast to decrease by more than 5%, the enrolment trend is decreasing.

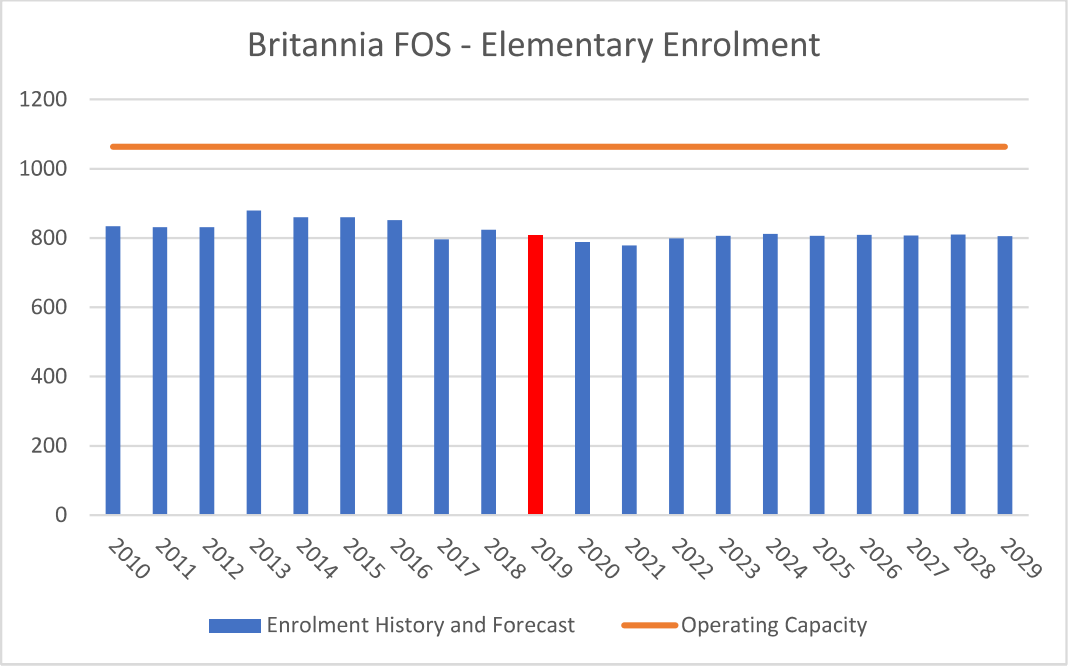
- The Downtown East region is characterized by variable utilization rates of school capacity
- Catchment students can be accommodated at their catchment school in all elementary schools in the Britannia FOS, and the Vancouver Technical FOS
- Enrolment pressure is resulting in Kindergarten waitlists at Nelson and Lord in the Templeton FOS



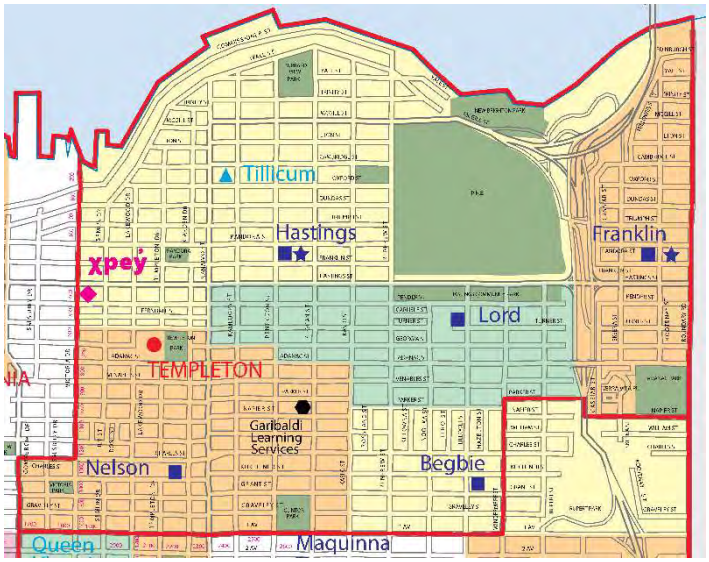
5.7.2 BRITANNIA FOS



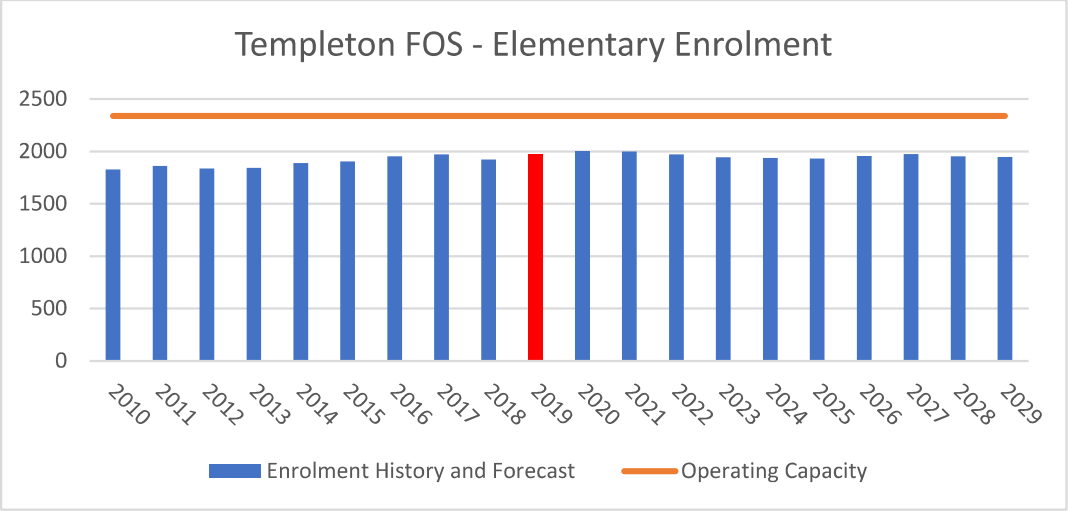
- Forecasts indicate that all program enrolment will be able to be accommodated for many years in the Britannia FOS
- The main building at Seymour Elementary accommodates Seymour catchment students
- The second building on the Seymour site is currently being used as temporary accommodation for students from Maquinna while Maquinna is being seismically upgraded
- Strathcona is used as an overflow site to accommodate waitlisted students placed by the District from the King George FOS



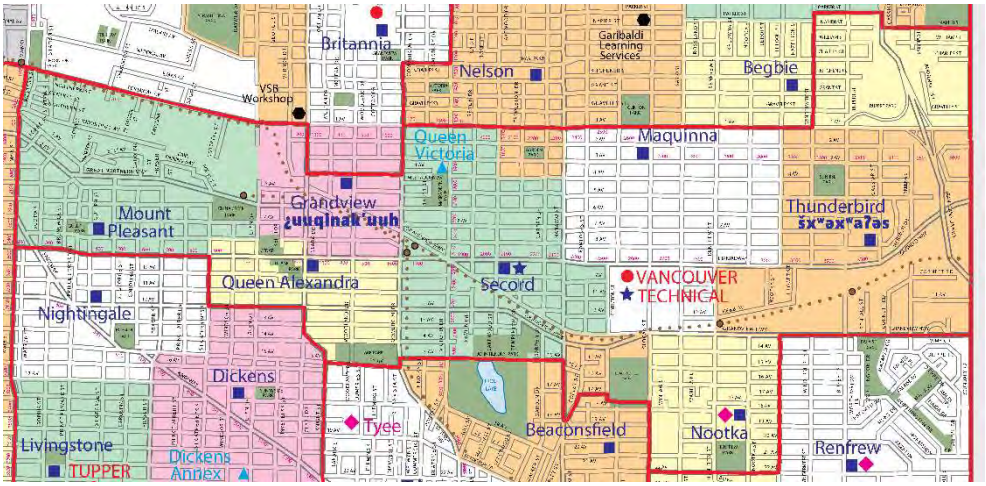
5.7.3 TEMPLETON FOS



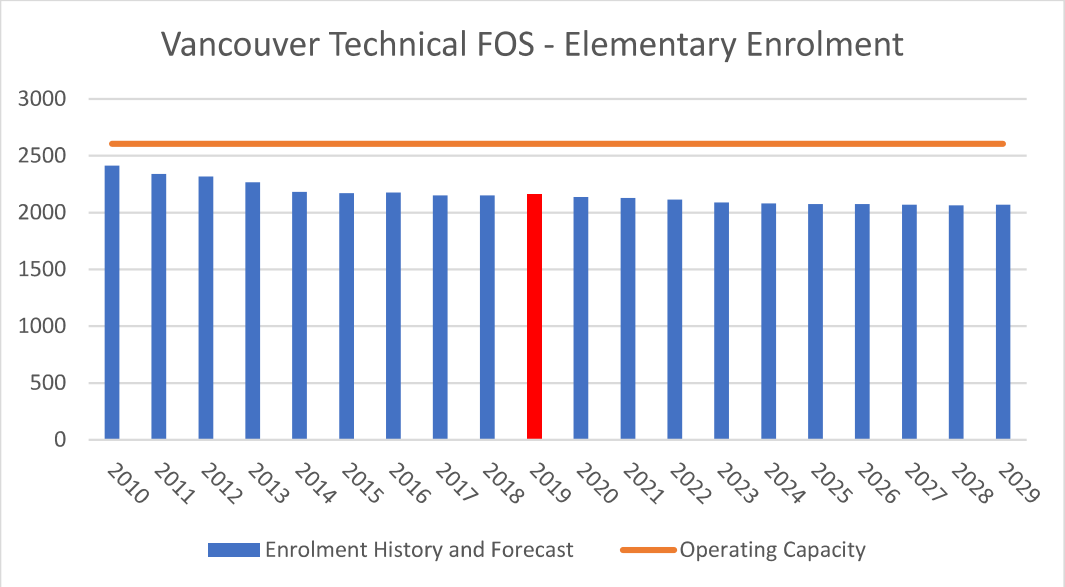
- Hastings, Lord, and Nelson schools in the Templeton FOS are experiencing enrolment pressure
- In 2019 Lord and Nelson had waitlists of catchment Kindergarten students
- In 2019 waitlisted students from Nelson were placed at Queen Victoria Annex, waitlisted students from Lord were placed at nearby schools
- The new replacement school at Nelson was opened in September 2019
- The new replacement school at Begbie, currently in the construction phase, is scheduled for occupancy in 2023
- The new Begbie will have 14 classrooms which is 6 fewer than the existing school
- Although further enrolment decline is forecast for the Begbie catchment, experience has shown that the availability of a new school often results in increased enrolment demand
- It is likely that Begbie will be able to accommodate its own catchment enrolment in future years, but it will have minimal space to accommodate overflow from nearby schools
- There is a satellite building at the Lord site, which is currently being used to accommodate two Interagency Alternate programs and provide office space for service providers.



5.7.4 VANCOUVER TECHNICAL FOS



- Forecasts indicate that all program enrolment will be able to be accommodated for many years in the Vancouver Tech FOS
- Mount Pleasant is used as an overflow school for students placed by the District from False Creek (Kitsilano FOS)
- In 2019 Queen Victoria Annex was used to accommodate catchment Kindergarten students from the Nelson catchment



5.8 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

5.8.1 OVERVIEW

- Enrolment pressure in the Templeton FOS will persist
- Schools in the Britannia FOS and Vancouver Technical FOS will continue to have sufficient capacity to accommodate catchment students for many years

5.8.2 BRITANNIA FOS

- Continue to manage cross boundary enrolment to ensure efficient and effective use of staffing
- Monitor Strathcona enrolment to ensure that catchment students can continue to be accommodated

5.8.3 TEMPLETON FOS

- Investigate options to relocate the Interagency Alternative Programs located in the second building at the Lord site to provide additional space for Lord catchment students and any future overflow from Nelson
- Continue to restrict out of catchment enrolment at Lord and Nelson
- Continue to limit out of catchment enrolment at Tillicum and Hastings
- Begin to limit out of catchment enrolment at Begbie

5.8.4 VANCOUVER TECHNICAL FOS

- Continue to manage cross boundary enrolment to ensure efficient and effective use of staffing

5.9 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY - DOWNTOWN EAST FOS

5.9.1 OVERVIEW

- Enrolment pressure is localized at three schools, Hastings, Lord, and Nelson
- At the remaining 13 schools with local catchments enrolment and capacity are balanced, or surplus capacity exists

5.9.2 BRITANNIA FOS

- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

5.9.3 TEMPLETON FOS

- When the satellite building at Lord becomes available, this will add capacity that can be used to address localized enrolment pressure
- Where surplus capacity exists in the Templeton FOS it could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

5.9.4 VANCOUVER TECHNICAL FOS

- Where surplus capacity exists in the Vancouver Technical FOS it could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

5.10.1 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

5.10.1 OVERVIEW

- Vancouver Technical is the only seismically safe secondary school in the Downtown East region
- 41% of operating capacity in the Downtown East region is seismically safe
- 59% of operating capacity in the region is rated as high risk
- Templeton and Britannia are not supported projects in the SMP
- Templeton and Britannia both have a very poor building condition rating based on their FCI
- Due to their complexity and the large capital investment required, secondary school seismic projects take 7 to 9 years to move from the feasibility study phase to occupancy.

