

**2006 Legislative Session: 2nd Session, 38th Parliament
FIRST READING**

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**HONOURABLE SHIRLEY BOND
MINISTER OF EDUCATION AND DEPUTY PREMIER
AND MINISTER RESPONSIBLE FOR
EARLY LEARNING AND LITERACY**

BILL 33 -- 2006

**EDUCATION (LEARNING ENHANCEMENT)
STATUTES AMENDMENT ACT, 2006**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Independent School Act

1 Section 1 (1) of the Independent School Act, R.S.B.C. 1996, c. 216, is amended

(a) in the definition of "independent school" by striking out "means a school" and substituting "means a school, including a distributed learning independent school,"

(b) by repealing the definitions of "partially qualifying student" and "qualifying student", and

(c) by adding the following definitions:

"distributed learning" means a method of instruction that relies primarily on indirect communication between students and teachers, including internet or other electronic-based delivery, teleconferencing or correspondence;

"distributed learning independent school" means an independent school that offers instruction to its students by means of distributed learning only;

"student record" means a record of information in written or electronic form in respect of a student, but does not include a record prepared by a person if that person is the only person with access to the record; .

2 The following sections are added:

Classification of students

1.1 (1) An authority must classify, according to the regulations, each student enrolled with the authority for the purposes of determining

(a) the classification of independent schools under section 4, and

- (b) the amount of a grant to be provided under section 12.
- (2) The authority must report to the inspector, in accordance with the regulations,
 - (a) the number of students in each classification, and
 - (b) any other information required by the regulations in respect of the classification of students.
- (3) For the purposes of subsection (2) (a), a student must not be included in the calculation of the number of students in a classification unless
 - (a) the student is of school age, and
 - (b) the student's parent or guardian
 - (i) is, or was at the time of that parent's or guardian's death, a citizen of Canada or a permanent resident, as defined in the *Immigration and Refugee Protection Act* (Canada), who is, or was at the time of the parent's or guardian's death, ordinarily resident in British Columbia, or
 - (ii) is lawfully admitted to Canada and is ordinarily resident in British Columbia.

Sharing of student records

6.1 (1) In this section:

"board" includes a francophone education authority, as defined in the *School Act*;

"public school" includes a francophone school, as defined in the *School Act*.

(2) This section applies to a student who is enrolled

- (a) in an independent school, but takes one or more courses through a public school by means of distributed learning, or
- (b) in a public school, but takes one or more courses through an independent school by means of distributed learning.

(3) In respect of a student described in subsection (2), each authority and board must provide to the other access to information in those student records and permanent student records that is necessary for the other authority or board to satisfactorily perform its obligations under this Act or the *School Act*, as applicable.

Distributed learning

8.1 (1) An authority may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister.

(2) Subsection (1) does not apply in respect of an educational program

- (a) offered through an independent school for which an authority holds a certificate of group 3 classification, or
- (b) that is not intended to meet educational standards established by the minister.

3 Section 18 is amended

(a) by repealing subsection (2) and substituting the following:

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

- (a) respecting the classification of students for the purposes of section 1.1, including
 - (i) eligibility for inclusion within a class, determined by calculating the hours of instruction received within a period of time, the number of courses in which the student is enrolled within a period of time, or by other means,
 - (ii) eligibility for inclusion within a class according to grade level or method of instruction, and
 - (iii) reporting on student classification;
- (b) governing eligibility for and the calculation of grants under section 12;
- (c) governing the issue, expiry, renewal, cancellation, suspension and reinstatement of a certificate of group classification;
- (d) establishing requirements for authorities that hold a certificate of group classification;
- (e) governing bonding requirements for independent schools;
- (f) respecting distributed learning and distributed learning independent schools;
- (g) amending the Schedule, other than section 1 of the Schedule. , **and**

(b) by repealing subsection (3) (b) and substituting the following:

- (b) in the case of regulations made under subsection (2) (b) or (e),
 - (i) for different authorities or different independent schools within a single group classification,
 - (ii) for distributed learning independent schools and other independent schools, and
 - (iii) for different classes of students under section 1.1.

