

Pages 1 through 22 redacted for the following reasons:

s.12, s.13, s.17

s.12, s.14

s.12, s.14, s.17

Kennedy, Debbie EDUC:EX

From: Roberts, Mike X EDUC:EX
Sent: Monday, March 3, 2014 7:36 PM
To: Kennedy, Debbie EDUC:EX
Subject: Myths and fallacies from BCTF Court ruling

From: Pauliszyn, Robert GCPE:EX
Sent: February 3, 2014 11:49 AM
To: Wood, Rob EDUC:EX; Sweeney, Neil PREM:EX; Fraser, John Paul GCPE:EX; Gleeson, Kelly T GCPE:EX; Stickney, Matthew EDUC:EX; Delisle, Corrie EDUC:EX; Roberts, Mike X EDUC:EX; Allen, Roderick EDUC:EX; Davis, Rick EDUC:EX; Horsman, Karen JAG:EX; Duerksen, Dave EDUC:EX; Mingay, Rob PSEC:EX; Zacharuk, Christina PSEC:EX; Draper, Kindree PSEC:EX
Subject: FW: Myths and fallacies from BCTF Court ruling

FYI, see below. This will need to be addressed in any technical briefing.

Robert Pauliszyn, Communications Director
IGRS & EDUC (250) 213-5096

From: Smyth, Mike (The Province) [mailto:msmyth@theprovince.com]
Sent: February-03-14 11:44 AM
To: Pauliszyn, Robert GCPE:EX
Subject: Fwd: Myths and fallacies from BCTF Court ruling

Hi Robert,

FYI, BCTF sent me this, I see the union and NDP are making noise today. Where is it all heading I wonder?

Mike Smyth

Sent from my iPhone

Begin forwarded message:

From: Richard Overgaard <rovergaard@bctf.ca>
Date: 3 February, 2014 11:35:04 AM PST
To: "Smyth, Mike (The Province)" <msmyth@theprovince.com>
Subject: RE: Myths and fallacies from BCTF Court ruling

Sorry... a typo. I of course meant to write "hearsay", not "heresy".

From: Richard Overgaard
Sent: February 3, 2014 11:11 AM
To: 'Smyth, Mike (The Province)'
Subject: Myths and fallacies from BCTF Court ruling

Hi Mike,

I wanted to point you to sections of the ruling that pushback against the emerging spin that the collective agreements were unworkable. Griffin calls this position a "myth" and "fallacy", that the government's own witnesses were not credible and relied only on "heresay" and were "alarmist".

The emerging spin from government and its supporters is not in any way substantiated, in fact it is refuted, by Justice Griffin.

See the paragraphs below.

[229] Mr. Drescher, a retired deputy superintendent of the Surrey School District, made a presentation on behalf of the government at the August 11, 2011 meeting.

[230] In Mr. Drescher's presentation he attempted to illustrate the implications for the Surrey School District if the collective agreement terms on Working Conditions were restored. There were two overall themes to his presentation.

[231] First, it was Mr. Drescher's submission that returning to the deleted collective agreement provisions on Working Conditions would have a drastic effect on the other services the school district could provide, based on the assumption current funding levels did not change. This was because the Working Conditions language would require more staff to be hired and the funding for this would have to come out of other education programs.

[232] Mr. Drescher estimated that if the collective agreement provisions were returned to the Surrey School District, it would cost that District approximately \$33 million annually. That school district is the largest in the province, representing approximately 10% of the total.

[233] Second, Mr. Drescher voiced the theme that collective agreement terms on Working Conditions were unduly rigid, not sufficiently flexible to meet the needs of districts and parents, and that this rigidity would be even more of a problem if the 2001 Collective Agreement was restored in a 2010 or 2011 context given changes in demographics.

[234] Mr. Drescher testified at trial. I found him to be well-meaning, but the evidence on which he based the second theme in his presentation to the BCTF was a repetition of an earlier myth: that Working Conditions terms in the prior collective agreement caused extraordinary complications for families and school districts. For example, his written presentation stated:

Waitlists/Inability to Access Neighbourhood Programs

Previous contract language often challenged neighbourhood schools to accommodate families that moved into the community during the year. It resulted in waitlists, assignment into other schools for at least the balance of the school year and separation of siblings.

