

# SPECIAL BOARD MEETING AGENDA

Monday, January 17, 2022  
at 7:00 pm  
Teams Live Broadcast

## 1. CALL MEETING TO ORDER

### 1.1 INDIGENOUS LAND ACKNOWLEDGEMENT

We are unlearning and relearning on the traditional and unceded lands of the x<sup>w</sup>məθk<sup>w</sup>əyəm (Musqueam), Sḵwəxwú7mesh (Squamish) and səliłwətał (Tsleil-Waututh) Nations.

### 1.2 OPENING REMARKS

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.

## 2. NEW BUSINESS

### 2.1 Consideration of Closure of Queen Elizabeth Annex (QEA)

*That the Board of Education consider the closure of Queen Elizabeth Annex school, effective June 30, 2023, by forwarding this report to the Facilities Planning Committee for review and recommendation.*

## 3. ADJOURNMENT

**ITEM 2.1**

January 17, 2022

TO: Board of Education

FROM: Senior Management Team

**RE: Consideration of Closure of Queen Elizabeth Annex (QEA)**

**Goal 4: Provide effective leadership, governance, and stewardship**

**Objectives:**

- Effectively utilize school district resources and facilities
- Implement the recommendations of the Long-Range Facilities Plan

**INTRODUCTION**

In 2019 the Board of Education did not approve undertaking a public consultation process on the proposed closure of Queen Elizabeth Annex (QEA). Since then, several additional factors have come into play that have prompted District Senior Management to again bring forward to the Board of Education, the recommendation to consider the closure of QEA. The proposed closure date would be June 30, 2023 to allow families affected time to consider the educational options available should QEA be closed. This report identifies two options to accommodate QEA students that will be discussed during the public engagement and consultation process should the consideration of the closure process reach that stage. Other potential accommodation options, identified through the consultation, may also be considered.

Should the Board consider the recommendation to close the school site, two options are outlined in this report to accommodate QEA students and families:

1. Relocate QEA students to Queen Elizabeth Elementary (QE)
2. Consolidate the French Immersion program at Ecole Jules Quesnel (JQ), by enrolling QEA students at JQ

Both sites are nearby QEA and have space to accommodate all QEA students impacted if QEA is closed.

**RATIONALE**

This section details some of the key factors considered by senior staff in making the recommendation to consider the closure of QEA. Detailed information on all factors assessed by senior management is contained in two appendices to this report.

## **Adoption of the Long-Range Facilities Plan**

In January 2021 the Board of Education adopted the 2020-2030 [Long Range Facilities Plan \(LRFP\)](#). The adoption of the plan represents the Board's commitment to a vision for long range planning of District facilities. 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 programming goals and operational goals for facilities. A key strategic priority of the LRFP is ensuring that all students attend a seismically safe school.

Planning studies are used to support the implementation of the strategic directions set out in the LRFP. Two of the types of planning studies, in the list of possible planning studies on the District website, are Program Relocation Studies and School Closure Studies. This report should be considered as a planning study that addresses both the potential closure of QEA and the options for uninterrupted Early French Immersion programming for QEA students. Indeed, one of the future scenarios described for the Lord Byng Family of Schools (FOS) in the Long-Range Facilities Plan is *“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”*.

## **Support Student Learning**

There is detailed information in Appendix 1 about educational program offerings that support student learning in the District's French Immersion programs as well as details related to program demand and enrolment. There continues to be high demand for enrolment in Early French Immersion programs in the District and relocating students to either JQ or QE would sustain the Early French Immersion program at its current level across the District and in the area west of Granville Street.

Relocating QEA students to QE would sustain the current kindergarten enrolment for Early French Immersion (EFI) in the JQ program. Moving to JQ or QE would enable students to attend a school in the preferred school size range which provides additional access to resources and supports for learners and facilitates staff collaboration.

Moving QEA students to JQ would create a more robust language and cultural immersion experience as a larger French Immersion population fosters more opportunities for staff and student collaboration. Moving the FI program to JQ would allow students to stay in one school from K-7, making one less transition for QEA students who continue their French Immersion journey at JQ.

## **Equity of Resource Allocation**

As explained in more detail in Appendix 2, the average cost per student of operating the QEA program is \$11,288 (2019 estimate). The Ministry's basic enrolment funding allocation per student is \$7,885. If QEA is closed, the District will realize substantial annual operational cost savings of approximately \$150,000 per year if students are relocated to QE, and approximately \$300,000 per year with program consolidation at JQ. These annual operational savings can be re-allocated to support programs and services for students across the district.

## **Make the Best Use of Facilities**

Deferred Maintenance: QEA is an older building with a significant amount of deferred maintenance. Funding saved in building operations and maintenance costs by closing QEA could be directed to support other District priorities.

Seismic Safety: QEA is not a seismically safe school. JQ has been seismically upgraded. Consolidating QEA students at JQ would optimize the use of a seismically safe school. Re-locating QEA to QE Elementary may improve the business case for a future seismic upgrade of QE. See Appendix 2 for details.

## **Education Mediation Regulation Proceedings**

On November 26, 2019, the District received a letter dated November 25, 2019, from the Conseil scolaire francophone de la Colombie-Britannique (CSF) Board Chair with a Notice to Mediate under the Education Mediation Regulation (B.C. Reg 250/2000 (Reg. 250)). The Ministry of Education is also a party to the mediation. The mediation is a confidential process and is intended to resolve a dispute between one or more Boards of Education and one or more francophone education authorities. More detail is provided in Appendix 2.

## **Notice of Civil Claim**

The CSF filed a Notice of Civil Claim in the Supreme Court of British Columbia on December 21, 2020, naming three parties: (1) the Province of British Columbia; (2) the Ministry of Education; (3) the Board of Education of School District No. 39 (Vancouver). The Notice of Claim mentions the September 26, 2016, order of the Supreme Court of British Columbia (Court file no. S103975, Vancouver Registry) requiring the province to supply school sites in Vancouver to the CSF and the Vancouver School Board process in 2019 that did not result in the closure of QEA. More detail is provided in Appendix 2.

## **Generate Revenue for Capital Priorities**

Should the Board make the decision to close QEA they could then make the decision to dispose of the QEA site to the CSF. This would generate significant capital revenue for the Board to allocate to enhance projects beyond the base funding provided by the Ministry of Education to meet its obligations through the capital planning process. Priorities for capital funding by the Ministry of Education are identified in the [Board's Capital Plan](#) and the [Long Term Investment Plan](#). These priorities include David Thompson Secondary, Grenfell Elementary, and Olympic Village.