5.10.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

FCI and Seismic Status of Secondary Schools in the Downtown East region

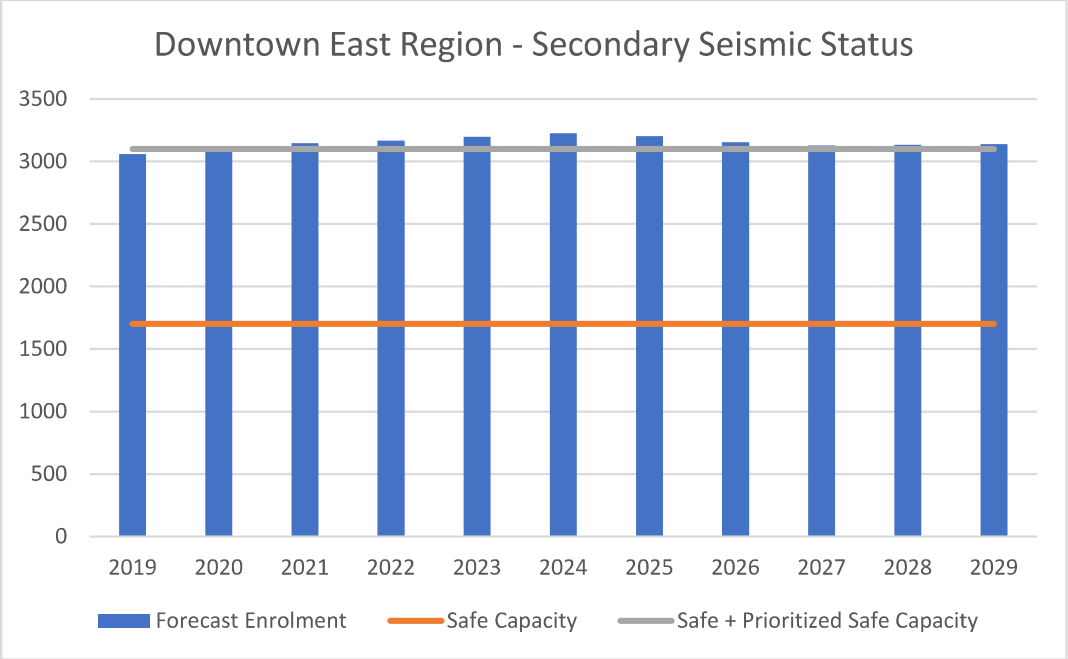
School Name	Building Condition Rating	Seismic Risk Rating	SMP Status
BRITANNIA	Poor	Partially Completed	Unsupported
TEMPLETON	Poor	H1	Unsupported
VAN TECH	Poor	Completed	Completed

Seismically Safe Capacity and Enrolment in the Downtown East Region

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
BRITANNIA	1025	631	613	18	649
TEMPLETON	1400	865	833	32	982
VAN TECH	1700	1564	1500	64	1508
Total	**4125**	**3060**	**2946**	**114**	**3139**

Future Scenarios

- Vancouver Technical will be able to accommodate its forecasted enrolment for many years
- Some seismically safe capacity at Vancouver Technical will be available to accommodate additional students
- Templeton is prioritized in year 5 of the 2021-22 capital plan
- There will be insufficient seismically safe capacity in the Downtown East Region for many years
- The Facilities Planning Committee was updated on the Britannia Renewal Master Plan on September 11, 2019
- In July 2018, the City of Vancouver approved the Britannia Renewal Master Plan
- The City of Vancouver in the Britannia Master planning process currently underway
- The next phase in the process is rezoning of the site
- The timeframe for renewing and transforming the site is in the range of 10 to 20 years
- A seismic upgrade project for Britannia secondary school is not included in the Britannia Master Renewal Plan



5.11 ELEMENTARY FACILITIES CONDITION AND UPGRADE CONSIDERATIONS

5.11.1 OVERVIEW

- 29% of operating capacity is seismically safe
- 10% of operating capacity is rated as medium risk
- 61% of operating capacity is rated as high risk
- Begbie and Maquinna are in the construction phase of the SMP
- Franklin, Grandview, and Seymour have been prioritized in the 2021-22 Capital Plan

5.11.2 BRITANNIA FOS

- 74% of operating capacity is safe
- Seymour elementary is prioritized in year 5 of the 2021-22 Capital Plan

Seismically Safe Capacity and Enrolment in Britannia FOS

School	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Britannia	Poor	Completed	Completed	222	198	152
Seymour	Poor	H1	Unsupported	380	168	225
Strathcona	Poor	Completed	Completed	462	440	428
Total				**1064**	**806**	**805**

Future Scenarios

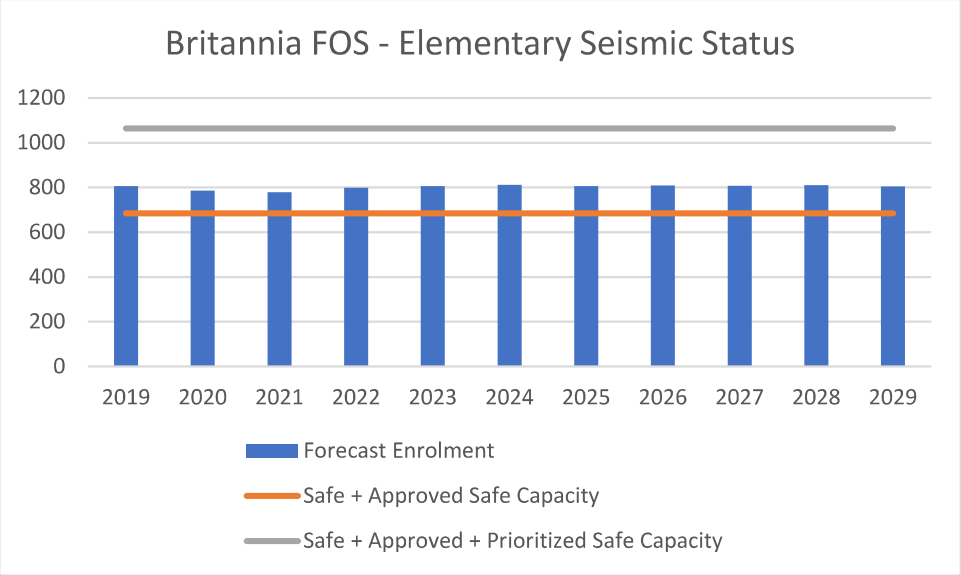
- If Seymour is seismically upgraded, and retains its current capacity, the Britannia FOS will have a safe capacity of 1064
- The 2029 enrolment forecast for the Britannia FOS is 805

Scenario 1 – Seymour advances in the SMP

- The completion of a seismic upgrade at Seymour would provide sufficient safe capacity to accommodate forecast enrolment and provide additional surplus safe capacity of 259 spaces that could be used to accommodate students from nearby schools that are not seismically safe

Scenario 2 – Seymour is not advanced in the SMP

- If Seymour is not advanced for funding through the SMP there will be a safe capacity deficit of 121 in the Britannia FOS in 2029
- There will be insufficient seismically safe capacity within the Britannia FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Britannia FOS



5.11.3 TEMPLETON FOS

- The capacity and enrolment at Xpey' have been included in the Templeton FOS
- 22% of the operating capacity is safe
- An additional 33% is rated as medium risk
- Begbie is scheduled for occupancy in 2023 which will provide additional safe capacity of 308 seats and at that time 37% of operating capacity in the region will be safe
- Franklin is prioritized in year 3 of the 2021-22 capital plan
- The 2029 enrolment forecast for the Templeton FOS is 1,530

- In future years, some surplus safe capacity at Maquinna (Vancouver Technical FOS) will be available

Seismically Safe Capacity and Enrolment in Templeton FOS

School	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Nelson	Excellent	Completed	Completed	417	475	416
Lord	Very Poor	H3	Unsupported	331	192	188
Franklin	Poor	H1	Unsupported	267	194	223
Hastings	Poor	L	Completed	638	596	654
Tillicum Annex	Very Poor	H1	Unsupported	136	107	103
Begbie	Poor	H1	Construction	308	313	277
Xpey'	Very Poor	H1	Unsupported	240	96	85
Total				**2337**	**1973**	**1946**

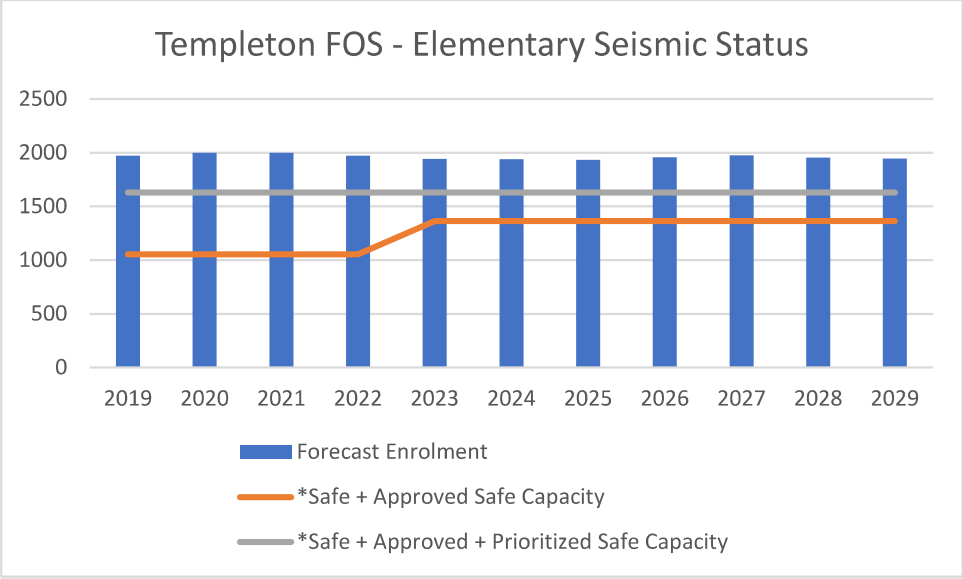
Future Scenarios

Scenario 1 – Franklin is advanced in the SMP

- If Franklin is seismically upgraded, and retains its current capacity, the Templeton FOS will have a safe capacity of 992, Hastings has a capacity of 638 at medium risk
- Total capacity at schools with safe or medium risk would be 1,630 which is 316 less than forecast enrolment in the Templeton FOS in 2029
- There will be insufficient seismically safe capacity at within the Templeton FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Templeton FOS

Scenario 2 – Franklin is not Advanced in the SMP

- If Franklin is not advanced for funding through the SMP there will be insufficient seismically safe capacity to accommodate students from Franklin or Lord at nearby schools
- There will be insufficient seismically safe capacity within the Templeton FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Templeton FOS



*Includes schools with a low or medium seismic risk rating

5.11.4 VANCOUVER TECHNICAL FOS

- 24% of the operating capacity is seismically safe
- Maquinna is scheduled for occupancy in 2022 which will provide additional seismically safe capacity of 222 seats, at that time 32% of operating capacity will be seismically safe
- Mount Pleasant is prioritized in year 3 of the 2021-22 capital plan
- Grandview is prioritized in year 5 of the 2021-22 capital plan
- The 2029 enrolment forecast for the Vancouver Technical FOS is 2071

Seismically Safe Capacity and Enrolment in Vancouver Technical FOS

School	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Nootka	Poor	H3	Unsupported	507	422	423
Queen Alexandra	Very Poor	H1	Unsupported	263	148	136
Grandview	Poor	H1	Unsupported	199	144	145
Queen Victoria Annex	Very Poor	H3	Unsupported	178	110	112
Secord	Fair	Completed	Completed	620	671	630
Mount Pleasant	Very Poor	H3	Unsupported	285	252	297
Maquinna	Very Poor	H3	Construction	222	212	149
Thunderbird	Fair	H3	Unsupported	331	200	179
Total				**2605**	**2159**	**2071**

Future Scenarios

Scenario 1 Mount Pleasant and Grandview are advanced in the SMP

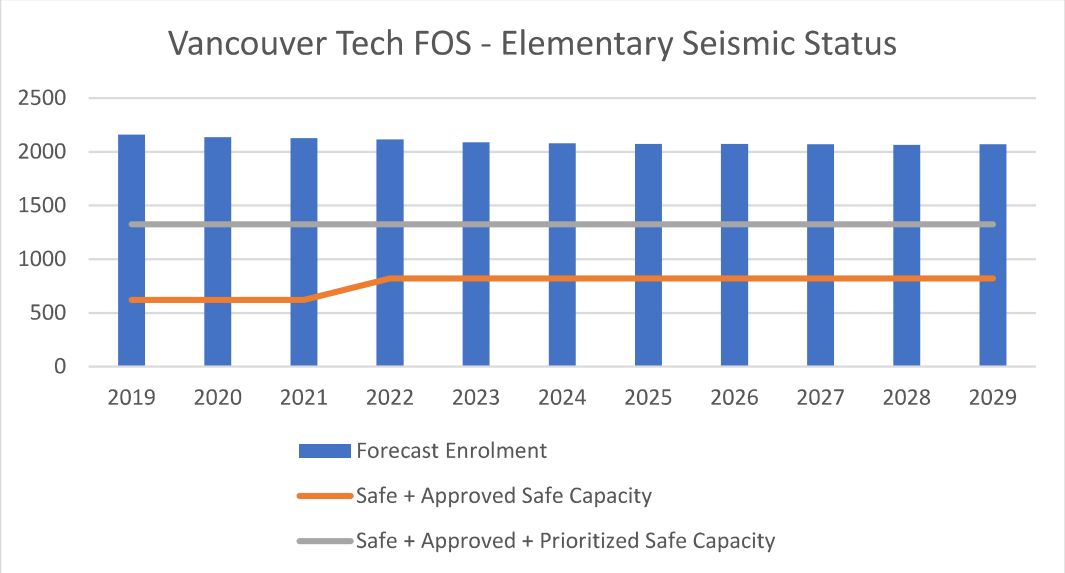
- If both Mount Pleasant and Grandview are seismically upgraded, and retain their current capacity, the Vancouver Technical FOS will have a safe capacity of 1,326 seats
- There will be insufficient seismically safe capacity within the Vancouver Technical FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Vancouver Technical FOS

Scenario 2 Mount Pleasant is advanced in the SMP

- If Mount Pleasant is seismically upgraded, and retains its current capacity, the Vancouver Technical FOS will have a safe capacity of 1,127 seats
- There will be insufficient seismically safe capacity within the Vancouver Technical FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Vancouver Technical FOS

Scenario 3 Mount Pleasant and Grandview are not advanced in the SMP

- In this scenario, there will be no change to the seismically safe capacity in the Vancouver Technical FOS
- There will be insufficient seismically safe capacity at within the Vancouver Technical FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk in the Vancouver Technical FOS



5.12 CATCHMENT BOUNDARY CONSIDERATIONS

5.12.1 OVERVIEW

- Opportunities to make minor catchment boundary adjustments in the Downtown East region to align elementary and secondary boundaries within a single FOS are limited
    - Many elementary feeder school catchment boundaries are aligned with the secondary school within their FOS
    - Where secondary school boundaries do cut across elementary school catchments there are large sections of the elementary catchment on both sides of the secondary catchment boundary
- To balance enrolment with capacity at Nelson and Maquinna, consider adjusting the Maquinna catchment boundary to include the portion of the Nelson catchment south of 1st Avenue once the seismic upgrade of Maquinna is competed.
- To reduce enrolment at Secord consider adjusting the Maquinna catchment boundary to include adjacent portion(s) of the Secord catchment