[235] Mr. Drescher acknowledged in cross-examination that he could not identify specific examples of the problems he described for 2001 (when the Working Conditions language was in the collective agreement) and that he had only really addressed his mind to what might happen in 2010 or 2011 if contract language was restored. He said that he was relying on what Rick Davis told him regarding past problems.

[236] The Bill 28 Decision found that Rick Davis's understanding of problems was based on unsubstantiated hearsay, and that his many examples of

problems could have been resolved under existing collective agreement language: Bill 28 Decision, at paras. 141-145. While Mr. Davis was called by the government as a witness during the present hearing before me, he again did not substantiate these alleged past problems with the past collective agreement language.

[237] Furthermore, Mr. Drescher's presentation was unduly alarmist from an administrative standpoint about the potential impact of the restoration of Working Conditions terms in the collective agreement.

[238] For example, in his presentation Mr. Drescher identified that one significant problem that would be caused by the Working Conditions language in the collective agreement, was the problem of a possible increase in combined and multi-age classes, also known as split classes. This potential problem was purely speculative.

[239] As was pointed out in cross-examination of Mr. Drescher, the Surrey School District has long had many multi-grade classes. For example, of approximately 99 elementary schools, 96 or 97 have multi-grade classes. Multi-grade classes are a natural result of fixed enrollment numbers and fixed teacher numbers per school. It is part of every school year that school administrators must juggle the composition of classes depending on enrollment.

[240] As mentioned, in the Bill 28 Decision this Court found that in fact the collective agreement terms on Working Conditions did provide significant flexibility. The government did not appeal these findings. In the Bill 28 Decision, this Court held at paras. 128-130:

The individual local agreements that had been negotiated across the school districts in the province in the 1987-1993 timeframe showed a variety of terms and conditions regarding class size and composition. Of 75 school districts, some 58 negotiated provisions related to class size and composition. Sometimes the process of collective bargaining had involved job action. Many local teachers' associations agreed to class size and composition provisions which were not rigid but which allowed for exceptions or alterations, thereby providing flexibility to school boards with respect to class size and class composition. The following are some examples of the variety of provisions that existed in the local teachers' agreements, which permitted school districts to exceed class size limits or class composition restrictions:

- (a) if a student joined the school late in the year;
- (b) with the consent or request of a teacher;
- (c) with the consent of the teacher for educationally sound reasons;
- (d) if external financial constraints were imposed on the Board;
- (e) for band, choir, or physical education classes, at the request of the teacher;
- (f) where it was not "possible" to stay within limits;
- (g) if the student could not be reassigned to a different class at the same school with fewer students;
- (h) if the student could not be reassigned to an adjacent school;
- (i) by up to two students after September, providing that the teacher could request additional support; or
- (j) if the teacher was assigned less than the maximum in another class so that the teacher's total workload was not increased.

Even where provisions in the local agreements or the later provincial collective agreements led to disagreements with respect to class size or class composition limits, local associations and the BCTF regularly settled grievances or requested remedies at arbitration that ensured that students were not moved from schools or out of classes during the school year. For example, if

class size or composition limits were exceeded, the teacher might not request that students be removed from the class, but might seek extra support, or a day of paid leave to compensate for the increased workload.

[241] The above reference was inclusive, not exclusive, and there were other terms in the collective agreement which provided flexibility in class size and composition.

[242] Mr. Drescher's evidence revealed that the employer side of running schools would prefer to make decisions unencumbered by the employee's union.

[243] Most employers would naturally find that they would have more flexibility and choice if they were not encumbered by a union. That as an end in and of itself does not justify legislative interference with freedom of association.

[244] The fallacy in the government position to the effect that collective agreements were not flexible is that the government legislation imposed class size limits that were absolutes and not open to negotiation, whereas the collective agreement terms were open to negotiation and to exceptions.

[245] For example, Mr. Drescher's cross-examination revealed that since the Class Size Compensation Regulation accompanying Bill 22 was enacted effective July 1, 2012, the Surrey School District has not wanted to exceed class sizes of 30 so as to avoid having to pay additional compensation to teachers (leaving aside the legislated exceptions, such as music band). It has therefore quite successfully managed not to exceed those class sizes, including by creating multi-grade classes where the numbers warrant it.

[246] This contradicts the notion that class size maximums cannot be accommodated by administrators, even in situations where arguably the legislated maximums are more rigid than what might be collectively bargained.

