



VICTORIA
CONFEDERATION
OF
PARENT ADVISORY COUNCILS
556 BOLESKINE ROAD, VICTORIA, BC V8W 2R1
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October 12, 2022

To the Greater Victoria School District 61 Board of Education:

With the results of the judicial review showing Trustees Diane McNally and Rob Paynter should not have been suspended, VCPAC is glad to be back at the Board table as an official stakeholder, representing the voices of parents in the district.

According to Justice Hardwick's ruling, the Board sanctioned Trustees McNally and Paynter in a manner that is unreasonably outside of its authority. In her interpretation of the School Act, the Board does not have the power to suspend a trustee in a manner that amounts to a de facto removal of a trustee from their elected office. Justice Hardwick's ruling reaffirms that the School Act is a complete document and is clearly a conclusive verdict that sets a precedent in BC.

There were some contentious, close votes that occurred during the time the Board was unjustifiably constituted. One example is the land disposal of Lansdowne South, which Trustees McNally and Paynter have publicly stated they would have voted against, and which VCPAC and others who sit at the Board table also did not support.

We are hearing from many parents in our district who feel disenfranchised because their elected representatives were not present at the board table to represent them during these eight months. Parents have questions:

1. Since the court has now spoken, does the Board intend to review any decisions that were made during the eight months that Trustees McNally and Paynter were not allowed to vote?
2. What consequences will there be for the Board from acting ultra vires, beyond the restoration of Trustees McNally and Paynter to their elected positions?
3. Will the board apologize for this action and its impact on these trustees as well as the students and staff in the District?



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We request that the Board hold a Special Meeting to respond publicly to these questions and any others that the public, stakeholders and rights holders may have on this matter.

We also call on the Board to issue an itemized financial statement disclosing the full cost of investigations, legal fees, and costs that Judge Hardwick has ordered the district to reimburse to Trustees McNally and Paynter. This is money that should have been spent on our children's education. We strongly oppose the District filing an appeal in this case or pursuing any further legal action regarding this case as it will just mean the loss of more funds that are urgently needed to directly support students. We are eager to move forward and get back to the business of focusing on our children's education.

We thank you for considering our input. Please include this letter in the Correspondence as part of the Agenda package at the Operations Policy and Planning Committee meeting on October 17th.

Tracy Humphreys, President, on behalf of VCPAC



STUDENTS FIRST

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cc. The Honourable Jennifer Whiteside, BC Minister of Education and Child Care; Ilda Turcotte, GVTA; CUPE Local 382; Jane Massy, Brian Whin-Yates, CUPE Local 947; Chief Rob Thomas, Esquimalt Nation; Chief Ron Sam, Songhees Nation; Caitlin Bird, Métis Nation of Greater Victoria; Ron Rice, Urban Peoples House Indigenous Advisory