



Report on Education

from the Deputy Minister of Education

April 28, 2006

You have undoubtedly heard that government introduced amendments to class size legislation this week. Following are the highlights of these amendments and some of the thinking around the policy framework the amendments are designed to address.

First, however, I would like you to think back to late in 2001. Government introduced Bills 27 and 28 in January 2002 that responded to concerns of parents, principals and trustees that class size and class composition provisions in collective agreements were too restrictive and limited flexibility. Numerous examples were provided by individuals and organizations regarding the consequence of these restrictive provisions. Legislation removed these provisions from collective agreements and reduced the scope of bargaining so that these matters were no longer the subject of bargaining. Instead, class size requirements affecting primary classes were placed in the *School Act* as public policy that could be informed by public discussion and debate. British Columbia became the only province at that time to have such legislation. The amendments introduced this week extend the provisions for class size in the *School Act* while preserving flexibility to organize schools.

What do the changes seek to accomplish?

There is need for a balance between regulating class size in the public interest and providing flexibility in the organization of schools. The amendments seek to find that balance so that learning conditions for students are optimal within a framework that is as flexible as possible.

The government has heard concerns expressed respecting some large classes within schools, concerns about the way in which students with special needs were integrated within classes and concerns regarding the decision-making process employed in establishing classes. Government also heard and expressed concern when class size data, collected extensively for the first time, revealed that some districts

were not in compliance with current legislation. You will recall that Mr. Vince Ready, as part of his recommendations that resulted in the end of the teacher dispute, recommended that consideration be given to an enforcement mechanism.

The legislative changes, then, seek to accomplish these things:

- Establish a balance between regulation of class size and flexibility in school organization that provides for the optimal learning conditions available to learners.
- Set out decision-making processes and regulations to ensure that integration of students with special needs is undertaken thoughtfully, and the learning of all students is respected.
- Establish inclusive and transparent decision-making processes so that teachers, parents and others affected are included appropriately, while being respectful of privacy, in school organization matters.
- Provide an accountability framework that ensures compliance with the *School Act* class size provisions.

Who had input to the proposed amendments?

As you know, the Learning Roundtable has been meeting since the late fall. The fifth meeting of the Roundtable occurred on April 21. It is important to note that each of these meetings has been several hours long, and the Premier and Minister have been in attendance throughout – a testimony to the importance given to this dialogue. The minutes of the meeting can be found at (www.bced.gov.bc.ca/roundtable/docs/). You will find it of interest to compare the minutes of the meeting to the BCTF Issue Alert (www.bctf.ca/SchoolStaffAlert/Archive/2005-06/2006-04-24) account of the meeting.

At the meeting of April 21, the Premier put a number of questions to the member organizations (BCTF, BCPVPA, BCSSA, BCSTA and BCCPAC) regarding the issues affecting learning conditions. Not surprisingly, there was not a consensus view regarding these questions. The Premier was clear that he did not expect consensus considering the divergent view of the partners. He did remind the Roundtable that it did not replace government and was not a decision-making body. The Premier committed that he and Minister Bond would consider all they had heard and decide on the next steps. The Premier was clear that the discussion of the best learning conditions to attain the best learning results was ongoing. The amendments introduced this week are one step on the path to improving student learning.

What changes are proposed in the amendments?

Of course we will not know what changes will result until the Legislature deals with the amendments in the Bill. Then a detailed analysis of the impact of any approved amendments can be undertaken. We know the following about what is being tabled in the legislature.

- No change to the K-3 class size maximums and averages that have been in place.
- A new class size maximum of 30 students in grades 4 to 7 and a reduced district maximum average for this cohort of 28.
- Provisions for class sizes in grades 4 to 7 to exceed 30 if the superintendent and principal confirm that the learning conditions are appropriate and the teacher of that class agrees.
- A limit of three students entitled to an Individual Education Program in each K – 12 class, with the provision to exceed this limit if the superintendent and principal confirm that the learning conditions are appropriate and consult with the teacher of the class.

- Requirements for the principal to engage the School Planning Council in discussions of the organization of classes over 30 during school organization and when a new student enrolls during the school year.
- Requirement of the superintendent to report class sizes to the Board and District Parent Advisory Council and, subsequently, the Board to the Minister.
- Requirements of the Minister to make public the report submitted by the Board.
- Provision for the appointment of a Special Administrator when the Minister has reason to believe that a Board is not compliant with the requirements of the legislation. The Special Administrator has the ability to require the Board to vary the organization of classes so as to comply with the requirements.
- Provision for review of the impact of the amendments within one year.

This is a layman's overview of the provisions of the proposed amendments and each principal should seek guidance from the superintendent with respect to application of any amendments enacted.

What was the thinking behind these proposals?

Respecting intermediate class sizes, all the partners agreed that this level was a pressure point for class size. The partners did not have a common view on how to address that pressure point. There are over 600 grades 4 to 7 classes with more than 30 students. All of those students spend every day together all day. There were also a number of grades 8 to 12 classes with more than 30 students, but those students often benefit from one large class by having flexibility to take a rich program of electives in other smaller classes. In many cases, grades 8 to 12 classes that are larger function quite well and are no cause for significant concern for learning conditions.

Integration is a significant concern in some areas. In almost all cases, schools are very thoughtful about the placement of students with special needs. These new provisions are designed to ensure that sound rationales for class composition decisions exist by putting the responsibility for these decisions squarely with the principal and superintendent.

The amendments are also designed to ensure that those affected by decisions are involved in them. Teachers and parents are central to this involvement.

Finally, the amendments are designed to ensure compliance with the class size legislation and consequences in the event of non-compliance.

Will these amendments, if passed, suit everyone?

You know they will not – in fact, it is likely that all partners will find some things they like and some things they do not like in these amendments. I know from listening to the partners that they all do agree that learning conditions and student achievement are common ground that they all support. Government has proposed its amendments and it will fall to you, your districts and the Ministry to implement approved changes.