



**BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 46 (SUNSHINE COAST)**

**COMMITTEE OF THE WHOLE  
AGENDA**

October 27, 2015 from 9:30-10:30 a.m.  
School Board Office – Gibsons, BC

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1. Trustee Electoral Variance Review
2. Communication (standing item)

## REPORT TO THE COMMITTEE OF THE WHOLE

### Trustee Electoral Area Variance Summary

Submitted by Chair Baxter

October 27, 2015

2002 The board of the day submitted a request to the Ministry requesting a designated electoral area change of one trustee representative for the Sechelt Indian Government District (SIGD) and 2 trustees for Electoral Area 2, instead of 3 trustees for Electoral Area 2. The request was rejected by the ministry due to the smaller number of voters for the SIGD trustee.

2009/2010 The board of the day researched trustee representation from various districts in the province. Hand written notes from Trustee Pratt and Trustee Mewhort are available. Their research did not find any patterns and districts with comparable size and enrolment had 5, 7 or 9 trustees.

2011 The board held a highly publicized Public Consultations for Electoral Variance. Notes and submissions are available upon request.

Several options were presented, including:

- Option 1. No change
- Option 2. Change in electoral areas with either 7 or 5 trustees
- Option 3. 7 trustees at large
- Option 4. 5 trustees at large

On April 12, 2011 the motion to proceed with Option 2, with 7 trustees elected in 3 electoral areas, was moved by Trustee Russell. Subsequently, a request was sent to the ministry for a variance to the electoral areas as follows:

<i>TEA</i>	<i>Area Description</i>	<i># trustees</i>
Gibsons and Area-Roberts Creek	Town of Gibsons and Areas "D" Roberts Creek, "E" Elphinstone, "F" West Howe Sound in the Sunshine Coast Regional District	3 trustees
Sechelt	District of Sechelt, SIGD	3 trustees
Halfmoon Bay-Pender Harbour-Egmont	Area A (Egmont/Pender Harbour), Area B (Halfmoon Bay)	1 trustee

The ministry responded that additional public consultation was required on the specific variance, prior to consideration of the request. Further information was provided on behalf of the board but the ministry was not swayed in their request for further consultation.



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## **BOARD OF EDUCATION**

May 9, 2011

The Honourable George Abbott  
Minister of Education  
PO Box 9045, Stn. Prov. Govt  
Victoria, BC V8W 9E2

Dear Minister Abbott,

First, congratulations on your re-appointment as Minister of Education. Our board is excited to work with you on many issues during an exciting time for public education in British Columbia. One issue unique to our board is our request for a trustee variation. We hope that the direction our board is suggesting is straightforward and logical enough that Ministerial approval can be granted by early September, 2011, in advance of the next board election.

Our board and senior staff have been referring to the Ministry's Trustee Variation Guidelines ever since this discussion started. Our own variation from the Variation Guidelines, however, was that we felt it was important to solicit community feedback on the rationale for why we were even considering the question, rather than a rationale for a very specific change; our board highly values community input and wanted this input to inform our eventual direction (rather than make a decision first, ask questions later). We collected all the considerations around variation in a discussion paper that was prominently made available on the front page of our website for two months, and was sent to all Parent Advisory Councils, both employee-group unions, the Sechelt Indian Government District, the Sunshine Coast Regional District, the Town of Gibsons and the District of Sechelt. This discussion paper, with sample cover letters, is enclosed.

The board motion to consider trustee variation was passed at our Regular Public Meeting of January 11, 2011 ("THAT the Board of Education of School District No. 46 (Sunshine Coast) explore the options of reducing the number of trustees from seven to five and changing electoral areas, including an 'elected-at-large' model"). These minutes are also enclosed.

During this meeting we made it clear that we would hold one centrally located public meeting on this issue in order to encourage the broadest participation and discussion possible. The meeting was promoted on the front page of our website, in the letters sent out to PACs, unions and local governments, through school principals, and on the Sunshine Coast's local radio station as well as an

advertisement/meeting notice in four consecutive issues of the Sunshine Coast's news weekly, the *Coast Reporter* (also enclosed).

