

**NANAIMO LADYSMITH PUBLIC SCHOOLS
BUSINESS COMMITTEE
ACTION SHEET**

DATE: May 8, 2024
TO: Business Committee
FROM: Mark Walsh, Secretary-Treasurer
SUBJECT: Rutherford Reopening

Recommendation:

That the Board of Education of School District No. 68 (Nanaimo-Ladysmith) approve in principle the Rutherford Working Group's reopening plan recommendations (the "Recommendations") including the redrawn boundaries and transfer of students in the newly created Rutherford and Frank J. Ney boundaries and send the Recommendations to the community for consultation with final approval in the fall of 2024.

Background:

On October 25, 2023, the Board passed the following motion to open Rutherford Elementary School:

That the Board of Education of School District No. 68 (Nanaimo-Ladysmith) direct that Rutherford Elementary School be reopened as of September 2025 and that staff are directed to create a School Transition Working Group to address issues associated with reopening the facility and provide the Board with recommendations with respect to appropriate catchments for Rutherford and the surrounding schools and potential programming, if applicable, to ensure the long-term viability of the school.

Following this motion, staff organized a working group comprising of a diversity of stakeholders. There were 3 meetings held on February 15, and March 26 and April 25.

The initial meeting discussed the purpose of the working group and the guiding principles stemming from the Board's motion as follows:

1. Ensure the long-term viability of Rutherford and alleviate Departure Bay, McGirr and Randerson capacity;
2. Limit portable use in the North End;
3. Ensure short-term vibrancy of Rutherford;
4. Attempt to ensure safe and walkable catchments;
5. Encourage an expedient decision of the Board;
6. Rationalize north end and related catchments;
7. Ensure transparency and community consultation.

The meeting of March 26 focused on the two most important decisions that the Board is required to make focused on the short and long term viability of the program: a) enrolment assumption and catchments, and b) the transfer of students.

- a. Staff reviewed revised enrolment and construction assumptions to ensure that the short and medium term (to 2035 and in at least one case – Green Thumb Development – beyond that) were being considered when redrawing boundaries. The basis for the projections and catchments is based on the assumed catchment of regular program students (French Immersion students were removed). Notably, many schools have significant out of catchment populations due to students moving out of catchment at some point after enrolment. This trend is not captured in the projections.

There was generally an understanding that revising catchments did not have a lot of flexibility. For instance, shrinking McGirr's catchment to benefit Rutherford's population could create situations where a student would walk past McGirr to get to Rutherford. The biggest changes occurred with respect to Departure Bay and Frank J Ney.

Note that changes to Cilaire, Rock City and Uplands were also discussed to address future growth issues and to assist in the long-term viability of Cilaire.

- b. Staff also reviewed the need to require the transfer of students in the new Rutherford and Frank J Ney catchments that were going into kindergarten to grade 6 in September 2025. This was required due to ensuring the vibrancy of Rutherford but also to ensure that students moved from Departure Bay to Frank J Ney so Frank J Ney would avoid emptying in the short term while Departure Bay maintained its portables. It should be noted that concerns about immediate required transfers were raised but the working group generally supported the need for this in order to achieve the stated aims.

The meeting of Thursday, April 25 reviewed this report in advance of being presented to the Board. At the meeting the group discussed the draft report and were supportive of proceeding to the Board. Noting that continued concerns were raised about the requirement of transfer and the committee was not unanimous with this particular recommendation. However, at the meeting the recommendation with respect to priority cross-boundary transfer was discussed and was added. Further, clarity about accessing a sibling's secondary school was also added with respect to impacted Departure Bay students.

It was also noted that following consultation, in the event that the Board proceeds, that a small working group will meet to discuss individual requests. E.g. a street has inadvertently been cut off and should be shifted to a different catchment. The goal is to be as responsive to concerns and requests without putting the overall goal of a vibrant Rutherford at risk.

Finally, it should be noted that the Ministry of Education and Child Care has supported upgrades at the value of \$898,200 to Rutherford. The District will also use Annual Facility Grant dollars to support accessibility, educational and aesthetic upgrades to the facility.

The Board set aside \$600,000 for use in the 24/25 Fiscal year to purchase school equipment in advance of the opening.

Discussion:

The recommendations will align with guiding principles noted above as follows:

1. Ensure the long-term viability of Rutherford and alleviate Departure Bay, McGirr and Randerson capacity. This has been achieved by the boundaries provided. A link to the zoomable maps can be found here.

McGirr

2023 Capacity (excl. portables): 390
Current FTE: 482
Current Students Living in New Catchment: 377
2030 Students living in catchment: 431

The proposed changes are relatively minor for McGirr. Notably, McGirr contains many out of catchment students. It remains to be seen how quickly the portables will be able to be shuttered, however cross boundary transfers will not be available.

Frank J Ney

2023 Capacity (excl. portables): 415
Current FTE: 434
Current Students Living in New Catchment: 343
2030 Students living in catchment: 455

Frank J Ney sees the largest change in catchment losing its western area to Rutherford and gaining the northern section of Departure Bay around Golden Oaks and Oakridge. We note that one section moved to Rutherford is slightly closer to Frank J Ney. However, Rutherford needed the additional population for long term viability as the 2035 numbers do not suggest catchment growth. Notably, if growth projections to 2035 bear out the District may have to contemplate additional actions including the review of Hammond Bay as a dual track school. However, given community feedback and the unpredictability of actual growth and family sizes additional changes are premature.