Rich Overgaard

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Pages 27 through 35 redacted for the following reasons:

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s.12, s.17

Returning to Contractual Class Size/Composition Provisions and Non-enrolling Teacher Ratios at Current Funding Levels Implications for One School District

Preamble

This paper discusses the potential impact on schools, programs, and services in the Surrey School District if teacher staffing requirements were returned to the class size/composition provisions and non-enrolling teacher ratios in effect prior to the 2002 enactment of Bill 28 – Public Education Flexibility and Choice Act at current funding levels.

The possible reductions outlined in this paper are for illustrative purposes only and do not reflect the District's recommended course of action. Far more analysis, consultation, and deliberation would be required to properly evaluate such dramatic changes to student programs and services. It is apparent that the negative impact on student learning, programs and services would be very significant. Although the paper explores issues in the Surrey School District, many have province-wide implications.

Much of the data presented is based on either 2011/12 enrolment projections or 2010/11 actual enrolments, unless otherwise specified. Commentary regarding the impact of returning to pre-Bill 28 contract provisions at current funding levels is supported by data analysis and focus group discussions with a number of elementary and secondary principals and district staff.

Enrolment Increases Since 2001

	<u>Province</u>	<u>Surrey</u>
<i>Total Enrolment</i>	-8%	14%
<i>ESL/ESD</i>	3%	28%
<i>Aboriginal</i>	28%	45%
<i>Level 1 & 2</i>	50%	115%
<i>Autism</i>	263%	562%
<i>Level 3</i>	13%	148%
<i>BC Ministry of Education</i>		

A Changing Education Landscape

BC Education has experienced a number of significant demographic changes since Bill 28 took effect. Although enrolment has declined (with the exception of Surrey and a small number of other districts), there have been significant increases in the number of students with specific learning challenges. Students with special needs in Levels 1 and 2 have increased 50% province-wide and 115% in Surrey. The percentage of children who present autism spectrum disorder has increased 263% province-wide and 562% in Surrey. Students in the IBI/SMI (Severe Behaviour) category has increased 13% across the province and 148% in Surrey.

Growth in the number of students designated English as a Second Language has increased significantly in Metro Vancouver school districts. Students arrive with varied levels of English skills from beginner to advanced, and come from dramatically different cultural backgrounds and family circumstances. Some have highly supportive parents with means while others may have had little experience with formal schooling. In Surrey schools, the percentage of students receiving ESL service ranges from zero to 66%.

School communities within many districts have become more socio-economically and culturally diverse, challenging districts to be very resourceful in responding to student needs in each school community and demonstrating flexibility in the allocation of human and material resources. In Surrey, customary formulas for allocating teachers, clerical, paraprofessionals, and supply budgets were found to be wanting in terms of fairly allocating resources according to need. The targeting of resources in support of school communities and students with the greatest needs has become a financial imperative.

Surrey Demographics

*Lowest average family income in a school community \$43,575
Highest \$162,150 (2006 Census)*

Percentage range of families on income assistance 0% to 28%

Range of transiency rates 10% to 50% (2010/11 est)

Percentage range of ESL learners 0% to 66%

SD36 Research & Evaluation Dept

Teacher FTE Requirements in Response to Contractual Provisions

How many additional teacher FTE would Surrey require today to meet pre-bill 28 contract provisions? District staff conducted the following analysis, providing FTE and cost estimates based on 2011/12 enrolment projections. The classroom, library and counseling estimates were based on September 2011 projected enrolment while Learner Support Team (LST) and the other special education areas were based on current school year enrolment data.

Staffing Category	Assumptions	FTE
<i>Classroom Staffing</i>		
Elementary Classroom Staffing	<ul style="list-style-type: none"> The district currently allocates additional FTE to help reduce class sizes in low SES schools. A strict application of the class size provisions presumes that the subsidy would no longer be available. An additional 42 FTE would still be required. 	42 FTE