4 Sections 2 (b) and 5 (a) of the Schedule are amended by striking out "are qualifying students or partially qualifying students;" and substituting "are eligible to be included within a classification carried out in accordance with section 1.1 for the purposes of section 4 of this Act;"

School Act

5 Section 1 (1) of the School Act, R.S.B.C. 1996, c. 412, is amended

(a) by repealing the definition of "distance education school",

(b) in the definition of "francophone school" by striking out "distance education school" and substituting

"distributed learning school",

(c) in the definition of "school" by striking out "distance education school;" and substituting "distributed learning school operated by a board;" , and

(d) by adding the following definitions:

"attend" includes

- (a) to be enrolled in an educational program that includes distributed learning, and
- (b) to participate in an educational activity by means of distributed learning;

"distributed learning" means a method of instruction that relies primarily on indirect communication between students and teachers, including internet or other electronic-based delivery, teleconferencing or correspondence;

"distributed learning school" means a school or francophone school that offers instruction to its students by means of distributed learning only;

"supervise", in the context of a teacher or francophone teacher providing an educational program or francophone educational program by means of distributed learning, means to supervise the student's progress through the educational program; .

6 Section 1 is amended by adding the following subsections:

(3) In the context of a distributed learning school, a reference to available space and facilities is to be read as a reference to the capacity of the school to deliver an educational program.

(4) For the purposes of this Act, a student is enrolled in an educational program provided by a board, or a francophone educational program provided by a francophone education authority, even if the student receives only a part of his or her educational program or francophone educational program from that board or francophone education authority.

7 The following section is added:

Students in grades 10 to 12

3.1 A student in any of grades 10 to 12 who receives instruction through distributed learning may

- (a) enroll in one or more educational programs under section 3, and
- (b) in addition to enrolling in one or more educational programs under section 3, enroll in an educational program offered by an authority under the *Independent School Act*.

8 Section 13 (1) is amended

(a) by repealing paragraphs (a) and (b) and substituting the following:

- (a) a school of the parent's choice that is operating in British Columbia, ,

(b) in paragraphs (a.1) and (a.2) by striking out ", (b)", and

(c) in paragraph (a.2) by adding "or" after "register that child,".

9 Section 75 is amended**(a) by repealing subsection (3) (c) and substituting the following:**

(c) with the agreement of one or more other boards or a francophone education authority, and with any consent required under subsection (2) (b), the educational program is provided

(i) in full by another board or by the francophone education authority, or

(ii) in part by one or more other boards or the francophone education authority, and the remainder of the educational program, if any, is provided by the board. , **and**

(b) by adding the following subsection:

(4.1) A board may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister.

10 Section 75.1 (1) is amended by striking out "or a distance education school".**11 Section 76.1 is amended****(a) in subsection (1) by striking out "and" at the end of paragraph (b) and by repealing paragraph (c) and substituting the following:**

(c) for grades 4 to 7, 28 students, and

(d) for grades 8 to 12, 30 students. , **and**

(b) by adding the following subsections:

(2.1) Despite subsection (1) but subject to subsection (2.4), a board must ensure that the size of any class for any of grades 4 to 7 in any school in its school district does not exceed 30 students unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and

(b) the principal of the school has obtained the consent of the teacher of that class.

(2.2) Despite subsection (1) but subject to subsection (2.4), a board must ensure that the size of any class for any of grades 8 to 12 in any school in its school district does not exceed 30 students unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and

(b) the principal of the school has consulted with the teacher of that class.

(2.3) Despite subsections (1) to (2.2) but subject to subsection (2.4), a board must ensure that any class in any school in its school district does not have more than 3 students with an individual education plan unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and

(b) the principal of the school has consulted with the teacher of that class.

(2.4) Subsections (2.1) to (2.3) apply to a board, in relation to a school year, after the date that the board submits the report for that school year to the minister under section 76.3 (10).