### **POLICY REQUIREMENTS – BOARD POLICY 14 (SCHOOL CLOSURE)**

[Board Policy 14 School Closure](#) contains the framework for the Board to follow in making a decision regarding a staff recommendation to consider a school closure and outlines the factors that Senior Management may assess in making a recommendation for a school closure. As stated in the policy, such a recommendation must be made at a public Board of Education meeting.

## **Framework for Board of Education Decision**

### **Step 1 - Board Receives Senior Management Report and Recommendation**

- Senior Management can make a recommendation for consideration of closure to the Board at a public meeting.
- After considering the information provided at the public meeting the Board will:
  - Conclude that no action or further study is required, **or**
  - Forward the information to the Facilities Planning Committee

### **Step 2 - Facilities Planning Committee Provides its Recommendation to Board**

- Review the information provided by the Board and provide its recommendation to the Board.

### **Step 3 – Board Decides to Either Initiate Public Consultation or Take No Further Action**

- The Board reviews the recommendation from the Facilities Planning Committee and will:
  - Conclude that no action or further study is required, **or**
  - Initiate a public consultation process by passing a motion at a public meeting of the Board

### **Step 4 – Public Consultation**

- If the Board initiates a public consultation process, a period of at least sixty (60) days will be allocated to allow for consultation to occur.
- If consultation occurs, the District will use best practices for engagement by following the International Association of Public Participation standards (IAP2), as per Administrative Procedure 160.
- As part of the consultation the Board will make available, in writing, the rationale for the proposed closure including information about several factors as outlined in section 7 of Policy 14 and hold at least one public meeting to discuss the proposed closure.

### **Step 5 – Board Makes Decision on School Closure**

- After consultation, the final decision about the school closure will be made by the Board through the first, second, and final reading of a School Closure Bylaw at a public Board meeting.

### **Step 6 – Decision Regarding Alternate Use of a Closed Facility**

- Alternate use of a closed facility will be determined by the Board after receiving a recommendation from the Superintendent.

## **Factors Considered by Senior Management**

This report outlines the factors assessed and considered by senior management in making the recommendation to consider the closure of QEA. Policy 14 outlines that senior management, in making such a recommendation for consideration of closure, may assess the following factors:

- Program offerings;
- Space available in nearby schools;
- Distance between schools;
- Traffic patterns and safety of access for students being relocated;
- Current and projected enrolment;

- Class size;
- Funding formula considerations;
- Age of the building, maintenance, and seismic needs of buildings;
- Potential re-uses of facilities and sites; and
- Other factors that may be applicable in the circumstances.

Appendix 1 of this report provides details of the nine factors specifically outlined in Policy 14 that may be assessed when recommending a school closure.

**Figure 1 – Summary of SMT Assessment of Specific School Closure Factors**

Factor	SMT Assessment
Program Offerings	The potential closure of QEA will not impact the availability of EFI programming on a District-wide basis. Students attending the JQ EFI program are enrolled at two sites, JQ and QEA. If QEA is closed, EFI programming will continue to be available to QEA students relocated to the QE site or to QEA students moving to JQ through program consolidation.
Space in nearby schools	The school organization and enrolment of QEA can be accommodated at QE. The school enrolment at QEA can be consolidated with enrolment at JQ.
Distance between schools	The distance between QEA and QE is 1.3 km. QEA and JQ are located 1.2 km apart and JQ and QE are separated by 0.6 km. Students currently attending QEA mostly reside in the west side and UBC region of Vancouver.
Traffic Patterns and Safety of Access for Students being Relocated	Safe walking routes can be identified for those students who now live near QEA. For those that are driven, take public transit or cycle to school, there would not be a significant impact in getting to QE or JQ in terms of commuting times given the proximity of the schools to each other.
Current and Forecast Enrolment	If QEA students are relocated to QE enrolment at QE is forecast to rise to about 360 and decline thereafter. Enrolment at JQ is forecast to vary between 350 and 400 if QEA students are accommodated at JQ.
Class Size	Class size will not be impacted.
Funding Formula Considerations	Enrolment and program funding will not be impacted.
Age, maintenance, and seismic needs of buildings	The QEA school facility is 57 years-old with deferred maintenance costs of \$2.6M corresponding to an FCI rating of 0.69. The seismic risk rating for QEA is H3. QEA is not a prioritized project in the 5-year capital plan. QE has deferred maintenance costs of \$6.0M corresponding to an FCI of 0.47. QE is not a prioritized project in the 5-year capital plan. A seismic upgrade of JQ was completed in 2011. In addition to the seismic upgrading most deferred maintenance items were addressed during the construction phase of the project. There is minimal deferred maintenance and the FCI rating for JQ is 0.07.
Potential re-uses of facilities	If QEA is closed, the Board could make the decision to negotiate a disposition of the QEA site to the CSF. If disposition of the QEA site is concluded with the CSF, the QEA site and facility would be utilized by the CSF to offer French language programming.

Policy 14 outlines that senior management may assess other factors that may be applicable in making a recommendation for the closure of a school. Senior management has assessed the following other factors:

- Outdoor Space
- Childcare
- Accessibility
- Equity of Allocation of Financial Resources
- Student Safety and Seismic Risk
- Legal Proceedings and Mediation
- Revenue from Disposition of QEA to CSF

Appendix 2 of this report provides details of other factors considered by senior management in making this recommendation. A summary of this detail is in Figure 2.