5.13 SUMMARY

5.13.1 PROGRAMMING CONSIDERATIONS

- No changes are proposed for Secondary district choice programs

5.13.2 SECONDARY STUDENT ACCOMMODATIONS STRATEGY

- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Downtown East continue to have a sustainable grade 8 cohort size.
- No changes to current enrolment procedures are required

5.13.3 ELEMENTARY STUDENT ACCOMMODATIONS STRATEGY

- Continue to manage out of catchment enrolment to ensure effective use of staffing in all families of schools
- Continue to restrict or limit out of catchment enrolment at Nelson, Lord, Begbie, and Hastings/Tillicum
- Investigate options to relocate the Interagency Alternative Programs located on the Lord site to provide additional space for Lord catchment students and any future overflow from Nelson

5.13.4 BALANCING CAPACITY WITH ENROLMENT

- The Downtown East region is characterized by variable utilization rates of school capacity

- There is surplus capacity at Xpey'
- Existing and future surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

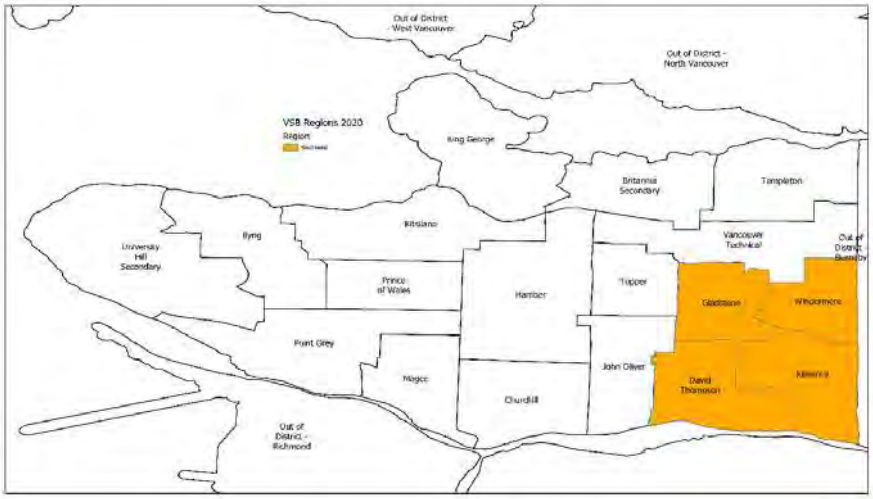
5.13.5 SEISMIC PROGRAM CONSIDERATIONS

- 41% of secondary capacity is seismically safe
- 29% of elementary capacity is seismically safe, 10% has a medium seismic risk rating
- Maquinna is scheduled for occupancy in 2022
- Begbie replacement school is scheduled for occupancy in 2023
- The 2021-22 capital plan submission provides a framework for increasing the seismically safe capacity in the Downtown East region
- Seymour, Grandview, and Mount Pleasant have been prioritized in the 2021-22 capital plan

5.13.6 CATCHMENT BOUNDARY CONSIDERATIONS

- To balance enrolment with capacity at Nelson and Maquinna, consider adjusting the Maquinna catchment boundary to include the portion of the Nelson catchment south of 1st Avenue once the seismic upgrade of Maquinna is competed
- To reduce enrolment at Secord, consider adjusting the Maquinna catchment boundary to include adjacent portion(s) of the Secord catchment

6 Planning Strategies for Southeast Family of Schools Region



6.1 FAMILIES OF SCHOOLS IN SOUTHEAST REGION

The Southeast region has four families of schools

Region	Secondary School/Family	Elementary Schools in FOS
Southeast	David Thompson Family of Schools	Douglas
		Douglas Annex
		Fleming
		Oppenheimer
		Tecumseh
		Tecumseh Annex
	Gladstone Family of Schools	Beaconsfield
		Cunningham
		Selkirk
		Selkirk Annex
		Tyee*
	Killarney Family of Schools	Carleton
		Champlain Heights
		Champlain Heights Ax
		Cook
		Kingsford-Smith
		MacCorkindale
		Waverley
		Weir
	Windermere Family of Schools	Bruce
		Collingwood Ax
		Grenfell
		Norquay
		Renfrew

*Tyee is a District Choice Program School (Montessori)

6.2 SECONDARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE SOUTHEAST REGION

The Southeast Region of the District includes four Mini Schools and a Mandarin Bilingual Program.

School	Mini-school Academic	Language	IB	Other
David Thompson	Mini School			
Gladstone	Mini School			
Killarney	Mini School			
Windermere	Mini School	Mandarin Bilingual		

School/Program Types	LifeSkills	Learning Assistance LifeSkills	Learning Assistance	Learning Support	Other
David Thompson				Yes	Autism Resource Centre Social Development Gold
Gladstone	Yes	Yes		Yes	Pre-employment
Killarney		Yes	Yes	Yes	
Windermere	Yes			Yes	Pre-Employment

- There are no proposed changes to the Secondary Learning Services Programs available in the Southeast Region of the District

6.3 ELEMENTARY DISTRICT PROGRAMMING CONSIDERATIONS IN THE SOUTHEAST REGION

School	Family of Schools	Program
Douglas	David Thompson	EFI
Douglas Annex (K-3)	David Thompson	EFI
Norquay	Windermere	Early Mandarin Bilingual Program
Renfrew	Windermere	Montessori
Selkirk	Gladstone	EFI
*Tyee	Gladstone	Montessori

*District Choice Program School

- The Early Mandarin Bilingual Program at Norquay continues at Windermere Secondary
- Douglas Annex FI continues at Douglas FI
- Tyee is a District Program school

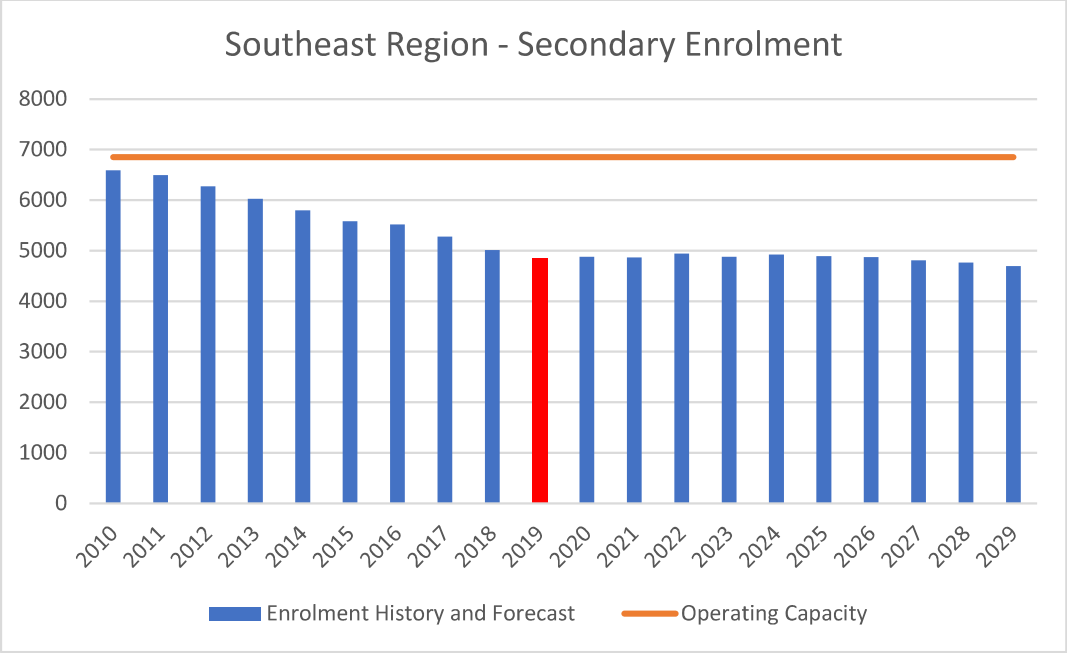
6.4 ELEMENTARY LEARNING SERVICES STUDENT PROGRAMS IN THE SOUTHEAST REGION

School	Family of Schools	Program
Beaconsfield	Gladstone	Excellence in Social Emotional Learning Alderwood Family Development Centre
Collingwood Ax	Windermere	TEIR
Cunningham	Gladstone	Autism Resource
Kingsford-Smith	Killarney	Learning Support
Norquay	Windermere	Learning Support, Social Emotional Learning Centre
Renfrew	Windermere	Excellence in Social Emotional Learning
Tecumseh	David Thompson	MACC-Gifted Education
Waverley	Killarney	Excellence in Social Emotional Learning

6.5 SECONDARY STUDENT ACCOMMODATION CONSIDERATIONS

6.5.1 OVERVIEW

- In 2019, there was surplus capacity in all secondary schools in the Southeast Region
- Catchment students can be accommodated in their secondary catchment school
- Enrolment in the Southeast Region is forecast to be stable with a slight decline
- Killarney and David Thompson are forecast to decline in enrolment by 2029
- Gladstone enrolment is forecast to be stable
- Windermere enrolment is forecast to increase moderately
- Forecasts indicate that all program enrolment will be able to be accommodated for many years



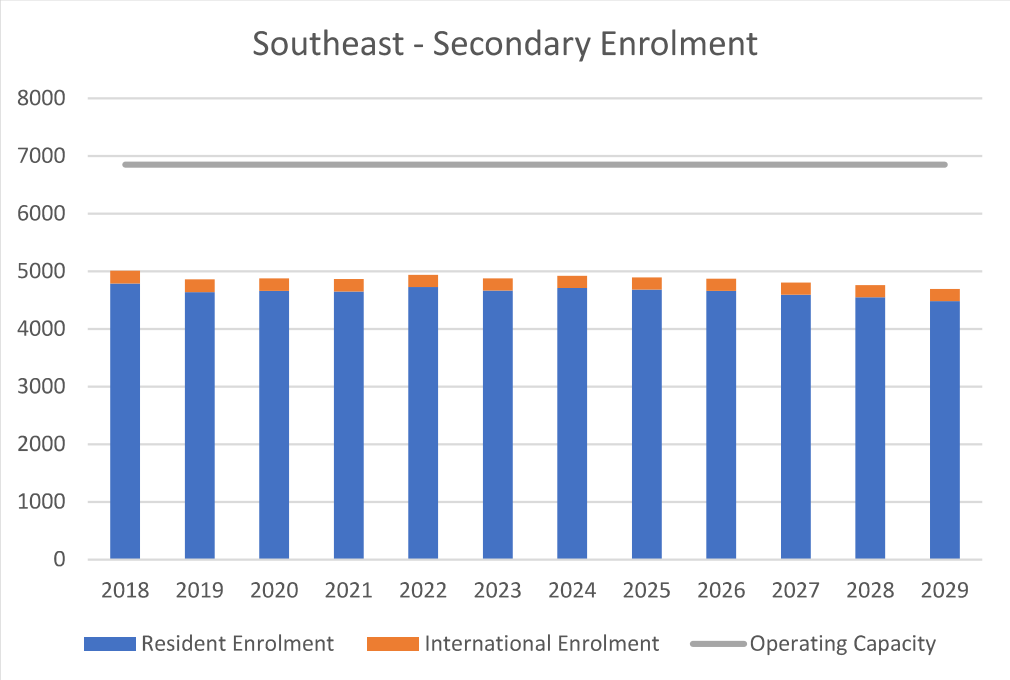
6.5.2 OPERATING CAPACITY AND CAPACITY UTILIZATION

- Resident enrolment includes all in-catchment, out-of-catchment, and out-of-District enrolment in the regular, choice, school specialty, and learning services student programs.
- Total enrolment includes fee paying students in the International Education Program

Region	Total OC	Resident Enrolment	Total Enrolment	CU Resident	CU Total
Southeast	6850	4638	4859	68%	71%

- The total surplus capacity available in the Southeast region is 2,212.
- The forecasted enrolment trend is towards a moderate decline.

Program Category	Enrolment Total	Enrolment %
Regular	3992	82%
District Choice	412	8%
District Learning Services	234	5%
District International	221	5%
Total	4859	100%



6.6 SECONDARY STUDENT ACCOMMODATION STRATEGY

- For many years, the Southeast Region of the District has had sufficient space to accommodate all secondary catchment students that wish to attend their catchment school.

- For the past several years, the District has managed out of catchment enrolment in the regular program at all secondary schools to ensure that all 18 secondary schools have a sustainable and predictable grade 8 cohort size.
- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in Southeast Region continue to have sustainable grade 8 cohort size.
- Additional out of catchment enrolment management considerations are applied to secondary schools that are supported under the seismic mitigation program. In the Southeast Region, David Thompson and Killarney are supported under the SMP and have additional enrolment management considerations.
- Enrolment forecasts indicate that there will be sufficient capacity to accommodate all catchment students in the regular program at their catchment school in the Region for many years.
- There is sufficient capacity in the Region to accommodate all current program needs. Enrolment forecasts indicate that there will be sufficient capacity to accommodate all programs currently available in the Region for many years.
- No changes to current enrolment procedures are required.

6.7 ELEMENTARY STUDENT ACCOMMODATION CONSIDERATIONS

- In 2019, enrolment and capacity in the Southeast Region Families of Schools was stable or declining.
- With the exception of Fleming, catchment students can be accommodated in their catchment school in all elementary schools in the Southeast Region.
- Regular program enrolment in this region is declining.
- In 2019 Fleming had a Kindergarten waitlist.
- Champlain Heights and MacCorkindale are a joint temporary swing site for elementary schools undergoing seismic mitigation projects. They are currently serving as the joint swing site for Weir during their seismic project.
- The main school and annexes in the region (Bruce and Collingwood Neighborhood School, Champlain Heights and Champlain Heights Annex, Douglas and Douglas Annex, Selkirk and Selkirk Annex, and Tecumseh and Tecumseh Annex) are organized to ensure efficient use of staff.
- Tyee is a single-track District Choice Program (Montessori) school. Its student population is projected to remain stable.
- A site in the East Fraserlands, which is suitable for a new elementary school, is available to accommodate future growth in student enrolment.