Despite all our efforts for public input, turnout at the meeting was low, and so was the email and written feedback. The minutes of the public meeting, and the submissions, are all enclosed for your review.

In board discussion at our April 12 Public Meeting, the board concluded that the limited public interest indicated there is no strong appetite for change to the status quo, particularly for reducing the number of trustees to five, and/or for switching to at-large representation (which would be the most significant changes).

Instead, the board chose to support the simplification of our confusing electoral areas by reducing them from four to three that are more clearly segregated by region rather than by type of government or populations. As mentioned in our discussion paper, there continues to be significant confusion regarding "who" represents the Sechelt Indian Government District when it is not in the same electoral area as the District of Sechelt that surrounds it and contains the schools where SIGD residents send their children, but rather is tacked onto an electoral area with regional district rural areas D (Roberts Creek), E (Elphinstone) and F (West Howe Sound), all traditional Squamish Nation territory (note that there is no Squamish Nation government or other community organization on the Sunshine Coast, as historically its Band members did not remain here).

Furthermore, in response to its feeling of inadequate representation, the Sechelt Nation requested a variation in 2002 for its own trustee. This request was rejected by the Ministry on the basis that there would be only 769 voters for one SIGD trustee (at the time) compared to over 2,000 voters for the other trustees. Combining the SIGD and District of Sechelt in one electoral area would not require such a huge shift in voter parity, and would allow prospective SIGD candidates to run in an area where their children go to school and they are likely to be more well-known; in addition, SIGD voters would be more likely to know candidates from the Sechelt area than candidates in the Elphinstone Secondary catchment area of Gibsons/ Elphinstone/ Roberts Creek/ West Howe Sound.

The other unusual aspect of our current system is the Town of Gibsons is split off from its surrounding areas of West Howe Sound, Elphinstone and Roberts Creek. Unlike the SIGD, it actually is its own electoral area and is not combined with areas to which it is not adjacent; but like the SIGD, another electoral area surrounds it in very close proximity, and all the children in these areas go to the same secondary school in the Town of Gibsons (Elphinstone Secondary). Furthermore, four out of the last five trustee elections in the single-member electoral area of the Town of Gibsons have been acclamations, further disenfranchising Gibsons residents from selecting and knowing the trustee who represents them. As a result, our trustees report that voters on the southern Sunshine Coast are very confused about what their trustee electoral area is and who their elected trustees are.

This chart presents the current situation:

SD#46 Electoral Area	Number of Trustees	Population (2006 census)	Trustee-to-pop ratio	'09-10 enrolment in area (excluding Alternative School)	Trustee-to-enrolment ratio
Rural Area 1 (Areas A & B)	1	A: 2,624; B: 2,558 <b>Total: 5,182</b>	1 : 5,182	465	1 : 465
Sechelt	2	<b>Total: 8,454</b>	1 : 4,227	1,079	1 : 539.5
Gibsons	1	<b>Total: 4,182</b>	1 : 4,182	976	1 : 976
Rural Area 2 (Areas D, E & F, SIGD)	3	SIGD: 827; F: 2,235 D: 3,307; E: 3,552 <b>Total: 9,921</b>	1 : 3,307	596	1 : 198.66

To simplify our electoral areas and make them more relevant to voters, our Board passed a motion April 12, 2011 "THAT the Board of Education of School District No. 46 (Sunshine Coast) write a letter to the Minister of Education requesting that the electoral areas be changed as follows: South Coast, including West Howe Sound, Town of Gibsons, Elphinstone and Roberts Creek, having 3 trustees, the District of Sechelt and SIGD having 3 trustees, and Pender Harbour-Egmont and Halfmoon Bay having 1 trustee."

