

**Esquimalt High School Alumni Association
Minutes of “Virtual” Directors Meeting
Monday April 20, 2020**

The COVID-19 pandemic required everyone to practice social isolation at this time. Instead of meeting face to face, Directors held a virtual meeting by means of shared emails over several days. Following is a record of the content of those emails.

Brenda O’Connor informed us that she has had her heart surgery and is feeling much better. She wanted to thank everyone who “picked up her slack” during her illness.

1. Call to order - N/A

2. Minutes of Jan. 20, 2020 meeting – Marilyn McCrimmon

Marilyn circulated the minutes by email after the January meeting, and did not hear back from any of the directors at that time.

3. School Update - Tina Pierik

Tina asked that an item be added to a future agenda:

The current Esquimalt High School PAC would like to have an alumni rep to liaise with our PAC. This person would stay in contact with the PAC by email, and perhaps attend a meeting or two during the year to give an update and involve PAC in the association’s work.

Tina also thanked the Alumni Association for their ongoing support of the school.

ACTION

1. Marilyn will include the above item on the August 17, 2020 agenda.

4. Treasurer’s Report - Ryan Richard

Ryan reported that we have received \$0.03 in interest for the past three months. An outstanding cheque from the last meeting has now been cashed.

The current balance in our account is: \$1,579.74.

5. Membership, Registry & Website – Ryan Richard

Ryan reported that we did have one new member sign up. He will follow up on how they are going to pay their dues. Ryan will also be following up with three or four from the past email drive to determine where their payments have gone.

Ryan reported that he was able to clean up the Alumni Association’s website before “Spring Break.” He updated most of the forms and sections, and he posted our new Privacy Policy that was adopted at the last meeting.

ACTION

1. Ryan plans to do another email blast of our membership online form in the next few months.
2. Alumni Directors are asked to look at the website and email Ryan with any more ideas or suggestions, and he will forward the information to Geoff once he has access to set it up for us.

6. Scholarship Report – Lorna Reid

Lorna did not have a scholarship update at this time. She mentioned that she was not sure what the scholarship application process will look like this year with the current uncertainty.

7. Heritage Report – Dave Allen

Dave reported that no work has yet started as the school has been closed to the public.

8. Reunions – Trish Best

Trish reported that Ryan had passed on a letter from the Class of 70 announcing their 50th reunion. Due to the pandemic, they are postponing until 2021.

ACTION

1. Trish will get in touch with the organizer of the Class of 70 reunion and see where she can be of help.

9. Other Business:

a. Turf Field – Dave Allen

Dave reported that there has been no final answer yet, but no news is not good as it appears that the application did not make the cut provincially, and Ottawa has not seen the application at all.

b. Spring Newsletter – Ryan Richard

Several of the executive members thanked Ryan for producing an excellent spring newsletter. Ryan thanked Dave and Marilyn for their assistance. Ryan mentioned one small glitch of not using BCC when he sent out the emails, and he also reported that 30 newsletters bounced back from incorrect email addresses.

Ryan forwarded an email from a grateful recipient of the newsletter. It has been attached at the end of the minutes as Addendum #1.

ACTION

1. Ryan Richard and Dave Allen will work on cleaning up records to ensure accurate email addresses.

c. Distinguished EHS Alumni -Dave Allen

Dave reported that the following steps have occurred so far:

1. Criteria for a similar program at Spectrum, Oak Bay and Mt. Doug have been received. Dave is still waiting for material from Vic High.
2. Sherri Robinson, Wes Umphrey and Geoff Orme have all agreed to help with this project. There are several other people that Dave will approach to sit on the recommendation committee.
3. Wes has already started a possible list of candidates.

d. Merchandise – Barry Scott

Barry reported that the order of 60 t-shirts has been received at EHS. The requested screening has been delayed due to the school closure

e. Privacy Policy Update – George Copley

George forwarded a Privacy Policy Report for the consideration of Directors. The complete document has been included at the end of the minutes as Addendum #2. George moved the following motion: That the EHS Alumni Association Privacy Policy (and the EHS Alumni

Foundation Privacy Policy) be amended as follows: the definition of "Personal information" in the third paragraph is repealed and replaced by the following definition: "Personal Information is information about an identifiable individual including, but not limited to, name, age, sex, financial information, contact information etc., but does not include contact information for an employee, if any, of the EHS Alumni Foundation or EHS Alumni Association".