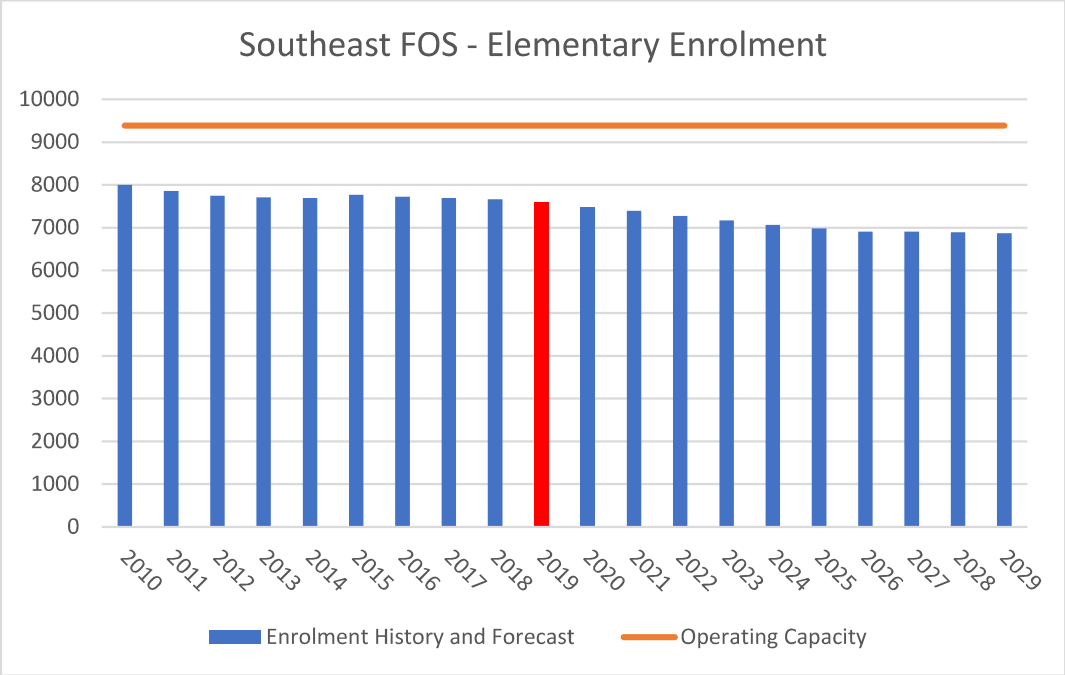
Family of Schools	Total OC	2019 Enrolment	2029 Enrolment	2019 CU	2029 CU	*Enrolment Trend
David Thompson	2022	1978	1755	98%	87%	Declining
Gladstone	1771	1520	1269	86%	72%	Declining
Killarney	3249	2187	2139	67%	66%	Stable
Windermere	2345	1909	1703	81%	73%	Declining
Total	**9387**	**7594**	**6866**	**81%**	**73%**	**Declining**

*If the change in capacity utilization is less than or equal to 5% then the enrolment trend is stable. If capacity utilization is forecast to increase by more than 5%, the enrolment trend is increasing. If capacity utilization is forecast to decrease by more than 5%, the enrolment trend is decreasing.

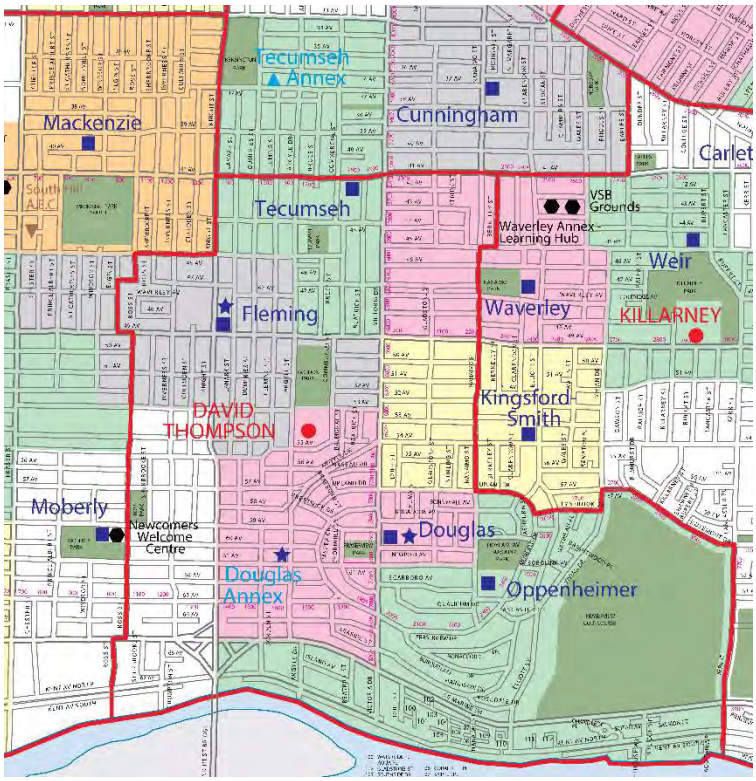
6.8 ELEMENTARY STUDENT ACCOMMODATION STRATEGY

6.8.1 OVERVIEW

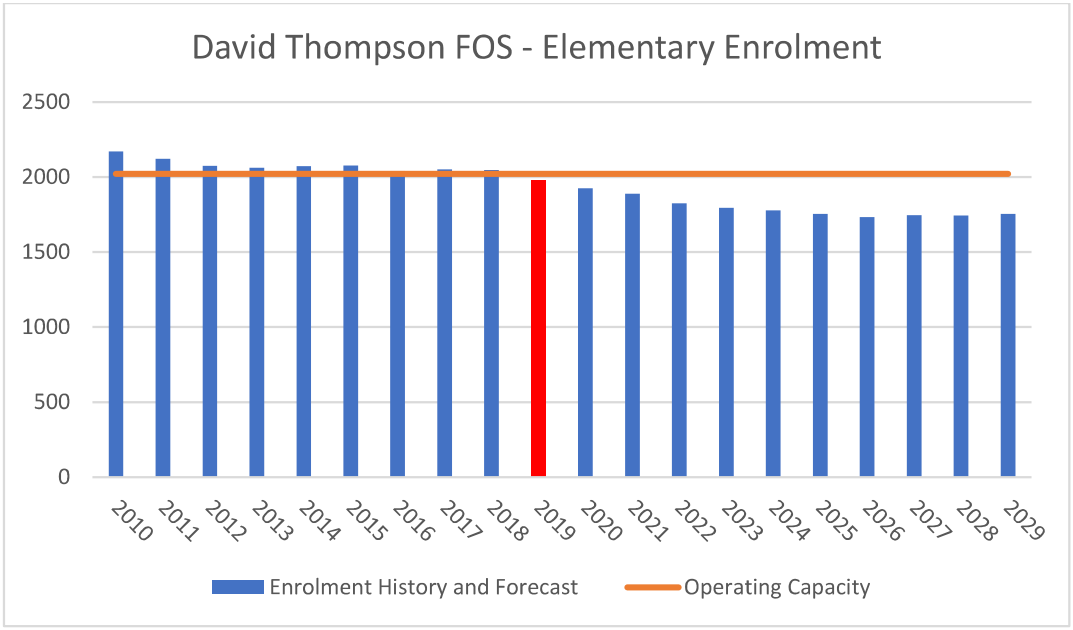
- In 2019, there was surplus capacity in elementary schools in the Southeast Region.
- Forecasts indicate that there will continue to be surplus capacity as enrolment in the regular program in the Region is projected to be declining in the coming years.



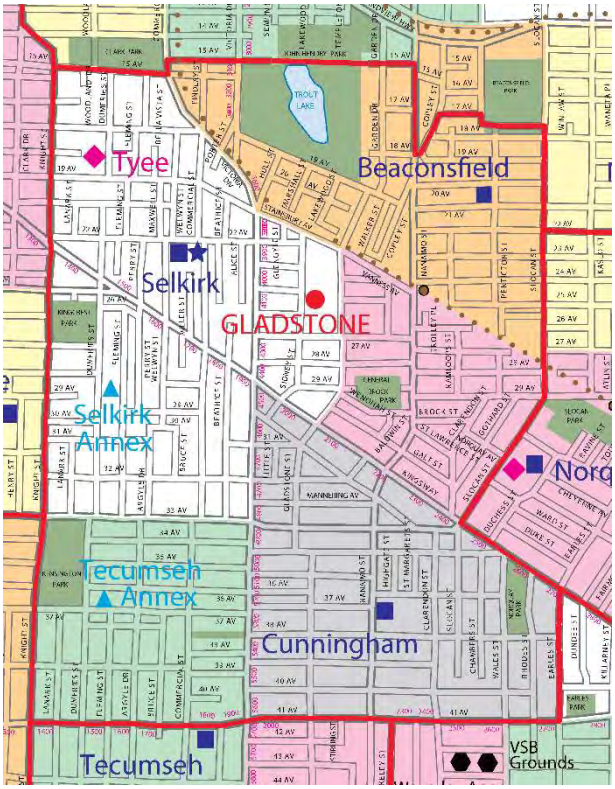
6.8.2 DAVID THOMPSON FOS



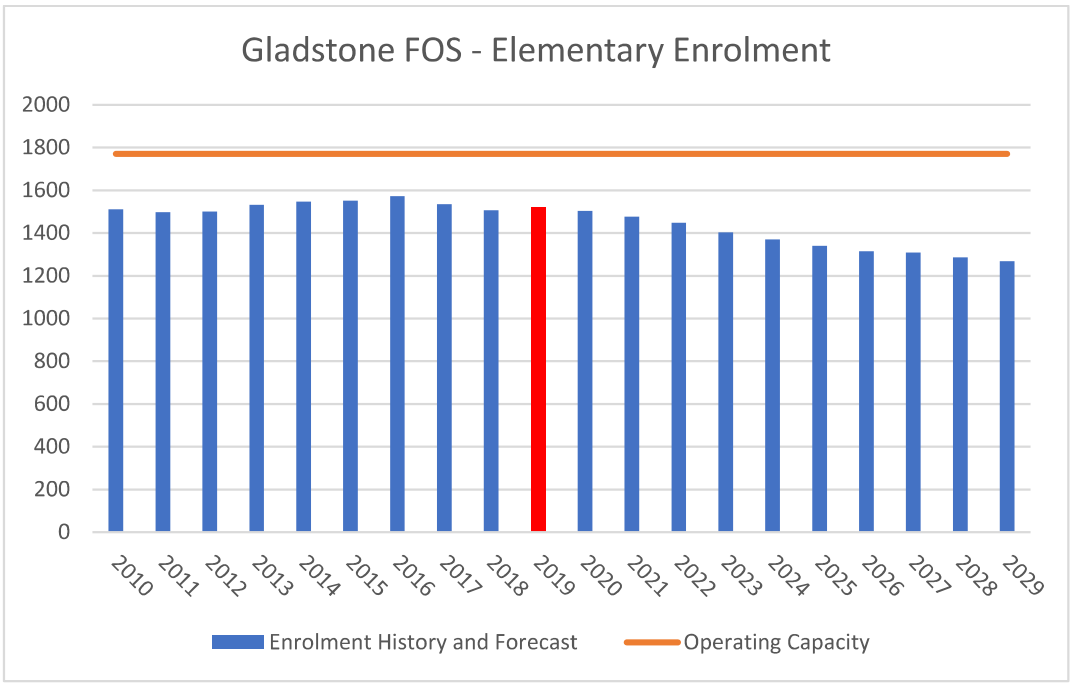
- Elementary schools in this FOS are generally forecast to be declining in enrolment.
- Fleming is the recent exception as they have had a Kindergarten waitlist this school year. In response to the Kindergarten waitlist to Fleming, out of catchment enrolment is restricted.
- Continue to manage cross boundary enrolment to ensure effective use of staffing



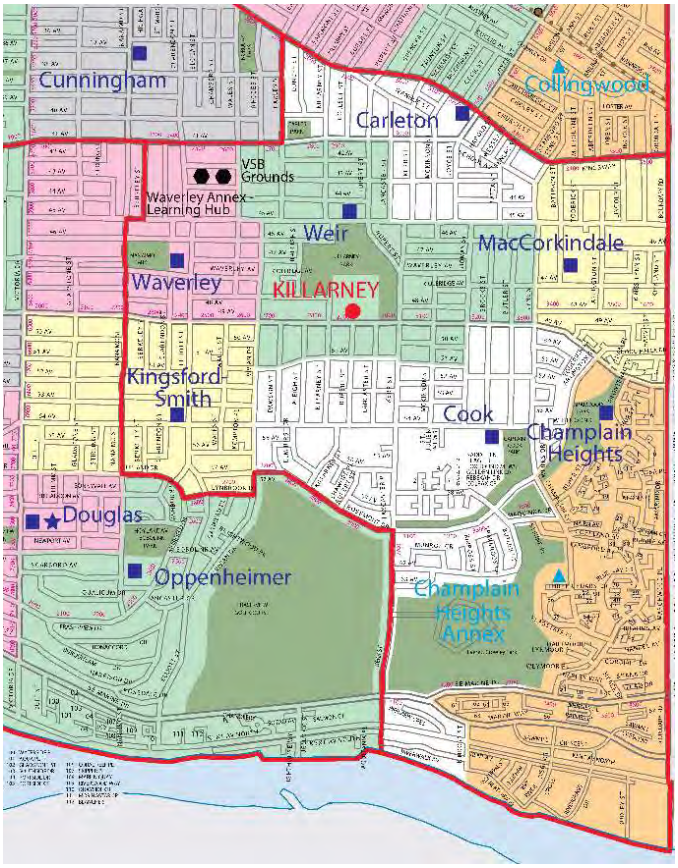
6.8.3 GLADSTONE FOS



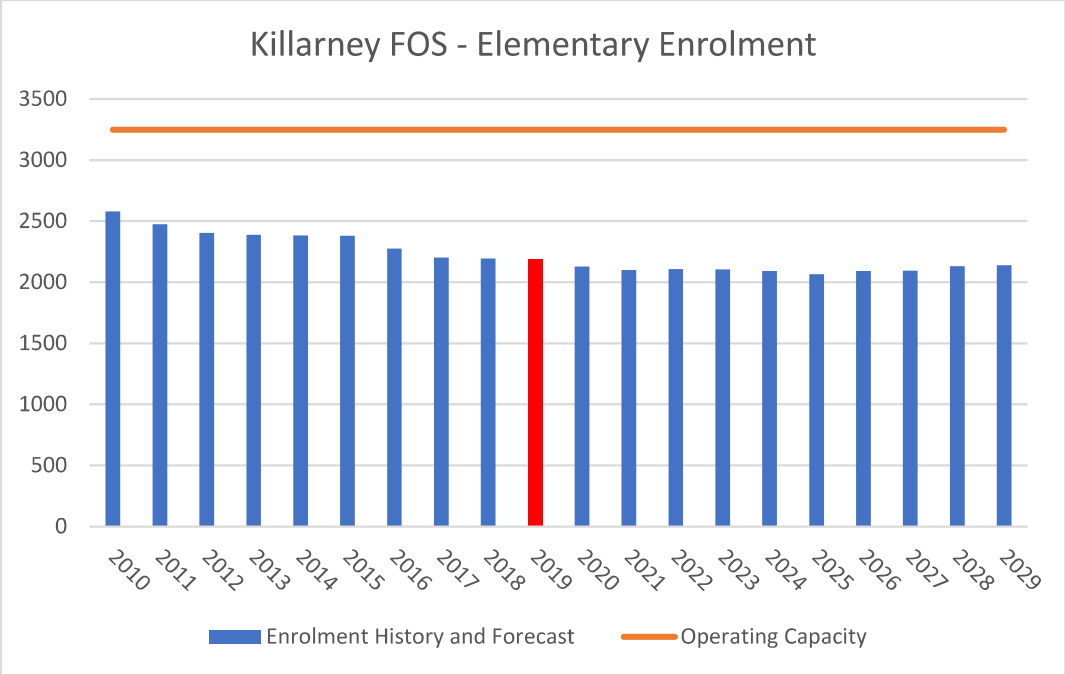
- Elementary schools in this FOS are generally forecast to be declining in enrolment.
- Tyee is a District Choice Program (Montessori) school and enrolment is managed through the District Choice Program administrative procedures. Enrolment at Tyee is forecast to be stable.
- Continue to manage cross boundary enrolment to ensure effective use of staffing