The chart below presents our proposed simplified electoral areas:

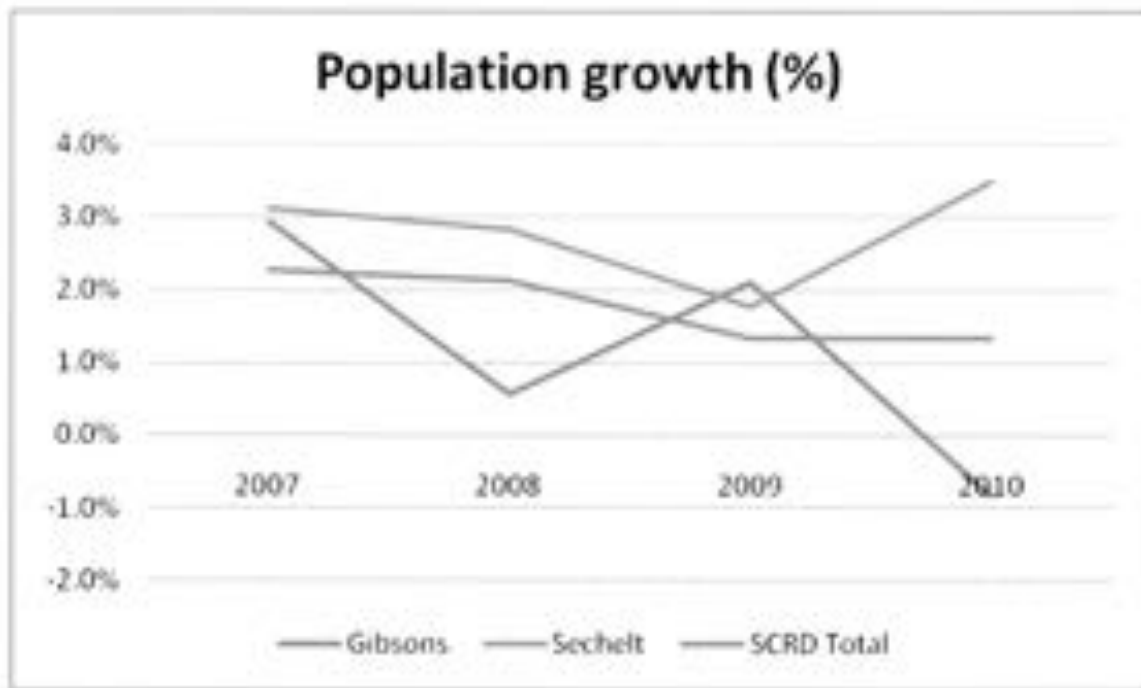
SD#46 Electoral Area	# of Trustees	Population (2006 census)	Trustee-to-pop ratio	'09-10 enrolment in area (exc. SCAS)	Trustee-to-enrolment ratio
Rural Area 1: (Areas A & B)	1	A: 2,624; B: 2,558 <b>Total: 5,182</b>	1 : 5,182	465	1 : 465
Sechelt	3	DoS: 8,454; SIGD: 827 <b>Total: 9,281</b>	1 : 3,093.6	1,079	1 : 359.6
Gibsons Area	3	D: 3,307; E: 3,552 F: 2,235; G: 4,182 <b>Total: 13,276</b>	1 : 4,425.3	1,572	1 : 524

Although our trustee-to-enrolment ration improves significantly, with the range between smallest (198.66) and largest (976) improving from 80% to only 31.4%, we recognize that the trustee to population ratio widens from 36.2% (5,182 : 3,307) to 40.4% (5,183 : 3,093.6).

Trustee Variation Guidelines state that "Any movement away from 'one-person - one vote' will only be allowed if it is impossible to have relative equality of voting power and the change will result in more effective representation."