Staffing Category	Assumptions	FTE
Secondary Classroom Staffing	<ul style="list-style-type: none"> In 2001, basic classroom staffing was allocated at a ratio of 23.2 to 1. It is currently 24.1 to 1. Some low SES schools received additional staffing as did some schools with smaller enrolments. This estimate presumes that this additional staffing would no longer be available. This estimate is likely at the low end. It does not adequately account for the significant increase in low incidence and severe behavior students since 2001. A more precise estimate would require significant time and effort. 	42.5 FTE
Non Enrolling Staffing		
Library	<ul style="list-style-type: none"> Elementary Library: Current formula is 1 FTE/600 students. Contractual formula was 1 FTE/500 students. Secondary Library: Current staffing level is 0.875 FTE per school. Contractual requirement of 1 FTE per secondary school. Many schools reallocated from total staffing to top up to 1.0. 	11.6 FTE 2.375 FTE
Counselling	<ul style="list-style-type: none"> Elementary Counseling: Current formula is 1 FTE/1158. Contractual formula was 1 FTE/965 students Secondary Counseling: Current formula of 1 FTE/475. Contractual formula was 1 FTE/380 students 	4.9 FTE 12.875 FTE
Learner Support Team (LST)	<ul style="list-style-type: none"> The LST model was not in place under the old provincial collective agreement. It was somewhat more challenging to estimate the cost if the District had to revert to the old staffing ratios. The LST model was developed from the following three areas: Learning Assistance, Tutorial Room (EI)/CELD (Sec) and ESL. It was developed in order to achieve a number of objectives: <ul style="list-style-type: none"> Move toward a more holistic service delivery model consistent with prevailing research trends Eliminate wait lists for students with learning disabilities Reduce the number of fractional FTE entitlements Concentrate as many resources as possible at the school site Reduce windshield time Reduce the number of professionals and paraprofessionals that classroom teachers need to consult with LST allocations took into consideration a number of variables 	164.875 FTE

Staffing Category	Assumptions	FTE
	<p>including the number of students with special needs in high incidence categories, ESL, school size, and SES.</p> <ul style="list-style-type: none"> Contractual ratios from 2000 applied to May 31, 2011 enrolment were as follows <ul style="list-style-type: none"> Learning Assistance: 1 FTE to 504 students (May 31 Enrolment: 70,146/504 = 140 FTE) ESL: 1 FTE to 60.6 funded ESL students (based on the revised ESL ratio obligations defined in 2000): (February 2011 Funded ESL students: 14,718/60.6 = 243 FTE) Elementary Tutorial Room based on the following special education student categories – Learning Disability (694), Mild Intellectual Disability (103), Moderate to Profound Intellectual Disability (108). 905/10 = 90.5 FTE (10 to 1 ratio) Secondary CELD (Career Education for the Learning Disabled): 1055/12 = 87.9 FTE (12 to 1 ratio) Current LST 396.525 FTE. Estimated additional LST if reverting to old ratios: 561.4 FTE => 561.4 FTE – 396.525 FTE = 164.875 	
Integration Support Teachers	<ul style="list-style-type: none"> Integration Support Teachers 15 to 1 (24.4 FTE) Current ratio 30.48 (41.5 FTE) 1265 student /15 = 84.3 FTE – 41.5 actual FTE = - 42.8 contractual difference. 	42.800 FTE
BASES	<ul style="list-style-type: none"> 12 to 1 Current ratio 14 to 1 Current 43.375 FTE (607 students) EST 50.6 FTE – 43.375 FTE = -7.225 contractual difference. 	7.225 FTE
Social Development	<ul style="list-style-type: none"> 8 to 1 Current ratio 12 to 1 Current 12 FTE (144) EST 18 FTE – 12 FTE = -6 FTE contractual difference. 	6.000 FTE
Speech Language Pathologist	<ul style="list-style-type: none"> 2319 to 1 = 30.5 Current 21.6 (Difference -8.9) 	8.900 FTE
School Psychologist	<ul style="list-style-type: none"> 3410 to 1 = 20.6 Current 19.9 (Difference -.7) 	0.700 FTE
Total		346.75 FTE

Based on the above analysis, it is estimated that the District would require at least an additional 347 teaching FTE in order to revert to the class size/composition and non-enrolling staffing ratios in effect prior to the enactment of Bill 28. At an average teacher salary cost (including benefits) of \$92,148, the total cost would be approximately \$33 million.

Financial Impact of Reverting Back to Contract Provisions

Assuming no additional funding were available to add almost 350 teaching positions, what programs, services, and positions would need to be reduced or eliminated in order to account for the \$33 million in added costs? The list below is suggestive, and should not be considered to be an intended course of action. An amount of this magnitude would make all programs not covered by the collective agreement and the district services required to support them vulnerable to reduction or elimination.