(5) In this section, "**student with an individual education plan**" means a student for whom an individual education plan must be designed under the Individual Education Plan Order, Ministerial Order 638/95, but does not include a student who has exceptional gifts or talents.

12 The following sections are added:

**Organization of classes -- consultation
at the beginning of the school year**

76.2 In each school year, the principal of a school must, within 15 school days after the school opening day set out in the school calendar applicable to the school for the school year,

(a) if applicable, obtain the consent of or consult with the teacher of a class as required by section 76.1 (2.1) (b), (2.2) (b) or (2.3) (b),

(b) consult with the school planning council with respect to the proposed organization of classes within that school for that school year, and

(c) provide the superintendent of schools with a proposed organization of classes for the school for that school year that is, in the opinion of the principal, appropriate for student learning.

Organization of classes -- report

76.3 (1) In this section:

"**class size provisions**" means section 76.1 and any regulations made under that section;

"**report**" means

(a) a report prepared under subsection (2) by the superintendent of schools, or

(b) in the first usage of the term in subsection (10), and in subsection (11), a revised report;

"**student with an individual education plan**" has the same meaning as in section 76.1.

(2) In each school year, the superintendent of schools for a school district must review, and prepare a report on, the organization of classes in the school district.

(3) The superintendent of schools must include in his or her report a rationale for the organization of any class in the school district that has more than 30 students.

(4) The minister may

(a) require additional information to be included in a report, and

(b) specify the form of the report.

(5) The superintendent of schools must date and sign the report to verify that, as of that date, the organization of classes in the school district

(a) is in compliance with the class size provisions, and

- (b) is, in the opinion of the superintendent, appropriate for student learning.
- (6) On or before October 1 of the school year to which the report relates, the superintendent of schools must submit the signed report to the board and to the district parents' advisory council, if established for the school district.
- (7) On or before October 15 of the school year to which the report relates, the board must, at a public meeting of the board,
- (a) accept the report, or
 - (b) instruct the superintendent of schools to revise the report.
- (8) If the board instructs the superintendent of schools to revise the report,
- (a) the superintendent must instruct the principal of a school, within the period established by the superintendent,
 - (i) if applicable, to obtain the consent of or to consult with the teacher of a class as required by section 76.1 (2.1) (b), (2.2) (b) or (2.3) (b), and
 - (ii) to consult with the school planning council with respect to the organization of classes within that school for that school year,
 - (b) on or before 15 days from the date of the public meeting referred to in subsection (7), the superintendent must revise the report in accordance with the board's instructions and submit the signed revised report to the board and to the district parents' advisory council, if established for the school district, and
 - (c) the board must review the revised report within 7 days of receiving the revised report.
- (9) Subsections (3) to (5) apply to a revised report.
- (10) The board must submit the report to the minister immediately after accepting the report under subsection (7) (a) or after reviewing the revised report under subsection (8) (c).
- (11) The minister must make available to the public a report received under subsection (10).

Organization of classes -- changes after date on report

- 76.4** (1) In this section, "**student with an individual education plan**" has the same meaning as in section 76.1.
- (2) If the size of any class for any of grades 4 to 12 in any school in a school district exceeds 30 students, subject to subsection (4), the board of that school district must ensure that the class size does not increase unless
- (a) in relation to a class for any of grades 4 to 7, the requirements of section 76.1 (2.1) (a) and (b) are met, or
 - (b) in relation to a class for any of grades 8 to 12, the requirements of section 76.1 (2.2) (a) and (b) are met.

(3) If any class in any school in a school district has more than 3 students with an individual education plan, subject to subsection (4), the board of that school district must ensure that the number of students with an individual education plan in the class does not increase unless the requirements of section 76.1 (2.3) (a) and (b) are met.

(4) Subsections (2) and (3) apply to a board, in relation to a school year, after the date under section 76.3 (5) on the report that the board submits to the minister under section 76.3 (10) for that school year.