**Figure 2 – Summary of SMT Assessment of Other Factors**

Factor	SMT Assessment
<b>Outdoor Space</b>	The QEA site is 1.5 ha. The QE site is 6.6 ha and adjacent to a large, forested area with trails and a natural bog. The JQ site is contiguous with the Byng secondary site with a total site area of 3.7 ha. The area west of the community centre is 1.2 ha, which approximates the site associated with JQ. QEA, JQ, and QE each have suitable outdoor space to accommodate the current and anticipated future enrolment for any of the options set out in this report.
<b>Childcare</b>	There is no School Age Care (SAC) available at QEA. SAC is offered at QE and JQ.
<b>Accessibility</b>	Both QE and JQ have accessibility features that facilitate wheelchair access throughout these buildings.
<b>Equity of Allocation of Financial Resources</b>	If QEA is closed, either student accommodation option would facilitate more equitable allocation of District financial resources to provide student services and supports.
<b>Student Safety and Seismic Risk</b>	JQ is seismically safe having been upgraded in 2011. The seismic risk ratings for QEA, QE and JQ are H3, H3, and Low, respectively. Accommodating QEA students at JQ would optimize the use of available seismically safe capacity at JQ.
<b>Legal Proceedings and Mediation</b>	Since 2019, the CSF has initiated two legal processes which have required the allocation of significant financial resources. Both processes are ongoing. If the QEA site is made available to the CSF, both processes would be concluded.
<b>Revenue from Disposition of QEA to CSF</b>	The disposition of the QEA site to the CSF would generate substantial capital revenue that the Board could use to enhance capital projects beyond the base funding provided by the Ministry of Education.

**OPTIONS TO ACCOMMODATE QEA STUDENTS, SHOULD QEA BE CLOSED**

If the Board approves moving to the consultation process, staff intend to seek input from the public on two options for accommodating QEA students, should the Board make the decision to close QEA effective July 2023. Other potential options to accommodate QEA students, identified through consultation, could also be considered.

**Option 1: Relocate students at QEA to Queen Elizabeth Elementary (QE)**

- Close QEA effective June 30, 2023
- No changes to current JQ program organization
- Relocate Kindergarten, Grade 1 and Grade 2 students attending QEA in 2022-2023 to QE for the 2023-2024 school year
- Enrol one EFI cohort of Kindergarten at QE annually beginning in September 2023
- Sustain overall EFI program enrolment
- Sustain JQ EFI program enrolment

**Option 2: Consolidate students at QEA and Jules Quesnel (JQ) students at JQ**

- Close QEA effective June 30, 2023
- All students enrolled in JQ EFI program (currently at QEA and JQ) will be accommodated at JQ
- Relocate Kindergarten, Grade 1 and Grade 2 students attending QEA in 2022-2023 to JQ for the 2023-2024 school year
- Sustain overall EFI program enrolment
- Sustain EFI program enrolment in EFI programs West of Granville Street

**TIMELINE OF KEY DATES**

**Figure 3 – Timeline of Key Dates**

Event	Date	Process
Board Meeting	January 17, 2022	Closure consideration report presented to the Board with a recommendation to refer to the Facilities Planning Committee.
Facilities Planning Committee	January 19, 2022	If referred by the Board, closure consideration report to Facilities Planning Committee. Facilities Planning committee provides recommendation to the Board.
Board Meeting	January 31, 2022	The Board reviews the recommendation from the Facilities Planning Committee and has the following options: <ul style="list-style-type: none"> <li>• Conclude that no action or further study is required</li> <li>• Initiate a public consultation process by passing a motion at a public meeting of the Board</li> </ul>
Consultation Period	Feb 1, 2022 – April 29, 2022	Following consultation plan as outlined at Facilities Planning Committee on January 19.
Board Meeting	May 30, 2022	Board to receive consultation findings and consider closure of QEA. The consultation findings.
Closure Process Concludes	July 1, 2023	Proposed effective date of closure of QEA.

## NEXT STEPS

As per Policy 14 (School Closure) after the Board of Education has received a report for the consideration of the closure of a school the Board will determine:

- That no further action or further study is required, **or**
- Forward the information contained in the report to the Facilities Planning Committee for review and recommendation.

If the Board determines that this information should be forwarded to the Facilities Planning Committee staff will present to the January 19, 2022 meeting.

## RECOMMENDATION

**It is recommended that** the Board of Education consider the closure of Queen Elizabeth Annex school, effective June 30, 2023, by forwarding this report to the Facilities Planning Committee for review and recommendation.

## APPENDIX 1 - STAFF ASSESSMENT OF SPECIFIC FACTORS IN POLICY 14

In this section, an analysis of each of the factors specifically identified in Section 1 of Policy 14 is provided for consideration.

### **Program Offerings**

When families apply for Kindergarten to the JQ Early French Immersion program (EFI) they are given the choice of a preferred location to enrol their child - the main JQ site, or the program site at QEA. Annually, 40 Kindergarten students enrol at JQ and 20 Kindergarten students enrol at QEA. Students beginning Kindergarten at JQ may remain at the school until Grade 7. Students beginning Kindergarten at QEA move to JQ after Grade 3 to continue the Early French Immersion program for grades 4 to 7. The JQ program is one of 12 District Early French Immersion programs.

### **Access to EFI Programming**

In alignment with enrolment procedures for all other District Choice programs, and to maximize equity of access, the District has permanently suspended priority registration zones (PRZ) which means that the entire District is the catchment for EFI programs. Despite the removal of PRZs, geographical proximity remains an important consideration for families when applying to EFI programs.

### **Single Track French Immersion Programs**

There are three single track French Immersion schools in the District, L'Ecole Bilingue, Lord Tennyson, and Ecole Jules Quesnel/QEA. The number of first choice applicants and program waitlists for these three programs are shown in Figure 1 and Figure 2.

**Figure 1 – First Choice Applicants Single Track EFI Programs**

School	First Choice Applicants 2015	First Choice Applicants 2016	First Choice Applicants 2017	First Choice Applicants 2018	First Choice Applicants 2019	First Choice Applicants 2020	First Choice Applicants 2021
Jules Quesnel/QEA	100	91	90	86	82	71	74
Tennyson	71	109	100	60	86	126	110
L'Ecole Bilingue	121	161	165	172	132	176	152
<b>Total</b>	<b>292</b>	<b>361</b>	<b>355</b>	<b>318</b>	<b>300</b>	<b>373</b>	<b>336</b>

Note: The number of first choice applicants to EFI programs can be used as an indicator of individual program demand. Between 2015 and 2021 the number of applicants for the JQ/QEA program has declined, in concert with the overall decline in youth population in the area.