	<u>FTE</u>	<u>\$\$\$</u>	<u>% Reduction</u>
Principals & Vice Principals – District Based	5.0		50%
Principals & Vice Principals – School Based	<u>5.0</u>		2%
	10.0	\$1.3 M	
Support Staff – District Based	108.0		27%
Support Staff – School Based	<u>32.0</u>		5%
	140.0	\$8.0 M	
Exempt Professional Staff	9.0	\$1.0 M	10%
Paraprofessionals	132.0	\$6.4 M	12%
Teachers – Helping teachers/consultants	32.0		100%
Teachers – School and Program Based	<u>144.0</u>		4%
	176.0	<u>\$16.3 M</u>	
		<u>\$33.0 M</u>	

Implications for Schools, Programs, Services and Students

This section will attempt to move beyond the numerical exercise of the previous one and be descriptive of some of the many implications of returning to the restrictive contract language of class size/composition and non-enrolling teacher ratios. Since the enactment of bill 28, Surrey, like other districts, has implemented numerous programs, services and initiatives in an effort to provide expanded choice for students and respond effectively to diverse student needs.

Impact on Elementary Schools, Programs and Students

Inefficiencies in Staffing Intermediate Classrooms

Schools with smaller enrolments and schools which are dual tracked would likely have to be organized with comparatively small intermediate classes in order to achieve compliance. With limited resources, this would need to be offset by having larger classes in larger schools. These schools coincidentally tend to have a higher proportion of students with learning challenges, offering a compelling argument for keeping classes smaller. Although early diagnosis and intervention strategies are improving, many students are already into the intermediate grades before special education designation is affirmed. As a result, contractual high and low incidence caps would have schools with their primary classes at class size maximums while Intermediate grades would be much smaller. In one sample dual track school primary classes would be at the maximum class size and intermediate classes would have 15-17 students per class.

Example: A dual track elementary school has 232 students including 11 low incidence and 9 severe behaviour students. There are 10 divisions with intermediate classes averaging 27. Applying the contract language would result in 15 divisions with average intermediate class size of 13

The number of low incidence and severe behaviour students ranges from 2 in one school to 37 in another

The Need for Combined and Multi-age Classes

There are educationally sound reasons for having combined (2 grade) or multi-aged (3 or more grades) classes and it is after giving due consideration to those reasons that some school communities might choose to embrace them. They do tend to be unpopular with parents and there is a general reluctance on the part of teachers to teach them. A return to contractual class size/composition limits at current funding levels would likely result in a significant increase in the number of these classes for purely economic reasons, resulting in a significant number of teachers unprepared and/or reluctant to teach them, and little capacity for the district to support them.

Waitlists/ Inability to Access Neighbourhood Programs

Previous contract language often challenged neighbourhood schools to accommodate families that moved into the community during the year. It resulted in waitlists, assignment into other schools for at least the balance of the school year and separation of siblings. Surrey already has challenges in accommodating its growing enrolment because of space issues, a problem that would be exacerbated with restrictive class size/composition language.

Requirement to Relocate/Eliminate Choice Programs

In keeping with the Ministry's mandate to provide choice to students and their parents, the Surrey School District has expanded its available programs of choice over the past decade. Programs are typically housed in schools that have the space and are moved with great reluctance when the space needs to be reclaimed for neighbourhood school use. Class size/composition provisions would clearly require additional space and would make program relocation or even cancellation necessary. This is not just an issue for elementary schools. Secondary schools would experience similar pressures, necessitating the movement or elimination of programs.

Grade 7 Band

Music programs across the district are flourishing and are well subscribed. The foundation work that takes place in the District's Grade 7 band program is a significant contributor to this success. It has survived the budget reductions of the past three years, whereas in many other districts it has not. Grade 7 band would be a likely casualty.

Day Cares/Strong Start/Community School Partnerships

There are a number of programs that have particularly benefitted low SES schools. Community link funding and the participation of community organizations have provided an assortment of programs and services, utilizing available space. Programs have focused on increasing parent involvement in their children's education, and readiness for kindergarten. Strong Start programs and daycares have also claimed available space. This space would need to be reclaimed in order to accommodate class size/composition provisions. Programs may require relocation or cancellation, resulting in a decline in services in neighbourhoods where they are needed the most.