(5) Subsection (6) applies if, after the date under section 76.3 (5) on the report that the board submits to the minister under section 76.3 (10), the size of a class for any of grades 4 to 12 in a school in the school district changes and, as a result of the change, the size of the class

(a) exceeds 30 students, or

(b) increases, in accordance with subsection (2) of this section.

(6) As soon as practicable after the change in the size of a class referred to in subsection (5),

(a) the principal of the school must provide the school planning council with the rationale for the change in the organization of the class,

(b) the superintendent of schools must provide the board and the district parents' advisory council, if established for the school district, with the rationale for the change in the organization of that class, and

(c) the board must provide the minister with the rationale for the change in the organization of that class.

(7) The minister must make available to the public the rationale received under subsection (6) (c).

Special administrator -- class size compliance

76.5 (1) In this section, "**class size provisions**" means sections 76.1 and 76.4 (2) and (3) and any regulations made under section 76.1.

(2) The minister, by order, must appoint a special administrator to a school district for a term determined by the minister if, in the opinion of the minister, the board is not in compliance with the class size provisions.

(3) A special administrator appointed under this section to a school district must review the organization of classes in the school district.

(4) After the special administrator reviews the organization of classes in the school district, the special administrator must do one of the following:

(a) if, in the opinion of the special administrator, the board is in compliance with the class size provisions, submit a report to the minister;

(b) submit the matter of the organization of classes in the school district to the board for further review by the board within the period established by the special administrator;

(c) require the board, within the period established by the special administrator,

(i) to vary the organization of classes in the school district, or

(ii) to do any other things necessary,

so as to comply with the class size provisions.

(5) If the matter is submitted to the board under subsection (4) (b), the board must, within the period established by the special administrator under that subsection,

(a) review the organization of classes in the school district, and

(b) submit to the special administrator proposed changes to the organization of classes.

(6) After proposed changes to the organization of classes have been submitted to the special administrator under subsection (5) (b), the special administrator must

(a) accept the proposed changes to the organization of classes and require the board to implement those changes within the period established by the special administrator, or

(b) require the board, within the period established by the special administrator,

(i) to vary the organization of classes in the school district, or

(ii) to do any other things necessary,

so as to comply with the class size provisions.

(7) The board must, within the applicable period established by the special administrator, do the following as applicable:

(a) implement its proposed changes to the organization of classes in the school district if those changes are accepted by the special administrator under subsection (6) (a);

(b) vary the organization of classes in the school district or do any other things necessary as required by the special administrator under subsection (4) (c) or (6) (b).

Special administrator -- compliance with consultation and reporting requirements

76.6 (1) The minister, by order, may appoint a special administrator to a school district for a term determined by the minister if, in the opinion of the minister,

(a) a principal of a school in the school district has contravened section 76.2 or 76.4 (6) (a) or an instruction of the superintendent of schools under section 76.3 (8) (a),

(b) the superintendent of schools for the school district has contravened section 76.3 (2), (3), (5), (6) or (8) (a) or (b) or 76.4 (6) (b), or

(c) the board of the school district has contravened section 76.3 (7), (8) (c) or (10) or 76.4 (6) (c).

(2) A special administrator appointed under this section to a school district may require the board, within the period established by the special administrator,

(a) to instruct the employees of the board to comply with the provisions of this Act that were contravened, or

(b) to comply with other procedures established by the special administrator to remedy the contravention.

Special administrator -- general

76.7 (1) For the purpose of performing his or her duties and exercising his or her powers under this Act, a special administrator may do one or more of the following:

- (a) enter a school building or any other building used in conjunction with the school or offices of the board, or any part of them;
- (b) inspect any record of the board;
- (c) interview any employee of the board.

(2) The board must pay

- (a) the remuneration of the special administrator, at the rate determined by the minister, and
- (b) the expenses of the special administrator.

(3) The minister may provide a direction to the special administrator respecting the duties of the special administrator under this Act.