Our board does feel that it is impossible to have "relative equality of voting power" in particular because of the relative isolation of the Pender Harbour-Egmont community at the north of the Sunshine Coast. It is currently combined with the Halfmoon Bay regional district electoral area, but if we moved to an at-large system with equality of voting power, many people in all areas of our community have expressed concern that Pender Harbour-Egmont would likely be denied representation because of its small population (2,624 by 2006 Census). Members of the public and trustees have also expressed concern under an at-large system, one community with a larger population (i.e. the District of Sechelt) could organize to run a full or majority slate candidates and elect them to dominate the board. So considering that "relative equality of voting power" is not possible for these regional differences, we do not feel a shift of 4.2% in voter parity is significant.

More importantly, though, we also recognize that we are using 2006 Census figures and that all trends and data indicate that the District of Sechelt, with the most favourable 1:1 voter parity in our proposal, is growing faster than other areas on the Sunshine Coast. The graph below, provided by the District of Sechelt, shows that Sechelt is growing much faster than the rest of the Sunshine Coast, and generally has been growing faster than anywhere else every year since the 2006 Census, while Gibsons is in fact experiencing negative population growth. With the current estimated population of 9,496, added to an estimated 1,000 at the SIGD, the trustee-to-population ratio has already widened to 1 : 3,498.66. With several large new developments planned in the West Sechelt, Wilson Creek and Sandy Hook areas, as well as stronger popularity as a retirement community, Sechelt is expected to continue to grow more than the rest of the Sunshine Coast, reaching the same population that the Gibsons-Roberts Creek-Elphinstone-West Howe Sound area is currently by 2031, in 20 years. Another argument is that this shift of voter parity in favour of Sechelt is equitable on a long-term basis considering that Rural Area 2 has had the favourable trustee-to-population numbers for the last several elections.



**Sechelt population growth +3.5%:** In *BC Stats Municipal Population Estimates*, Sechelt's population was estimated at 9,496 per July 1st, 2010, an increase of +3.5% compared to 2009. Sechelt continues to grow relatively faster than other areas on the Sunshine Coast as is outlined in the graph below.

A final lens of looking at representation is more at the ground level, where no voters will have less trustees to vote for. Rural Area 1 continues to elect 1 trustee. The voters in the District of Sechelt will now have three trustees to vote for rather than two. Voters in the SIGD, and Rural Areas D, E and F, will continue to have the ability to elect three trustees, but in more logically separated areas. Voters in the Town of Gibsons will now be able to choose three trustees, when in the past they could only vote for one (and now it is far more likely they actually will vote, when in the past the one-trustee Gibsons electoral area is traditionally decided by acclamation).

Thank you for considering our request and rationale. At an intergovernmental meeting held May 11, 2011, all local governments, including the Sechelt Nation, confirmed to us that their lack of formal responses indicated they had no concerns with our proposed changes. The only concerns that have been expressed to us in recent years has been a reiteration from the Chief and Council of the Sechelt Indian Band that despite the Minister's decision in response to their 2002 variation request (supported by our board), they would still prefer their own trustee. We recognize that this request was denied and no laws or guidelines have changed to make it any more successful in 2011, but we also feel that even if moving the SIGD to a more natural electoral area with the District of Sechelt does not meet the Chief and Council's position, it does significantly increase the relevance of trustee elections to the SIGD, and improve the likelihood of a Band member being elected.

You can contact me at [silas@nightwoodeditions.com](mailto:silas@nightwoodeditions.com) or 604-886-8668 with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Silas White', written in black ink.

Silas White  
Chair

/cm

pc: D. Palmer, Superintendent of Schools  
Trustees





VIA EMAIL  
Our Ref.: 146099

Silvia White  
Chair  
Board of Education  
School District No. 46 (Sunshine Coast)  
Email: [silas@nightwoodeditions.com](mailto:silas@nightwoodeditions.com)

Dear Mr. White:

Thank you for your letter of May 9, 2011, sent to the Honourable George Abbott, Minister of Education, regarding changes to trustee electoral areas (TEAs) in your district. I understand that you are seeking approval of a proposal to reduce the number of TEAs from four to three and alter TEA boundaries, in order to simplify electoral areas and address voter confusion with the current TEA configuration. Your letter has been referred to me for response.