**Figure 2 – First Choice Waitlists Single Track EFI Programs**

School	First Choice Waitlist 2015	First Choice Waitlist 2016	First Choice Waitlist 2017	First Choice Waitlist 2018	First Choice Waitlist 2019	First Choice Waitlist 2020	First Choice Waitlist 2021
Jules Quesnel/QEA	34	16	19	15	1	9	0
Tennyson	5	33	59	19	45	83	68
L'Ecole Bilingue	55	84	125	133	88	129	110
<b>Total</b>	<b>94</b>	<b>133</b>	<b>203</b>	<b>167</b>	<b>134</b>	<b>221</b>	<b>178</b>

Note: As the number of applicants has declined, the first-choice waitlist for the JQ/QEA program has become smaller and in 2021 there was no first-choice waitlist for the JQ/QEA program.

**Dual Track French Immersion Programs**

There are three dual track schools offering EFI programming in the vicinity of JQ/QEA: Kerrisdale, Quilchena, and Trafalgar. The number of first choice applicants and program waitlists for these three programs are shown in Figure 3 and Figure 4.

**Figure 3 - First Choice Applicants – Programs nearby JQ/QEA**

School	First Choice Applicants 2015	First Choice Applicants 2016	First Choice Applicants 2017	First Choice Applicants 2018	First Choice Applicants 2019	First Choice Applicants 2020	First Choice Applicants 2021
Kerrisdale	43	50	30	55	50	40	35
Quilchena	34	22	33	25	19	25	22
Trafalgar	39	43	33	29	35	31	42
<b>Total</b>	<b>116</b>	<b>115</b>	<b>96</b>	<b>109</b>	<b>104</b>	<b>96</b>	<b>99</b>

**Figure 4 – First Choice Waitlists – Programs nearby JQ/QEA**

School	First Choice Waitlist 2015	First Choice Waitlist 2016	First Choice Waitlist 2017	First Choice Waitlist 2018	First Choice Waitlist 2019	First Choice Waitlist 2020	First Choice Waitlist 2021
Kerrisdale	0	4	0	13	5	0	0
Quilchena	12	0	9	1	0	0	1
Trafalgar	0	0	13	8	1	0	20
<b>Total</b>	<b>12</b>	<b>4</b>	<b>22</b>	<b>22</b>	<b>6</b>	<b>0</b>	<b>21</b>

In recent years, the decline in first choice applicants for the JQ/QEA program combined with the ability of the Kerrisdale and Quilchena programs to accommodate most, or all, of their first-choice applicants has resulted in small first choice waitlists for the JQ/QEA, Kerrisdale and Quilchena EFI programs.

If QEA remains open, or students attending QEA are relocated to Queen Elizabeth Elementary (QE) there will be no changes to the annual enrolment of three Kindergarten cohorts per year for the JQ/QEA EFI program. If the program is consolidated at JQ, the annual Kindergarten cohort intake would vary between two and three per year as shown in Figure 5.

**Figure 5 – Forecast Kindergarten EFI cohorts at JQ and nearby programs**

School	2021 (Current Year)	2022	2023	2024	2025	2026
Jules Quesnel	3	3	2	2	3	2
Trafalgar	1	1	2	2	1	2
Quilchena	1	1	1	1	1	1
Kerrisdale	2	2	2	2	2	2
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>

Note: Current class size and composition rules have been applied to the school organization analysis. Overall access to EFI programming at JQ, and nearby programs, would be sustained at the current level (seven cohorts, 140 students) with the consolidation of students at the JQ.

## **Space Available in Nearby Schools**

### **Queen Elizabeth Elementary**

QE has an operating capacity of 398 students. The current enrolment at QE is 269 students. This year, the school is staffed for 12 divisions. The school has 3 resource rooms, a multipurpose room, a library, a gym, and a separate auditorium that is utilized as an additional gym space. There are many ancillary spaces available for use by area counsellors, and other school and district resource staff. QE has experienced declining enrolment for many years, with further enrolment decline forecasted in 2022.

**Figure 6 - Space use at QE**

Space Description	Area	Category
18 Classrooms	1578 m <sup>2</sup>	Enrolling Space
1 Computer Room	65 m <sup>2</sup>	Non-enrolling Space
3 Resource Rooms	133 m <sup>2</sup>	Non-enrolling Space
Library	200 m <sup>2</sup>	Non-enrolling Space
Core Special Education	200 m <sup>2</sup>	Non-enrolling Space
1 Multipurpose Rooms	225 m <sup>2</sup>	Non-enrolling Space
2 Gyms/Auditorium	715 m <sup>2</sup>	Non-enrolling Space
2 Play Areas	224 m <sup>2</sup>	Non-enrolling Space

## Ecole Jules Quesnel

JQ has an operating capacity of 398 students. The school has a stable organization and is staffed for 16 divisions. The school also has 3 resource rooms, a multipurpose room, a library, a computer room, and a gym.

**Figure 7 - Space use at JQ**

Space Description	Area	Category
18 Classrooms	1370 m <sup>2</sup>	Enrolling Space
1 Computer Room	72 m <sup>2</sup>	Non-enrolling Space
3 Resource Rooms	83 m <sup>2</sup>	Non-enrolling Space
Library	151 m <sup>2</sup>	Non-enrolling Space
Multipurpose Room	231 m <sup>2</sup>	Non-enrolling Space
Gym	361 m <sup>2</sup>	Non-enrolling Space
3 Common Areas	59 m <sup>2</sup>	Non-enrolling Space

## Distances Between Schools

As shown in Figure 8, it is about the same distance to QE and JQ from QEA.