Directors were asked to respond by email either in favour or not in favour of this amendment. All were in favour of this amendment. The amendment will be formally moved and voted on at the next Directors' meeting.

George also recommended that if the Association chooses to disclose contact information of former EHS students to reunion organizers, that it do so with a caution. (Full text of George's recommended caution is included in Addendum #2 below.)

Gary Moser thanked George and indicated his agreement with the recommendations. He agreed that the purpose of providing information that would lead to the organization of a reunion is implied when an alumnus shares their information with our association, so he is comfortable with George's counsel and advice.

Dave Allen thanked George and asked for a clarification. Was he correct in assuming that the only change we need to do when we release contact information to reunion groups, is to add the above-mentioned final statement?

George responded to Dave's question as follows:

"Yes, the only change with respect to release of contact information to reunion groups is the addition of the final statement. The consent implied when a person joins the Association is consent to use the person's personal information for organization of a reunion. If the organizers propose to use that information for a different purpose they will have to go back and get further consent from the person to whom the personal information relates for that different use. Since we cannot anticipate all of the possible future scenarios the simplest way of exercising our due diligence with respect to maintaining the confidentiality of the contact information is to advise the organizers to get their own legal advice before proceeding to use the personal information for a non- reunion purpose. If the organizers decide to proceed without legal advice and without further consent then they potentially expose themselves to a complaint and investigation by the Information and Privacy Commissioner under the PIPA."

10. Adjournment – N/A

11. Next meeting

The next meeting will be on Monday August 17, 2020.

Esquimalt High School Alumni Association
c/o Esquimalt High School
847 Colville Road
Victoria, B.C. V9A 4N9

<https://esquimalt.sd61.bc.ca/our-school/alumni/>

ADDENDUM #1

The following is from an email that Ryan Richard received after the mail out of the newsletter:

“Thank you for the newsletter. I now live in Chilliwack, B.C. and miss Victoria but this newsletter helps me feel connected to my beloved Victoria and the memories of my classmates of 1956 when at that time, I left Esquimalt High to go into Hair dressing school. The principal at the time invited me into his office to wish me well and invite me to return to high school for grades 11 and 12 if things didn’t work out for me in the big world out there. I ended up with a diploma in hair dressing and made that my career until I retired at the age of 65 yrs.

warmest wishes to all,
with love,

Marie McPherson [Maiden names - Cathie and then Bishop.
My mom remarried into Peter Bishop’s family, thus the name change.]”

ADDENDUM #2

This Privacy Policy Report was submitted by George Copley.

This report deals with two issues:

1. Correction of an error in the definition of personal information in the policy adopted by EHS Alumni Association and EHS Alumni Foundation; and
2. Disclosure of member contact information to EHS Class Reunion organizers.

- 1) Correction of an error in the definition of personal information in the policy.

The Privacy Policy defines “Personal Information” as “Information about an identifiable individual including, but not limited to, name, age, sex, financial information, etc., but does not include contact information”.

The *Personal Information Protection Act* defines “Personal Information” in the following fashion:

“personal information” means information about an identifiable individual and includes employee personal information but does not include

- (a) contact information, or
- (b) work product information;

The Privacy Policy as drafted is in error because it does not specifically distinguish between contact information concerning employees of the organization holding the information and contact information concerning non-employees held by that organization. The former, employees’ contact information, is not protected by the Act whereas the latter, non-employees’ contact information, is subject to all of the protections in the Act.

The Privacy Policy should be amended so that the definition of “Personal Information” reads as follows: “Information about an identifiable individual including, but not limited to, name, age, sex, financial information, contact information etc., but does not include contact information for an employee, if any, of the EHS Alumni Foundation or

EHS Alumni Association". This amendment can be implemented by majority vote of the Board of Directors.