The Trustee Variation Guidelines specify the procedures that boards of education should follow when they wish to vary the number of trustees in a school district, or to vary the TEAs and/or the number of trustees assigned to TEAs. The Guidelines are intended to assist boards in providing the Minister with the information necessary to render a decision on a TEA variation request. The procedures set out in the Guidelines include obtaining the views of the public as well as municipal and regional board officials on the proposed changes.

Based on the material you have provided in support of this request, it does not appear that public consultation on the specific proposal to reduce the number of TEAs from four to three has taken place. The focus of the February 2011 consultation appeared to be on two other proposals: reduction of the number of trustees from seven to five, and adoption of an at-large voting system. Please provide evidence of public consultation on the specific changes you have proposed.

In addition, while I understand that your district met with local governments, including the Sechelt Nation, in May 2011 and that no concerns were expressed with regard to the proposed changes, it would be helpful to the Minister if written support from these local governments could also be obtained.

Finally, in accordance with the Guidelines, please provide a metes and bounds description of each proposed new TEA, prepared and certified by a professional surveyor. A metes and bounds description forms a vital part of a request to alter TEA boundaries, as this information must be included in the Ministerial Order.

I note that you have requested approval of these changes by early September, 2011, in advance of the next board election. Please be advised that, while the Ministry will make every effort to

Ministry of Education Governance and Legislation  
Branch


Mailing Address:  
PO BOX 9448 STN PROV GOVT  
VICTORIA BC V8W 9H1

Telephone: (250) 256-1404  
Facsimile: (250) 256-1082  
[www.bced.gov.bc.ca](http://www.bced.gov.bc.ca)  
[www.bced.gov.bc.ca/legislation/](http://www.bced.gov.bc.ca/legislation/)

satisfy this request, given the additional information required concerning consultation, it will be challenging to meet these timelines.

Following receipt of this additional information, the Minister will consider your request and provide you with a response as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Dave Duerksen".

Dave Duerksen  
Director  
Governance and Legislation Branch



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## BOARD OF EDUCATION

July 4, 2011

Via Email: [EDUC.GovernanceDepartment@gov.bc.ca](mailto:EDUC.GovernanceDepartment@gov.bc.ca)

Dave Duerksen, Director  
Governance and Legislation Branch  
P.O. Box 9146 STN PROV GOVT  
Victoria, B.C. V8W 9H1

Dear Mr. Duerksen:

Sorry if our submission left the misleading impression that changing the present electoral areas was not an option that was considered in the public consultation.

Most of the *feedback* we received, indeed, did focus on an at-large system and a reduction in trustees because these ideas evidently attracted the most controversy and attention.

However, in the advertisement that was included in the materials we sent, you will see that we requested input on three options, including “3. If not at-large, any suggested changes to electoral areas.”

Secondly, the PowerPoint at our February 23 Public Input Meeting, which is also included, concluded with four options for the public to comment on: 1. Status quo. 2. *Change electoral areas* (for 7 or 5). 3. Seven trustees at large. 4. Five trustees at large. So we did in fact discuss and seek input on this option (#2), as well, but there was a less controversy associated with this direction.

Also, the discussion paper that was made available on our website, and is in your package, identified a number of issues that can potentially be addressed with the change to current electoral areas we’ve proposed. As you can see from the feedback, no one from the public has disputed these concerns identified in the discussion paper.

As for support from local governments, I am enclosing recent letters from the District of Sechelt and Town of Gibsons, as well as excerpt from the minutes of our most recent Sunshine Coast intergovernmental meeting, which included representatives of both municipalities, the Sunshine Coast Regional District, and the Sechelt Indian Government District/Sechelt Nation.