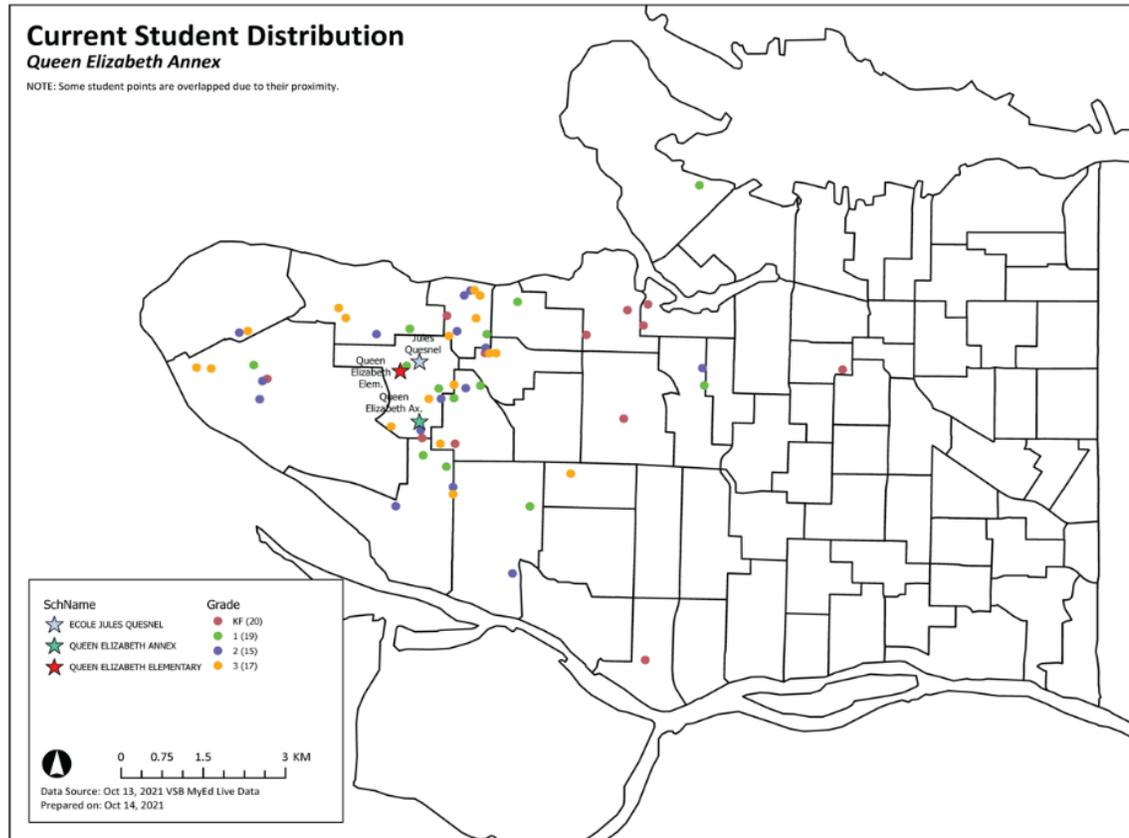
**Figure 8 – Distances Between Schools**

School 1	School 2	Distance
Queen Elizabeth Annex	Queen Elizabeth Elementary	1.3 km
Queen Elizabeth Annex	Ecole Jules Quesnel	1.2 km
Queen Elizabeth Elementary	Ecole Jules Quesnel	0.6 km

## Traffic Patterns and Safety of Access for Students being Re-located

In Figure 9 below, students attending QEA are mapped onto the elementary catchment map for the District.

**Figure 9 – Geographical Distribution of QEA students**



Students attending QEA are enrolled in a District choice program and as the distribution of students shows, QEA is not a 'neighbourhood' school in the sense that most students are travelling further to attend QEA than they would to attend their catchment school. As shown in Figure 8, the distances between QEA, QE and JQ is 1.3km and 1.2 km, respectively. Safe walking routes can be identified for those students who live near QEA. For those that are driven, take public transit or cycle, there would not be a significant impact in getting to QE in terms of commuting times given the proximity of the schools to each other.

## **Current and Projected Enrolment**

The September 30, 2021 enrolment by grade for QEA, QE and JQ is shown in Figure 10.

**Figure 10 – 2021 Enrolment**

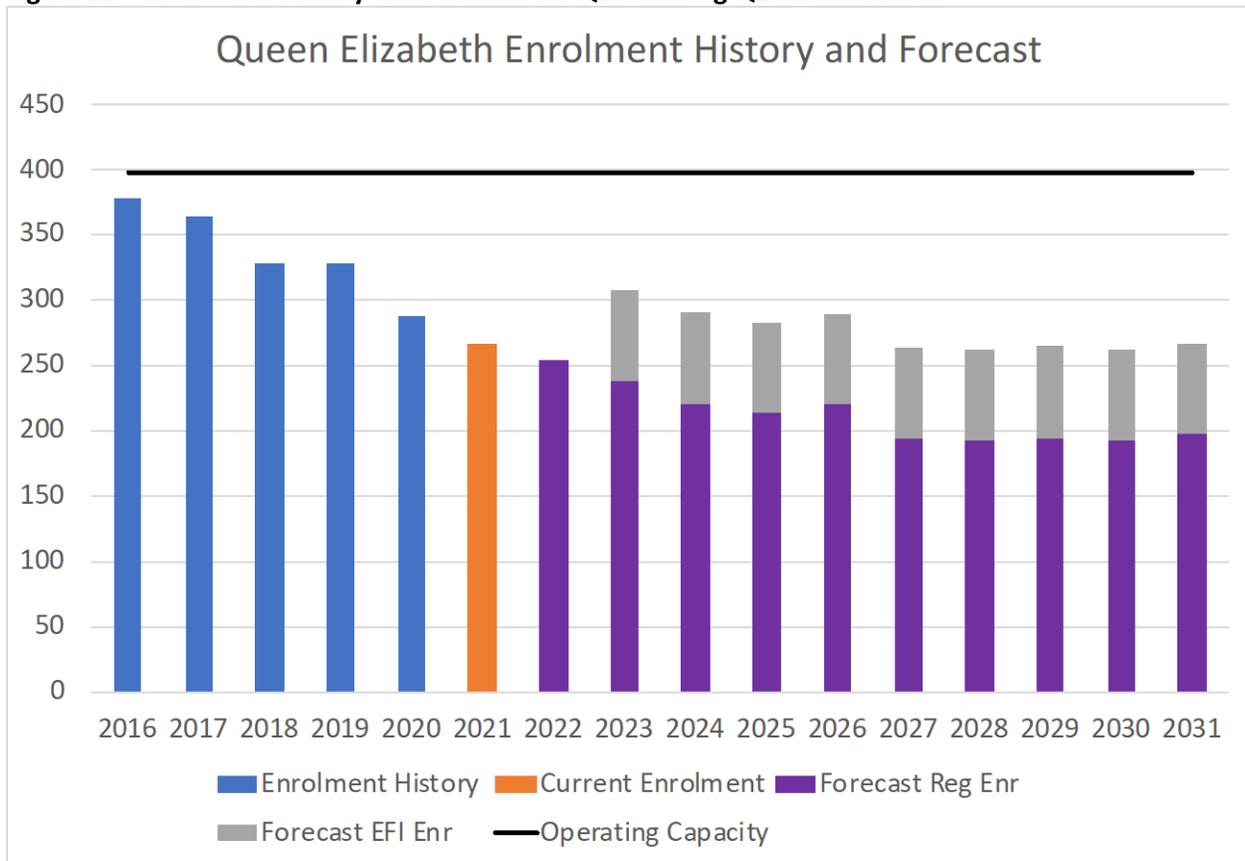
Grade	JQ Site	QE Site	QEA Site
K	40	16	20
1	44	15	19
2	34	40	15
3	39	17	17
4	54	32	-
5	47	48	-
6	47	45	-
7	51	56	-
<b>Total</b>	<b>356</b>	<b>269</b>	<b>71</b>