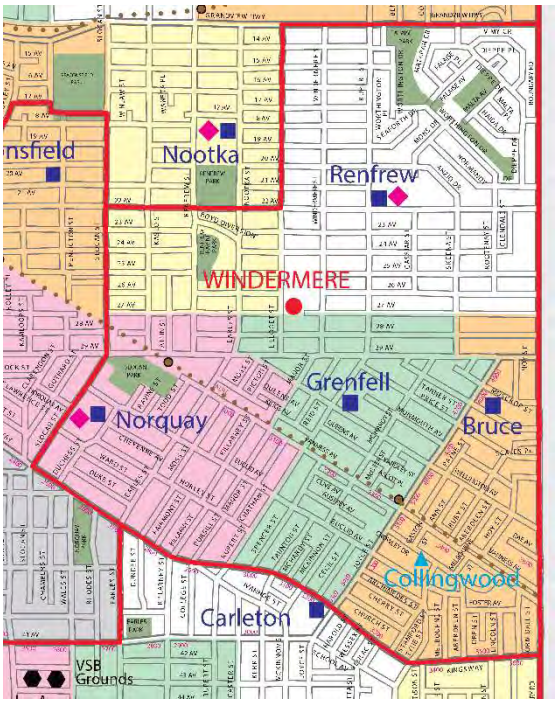
6.8.4 KILLARNEY FOS



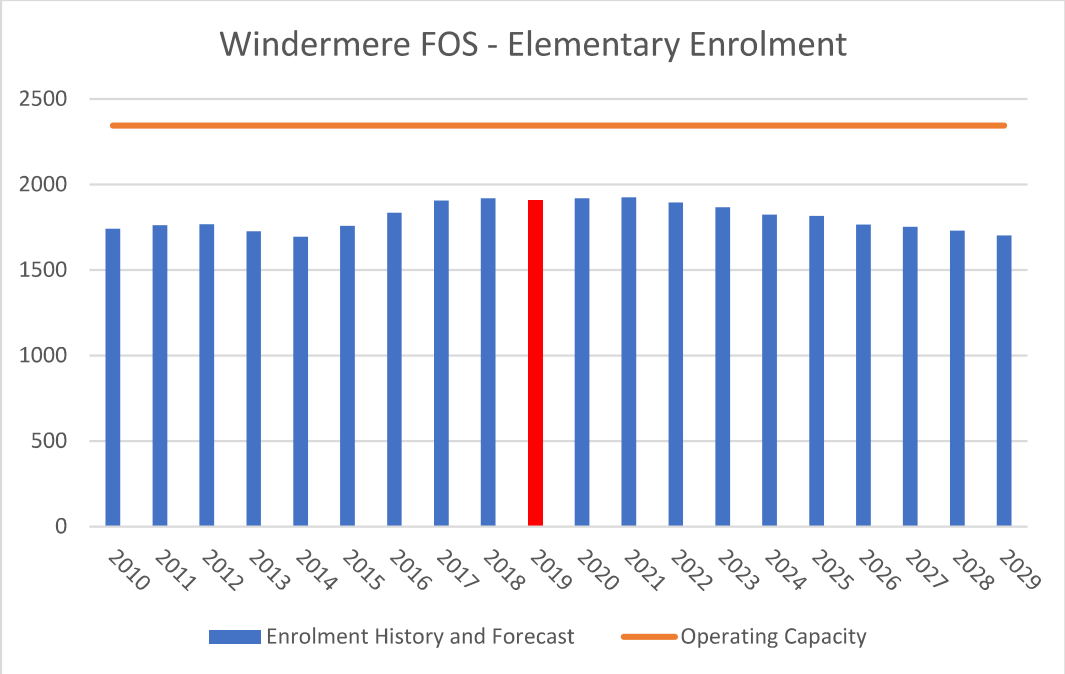
- Elementary schools in the Killarney FOS are generally forecast to be stable in enrolment in the coming years.
- Champlain Heights and MacCorkindale schools are a joint temporary swing site for schools going through a seismic mitigation project. Both schools and Killarney secondary are serving as the joint swing site for Weir school during their seismic project.
- Carleton school site is currently not in use due to damage to the school site. Carleton students have primarily been attending at Cunningham school site since September 2016.
- Continue to manage cross boundary enrolment to ensure effective use of staffing



6.8.5 WINDERMERE FOS



- Elementary schools in the Windermere FOS are generally forecast to be declining in enrolment.
- Continue to manage cross boundary enrolment to ensure effective use of staffing



6.9 BALANCING CAPACITY WITH ENROLMENT ELEMENTARY FOS

6.9.1 OVERVIEW

- In 2019, enrolment and capacity were balanced at the elementary schools in the four families of schools in the Southeast Region.
- By 2029, enrolment forecasts indicate that there will be over 2,500 surplus spaces due to declining enrolment in the regular program in the Region.
- Surplus capacity could be addressed by using one or a combination of the strategies set out in sections 5.8 to 5.10 - Optimizing Utilization of School Assets - found in the **District Overview** Section of this report.

6.9.2 DAVID THOMPSON FOS

- In 2019, enrolment was balanced and there was minimal surplus capacity at the elementary schools in the David Thompson FOS.
- Overall enrolment in the elementary schools in the David Thompson FOS is forecast to decline by 223 students by 2029.
- Enrolment at Tecumseh, Tecumseh Annex, and Fleming is forecast to be declining
- Enrolment at Oppenheimer, Douglas, and Douglas Annex is forecast to be stable. Douglas Annex is a District Choice Program (French Immersion) Annex and enrolment is managed by the District Program administrative procedures.
- In 2029, the surplus capacity in the David Thompson FOS is forecast to be 266 spaces.

6.9.3 GLADSTONE FOS

- In 2019, there were 250 surplus spaces at the elementary schools in the Gladstone FOS.
- Overall enrolment in the elementary schools in the Gladstone FOS is forecast to decline by 255 students by 2029.
- Enrolment at Cunningham, Selkirk, Beaconsfield, and Selkirk Annex is forecast to decline
- Tyee is a District Choice Program (Montessori) school and enrolment is managed by the District Choice Program administrative procedures. Enrolment at Tyee is forecast to remain stable.
- In 2029, the surplus capacity in the Gladstone FOS is forecast to be 505 spaces.

6.9.4 KILLARNEY FOS

- In 2019, there were 1063 surplus spaces at the elementary schools in the Killarney FOS.
- Overall enrolment in the elementary schools in the Killarney FOS is forecast to remain stable
- Enrolment at MacCorkindale and Weir is forecast to decline
- Enrolment at Kingsford-Smith, Champlain Heights, Champlain Heights Annex, Carleton, and Waverley is forecast to be stable
- Cook is forecast to be increasing
- In 2029, the surplus capacity in the Killarney FOS is forecast to remain stable and to be at 1,111 surplus spaces.

6.9.5 WINDERMERE FOS

- In 2019, there were 436 surplus spaces at the elementary schools is in the Windermere FOS.
- Overall enrolment in the elementary schools in the Windermere FOS is forecast to decline by 206 students by 2029.
- Enrolment at Grenfell is forecast to decline
- Enrollment at Bruce, Norquay, Collingwood Annex, and Renfrew are forecast to be stable
- In 2029, the forecast surplus capacity in the Windermere FOS will be 642 spaces

6.10 SECONDARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

6.10.1 OVERVIEW

- There are no seismically safe secondary schools in the Southeast Region.
- 0% of operating capacity is seismically safe.
- At present, David Thompson and Killarney Secondary schools are supported by the Ministry of Education for study within the Seismic Mitigation Project, but there has not been an approved project for either school.
- Gladstone, Killarney, and David Thompson are rated as Very Poor based on their FCI.
- Windermere is rated as Poor based on their FCI.
- Due to their complexity and their large capital requirements, a secondary school seismic project can take 7 to 9 years to move from being supported and in a feasibility study phase to occupancy of seismically upgraded building.

- A secondary school seismic project will study three different seismic upgrade options: a replacement building, a partial replacement building, and a seismic upgrade.

6.10.2 FACILITIES AND SEISMIC UPGRADE CONSIDERATIONS

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status
GLADSTONE	Very Poor	H1	Unsupported
KILLARNEY	Poor	H1	Supported
THOMPSON	Very Poor	H1	Supported
WINDERMERE	Very Poor	H1	Unsupported

School Name	OC	2019 Total Enrolment	Resident	IE	2029 Total Enrolment
GLADSTONE	1600	970	919	51	1000
KILLARNEY	2200	1614	1489	125	1470
THOMPSON	1550	1309	1286	23	1098
WINDERMERE	1500	966	944	22	1127
Total	**6850**	**4859**	**4638**	**221**	**4695**

- There are no seismically safe secondary schools in the Southeast Region of the District.
- In 2019, there were 4859 secondary students in the Southeast Region. The 2029 forecast indicates a total of about 4,700 secondary students in the region in 2029 assuming current enrolment procedures and programming options remain unchanged.
- There are no seismically safe secondary schools in this Region. David Thompson and Killarney are both supported projects within the Seismic Mitigation Program and are in 'Year 0' of the 2020-2021 five-year capital plan submitted by the District.

Future Scenarios

Scenario 1 – David Thompson, Killarney, and Windermere are advanced in the SMP

- If David Thompson, Killarney, and Windermere are advanced in the SMP, there would be 5250 seismically upgraded seats in the Southeast Region
- 3695 students (79%) of the secondary students forecast to enrol in the Region would attend a school that is seismically upgraded
- In this scenario, the Southeast Region will have a surplus of 1555 seismically upgraded spaces and there will be sufficient seismically upgraded spaces for all students that are forecast to enrol in the Region.
- However, 1000 students (21%) of students in the Gladstone catchment will not have access to a seismically upgraded school for many years

Scenario 2 – Land exchange Option (David Thompson and Killarney are advanced)

- In this scenario, David Thompson and Killarney are approved and there would be 3750 seismically upgraded seats within the Southeast Region.

- David Thompson: The District has engaged the Vancouver Park Board in an agreement for a land exchange involving Gordon Park that is located next to David Thompson. The District and the Vancouver Park Board have conditionally approved this land exchange to facilitate the building of a new replacement David Thompson school. Final approval of the land exchange would be subject to the Ministry of Education funding a new replacement school. If David Thompson is approved for a new replacement school, the school would not require a temporary swing site for the seismic upgrade project and would have a replacement school.

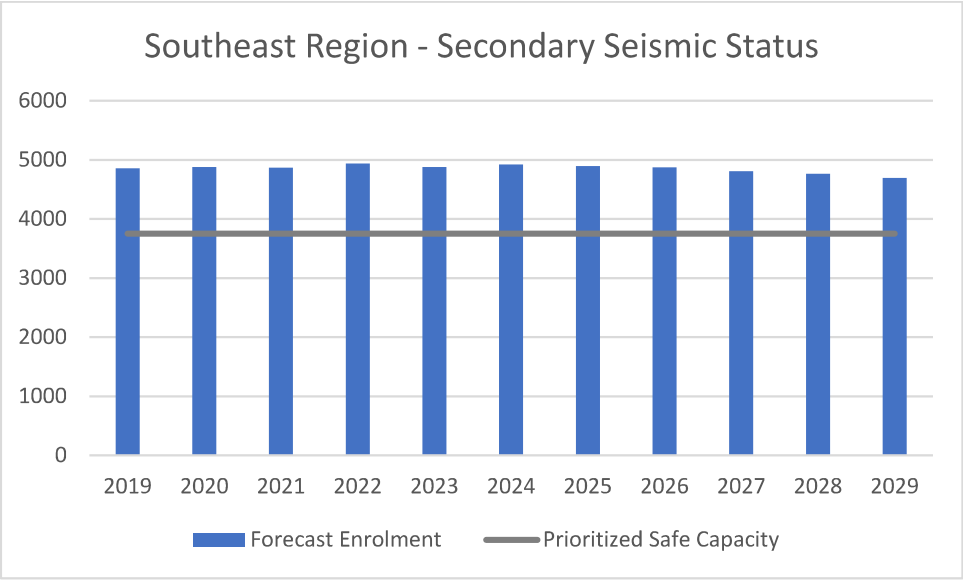
- In this scenario, 2568 students (55%) of the secondary students forecast to enrol in the Region will be attending a school that is seismically upgraded
- There would be 2127 (45%) secondary students attending Gladstone and Windermere that will not have access to a seismically upgraded school for many years.
- In this scenario, the Southeast Region will have insufficient seismically upgraded spaces in secondary schools to accommodate the forecast student enrolment in the Region.

Scenario 3 – David Thompson and Killarney are advanced in the SMP

- If David Thompson and Killarney are approved, there would be 3750 seismically upgraded seats within the Southeast region.
- In this scenario, 2568 students (55%) of the secondary students forecast to enrol in the Region will be attending a school that is seismically upgraded
- There would be 2127 (45%) secondary students attending Gladstone and Windermere that will not have access to a seismically upgraded school for many years.
- In this scenario, the Southeast Region will have insufficient seismically upgraded spaces in secondary schools to accommodate the forecast student enrolment in the Region.