Authority of vice principal under sections 76.1 to 76.6

76.8 If authorized by the principal of a school, the vice principal of the school may perform any duties of the principal under sections 76.1 to 76.6.

13 Section 79.1 is amended

(a) by renumbering the section as section 79.1 (1), and

(b) by adding the following subsections:

- (2) Despite section 79 (1), if a student is enrolled with more than one board, each board must provide to the other access to information in those student records that is necessary for the other board to satisfactorily perform its obligations under this Act.
- (3) Despite section 79 (1), if a student is enrolled
 - (a) in an independent school, but takes one or more courses through a school or francophone school by means of distributed learning, or
 - (b) in a school or francophone school, but takes one or more courses through an independent school by means of distributed learning,

each board, francophone education authority and authority of an independent school with which the student is enrolled must provide to the other access to information in those student records and permanent student records that is necessary for the other board, francophone education authority or authority of the independent school to satisfactorily perform its obligations under this Act or the *Independent School Act*, as applicable.

14 Section 82 (7) is amended by striking out "A board" and substituting "Except as provided in an agreement under section 75 (4.1), a board".

15 Section 83 is amended

(a) by renumbering the section as section 83 (1), and

(b) by adding the following subsection:

(2) If a student is enrolled in an educational program that is delivered, in whole or in part, through distributed learning, the board may provide any financial assistance to the student that is authorized under an agreement under section 75 (4.1).

16 Section 86 is amended

(a) by adding the following subsection:

(1.2) A board may, subject to this Act, the regulations and the orders of the minister, enter into an agreement with one or more boards to provide health and support services, including busing and educational resources, to one or more students enrolled with that board. , **and**

(b) in subsection (4) by striking out "or a distance education school".

17 Section 91 (6) is amended

(a) by striking out "an educational program for that student." and substituting "to the student", and

(b) by adding the following paragraphs:

(a) if the student is enrolled in more than one educational program, the educational program for which the board is responsible, or

(b) in any other case, an educational program.

18 Section 106.1 is amended in the definition of "student" by striking out "or a distance education school".

19 Section 115 (1) (b) is amended by striking out "or of a distance education school".

20 Section 117 (1) is amended by striking out "or" at the end of paragraph (e), by adding ", or" at the end of paragraph (f) and by adding the following paragraph:

(g) the board violates a provision of an agreement made under section 75 (4.1).

21 Section 166.4 is amended by adding the following subsection:

(4) A francophone education authority may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister.

22 Section 166.44 (1) is amended

(a) in paragraph (c) by striking out "there" and substituting "subject to paragraph (c.1), there", and

(b) by adding the following paragraph:

(c.1) the francophone education authority contravenes section 76.5 (5) or (7) or fails to comply with a requirement imposed on the authority under section 76.6 (2), .

23 Section 168 (2) (h) is repealed and the following substituted:

(h) respecting distributed learning educational programs, .

24 Section 172 (1) is amended

(a) in paragraph (c) by striking out "there" and substituting "subject to paragraph (c.1), there", and

(b) by adding the following paragraph:

(c.1) the board contravenes section 76.5 (5) or (7) or fails to comply with a requirement imposed on the board under section 76.6 (2), .

25 Section 175 (2) is amended by adding the following paragraph:

(q) in respect of distributed learning schools and educational programs delivered through distributed learning, exempting the school or program from, or modifying, a requirement of the regulations.

Teaching Profession Act

26 Section 43 of the Teaching Profession Act, R.S.B.C. 1996, c. 449, is amended by adding the following subsections:

(1.1) The council may request an authority or a board to supply the council with information necessary to make a report under subsection (1), including information respecting the number of reports that have been made within a stated period of time that

(a) evaluate the performance or competence of a member or class of members,

(b) indicate that the performance or competence of a member or class of members is less than satisfactory, and

(c) are not otherwise required to be submitted to the council under this Act or another enactment.

(1.2) An authority or board that receives a request under subsection (1.1) must supply the council with the information that is in the authority's or board's control by the date stated in the request.