Dave Duerksen, Director

July 4, 2011

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Finally, regarding the metes and bounds, we are proposing to move the metes and bounds that you currently have on record for the Town of Gibsons into Rural Area #2. From Rural Area #2, we hope to move the metes and bounds of record for the Sechelt Indian Government District into the District of Sechelt electoral area.

Incidentally, the Board did discuss clearer names for new electoral areas as well:

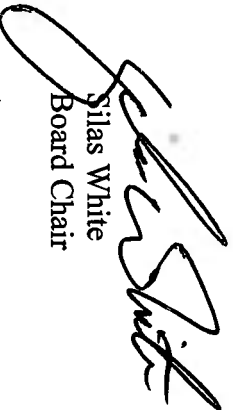
Halfmoon Bay–Pender Harbour–Egmont

Sechelt

Gibsons and Area–Roberts Creek

Our Secretary-Treasurer, Diane Ready, will be in touch with you to follow up on the metes and bounds issue. Thank you for your prompt response with the Ministry's concerns.

Sincerely,



Silas White  
Board Chair

/cm

Enc.

pc: Deborah Palmer, Superintendent of Schools  
Trustees



# District of Sechelt

*"Heart of the Sunshine Coast"*

June 16, 2011

File No. 0400-50-SD46-2011

HONOURABLE GEORGE ABBOTT  
PO BOX 9045 STN PROV GOVT  
VICTORIA, BC V8W 9E2  
minister.educ@gov.bc.ca

Dear Minister Abbott:

At the request of the Chair of the Board of School District #46, the District of Sechelt is writing to officially confirm that we support the District #46 Board in their request for a variation in the election of trustees on the Sunshine Coast.

The date for the 2011 general local government elections is fast approaching. I trust this confirmation will assist you in accommodating the Board of District #46's request with sufficient lead time to make the changes requested for the November 19, 2011 election date. If you have any questions or concerns regarding the position of the District of Sechelt on this matter, please contact my office directly.

Yours truly,

\_\_\_\_\_  
Darren Kokster,  
Mayor



# TOWN OF GIBSONS

*"The World's Most Liveable  
Town" 2009*

June 22<sup>nd</sup>, 2011

Honourable George Abbott  
Ministry of Education  
Box 9045 Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Minister Abbott:


At the Regular Meeting held June 21<sup>st</sup>, 2011, Council considered a requested from School District No. 46 with respect to an electoral variation in the election of Trustees on the Sunshine Coast.

Please accept this letter as our assurance that we have no concerns with the proposed electoral variance.

**Barry J. Janyk**  
Mayor

474 South Fletcher Road  
P.O. Box 340  
Gibsons, B.C. V0N 1V0

Office 604.886.2274  
Fax 604.886.9735

Yours sincerely,  


Barry J. Janyk  
Mayor

[bjanyk@gibsons.ca](mailto:bjanyk@gibsons.ca)  
[www.gibsons.ca](http://www.gibsons.ca)

Sunshine Coast  
Intergovernmental Meeting  
held at the Cedars Inn, Gibsons  
Wednesday, May 11, 2011

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**5. SCHOOL DISTRICT NO. 46**

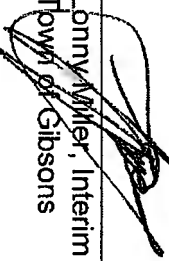
5.1 Trustee Variation Request

Silas White reviewed the attachment that outlines the School District's request for a variation to the guidelines for another rural trustee. The Ministry guidelines require consultation, so bringing it to this meeting for input is a formality.

The School District responded to questions from the members and discussed the request further. The previous request from the School District did not identify any concerns.

The no response from delegates of the District of Sechelt, Sunshine Coast Regional District, Town of Gibsons and the Sechelt Indian Band at this meeting indicated that the other governments are in support and no other action is needed at this time.

This is a certified true copy of the May 11, 2011 Intergovernmental meeting notes.

  
\_\_\_\_\_  
Lonny Miller, Interim Corporate Officer  
Town of Gibsons