Impact on Middle Schools

An increasing number of districts have implemented a middle school configuration for grades 6, 7, and 8 or grades 7, 8, 9. Surrey does not have middle schools, but they are receiving mention here because of the significant movement in this direction around the province. They would also be negatively impacted by a return to contracted class size/composition limits. The fact that the schools "straddle" both elementary (K-7) and secondary (8-12) grades adds more complications. Approaches to staffing and class organization are varied and would tend toward operating somewhere on a continuum between "senior elementary school and junior high school". They are less likely to incorporate block scheduling commonly found in high schools. Their primary objective is to provide a nurturing learning environment that supports students as they transition their way into adolescence. Platooning of students into cohorts with fewer teachers providing them instruction during a school day is a common feature. A team approach to providing instruction is also common. Class size provisions would limit the size of the

cohorts to the smallest maximum provision (English, Technology Education or Home Economics). It may no longer be possible to sustain the cohort-based model. It would also limit the district's capacity to adjust class size to account for socio-economic variations in school communities.

Impact on Secondary Schools and Students

Significant attention has been paid to improving the success rates of secondary students. This has found expression through a rich and varied array of programs and initiatives which would fall under the following broad themes:

- Unique grade 8 programming that promotes more effective transitions from elementary to secondary schools. Typically they involve platooning and smaller class sizes.
- Expanded Cooperative Education and Career Education Programs that also typically involve platooning as well as prolonged work placements and field experiences
- A broader range of elective courses, developed locally and approved by the Ministry of Education.
- Additional credits for students involved in community based learning, school based performing arts, and student leadership.

The Ministry of Education's shift toward funding by course for grades 10, 11, and 12 has been quite enabling in supporting these initiatives. Students who take more than the number of credits that normally make up a full load are funded accordingly. The opposite is also true. Schools no longer can use students with less than full loads to help reduce class size.

A return to pre-Bill 28 contract provisions at current levels of funding would seriously compromise schools' efforts to offer choice to students and would negatively impact their efforts to improve student success rates. Course programming would have to revert to only that which is absolutely necessary for graduation. The following describes some of the negative implications:

- Classes with lower enrolment could not be offered, limiting the number of options students will have, for example senior language classes. Classes that would be targeted for elimination are any that have a student enrolment below twenty-four and electives that are not necessary requirements for graduation. In Surrey, as of September 2010, 11% of secondary classes had 20 or fewer students, and 8% had 31 or more. Class size/composition contract language lowers the ceiling, and, as a consequence, raises the floor. Surrey has relatively large 1200-1700 pupil high schools. This problem would likely be much more severe in districts with smaller high schools.

A sampling of small classes (2010/11)

Physics 12 (16)
Communications 12 (16)
Spanish 10 (18)
Glassworks 11 (16)
Professional Cooks 11/12 (15)
Foods & Nutrition 12 (18)
Science & Technology 11 (10)

- Career programs, Co-ops and Cafeteria programs would be impacted /eliminated. These programs tend to operate with smaller classes. Cooperative Education usually involves organizing students into cohorts so that they take four courses together. If 1 class has 22 students, they all have 22 students.
- Fine Arts and Life Skills rotations in grade 8 provide a variety of exploratory learning opportunities and exposure to different subject areas which often lead to students taking interest in a field of study and identify possible career choices. They are highly valued learning opportunities but they usually involve organizing students into cohorts, are difficult to schedule and are staffed at a premium.
- Band, Drama and Dance programs would be affected, severely cut or eliminated. Many students take multiple performance based credits that have meeting times at noon, before and after normal school hours and in the evening. School capacity to continue this would be seriously compromised.
- Capacity to effectively integrate students with special needs and to group them together when appropriate would be severely compromised. They are typically integrated into elective courses. With fewer electives operating at maximum capacity under restrictive contract language, options for integration would be reduced substantially. This challenges provincial and district policy positions taken in favour of inclusive learning environments. Furthermore, it introduces constraints that make it difficult for schools to fulfill their obligations to support learning outcomes described in a student's Individualized Education Plan, which were collaboratively determined by parents, teachers, and the school principal.
- Career Education – Surrey schools, as do many schools in other districts, have flourishing career education programs and support career education centre staffing with teacher coordinators and support staff. Career Education has helped many students graduate when they otherwise might not have, and have supported prudent career planning and decision-making. Schools that have the most effective programs have a well coordinated team approach involving career education staff and school counselors. The current level of service would not be sustainable.
- Secondary scheduling is a complex process or programming up to 1500 students into more than 500 classes, with a host of parameters, desired configurations, space concerns, staffing challenges and other restrictions. In a perfect world, all class sizes would be close to the average and there would be few issues with composition. In Surrey, the 2010/11 average was 26.4 (province 25.9). The more choice a school offers, the more complex the scheduling becomes, and the greater becomes the need for flexibility in having a range of class sizes. Contractual class size/composition provisions have the effect of narrowing that range and adding to the complexity of scheduling.