Scenario 4 – Status Quo

- In this scenario, no schools are advanced and the capacity of seismically safe seats for secondary students in the Southeast Region remains at 0%.



6.11 ELEMENTARY FACILITIES CONDITION AND SEISMIC UPGRADE CONSIDERATIONS

6.11.1 OVERVIEW

- 30% of operating capacity is seismically safe.
- 12.5% of operating capacity is rated as medium risk.
- 57.4% of operating capacity is rated as high risk.
- Grenfell is a supported project in the SMP.
- Weir and Selkirk (Building B) are approved projects in the SMP and in the construction phase of their project.
- Renfrew has been prioritized in year 1 of the capital plan.
- Waverley has been prioritized in year 2 of the capital plan.
- Champlain Heights, Beaconsfield, and MacCorkindale have been prioritized in year 4 of the capital plan.

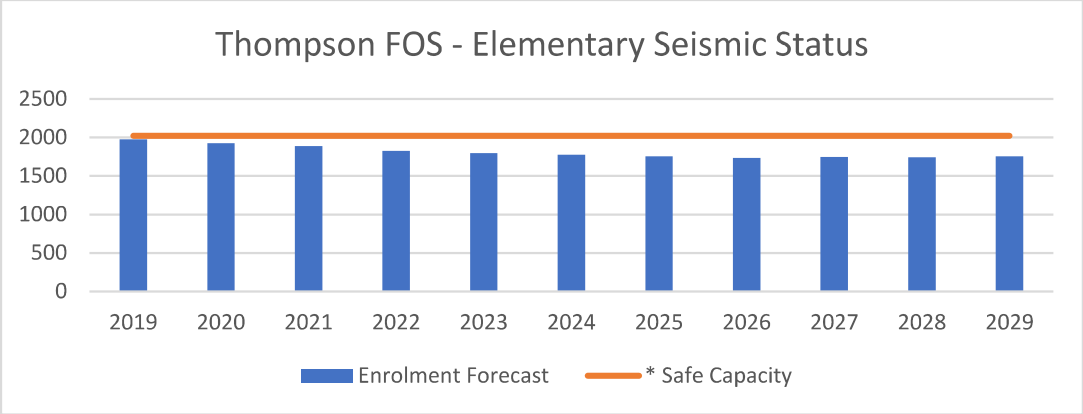
6.11.2 DAVID THOMPSON FOS

- 54% of operating capacity is seismically upgraded.
- 46% of operating capacity is rated as medium risk.
- Tecumseh school was seismically upgraded in 1997 and is rated as medium risk.
- The replacement Douglas school has been in operation for 7 years.
- The replacement Fleming school was completed in 2020 and is now in operation.

Future Scenario: Status Quo

- There is sufficient seismically safe capacity and capacity rated at Medium risk in the David Thompson FOS to accommodate current and future forecast enrolment. Enrolment forecasts indicate that surplus seismically upgraded capacity in the David Thompson FOS may be available in future years to accommodate students from nearby schools in other FOS that are not yet seismically upgraded.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Oppenheimer	Poor	M		376	376	374
Tecumseh	Very Poor	M	Completed	466	435	312
Douglas	Excellent	Completed	Completed	507	487	473
Tecumseh Annex	Poor	M		98	61	53
Fleming	Excellent	Completed	Completed	398	435	361
Douglas Annex	Very Poor	Completed	Completed	176	184	182
Total				**2022**	**1978**	**1755**



6.11.3 KILLARNEY FOS

- 25% of operating capacity is seismically safe
- 3% of operating capacity is rated as Medium risk
- 72% of operating capacity is rated as high risk
- Weir is an approved seismic project, and their partial replacement school project is in the construction phase. Enrolment at Weir is forecast to decline by 2029.
- Waverley has been prioritized in year 2 of the capital plan
- Champlain Heights and MacCorkindale schools are prioritized in year 4 of the 2021-22 five-year capital plan submission to the Ministry. Enrolment at Champlain Heights is forecast to remain stable until 2029 while enrolment at MacCorkindale is forecast to decline by 2029.
- Carleton is rated as high risk and the site is not in operation due to damage sustained from a fire in 2016.
- While Carleton remains on the Ministry's listing of future priorities the District has been unable to develop a feasible business case that could be advanced to the Vancouver project Office for consideration
- There is insufficient seismically safe capacity and capacity rated at Medium risk in the Killarney FOS to accommodate current and future forecast enrollment. Enrolment forecasts indicate that even after the completion of the Weir partial replacement school, there will still be a need for additional seismically safe capacity in the Killarney FOS.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Kingsford-Smith	Very Poor	Completed	Completed	376	256	230
MacCorkindale	Very Poor	H2	Unsupported	444	263	208
Champlain Heights	Poor	H3	Unsupported	448	278	270
Champlain Heights Annex	Very Poor	M		98	78	70
Carleton	Poor	H1	Unsupported	557	114	136
Waverley	Very Poor	H1	Unsupported	462	414	384
Cook	Poor	Completed	Completed	444	378	508
Weir	Very Poor	H1	Design/Construction	421	406	333
Total				**3250**	**2187**	**2139**

Future Scenarios

Scenario 1: Waverley, Champlain Heights, and MacCorkindale are advanced in the SMP

- If Waverley, Champlain Heights, and MacCorkindale are seismically upgraded, the Killarney FOS would have a safe capacity of 2595 spaces
- There would be 2693 spaces that are seismically upgraded or rated at Medium risk
- There would be sufficient seismically upgraded capacity within the Killarney FOS to accommodate all students forecast for the Killarney FOS.

Scenario 2: Waverley and Champlain Heights are advanced in the SMP

- Champlain Heights is in a geographically unique location and its catchment includes the East Fraserlands so it is advanced ahead of MacCorkindale in year 4 of the five-year capital plan
- Waverley and Champlain Heights are seismically upgraded
- In this scenario, 2151 spaces in the Killarney FOS will be seismically upgraded.
- There would be 2249 total spaces that are seismically upgraded or rated at medium risk
- There would be sufficient seismically upgraded capacity within the Killarney FOS to accommodate all students forecast to enrol in the Killarney FOS.

Scenario 3: Waverley is advanced in the SMP

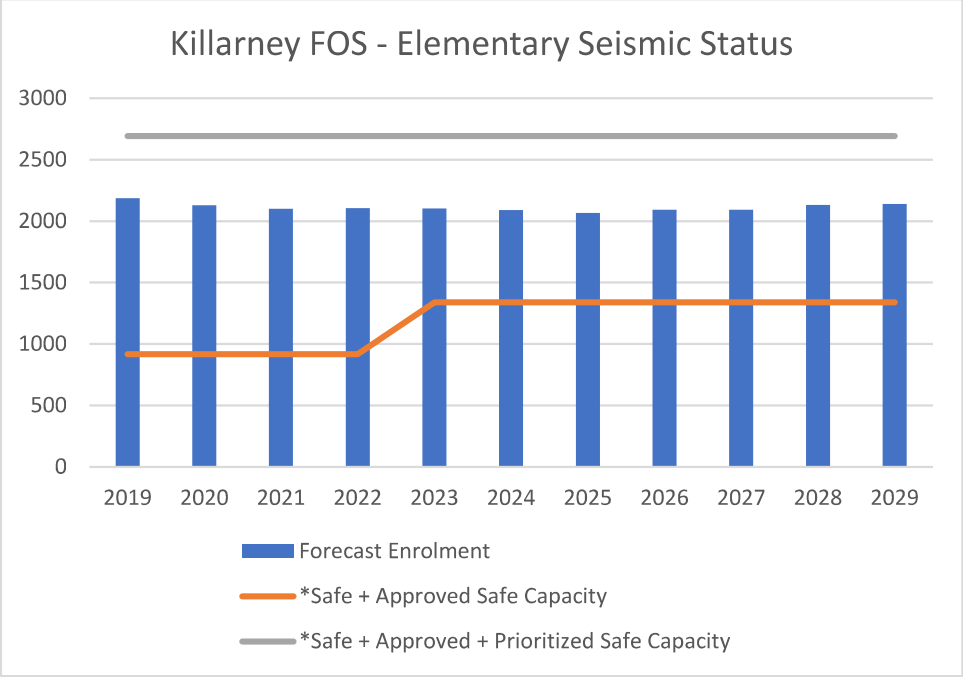
- If the Ministry considers schools for approval up to Year 2 on the schools prioritized in the District five-year capital plan, Waverley would be seismically upgraded
- In this scenario, 1703 spaces in the Killarney FOS will be seismically upgraded
- There would be 1801 total spaces that are seismically upgraded or rated at Medium risk
- There would be insufficient seismically upgraded capacity to accommodate all elementary students forecast to enrol in the Killarney FOS

Scenario 4: Waverley, Champlain Heights, and MacCorkindale

- Are advanced in the SMP and Carleton is consolidated, with Carleton school site utilized for District Alternate Programs
- Carleton school was damaged by fire in August 2016 and since that time, the school site has not been able to accommodate Carleton students. At the time of the incident, the enrolment at Carleton was 308 students.
- In response to the fire, the District offered Carleton families enrolment options that included the option to attend neighboring Cunningham school as a part of Carleton at Cunningham or attend other nearby schools. Although Cunningham school had sufficient capacity to accommodate all Carleton students, many families opted to enroll their children at other nearby schools. Since September 2016, Carleton has operated at Cunningham.
- In 2019, 210 students from the Carleton catchment attended a school in the District, and 82 of the students attended Carleton at Cunningham.
- The population of children and enrolment into schools in the District from the Carleton catchment is forecast to decrease further.
- Fire damage at Carleton has not been repaired. at this time as VSB has not made a decision on the future use (business case) and due to the high seismic risk of the school. Because the cost to

mitigate the fire damage is over $500,000, the cost of this mitigation would need to be funded from the Ministry of Education capital plan.

- In 2019, the Vancouver Project Office Steering Committee determined there was not a feasible business case for the seismic upgrading of Carleton that could be advanced to the Ministry for consideration.
- Because of that, the District should focus on finding an alternate use and a business case that can be supported for Carleton at which time it would be considered for closure as an enrolling school through the process outlined in Board Policy 14
- As outlined in Policy 14, determining alternate use for closed facilities is a Board responsibility, the Superintendent will provide a recommendation regarding alternate use to the Board for consideration
- In alignment with recommendation 2 from the Draft 2019 LRFP, one alternate use option that the District could consider investigating is co-location of some District alternate and alternative programs at the Carleton site
- In this scenario, a catchment boundary review within the Killarney FOS would be a part of the scope of work in the study for changes to Carleton school
- In this scenario, Waverley, Champlain Heights, and MacCorkindale will be seismically upgraded and 100% of elementary capacity Killarney FOS (2694 spaces) are seismically upgraded or rated at medium risk
- There would be sufficient elementary capacity within the Killarney FOS to accommodate all students forecast to enrol in the Killarney FOS



6.11.4 GLADSTONE FOS

- 7% of operating capacity in the Gladstone FOS is rated as medium risk
- 93% of operating capacity in the Gladstone FOS is rated as high risk

- Note: Part of Selkirk has been seismically upgraded but this is not reflected as the school site is still undergoing a seismic upgrading
- Selkirk Building B is an approved seismic project. The seismic upgrade of Building B is in the construction phase. The other school buildings at Selkirk school have been seismically upgraded in 1998.
- Beaconsfield school is prioritized in year 4 of the 2021-22 five-year capital plan submission to the Ministry. Enrolment at Beaconsfield is forecast to decline by 2029.
- There is insufficient seismically safe capacity and capacity rated at medium risk in the Gladstone FOS to accommodate current enrolment, and enrolment forecasts indicate that future enrolment will also not be accommodated.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Cunningham	Poor	H1	Unsupported	598	354	274
Selkirk	Poor	H3	Design/Construction	638	647	545
Beaconsfield	Poor	H1	Unsupported	285	245	207
Selkirk Ax	Very Poor	H3	Unsupported	118	84	53
Tyee	Poor	M		131	190	190
Total				**1771**	**1520**	**1269**

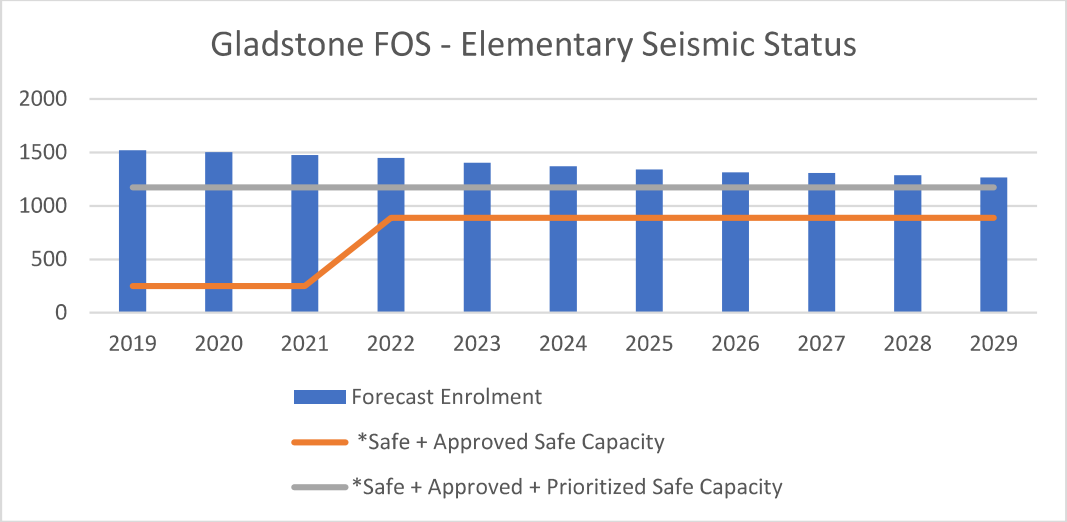
Future Scenarios

Scenario 1: Beaconsfield is advanced in the SMP

- If Beaconsfield is advanced in the SMP and is seismically upgraded, there would be 1172 seismically upgraded spaces or capacity rated at medium risk in the Gladstone FOS
- Although the enrolment in the Gladstone FOS is forecast to decline, there will continue to be a deficit of seismically upgraded spaces.

Scenario 2: Beaconsfield does not advance in the SMP

- If Beaconsfield does not advance in the SMP, there would be 887 seismically upgraded spaces or spaces rated at medium risk in the Gladstone FOS
- Although the enrolment in the Gladstone FOS is forecast to decline, there will continue to be a deficit of seismically upgraded spaces.