### **Enrolment History and Forecast for QE including QEA EFI students**

Figure 11 shows the combined enrolment of QEA and QE in relation to operating capacity for QE with the following assumptions:

- Grade 3 QEA students will transfer to JQ in September 2023 for Grade 4 as per current practice
- One cohort of EFI Kindergarten students will be enrolled at QE in September 2023
- The 2022 cohorts of Kindergarten, Grade 1, and Grade 2 students at QEA will re-locate to QE in September 2023
- QE continues to enrol one Kindergarten cohort of JQ EFI program students annually

**Figure 11 – Enrolment History and Forecast for QE including QEA EFI students**

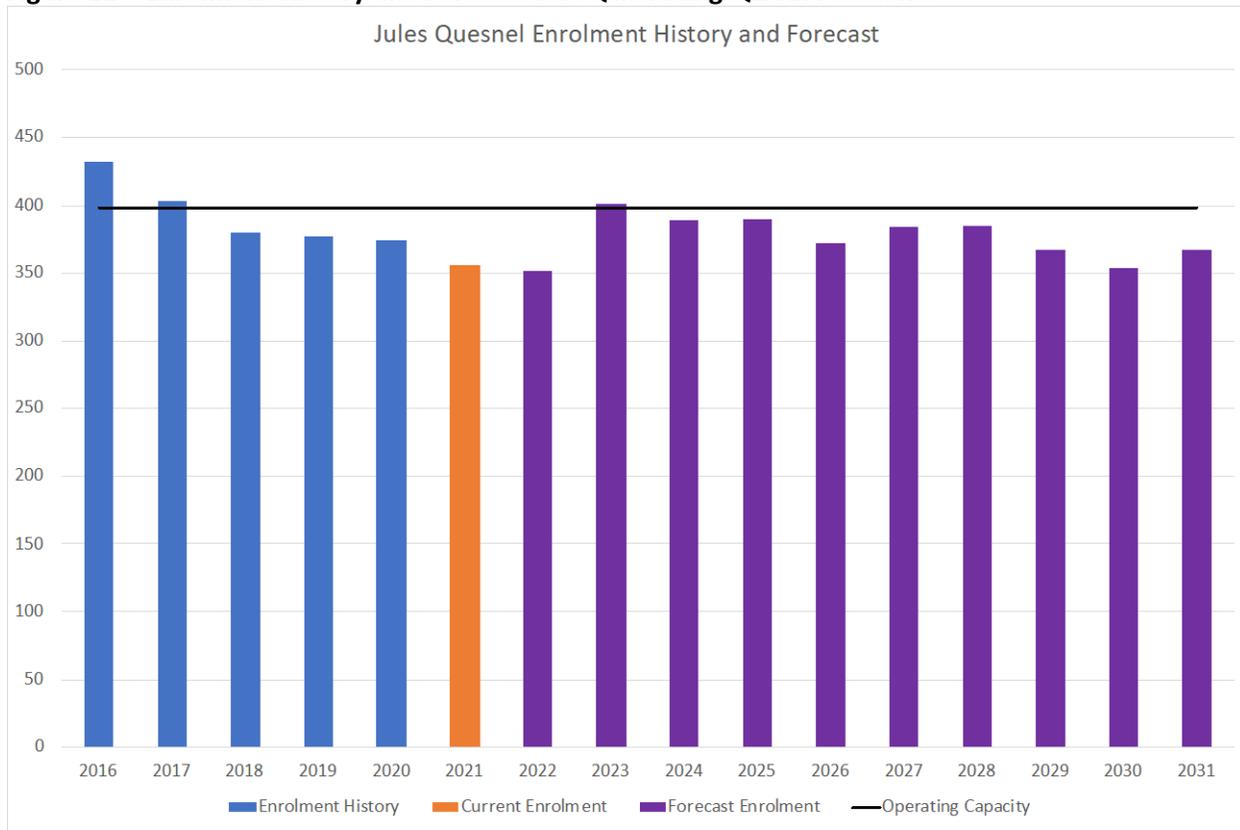


**Enrolment History and Forecast for JQ including QEA EFI students**

Figure 12 shows the consolidated enrolment of students attending QEA and JQ in relation to operating capacity for JQ with the following assumptions:

- Grade 3 QEA students will transfer to JQ in September 2023 for Grade 4 as per current practice
- The 2022 cohorts of Kindergarten, Grade 1, and Grade 2 students at QEA will be consolidated with JQ students at JQ in September 2023
- JQ will enrol two or three Kindergarten cohorts annually (see Figure 5)

**Figure 12 – Enrolment History and Forecast for JQ including QEA EFI students**



**Class Size**

Class size is determined by provisions in the Collective Agreement between the Vancouver Teachers’ Federation and the Vancouver School Board. Class size limits and adjustments for composition are the same for the EFI programs as for regular programs.

**Funding Formula Considerations**

Enrolment and program funding will not be impacted by a decision to close QEA.

**Facilities Considerations – Building Age, Condition and Seismic Risk Status**

**Queen Elizabeth Annex**

QEA is a one-story school with six classrooms built in 1964. The school was constructed in a single block and has an H3 seismic rating. A seismic upgrade for the school is not a prioritized project in the 5-year capital plan.

The school has significant deferred maintenance which results in a Facility Condition Index (FCI) rating of 0.69 from the most recent assessment conducted in 2020. Based on the total replacement cost for the building of \$3.8 M the estimated deferred maintenance cost for QEA is \$ 2.6 M.

## **Queen Elizabeth Elementary**

Queen Elizabeth Elementary is primarily a one-storey building with limited upper storey areas adjacent to both gymnasiums. The school was built in 1940 and added to at its west end in 1957 and 1967. There is a group of modular buildings located on the school grounds, which are used as required for temporary accommodation to advance the seismic mitigation program. Bayview elementary - currently on site at QE - is scheduled to return to their new replacement school by September 2022. There are no other schools scheduled to use the modular buildings on site at QE.