Review of specified provisions

27 (1) In this section, "minister" means the minister charged with the administration of the *School Act*.

(2) Within one year after the date of the coming into force of this section, the minister must appoint a committee in accordance with this section to review the amendments made to the *School Act* by sections 11, 12, 22 and 24 of this Act.

(3) The committee is to consist of the following:

(a) two representatives of the Ministry of Education;

(b) four representatives chosen by the British Columbia Teachers' Federation;

(c) two representatives chosen by each of the following organizations:

(i) The British Columbia School Trustees Association;

(ii) The B.C. Confederation of Parent Advisory Councils;

(iii) the B.C. Principals' and Vice-Principals' Association;

(iv) the British Columbia School Superintendents' Association.

(4) The failure by an organization referred to in subsection (3) (b) or (c) to choose representatives for the committee does not invalidate the appointment or functioning of the committee.

Commencement

28 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 25	By regulation of the Lieutenant Governor in Council

Explanatory Notes

Independent School Act

SECTION 1: [*Independent School Act, section 1*] adds definitions respecting distributed learning and student records, and repeals definitions consequential to the enactment of section 1.1 of the Act by this Bill.

SECTION 2: [*Independent School Act, sections 1.1, 6.1 and 8.1*]

- creates rules governing the classification of students for the purpose of determining school certification and eligibility for grants;
- requires the sharing of information from student records and permanent student records in respect of students who are enrolled with independent school authorities but take courses through distributed learning with school boards or francophone school boards;
- permits independent school authorities to provide instruction by means of distributed learning only if the minister agrees, unless the school is classified as a group 3 or the educational program is not intended to meet educational standards.

SECTION 3: [*Independent School Act, section 18*]

- provides regulation making powers respecting classification of students;
- re-enacts subsection (2) to update punctuation.

SECTION 4: [*Independent School Act, Schedule*] is consequential to the repeal of the definitions of "qualifying student" and "partially qualifying student" and the enactment of section 1.1 of the Act by this Bill.

School Act**SECTION 5: [*School Act, section 1*]**

- removes references to "distance education schools" and replaces them with references to "distributed learning schools";
- provides definitions relevant to distributed learning.

SECTION 6: [*School Act, section 1*] provides interpretive rules respecting educational programs if a school is providing distributed learning or only part of an educational program.

SECTION 7: [*School Act, section 3.1*] clarifies that a student who is enrolled in grades 10 to 12 and who receives instruction through distributed learning may enrol in educational programs offered by more than one school board or educational authority, and may enrol in educational programs provided by independent schools.

SECTION 8: [*School Act, section 13*] removes a reference to a distance education school and permits a parent to register with a school that is operating outside the school district in which the parent resides.

SECTION 9: [*School Act, section 75*]

- permits a board to comply with the requirement to deliver an educational program through another board or francophone education authority or a combination of boards and the francophone education authority;
- permits school boards to provide instruction by means of distributed learning only if the minister agrees.

SECTION 10: [*School Act, section 75.1*] removes a reference to a distance education school.

SECTION 11: [*School Act, section 76.1*]

- changes the maximum average class size for grades 4 to 7 from 30 students to 28 students;
- after a board submits a report to the minister, requires the board to ensure that a class for any of grades 4 to 12 in a school in its school district does not exceed 30 students unless specified conditions have been met;
- after a board submits a report to the minister, requires a board to ensure that any class in a school in its school district does not have more than 3 students with an individual education plan unless specified conditions have been met;

- adds a definition of "student with an individual education plan".