6.11.5 WINDERMERE FOS

- 39.6% of the operating capacity in the Windermere FOS is rated as safe
- 60.4% of the operating is rated as high risk
- Grenfell is a supported project in the SMP. Enrolment at Grenfell is forecast to decline significantly by 2029.
- Renfrew is prioritized in year 1 of the 2021-22 five-year capital plan submission to the Ministry. Enrolment at Renfrew is forecast to remain stable until 2029.
- The enrolment forecast for the Windermere FOS is projected to be generally declining until 2029.

School Name	Building Condition Rating	Seismic Risk Rating	SMP Status	OC	2019 Total Enrolment	2029 Total Forecast Enrolment
Grenfell	Poor	H1	Supported	489	410	245
Bruce	Very Poor	H1	Unsupported	308	246	237
Norquay	Poor	Completed	Completed	752	638	594
Collingwood Annex	Fair	Completed	Completed	176	132	141
Renfrew	Poor	H1	Unsupported	620	483	486
Total				**2345**	**1909**	**1703**

Future Scenario

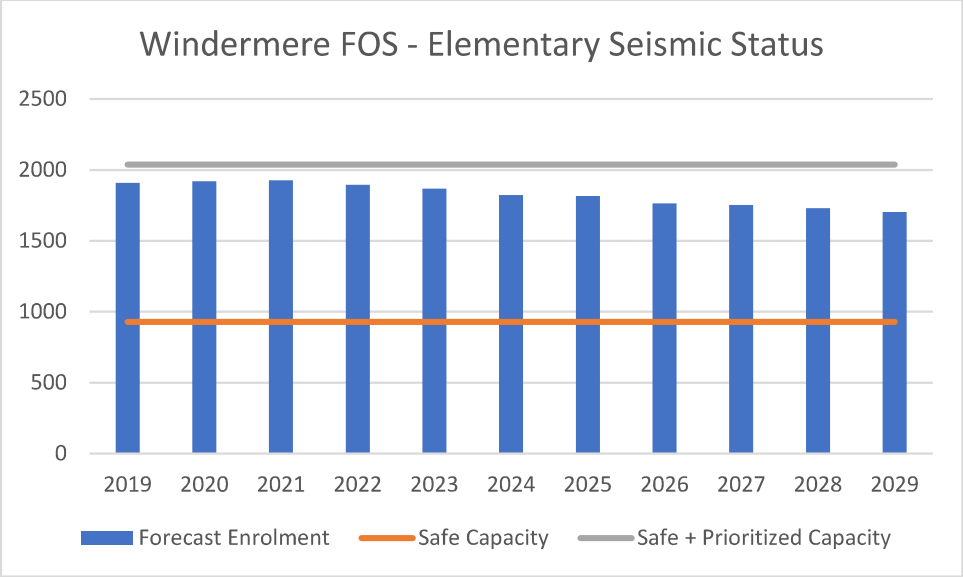
Scenario 1: Grenfell is advanced in the SMP

- If Grenfell is approved, there would be 1417 seismically upgraded spaces within the Windermere FOS
- The Windermere FOS would have a deficit of 286 seismically safe or medium risk spaces

- There will continue to be insufficient seismically safe capacity within the Windermere FOS or at nearby schools in other FOS to accommodate students from schools that are at high seismic risk within the Windermere FOS

Scenario 2: Grenfell and Renfrew are advanced in the SMP

- If Grenfell and Renfrew are advanced in the SMP, there would be 2036 seismically upgraded seats within the Windermere FOS
- There would be sufficient seismically safe capacity to accommodate all students forecast to enroll in the Windermere FOS
- If Grenfell and Renfrew seismic upgrade projects are completed and there is enough operating capacity for the forecast number of students in the Windermere FOS, there will be a very weak business case for the Ministry to support a seismic project at Bruce.



6.12 CATCHMENT BOUNDARY CONSIDERATIONS

6.12.1 OVERVIEW

- The Southeast Region of the District has sufficient operating capacity for all current and forecasted students to attend their catchment school.
- There are opportunities to make catchment boundary adjustments in the Southeast region to align elementary and secondary boundaries with a single FOS.
- Aligning secondary school catchment boundaries with elementary school catchment boundaries would provide access for an entire elementary grade 7 cohort to attend the regular program at the same catchment secondary school.

6.12.2 CATCHMENT BOUNDARY CONSIDERATIONS

- Within the David Thompson FOS, Fleming, Kingsford-Smith, Moberly, Waverley, and Tecumseh catchments are bisected between secondary school catchments. Apart from Waverley, all schools in this FOS are seismically upgraded. This catchment situation may warrant future study to align

elementary and secondary catchment boundaries and allow whole grade 7 cohorts the opportunity to attend the regular program at the same secondary school.

- Norquay is bisected between the Gladstone and Windermere catchments.
- A small portion of the Beaconsfield catchment is a part of the Vancouver Technical School catchment while most of the catchment is within the Gladstone secondary catchment.
- A small portion of the Nootka catchment is a part of the Windermere catchment while most of the catchment is a part of the Vancouver Technical secondary school catchment.
- If the scenario described in 6.11.4 in relation to Carleton school is further studied, adjustments to school boundaries would be one of the considerations to be included in the scope of work for the study.
- At present, Carleton school catchment students are attending Carleton at Cunningham and neighboring schools due to the fire damage at Carleton school site.

6.13 SUMMARY

6.13.1 PROGRAMMING CONSIDERATIONS

- There are no changes proposed for Secondary District Choice Programs in the Southeast Region.
- The EFI program at Selkirk currently has an intake of one Kindergarten cohort and is not in alignment with the recommendations in the French Immersion program review and recommendation 2 from the 2019 draft LRFP. The enrolment at Selkirk is forecast to decline by 2029 and the District could consider studying options to achieve the goal of having a minimum intake of two Kindergarten cohorts at all EFI programs while maintaining overall enrolment in the program and providing sufficient capacity for in-catchment regular program.

6.13.2 SECONDARY STUDENT ACCOMMODATIONS STRATEGY

- Ongoing management of out of catchment grade 8 enrolment will continue to be required in the future to ensure secondary schools in the Southeast Region continue to have sustainable grade 8 cohort sizes.
- David Thompson and Killarney schools are supported projects in the SMP and will continue to have additional out of catchment enrolment management measures applied to grade 8 enrolment.
- No changes to current enrolment procedures are required.

6.13.3 ELEMENTARY STUDENT ACCOMMODATIONS STRATEGY

- Continue to manage out of catchment enrolment in order to ensure effective use of staffing in all families of schools.
- Monitor enrolment at Fleming school to determine whether out of catchment enrolment should continue to be restricted.
- Monitor EFI intake at Selkirk to retain sufficient capacity for catchment students.

6.13.4 BALANCING CAPACITY WITH ENROLMENT

- Future surplus capacity could be addressed by using one or a combination of strategies set out in sections 5.8 – 5.10 of this report.

6.13.5 SEISMIC PROGRAM CONSIDERATIONS

- 0% of secondary capacity and 40 % of elementary capacity is seismically safe.
- David Thompson and Killarney secondary schools are supported projects in the SMP
- Grenfell elementary school is a supported project.
- Selkirk (Building B) and Weir elementary schools are approved projects in the construction phase of their respective seismic projects.
- Consider a community based public engagement strategy to envision seismic mitigation options for secondary schools in the Southeast Region
- Consider a community based public engagement strategy to envision seismic mitigation options for elementary schools in the Southeast Region

6.13.6 CATCHMENT BOUNDARY CONSIDERATIONS

- In relation to the scenario outlined in 6.11.4, the District may study the Carleton catchment as a part of the scope of work for the Carleton school site
- Catchment boundary adjustment options could be developed once preferred seismic mitigation options have been envisioned

VANCOUVER SCHOOL DISTRICT

FACILITIES PLANNING COMMITTEE

January 13, 2021

VSB 2021 STRATEGIC PLAN

The meeting is being held on the traditional unceded territory of the Musqueam, Squamish and Tsleil-Waututh Nations.

VSB 2021 STRATEGIC PLAN

Live-streamed

The meeting is being live-streamed and the audio and visual recording will also be available to the public for viewing after the meeting.

The footage of the meeting may be viewed inside and outside of Canada.

Meeting Decorum

The Board has a strong commitment to ethical conduct. This includes the responsibility of committee members to conduct themselves with appropriate decorum and professionalism. As Chair of the Committee it is my responsibility to see that decorum is maintained. To do that I ask that:

i. All members/delegates request to speak through the chair;

ii. Civility towards others is maintained as stakeholder representatives and Trustees share perspectives and participate in debate;

iii. Staff be able to submit objective reports without influence or pressure as their work is acknowledged and appreciated;

iv. Committee members refrain from personal inflammatory/accusatory language/action;

v. Committee Members, Trustees, representatives and /staff present themselves in a professional and courteous manner.

Committee Roll Call

- Please all unmute
- Once your name is called please confirm your presence and mute yourself

ITEM 1.1
Delegation

Nathan Davidowicz

VSB 2021 STRATEGIC PLAN

ITEM 1.2
Delegation

Kyla Epstein

VSB 2021 STRATEGIC PLAN

ITEM 2.1
Re-Naming of David Lloyd George and Sir Matthew Begbie Elementary Schools

David Nelson, Deputy Superintendent
Chris Stanger, Director of Instruction
Alison Ogden, Director of Instruction

VSB 2021 STRATEGIC PLAN

Renaming Existing School Facilities
Administrative Procedure 542 (draft)

Overview - Naming and Renaming School Facilities

June 2018	Board Motion: It is recommended that a Naming/Renaming Working Group be formed to develop draft guidelines and considerations in the revision of Board policies governing the naming and renaming of facilities.
September 2018	Board adopts new Policy and Administrative Procedures (AP) model. Naming/renaming policy becomes Administrative Procedure 541.
June 2019	AP 541 (*Naming New Facilities*) revisions completed and approved by the Superintendent.
October 2020	Reviewed draft of new AP (AP 542- *Renaming Existing School Facilities*) presented at Policy and Governance Committee. Process to pilot draft AP with two schools (Sir Matthew Begbie and David Lloyd George) presented for feedback.
January 2021	Presentation to Facilities Planning Committee on the outcome of Phase one of renaming decision process.

Process outlined in Draft AP 542

Phase One	Ad hoc working group to be assembled to gather information on the namesake of the school being considered for renaming. Information collected as per Appendix A of *draft* AP 542.
Phase Two	Facilities Planning Committee to review information gathered on namesake of the school facility being considered for possible renaming. Facilities Planning Committee to make a recommendation to the Board to: 1) rename the school facility or 2) retain the current school facility name
Phase Three	Board to receive Facilities Planning Committee recommendation and determine whether a facility is to be renamed.

Following Board Decision

Decision to rename a facility:

- Process as outlined in AP 541 Naming New Facilities* to be followed in selection of new name.

Decision to retain facility name:

- Process complete. No further action required.

*AP 541 to be updated, following outcome of pilot, to reflect use for both new and renamed facilities.

AP 542 Appendix A

David Llyod George Elementary

Chris Stanger, Director of Instruction

VSB 2021 STRATEGIC PLAN

AP 542 Appendix A

Sir Mathew Begbie Elementary

Alison Ogden, Director of Instruction

VSB 2021 STRATEGIC PLAN

QUESTIONS?

ITEM 2.1
Re-Naming of David Lloyd George and Sir Matthew Begbie Elementary Schools

VSB 2021 STRATEGIC PLAN

ITEM 3.1
Motion referred from the December 14, 2020 Board Meeting – No Sale of Public Land

Committee Chairperson

VSB 2021 STRATEGIC PLAN

Motion – No Sale of Public Land

That the Vancouver Board of Education not dispose of any of its land by sale or transfer in fee simple. This would not preclude land swaps or leases pursuant to the procedure in Policy 20.

QUESTIONS?

ITEM 3.1
Motion referred from the December 14, 2020 Board Meeting – No Sale of Public Land

VSB 2021 STRATEGIC PLAN

ITEM 3.2
Feedback report from the Joint Stakeholders/Trustee Workshop – Jan. 6, 2021 re the 2020 Draft Long Range Facilities Plan

J. David Green, Secretary Treasurer

VSB 2021 STRATEGIC PLAN

QUESTIONS?

ITEM 3.2
Feedback report from the Joint Stakeholders/Trustee Workshop – Jan. 6, 2021 re the 2020 Draft Long Range Facilities Plan

VSB 2021 STRATEGIC PLAN

ITEM 3.3
Changes to 2020 Draft LRFP

J. David Green

VSB 2021 STRATEGIC PLAN

QUESTIONS?

ITEM 3.3
Changes to 2020 Draft LRFP

VSB 2021 STRATEGIC PLAN

ITEM 3.4
LRFP Feedback Received from Members of the Public – 3:00 PM January 13, 2021

John Dawson, Director of Educational Planning

VSB 2021 STRATEGIC PLAN

QUESTIONS?

ITEM 3.4
LRFP Feedback Received from Members of the Public – 3:00 PM January 13, 2021

VSB 2021 STRATEGIC PLAN

ITEM 4.1
2020 Draft Long Range Facilities Plan

J. David Green, Secretary Treasurer

VSB 2021 STRATEGIC PLAN

QUESTIONS?

ITEM 4.1
2020 Draft Long Range Facilities Plan

VSB 2021 STRATEGIC PLAN

Information Item Requests

VSB 2021 STRATEGIC PLAN

Date and Time of Next Meeting

Wednesday, March 10, 2021 at 5:00 pm

VSB 2021 STRATEGIC PLAN

Thank you for your time,

The End

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Victoria Jung - Board Chair, Preeti Faridkot, Janet Fraser, Suzie Mah, Joshua Zhang – Vice-Chair, Jennifer Reddy, Christopher Richardson

March 11, 2024

Mme. Marie-Pierre Lavoie
Conseil scolaire francophone de la Colombie-Britannique
100-13511 Commerce Pkwy
Richmond, BC V6V 2J8
E: mariepierre_lavoie@csf.bc.ca

Dear Mme. Lavoie

Re : Response to Conseil scolaire francophone de la Colombie-Britannique's ("Conseil") letter of January 16, 2024

On behalf of the Vancouver Board of Education ("VBE"), I write in response to the letter sent by you on behalf of the Conseil dated January 16, 2024.