Queen Elizabeth Elementary consists of eight blocks, including five blocks classified as H3 seismic risk, two medium risk blocks and one low risk block. The overall seismic risk of the school is H3. The school has deferred maintenance which results in a Facility Condition Index (FCI) rating of 0.47 from the most recent assessment conducted in 2020. The estimated cost of deferred maintenance at QE is \$6.0M.

## **Jules Quesnel**

Jules Quesnel Elementary is a three-storey building originally opened in 1926. A seismic upgrade of JQ was completed in 2011. A three-storey classroom addition, a two-storey gym and a multipurpose room were added to the school during the seismic upgrade project. Jules Quesnel shares a site with Lord Byng Secondary school and a Vancouver Park Board swimming pool. The elementary school has direct access to a courtyard area, parking lot, playground equipment, and a basketball court.

Jules Quesnel Elementary consists of three blocks, which have been seismically upgraded. The school has minimal deferred maintenance requirements, with Facility Condition Index for 2020 of 0.07, indicating a very good building condition.

## **Assessment**

Re-locating QEA students to QE is a more effective use of District resources and facilities as annual operating and maintenance costs for QEA will no longer be borne by the District.

Accommodating QEA students at JQ optimizes utilization of seismically safe capacity and is a more effective use of District resources and facilities as annual operating and maintenance costs for QEA will no longer be borne by the District.

## **Potential Re-uses of School Facilities and Site**

Policy 14 indicates that at the beginning of the public consultation meeting the Board inform the public of possible alternative community use for all or part of the school.

If QEA is closed, the Board could make the decision to negotiate a disposition of the QEA site to the CSF. The CSF is interested in the QEA site. District staff are confident that a disposition agreement could be successfully negotiated with the CSF, if the Board decides to close QEA.

## APPENDIX 2: OTHER FACTORS ASSESSED BY SENIOR MANAGEMENT

Policy 14 notes that *other factors that may be applicable* can be assessed by Senior Management in making a closure recommendation. This section outlines other factors considered by Senior Management in making the recommendation to consider the closure of Queen Elizabeth Annex.

### **Outdoor Space**

Queen Elizabeth Annex (QEA), Queen Elizabeth Elementary (QE), and Ecole Jules Quesnel (JQ), all have access to outdoor play space with natural surfaces, natural features, and play structures. Both QEA and QE have direct access to Pacific Spirit Regional Park lands. The JQ site and Byng Secondary site are contiguous.

**Figure 1 – Outdoor Space**

Location	Site Area	Notes
QEA	1.54 ha	Direct access Pacific Spirit Regional Park
QE	6.60 ha	Direct access Pacific Spirit Regional Park
JQ	1.16 ha	JQ site is contiguous with Byng secondary site, total site area is 3.67 ha

### **Childcare**

School Age Care (SAC) is not offered at QEA. There is currently one school age care service provider at QE that provides after school care for the school community. There is sufficient additional multi-purpose space available at QE to accommodate licensing of additional school age care spaces from the current service provider in the future. School age care is available from one provider at JQ. Currently, there is no additional suitable space available for SAC expansion at JQ.

### **Accessibility**

QE is an accessible school with two lifts, and ramps where needed. There is an accessible parking stall provided and washroom facilities are accessible.

The seismic upgrade of JQ was completed in 2011 and an elevator was added. There is an accessible parking stall provided and washroom facilities are accessible.

### **Equity of Allocation of Financial Resources**

#### **Cost Per Student**

To inform the work of the Preferred School Size Working Group, staff undertook a detailed analysis of the average cost per student at each VSB school. The overall results of that analysis are available in the [VSB](#)

[Preferred School Size Working Group Final Report](#). The key findings from the cost per student analysis include the following:

- Annexes generally have the highest operating costs
- Elementary schools enrolling fewer than 300 students have substantially higher operating costs than those enrolling more than 300 students
- Single track French Immersion schools generally have lower operating costs

**Figure 2 - Elementary Cost per Student (CPS) by school size range**

Number of Schools	Size Range	Average CPS
7	0-99	\$ 11,565
15	100-199	\$ 9,655
17	200-299	\$ 8,682
19	300-399	\$ 7,644
23	400-499	\$ 7,638
3	500-599	\$ 7,153
4	600-699	\$ 7,352
1	700-799	\$ 7,268

These general findings are borne out by the with respect to QEA, QE and JQ.

**Figure 3 – Elementary Cost per Student**

School Name	Enrolment (2019)	Average Cost Per Student
Queen Elizabeth Annex	67	\$11,288
Queen Elizabeth Elementary	295	\$9,079
Jules Quesnel Elementary	377	\$6,876

In consolidating the JQ program enrolment at one site or relocating students currently attending QEA to QE the District could achieve estimated savings in operating costs as per Figure 4.

**Figure 4 – Estimated Annual Savings in Operating Expenditures**

Option	Estimated Annual Savings
Consolidate Program at JQ	\$295,604
Relocate QEA students to QE	\$148,003

## **Student Safety and Seismic Risk**

The mandate of the government funded Seismic Mitigation Program (SMP) is to provide safe spaces to accommodate student enrolment as quickly and cost effectively as possible. Under this mandate, there is no prospect that QEA will be prioritized or funded for seismic upgrading. QEA has a high seismic risk rating and is not currently prioritized in the 5-year Capital Plan for government investment through the SMP. JQ is seismically safe having been upgraded with an SMP project completed in 2011. The seismic risk ratings for QEA, QE and JQ are H3, H3, and Low, respectively.

## **Revenue from the Potential Disposition of QEA**

Through a negotiated disposition of QEA to CSF, the District could realize substantial capital revenue that can then be used by the Board to make contributions to government investments through the Seismic Mitigation Program (SMP) or the School Expansion Program (EXP). The capital plan instructions indicate that government expects that districts will contribute up to 50 per cent of the project costs for school expansion projects advanced in the capital plan.

## **Mediation and Legal Proceedings**

Following the Board's decision in 2019 not to engage in public consultation on the proposed closure of QEA, the CSF initiated two processes which have required the allocation of significant VSB staff and financial resources. Both processes are ongoing.