Randerson Ridge

2023 Capacity (excl. portables): 415
Current FTE: 477
Current Students Living in New Catchment: 363
2030 Students living in catchment (does not include Greenthumb development): 318

Randerson will lose the lower section of the Rutherford Road hill. Note that Randerson is being projected to have fewer students in catchment than the capacity of the school. However, two issues were considered. First, the Green Thumb development will produce approximately 150 elementary students. However, the time period for completion is likely outside of the 2035 window so do not appear in the projections. Further, our projections have not yet captured a significant increase of students living in newly built condos and rental apartments being built in the neighbourhood. If this dynamic changes due to affordability, then Randerson will be better prepared to serve that growth.

Departure Bay

2023 Capacity (excl. portables): 295
Current FTE: 420
Current Students Living in New Catchment: 268
2030 Students living in catchment: 263

As noted above, Departure Bay is proposed to lose Oakridge, Golden Oaks and a small area near Cilaire. Currently Oakridge and Golden Oaks are not walkable to Departure Bay and the distance is significant, so the change does not result in a less walkable catchment.

Also note that Departure Bay, like McGirr, typically hosts a large out of catchment population. This is mainly due to families enrolling while living in catchment and then remaining when they leave. Given this trend the school is unlikely to shrink to its catchment size only.

Rutherford

2023 Capacity (excl. portables): 340
Current FTE: 0
Current Students Living in New Catchment: 354
2030 Students living in catchment: 333

Note that the Rutherford catchment is projected to decline in enrolment to the lack of projected construction by 2035. Therefore, the proposed catchment is intended to be sufficient for short- and medium-term enrollment.

2. Limit portable use in the North End;

The proposed changes should eliminate portables at Departure Bay and Randerson and minimize need at McGirr and Frank J Ney. As noted, Frank J Ney may need additional capacity solutions (including portables) by 2035 if projections bear out.

3. Ensure short-term vibrancy of Rutherford;

The only way to ensure the vibrancy of Rutherford is to require students in K-6 (as of September 2025) in the new Rutherford catchment to transfer. Further, transfer is also required for the same age group from Departure Bay to Frank J Ney or Frank J Ney would be under capacity.

Notably, students in grade 7 in the Rutherford catchment would be able to remain at their previous school. Siblings of those grade 7s would also be able to remain for one year.

Without the requirement to transfer Rutherford would require volunteers to move schools as well as newly enrolled students in the catchment. This is simply not a realistic strategy to ensure the short- and medium-term vibrancy of Rutherford.

Please note that students who have utilized the Out-of-Catchment process and previously transferred into McGirr, Frank J Ney, Randerson or Departure Bay or lived in the catchment and then moved will not be required to transfer. The reality is that requiring all out of catchment students to return to their catchment schools would have a major impact across the District.

Note that parents in the Rutherford catchment may apply for cross boundary transfer and may be successful. However, the District will be shuttering and/or moving portables and therefore capacities will be lessened at DP, McGirr and Randerson.

In addition to significant investment in the infrastructure of the school the District also intends to expand its in-house before and after school to Rutherford upon opening.

4. Attempt to ensure safe and walkable catchments;

The consultants to the extent possible used to create the proposed catchments took into natural barriers, elevations etc.

The average walk distance for students will decrease. However, the students being moved from Departure Bay to Frank J Ney already do not have viable safe walking routes. This will not immediately shift. However, part of the Oakridge area being moved to Frank J Ney will likely (in the next 10 years) be closer to Frank J Ney due to road construction. District staff have met with local developers as well as the city on the issue.

5. Encourage an expedient decision of the Board;

AP 302 requires that catchment shifts shall normally be complete by January of the year prior to the next school year. This aligns with kindergarten enrolment. Our goal is to be complete by October or at the latest November. This would allow families sufficient time to plan for transfer. It would then also allow next steps with respect to staffing discussions with our partners in CUPE and NDTA to begin as we would understand the movement of students impacted by the change.

6. Rationalize north end and related catchments;

There are a number of changes to other schools in the general area. For instance, Uplands, Rock City and Cilaire also have catchment changes proposed. For instance, Cilaire has one of the smallest current and predicted student populations in catchment in the District. Without cross boundary students the school would not be viable. The proposed changes address this issue.

Note that unlike Rutherford and Frank J Ney catchment families impacted families in the other schools would not require transfer.

7. Ensure transparency and community consultation.

The District has tried to share information as it becomes available. It has also attempted to be very frank that there are not a lot of realistic options available.

Recommendations:

1. That the catchments presented for McGirr, Randerson, Frank J Ney, Departure Bay, Uplands, Cilaire, Rutherford and Rock City be instituted upon final approval of the Board following consultation to take effect January 2025.

2. That students located in the new Rutherford and revised Frank J Ney catchments be required to attend their catchment school as of September 2025 with the exception of students beginning grade 7 in 2025.
3. That students required to attend their new catchment schools as of September 2025 be given priority cross boundary transfer in the event of sufficient space and staffing to support them.
4. That currently enrolled Departure Bay students who are required to attend Frank J. Ney due to the catchment shift are provided access to Wellington Secondary if their siblings attends the school.
5. That the District proceed with upgrading Rutherford using minor capital funding from the Ministry of Education and Child Care and the Annual Facilities Grant as appropriate.
6. That the bus route instituted to Frank J Ney following the closure of Rutherford be eliminated as of September 2025.

Timeline:

If approved, the recommendations will be put to consultation with an end date of June 30, 2024. The feedback will be reviewed and brought to the Board. Minor address change will be addressed by a sub group of the working group. The final maps along with recommendations will be brought to the Board in September or October for consideration.

[North End Right-Sizing - Initial Optimization + Adjustments to south catchments + Adjustments to Frank J. Ney](#)