In the January 16, 2024 letter, the Conseil rejected the offer of the VBE made by our letter dated December 6, 2023 to lease Queen Elizabeth Annex ("QEA") school site to the Conseil for a period of 75 years. Instead, the Conseil countered that it required a permanent interest in the QEA site and offered to acquire ownership from the VBE in:

a. QEA (the whole site);

b. Sir Wilfrid Laurier Annex ("Laurier") (the whole site);

c. Sir Guy Carleton Elementary ("Carleton") (the whole site); and

d. a site in the Conseil's Northeast Vancouver catchment area, being either:

   i. Dr. A.R. Lord Elementary ("A.R. Lord") site (the whole site); or

   ii. a 3.1 acre polygonal portion of the south-east portion of Vancouver Technical Secondary School site (subject to review by the Conseil as to its suitability).

Your letter indicated that, in order to collaborate with the Conseil, the VBE must provide sites in fee simple to the Conseil and not simply offer long term leases and that the Conseil had requested these sites previously.

The VBE will address these points in this letter in reply.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The VBE has collaborated with the Conseil

The VBE has a long history of cooperating with the Conseil while balancing the VBE's own obligations. The VBE's willingness to lease sites to the Conseil, both historically and currently, is evidence of its cooperation with the Conseil. The VBE must balance the Conseil's preferences with the VBE's institutional obligations.

The VBE leased and then sold the sites on which the Conseil now operates its Écoles Rose-des-vents ("RDV"), Anne-Hébert and Jules Verne. The VBE leases Chief Maquinna Annex ("Maquinna") (now École Norval-Morrisseau), Laurier (now École des Colibris), Henderson Annex ("Henderson") and, more recently, QEA to the Conseil. The VBE entered into the leases for Maquinna, Laurier and Henderson with the Conseil in 2017 and 2018 and has extended these leases when the Conseil requested lease extensions.

In order to be able to lease QEA to the Conseil, the VBE had to undertake the processes of both a school closure and a surplus determination. Both the closure decision and surplus determination were challenged through a protracted and expensive judicial review, the results of which are currently subject to an appeal process. The VBE vigorously defended the closure decision and surplus determination in order to dispose of QEA to the Conseil.

As stated above, leasing is evidence of the VBE's collaboration, cooperation and partnership with the Conseil. The VBE itself leases sites from other organizations. The future Olympic Village school site is being leased by the VBE for 99 years. Queen Elizabeth Elementary School is on leased lands. Other majority school boards also lease school sites.

The VBE does not agree that a long-term lease creates an unequal relationship. In support of this point the VBE is mindful of the finding in the 2016 Action where Russell J. held "that the fact that the [Conseil] leases facilities is not presumptively contrary to s. 23 of the *Charter*" (para. 5947).

Accordingly, the VBE does not consider its December 6, 2023 offer of a long term lease of QEA to the Conseil as a sign that the VBE does not wish to work collaboratively with the Conseil. Rather, this offer is an indication of the VBE's strong continued collaboration and cooperation with the Conseil.

The balancing of interests and statutory mandate of the VBE

The VBE understands that the Conseil is an integral part of British Columbia's French-speaking community.

The Conseil mentions in its letter the following factors for consideration:

a) to support the long-term linguistic and cultural vitality of the French-speaking community;

b) to redress past injustices and promote the development of the French-speaking community;

c) to counter the assimilation of the French-speaking community; and

d) the preservation and development of the French-speaking community in Vancouver.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The VBE has considered these factors in making its offer to you. The VBE has also deliberated over its statutory obligations under the relevant legislative framework under the *School Act*, Ministerial Orders, and VBE Policies. The VBE ultimately has a responsibility to its constituents in Vancouver. The *School Act* mandates that a board is responsible for the management of the schools in its school district and for the custody, maintenance and safekeeping of all property owned or leased by the board.

The VBE has accounted for factors raised by its explicit statutory obligations such as:

a) the long term requirements of the VBE and its constituents for educational facilities and school sites;

b) the present and future circumstances and numbers of its constituents and their geographic placement;

c) the availability or lack thereof of sites for future schools;

d) the long term potential for population growth and therefore for educational facilities;

e) the financial costs of future site acquisitions; and

f) the requirements of Policy 14 *School Closure* and Policy 20 *Disposal of Land or Improvements*.

The extension of the offer of term from 75 years to 99 years

In order to address the Conseil's concern with adequate security of tenure, the VBE is prepared to extend the term of the proposed lease outlined in its December 6, 2023 letter, namely, from 75 to 99 years.

The VBE views a 99-year lease as providing stability for the francophone community. As noted by the Conseil, a school is a core institution for the francophone community's linguistic and cultural vitality. A lease term of 99 years exceeds the lifetime of a well-maintained school and will provide generations of Conseil students with a long-term interest that will promote the vitality of the French-speaking community to strengthen its roots. A 99-year lease means that many generations of students of the francophone community will be able to attend a Conseil school in the leased location.

The VBE is willing and eager to negotiate terms with the Conseil that allow the Conseil to have control over the leased property and any school facility that the Conseil wishes to build on such leased property.

Furthermore, the VBE does not agree that the Conseil would need to initiate a search to secure a new site decades before a long-term lease would expire: it should not be taken as a given that the VBE would not agree to a renewal of the lease at the end of its 99 year term.

The VBE considers that a 99-year long term lease is a good compromise between ensuring that the Conseil has very long term security of tenure for the schools, for its students, and the need for the VBE to look out for the long term interests of its constituents.

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

The Conseil's expansion from one site to four sites

In its January 16, 2024 letter, the Conseil requested four sites from the VBE, not just one. Of the four, only one has been formally requested by the Conseil: QEA. The amendments in July 2023 to the Notice of Civil Claim in the action brought by the Conseil against the Province and VBE is how the VBE learned of the current "formal requests" for A.R. Lord and Laurier. This fact has been confirmed by the January 16, 2024 letter. The VBE does not consider amendments to pleadings to be formal requests. Carleton has never been formally requested by the Conseil – that is, not until the January 16, 2024 letter.

In the future, the VBE requests that the Conseil make its formal requests of the VBE by correspondence to its secretary-treasurer. As a fellow school board, the Conseil can understand the large expenditure of resources that must be undertaken by the VBE in considering whether to close, render surplus and dispose of a school site. This is why the VBE has asked for formal, rather simply informal requests.

The VBE responds to the counter-proposal of the Conseil as set out below.

1. ***Queen Elizabeth Annex***

The VBE is prepared to offer to the Conseil a 99-year long term lease of the QEA site, subject to the negotiation of reasonable business and commercial terms. As noted above, this provides a very long term security of tenure for the Conseil. The Conseil would be able to build a new school on the site provided Ministerial support is provided. To proceed with the 99-year lease disposition of QEA, the VBE requires that:

a) the Conseil provide a written confirmation of its interest in obtaining a 99-year long term lease of the QEA site; and

b) the Conseil provide written confirmation from the Ministry that it will support the 99-year long term lease of the QEA site and that it will support the construction of a new K-6 school on the site.

2. ***Dr. A.R. Lord Elementary School***

While at one time the VBE considered closing A.R. Lord, the VBE decided not to proceed with that course. Today, A.R. Lord is an elementary school serving its local community and currently has approximately 190 students enrolled. To close A.R. Lord (which is not part of the VBE's district-wide operational plans) and to arrange for its disposal, the VBE would have to assess capacities of neighbouring schools, enrollment projections, seismic safety of different school sites, its plans for seismic upgrades of the same, the Long Range Facilities Plan, and many other factors. It would also require the VBE to relocate an entire program located on the site. Public consultations would have to be undertaken. Not only are the closure and disposal of A.R. Lord outside the VBE's current plans, they also involve an unnecessary and large expenditure of VBE time and resources.

Nevertheless, the VBE understands and appreciates the Conseil's need for a K-6 school in its Northeast Vancouver catchment area and would like to support the Conseil and the francophone community to the extent possible. While the VBE has leased and continues to lease to the Conseil the Maquinna (now École

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair
Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson

Norval-Morrisseau), it understands from the Conseil that Maquinna, alone, is too small and does not meet the Conseil's needs in this catchment area.

Accordingly, the VBE proposes that the VBE and the Conseil consider subdividing the A.R. Lord site roughly in two and redeveloping the site with two new schools. Under this possible solution, the VBE would occupy the eastern portion of the site where the A.R. Lord school is presently situated and the Conseil could occupy the western portion of the site, with a 99-year lease which would be subject to the negotiation of reasonable business and commercial terms.

The VBE recognizes that this proposal may require that the two school boards coordinate the use of "green space" or common space that would be between the two new schools and the VBE is prepared to cooperate and collaborate with the Conseil to ensure that the interests of both the VBE and Conseil and of their respective students are addressed. Furthermore, the VBE will cooperate with the Conseil to ensure staggered start-times, recesses, and dismissal times if the Conseil wishes. The VBE is prepared to consider other operational and design factors that would help the Conseil create and operate a truly homogenous francophone school on the A.R. Lord site.

The VBE considers that this proposal would provide the Conseil with long term stability and security of tenure in its Northeast Vancouver catchment area which in turn supports the vitality of the francophone community and culture in Vancouver, all while allowing the VBE to continue to provide its educational program to the children of its constituents who presently attend A.R. Lord. The VBE views this proposal as meeting the goal of countering the assimilation of French speakers as it provides the Conseil with a homogenous school.

In order to proceed further with the investigation of this possible solution, the VBE requests that the Conseil provide written confirmation that it is interested in pursuing a possible subdivision of the A.R. Lord site. It should be noted that the VBE would have to undertake its normal processes for a surplus determination if the proposed subdivision and lease were to proceed. As well, the staff of the VBE and Conseil would have to prepare a joint submission to the Ministry to ensure that there is support for the subdivision and redevelopment of the site.

3. *Sir Guy Carleton Elementary School*

The January 16, 2024 letter was the first time that the Conseil provided any formal request to the VBE regarding Carleton. While not a necessary condition precedent to any consideration of such a formal request, the VBE notes that there is not currently a judicial pronouncement on the Conseil's entitlement to a second secondary school within the geographic boundaries of the City of Vancouver. The VBE requests that the Conseil provide confirmation that the Province has expressly supports the acquisition of a site and construction of a second secondary school for the Conseil in eastern part of the City of Vancouver.

As you know, Carleton is not presently populated by students and has not been since August 2016 when it sustained a severe fire. The VBE is not currently operating Carleton as a school. Nevertheless, on November 30, 2023, the Provincial Legislature passed Bill 44, namely, the *Housing Statutes (Residential Development) Amendment Act, 2023* (the "*HSRDAA*"). The *HSRDAA* will require that Vancouver provide

VSB Board of Education Vancouver School District 39

Board of Education Trustees: Lois Chan-Pedley, Alfred Chien, Preeti Faridkot, Janet Fraser, Suzie Mah, Jennifer Reddy, Christopher Richardson
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

for increased densification around transit centres, including Skytrain stations. The Carleton site is the closest VBE site to the Joyce Skytrain Station.

As well, in 2023, the City of Vancouver changed its approach to low density housing zoning by opening up neighbourhoods across the city to allow for multiplexes ("City multiplex housing").

The VBE needs to undertake a vigorous review of the long-term implications of the *HSRDAA* and the City multiplex housing before it can make any commitments in relation to the formal closure of Carleton or the possible disposal of the site (which is not currently part of the VBE's district-wide operational plans). The Board has already passed a resolution directing staff to undertake this review, to consider enrolment projections and the effect on the VBE's Long Range Facility Plan. The VBE will be undertaking this review for Joyce Skytrain Station and other Translink stations for many of its school sites.

While the VBE is supportive of the Conseil and of the francophone community that it represents, the formal closure, surplus and disposal process of any school property represents a large expenditure of time and resources. Therefore, in addition to completing its review of the implications of the *HSRDAA* and City multiplex housing for the Carleton site, the VBE would require confirmation from the Province of its support for the Conseil's proposal before proceeding to consider it at any length.

4. Laurier Annex

The VBE has leased Laurier to the Conseil since 2018. In 2023, the VBE entered into an extension of this lease with the Conseil for three years with an option to renew for a further two more years.

The VBE has always understood that the Conseil sought to lease Laurier to alleviate overpopulation in the Conseil's RDV and to provide temporary space for the Conseil's students while the Conseil finalized its arrangements in relation to the Heather Lands for a 99-year lease of a portion of those lands and the construction of a new, larger school for RDV. The VBE understands that adjacent properties to the Heather Lands property have been purchased by the Conseil and that a lease has been prepared, at least in draft, for 99 years.

The VBE notes that the Conseil has security of tenure for Laurier until 2028. By then, assuming that the Conseil has acquired the QEA site as proposed above, there will be a new school there for Conseil students. As well, the Conseil may be well underway if not completed its construction of the new RDV school at the Heather Lands site.

In the event that either or both of those two eventualities has not transpired by 2028, the VBE will be willing to work with the Conseil to bridge the necessary time for completion of its schools and to ensure that the Conseil's students have adequate facilities to attend. The support of the Ministry would be required to allow the VBE to extend past the limit of 10 years without being considered a "disposal" and invoking the disposal policies and requirement.

The VBE has advised the Conseil in the past that the VBE must be conscious of the increased densification around the Laurier site and this concern has only been heightened by the *HSRDAA* and the City multiplex housing. It is anticipated that, in the longer term, the VBE will be facing more students in the area around

VSB Board of Education Vancouver School District 39

Board of Education Trustees:
Victoria Jung - Board Chair
Joshua Zhang – Vice-Chair

Lois Chan-Pedley, Alfred Chien,
Preeti Faridkot, Janet Fraser, Suzie Mah,
Jennifer Reddy, Christopher Richardson

Laurier and that it will need to be able to provide community based schools to accommodate that future student population.

5. ***Availability of VBE Swing Space***

For all of the proposed Conseil projects, the Conseil will likely need to find temporary places to house its students. The VBE is prepared to offer for short term lease to the Conseil, on reasonable terms, the VBE's unused swing space. To the extent that the VBE does not require such space, the VBE would be prepared to assist the Conseil and by extension the francophone community by making this swing space available while the Conseil builds out these various new schools. This can be discussed on a staff-to-staff level and coordinated between the two boards.

The VBE looks forward to the Conseil's response and to working with the Conseil to support the francophone community and its students in Vancouver.

Yours truly,

Victoria Jung, Chair
Board of Education of School District No. 39 (Vancouver)

cc. Flavia Coughlan, Secretary Treasurer, VBE
The Honourable Rachna Singh, Minister of Education and Child Care