### **Education Mediation Regulation**

On November 26, 2019, the District received a letter dated November 25, 2019 from the CSF Board Chair with a Notice to Mediate under the Education Mediation Regulation (B.C. Reg 250/2000 (Reg. 250)). The Ministry of Education is also a party to the mediation. The mediation is a confidential process; the process is intended to resolve a dispute between one or more boards of education and one or more francophone education authorities in relation to any one or more of the following circumstances:

- (a) any matter arising under section 166.29 of the School Act;
- (b) the co-management of shared assets;
- (c) the negotiation, implementation or interpretation of any lease of assets or facilities that are not transferred under section 166.29 of the School Act
- (d) any other dispute that may arise between one or more boards of education and one or more francophone education authorities;

The mediation is mandatory and can only be concluded when one of the following conditions have been met:

- 1) All issues are resolved, and a written settlement agreement is signed.
- 2) The mediator determines that the process will not be productive, or,
- 3) All participants agree to terminate the mediation process.

If a settlement is reached, the respective parties involved in the mediation must have the ability to approve a settlement at that time, or within a very short time, if a governing body is required to approve the settlement agreement.

Beginning in February 2020, several meetings and discussions among the three parties to the mediation have been convened.

### **Notice of Civil Claim**

The CSF file a Notice of Civil Claim in the Supreme Court of British Columbia on December 21, 2020, naming three parties: (1) the Province of British Columbia; (2) the Ministry of Education; (3) the Board of Education of School District No. 39 (Vancouver).

The Notice of Claim mentions the September 26, 2016, order of the Supreme Court of British Columbia (Court file no. S103975, Vancouver Registry) requiring the province to supply school sites in Vancouver to the CSF and the Vancouver School Board process in 2019 that did not result in the closure of Queen Elizabeth Annex.

The following relief is sought in the Notice, particularly with respect of Section 23 of the Canadian Charter of Rights and Freedoms:

**Declarations and orders sought 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.

**Declarations sought in relation to the Province, the Minister of Education and the VBE**

- a. A declaration that Ministerial Order M193/08, Disposal of Land or Improvements Order, Ministerial Order 194/08, School Opening and Closure Order, VBE Policy 14, School Closure, and VBE Policy 20, Disposal of Land or Improvements, to the extent that they impose requirements that impede the timely implementation of section 23 of the Charter, infringe section 23 in a manner not justified by section 1 of the Charter, and are therefore of no force or effect; and
- b. A declaration that the imposition of other requirements (unrelated to health or safety considerations) that impede the timely implementation of section 23 of the Charter, infringes section 23 in a manner not justified by section 1 of the Charter.

The Board has engaged a constitutional law firm to handle its defense. A case management judge has been appointed and the parties are in the document production phase.

# Consideration of Closure of Queen Elizabeth Annex

Special Board Meeting

January 17, 2022

# **Overview of the Jules Quesnel/Queen Elizabeth Annex Program**

Queen Elizabeth Annex (QEA) and Ecole Jules Quesnel (JQ) are one single track K-7 Early French Immersion (EFI) program.

K-3 students from QEA go to JQ for grades 4 to 7.

# Why Bring Forward Closure Consideration Now?

1. Support student learning and educational opportunities.
2. Commitment to seismically safe schools.
3. Advancement of capital priorities.
4. Ongoing legal processes – civil litigation and mediation.
5. Providing time to hear from and work with families and staff in the event of a closure (proposed closure date is July 2023).

**The January 17 Board report provides details on factors considered and assessed including the key factors in making a closure recommendation.**

**These are:**

- Adoption of Long-Range Facilities Plan
- Supporting Student Learning
- Equity of Resource Allocation
- Best Use of Facilities
- Ongoing Mediation & Civil Claim
- Revenue for Capital Priorities

## **Accommodating the QEA Community**

Two proposals to accommodate the QEA community should, QEA be closed, are identified:

- Relocate QEA students to Queen Elizabeth Elementary
- Relocate QEA students to Jules Quesnel

Other potential options to accommodate QEA students could be identified through the consultation.

If the Board approves moving to the consultation process, staff intend to seek input on these options.

## **Commitment to Engagement**

We want to hear from, listen to, and work with impacted students, families, staff and the broader community.

No closure decision will be made until after public consultation.

# Process and Timeline



Event	Date	Process
Special Board Meeting	January 17	Closure consideration report presented to the Board with a recommendation to refer to the Facilities Planning Committee.
Facilities Planning Committee	January 19	If referred by the Board closure consideration report sent to Facilities Planning Committee. Facilities Planning committee provides recommendation to the Board.
Board Meeting	January 31	The Board reviews the recommendation from the Facilities Planning Committee and has the following options: <ul style="list-style-type: none"> <li>•Conclude that no action or further study is required</li> <li>•Initiate a public consultation process by passing a motion at a public meeting of the Board</li> </ul>
Consultation	Feb 1 – April 29	If the Board initiates a public consultation process it would run until April 29.
Board Meeting	May 30	Board to receive consultation findings and consider closure of QEA.

# Process and Timeline

Event	Date	Process
Special Board Meeting	January 17	Closure consideration report presented to the Board with a recommendation to refer to the Facilities Planning Committee.
Facilities Planning Committee	January 19	If referred by the Board closure consideration report sent to Facilities Planning Committee. Facilities Planning committee provides recommendation to the Board.
Board Meeting	January 31	The Board reviews the recommendation from the Facilities Planning Committee and has the following options: <ul style="list-style-type: none"> <li>•Conclude that no action or further study is required</li> <li>•Initiate a public consultation process by passing a motion at a public meeting of the Board</li> </ul>
Consultation	Feb 1 – April 29	If the Board initiates a public consultation process it would run until April 29.
Board Meeting	May 30	Board makes decision on closure of QEA.



July 2023

If the Board makes the decision to close QEA, the closure will not take place until the end of the 2022-2023 school year.

## Step 1 of the Process

Senior Management makes a recommendation for consideration of closure at a public Board meeting (January 17, 2022).

After considering the information provided the Board will:

- Conclude that no action or further study is required, **or**
- Forward the information to the Facilities Planning Committee.

**It is recommended** that the Board of Education consider the closure of Queen Elizabeth Annex school, effective June 30, 2023, by forwarding this report to the Facilities Planning Committee for review and recommendation.