2) Disclosure of member contact information to EHS Class Reunion organizers.

A question has arisen: is there anything in the Privacy Policy that would preclude the Association from disclosing its members' contact information for a particular Class Year or Years to a committee organizing a reunion for that Class or Classes?

The answer is: The Association can disclose its members' contact information to a reunion organizing committee to facilitate the committee contacting Association members who are eligible to attend the reunion. The reasoning is as follows.

Broadly speaking, the *Personal Information Protection Act* has a blanket prohibition against collection, use and disclosure of personal information by an organization which includes a society registered under the Societies Act, such as the EHS Alumni Association and the EHS Alumni Foundation. There are a number of exceptions to that blanket prohibition, the most important of which is the collection, use and disclosure of personal information with consent. Under the Act, consent may be either express, written or verbal, or implied. Implied consent arises when the purpose would be obvious to a reasonable person and personal information is voluntarily supplied (obvious purpose - implied consent) or when the organization gives an opportunity to decline consent and the person does not decline when given a reasonable opportunity to do so (opt-out - implied consent). Section 8 says:

Implicit consent

8 (1) An individual is deemed to consent to the collection, use or disclosure of personal information by an organization for a purpose if

(a) at the time the consent is deemed to be given, the purpose would be considered to be obvious to a reasonable person, and

(b) the individual voluntarily provides the personal information to the organization for that purpose.

...

(3) An organization may collect, use or disclose personal information about an individual for specified purposes if

(a) the organization provides the individual with a notice, ... , that it intends to collect, use or disclose the individual's personal information for those purposes,

(b) the organization gives the individual a reasonable opportunity to decline within a reasonable time ... ,

(c) the individual does not decline, within the time allowed ... , and

(d) the collection, use or disclosure of personal information is reasonable having regard to the sensitivity of the personal information in the circumstances.

It is well known that high school Alumni Associations, in general, either organize reunions of former students of that school or support the organization of such

reunions (see for example Vic High Alumni website, <http://vichigh.com/reunions.php>, Mount Doug website, <https://www.mountdoug alumni.com/about-us.html>, Spectrum Alumni Association website <https://spectrumalumni.com/reunions/>, etc). The EHS Alumni Association Bylaws explicitly provide for this function by having a Director of Reunions sit on the Board of Directors having the following duties:

Director of Reunions – is responsible for coordination between the Association and any reunions of former students of Esquimalt High School, Esquimalt Junior/Senior Secondary School or Esquimalt Community School. EHS Alumni Association Bylaws Part 7 section 45

When a former student of EHS decides to join the Alumni Association he/she voluntarily provides contact information in full recognition of the fact that the Association may use and disclose that contact information for the purpose of organizing or assisting former students in organizing reunions. A reasonable person would be aware of that fact when they choose to join the Association. There is implicit consent to that use and disclosure.

In order to ensure that there can be no doubt that there is such implicit consent, the Membership Application Form on the Alumni Association website contains the following information about the Privacy Policy:

Personal information provided to the Esquimalt High School Alumni Association and Esquimalt High School Alumni Foundation will be used and disclosed only to support the purposes of the societies; i.e., to provide financial and other support to the school and its students, **to facilitate reunions and communications amongst Esquimalt High School Alumni** and to document the history of the school. By giving your email address you will subscribe to our emailing of notices and information on events.

By voluntarily joining the Association and providing contact information an EHS alumnus is implicitly consenting to the use and disclosure of that personal information for the purpose of facilitating reunions and communications amongst EHS alumni.

Finally, I would recommend that if the Association chooses to disclose to reunion organizers contact information of former EHS students that it do so with a caution along the following lines:

You have requested contact information concerning former EHS students in the Class of _____ (Year of graduation for the Class) who are members of the EHS Alumni Association. We are providing that information on a confidential basis to be used or disclosed only for the purpose of organizing a reunion of the Class of _____. If you propose to use or disclose the information for any other purpose not reasonably related to organizing a reunion of the Class of _____ we strongly recommend that you seek legal advice before doing so.

Submitted by
George Copley