SECTION 12: [*School Act, sections 76.2 to 76.8*]

- within 15 school days after the beginning of the school year, requires the principal of a school to consult with specified teachers and the school planning council, to obtain any applicable consents from teachers and to provide the superintendent of schools with a proposed organization of classes;
- requires the superintendent of schools to review and prepare a report on the organization of classes in the school district and include in that report a rationale for the organization of any class that has more than 30 students and any other information required by the minister;
- requires the superintendent of schools to submit the report to the board and the district parents' advisory council;
- requires the board, at a public meeting, to accept the report received from the superintendent of schools or instruct the superintendent of schools to revise the report;
- provides for the preparation and submission of a revised report by the superintendent of schools and requires the board to review the revised report;
- requires the board to submit a report to the minister and requires the minister to make the report available to the public;
- after the date on the report that the board submits to the minister, requires the board to ensure that specified conditions are met before
 - the size of a class for any of grades 4 to 12 increases, if the size of the class already exceeds 30 students, or
 - the number of students with an individual education plan in a class increases if there are already more than 3 students with an individual education plan;
- after the date on the report that the board submits to the minister, requires the principal of a school, the superintendent of schools and the board to provide specified entities with the rationale for the change in the organization of a class for any of grades 4 to 12 that
 - has had the class size increase to exceed 30 students, or
 - has had a class size that exceeded 30 students and has had the class size increase;
 - requires the minister to make specified information available to the public;
 - requires the minister to appoint a special administrator if a board is not in compliance with the class size provisions and authorizes the minister to appoint a special administrator if a principal, the superintendent of schools or a board contravenes specified provisions;
 - provides for the duties and powers of the special administrator and duties of the board;
 - requires the board to pay the remuneration and expenses of the special administrator;
 - authorizes the minister to provide directions respecting the duties of the special administrator;
 - provides for the vice principal performing duties of the principal.

SECTION 13: [*School Act, section 79.1*] requires school boards to share information from student records in respect of students who are enrolled with more than one board.

SECTION 14: [*School Act, section 82*] provides that a board may be responsible for paying for an

educational activity that is not provided by the board, according to the terms of an agreement under section 75 (4.1) of the Act.

SECTION 15: [*School Act, section 83*] permits a board to provide financial assistance to students who receive instruction through distributed learning, according to the terms of an agreement under section 75 (4.1) of the Act.

SECTION 16: [*School Act, section 86*]

- removes a reference to a distance education school;
- permits boards to enter into agreements with other boards to provide educational programs and health and support services for students;
- requires parental consent before students can receive educational programs through more than one board.

SECTION 17: [*School Act, section 91*] clarifies that, if a student is excluded from a school because of a health condition that may endanger other students, the board is responsible for continuing to provide to the student only that part of the educational program that the board was providing before the student was excluded.

SECTION 18: [*School Act, section 106.1*] removes a reference to a distance education school.

SECTION 19: [*School Act, section 115*] removes a reference to a distance education school.

SECTION 20: [*School Act, section 117*] provides that a grant can be withheld or reduced if a board is in violation of an agreement respecting the provision of instruction by means of distributed learning.

SECTION 21: [*School Act, section 166.4*] permits francophone education authorities to provide instruction by means of distributed learning only if the minister agrees.

SECTION 22: [*School Act, section 166.44*] authorizes the Lieutenant Governor in Council to appoint an official trustee to conduct the affairs of a francophone education authority if the Lieutenant Governor in Council is of the opinion that the authority has contravened or failed to comply with the specified provisions.

SECTION 23: [*School Act, section 168*] removes a reference to distance educational programs and replaces it with a reference to distributed learning educational programs.

SECTION 24: [*School Act, section 172*] authorizes the Lieutenant Governor in Council to appoint an official trustee to conduct the affairs of a school district if the Lieutenant Governor in Council is of the opinion that the board has contravened or failed to comply with the specified provisions.

SECTION 25: [*School Act, section 175*] provides a regulation making power to exempt a distributed learning school or distributed learning educational program from a requirement of the regulations, or to modify a requirement.

Teaching Profession Act

SECTION 26: [*Teaching Profession Act, section 43*] on request of the council, requires independent school authorities and school boards to give to the council information necessary for the council's annual report.

SECTION 27: [*Review of specified provisions*] requires the minister to appoint a committee to review specified amendments made to the *School Act* by this Bill.

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