A sampling of secondary average class sizes (2010/2011)

<i>English</i>	<i>26.1</i>
<i>Fine Arts</i>	<i>27.6</i>
<i>Mathematics</i>	<i>27.6</i>
<i>Physical Education</i>	<i>27.4</i>
<i>Sciences</i>	<i>27.5</i>
<i>Social Studies</i>	<i>27.4</i>
<i>Applied Skills</i>	<i>23.0</i>
<i>ICT</i>	<i>25.0</i>

Learning Centres (Alternative High Schools)

Secondary schools have made a significant effort to retain students until they successfully graduate. However there are a number of students who do not function well in the large, structured learning environment offered by the comprehensive high school. They are often served by alternative programming. Surrey operates five Learning Centres with a combined population of 1150 FTE. With new students entering the program during the school year the Learning Centres service over 1700 individual students. Learning Centres offer a continuous entry and continuous program design featuring a variety of schedules: morning, afternoon, all day or evening sessions. Students can complete Grade 10, 11 and 12 courses leading to graduation with either a Dogwood Diploma or an Adult Dogwood Diploma.

The five Learning Centres are Ministry designated alternate education school programs, focusing on the educational, social and emotional issues for those students whose needs are not being met in a traditional school program. Alternate education program provides its support through differentiated instruction, program delivery and enhanced counseling services based on student need.

Many students who attend alternate education school programs are most often the most vulnerable in the school system. These programs have disproportionate numbers of children and youth in care, aboriginal students, children and youth living in poverty or the street, gifted children who have difficulty in social situations, children and youth involved in drugs, alcohol and the sex trade and youth with mental health concerns. Alternate education programs offer an opportunity for these vulnerable and at-risk students to experience success.

The Learning Centres are the last chance option for these students and without this “safety net” Surrey’s most vulnerable and “at risk” adolescent learners would lose this educational service and would literally be “out on the street”. If the capacity of regular high schools to offer choice, respond to student needs and interests, and retain them is diminished or compromised, there will be a greater migration of students to learning centres..

The district pays a premium for operating learning centres. Economies of scale are not achieved by operating sites with a capacity for 200-250 students out of leased commercial space with lower student/teacher ratios. Compliance with contractual class size/composition provisions at current funding levels would require economies of scale that would challenge the sustainability of learning centres.

Impact on Special Programs

The Surrey School District provides service to some of its most vulnerable students with special needs by grouping them in district and regional programs at various locations. They may be self contained, or may involve partial integration into regular classes. They typically involve intensive support with lower staffing ratios. These may not be sustainable with pre-bill 28 requirements under current funding levels. Some examples are provided below.

Bear Creek Elementary Oral Resource Program

The Bear Creek Oral Resource Program provides an auditory-oral communication approach to learning with appropriate support for oral deaf or hard of hearing students. Students are fully integrated into appropriate grade level classrooms. The program is designed to maximize each student's potential for successful integration and to provide the necessary range of supports based on individual needs. (1 teacher, 5 SEA's per 16 students)

Intensive Elementary Literacy Programs

The Intensive Elementary Literacy Programs are designed to provide the highest level of early intervention literacy support to students with severe learning disabilities. They are self-contained classes, which serve a maximum of 14 students from various regions of the school district. Placement in a program is for one year. They emphasize language arts and mathematics skills development. The objective is to have students return to a regular classroom with the necessary coping skills to ensure success. (1 teacher, 1 SEA per 14 students)

Low Incidence Special Classes

Low Incidence Special Classes provide services to students with significant behavioural concerns along with multiple disabilities, moderate to severe intellectual disabilities and/or severe autism spectrum disorder. Students considered for placement in a low incidence special class typically require a more structured setting with more intensive support than can be provided at their neighbourhood school. (1 teacher, multiple SEA's per 8 students)

Multi-Age Cluster Class (MACC)

The Multi-Age Cluster Class for grades 5 through 7, provide academic challenge and social/emotional support to students who are highly gifted. Students participate in an interdisciplinary program designed to challenge and develop the depth and breadth of their critical and creative thinking abilities. Awareness of individual learning styles, the nature of excellence and group interaction are integral elements of the curriculum. (1 teacher per 24 gifted students)

Adapted General Education (Age)

This program serves 14 students from 13-16 years of age who are under the supervision of a probation officer and considered "high risk". AGE is located at the Guildford Youth Resource Centre and provides rapid placement of students requiring short-term strategic assessment, intervention, and remediation with the goal of reintegration into and appropriate long-term educational environment. (1 teacher per 8-14 students)

Children's Day Treatment Outreach Program (CDTOP)

The children's Day Treatment Outreach Program, located at Woodward Hill Elementary provides multi-disciplinary support to a limited number of students and families. The school district and Surrey Mental Health work collaboratively to support elementary aged students who are experiencing significant mental health concerns. Students who are accepted into the program are maintained at their catchment school. Personnel from the program provide support to the child while at school. To be considered as a candidate for CDTOP, a student must have a supportive family willing to participate in the therapeutic process. Family and individual therapy takes place at Woodward Hill Elementary during after school hours. (1 teacher, 2 CCYW, 1 SEA per 15 students)

FASTRACK Program (Elementary & Secondary)

The elementary FASTRACK Program is designed for primary/intermediate students who have fetal alcohol related disorders and who are experiencing difficulty in the regular classroom environment. The elementary program is housed at Creekside Elementary and provides a small class setting and extra staff support. The secondary program is housed at North Surrey Learning Centre. Although students with alcohol related disorders present with a variety of strengths and needs, there are distinct strategies and practices that appear to be effective in providing an optimal learning environment. The program staff address the common needs in a classroom setting and develop individual strategies based upon student assessment data, observation and evidence based research recommendations. Student Support Services assigns a special education helping teacher and a district behaviour specialist to act as liaisons to this program. (4 teachers, 4 SEAs for 36 students)

Foundations Program

The Foundations program is designed to support students in grades 9-12 who have not experienced success in a BASES program due to a combination of intensive behaviour needs and significant cognitive challenges. Only students who are (or will be) working towards a School Completion Certificate will be considered. Often these students are involved in behaviours that place them at high-risk. An Individual Education Plan (IEP) is developed for each student and addresses functional academics, behaviour, social/life/community skills and career path options. At intake, a transition plan is developed for each student to ensure a successful return to an appropriate educational setting or other community program. (1 teacher, multiple SEAs per 8 to 10 students)

HOPE Program

The HOPE program provides a safe and supportive classroom for students in grades 9-12 who face unique challenges. This program is designed for students who have experienced a lack of success in school, have often disengaged from school and/or struggle with various mental health concerns (e.g. anxiety, depression, grief/loss, etc.). Program staff, district staff and Surrey Mental Health work collaboratively to support the students in this program. The program staff is dedicated to working individually with students to focus on their emotional, social and/or academic needs. Located within Guildford Park Secondary, the program offers students the opportunity to be full participants within the school community. The goal of the program is to develop support networks that facilitate the student's transition back into a mainstream program. (1.5 teachers, and 1 YCW per 24 students)

Knowledge and Education for Youth (Key)

The KEY program is a non-traditional, self-contained alternate school in Surrey, which serves 16 to 18 year old secondary students. Students must reside within Surrey and may have involvement with the Ministry of Children and Family Development, Youth Probation or Mental Health. Students referred to KEY have demonstrated an inability to succeed in a regular school or have attended an alternative school setting for a variety of reasons. They may have been absent from school for some time, considered at-risk, have considerable family difficulties, and present with serious behaviour, mental health and/or learning difficulties. KEY is funded jointly by the Ministry of Children and Family Development and the Ministry of Education. Supervision for this school is undertaken by Pacific Community Resources Society and Student Support Services. KEY combines academic programming and recreational activities with individual and group counseling. Peer mentoring is used as an avenue to clarify student values, perceptions, and effective decision making. (3 teachers, 1 inner city worker per 24 students)

Lee School

Lee School provides a safe, supportive and nurturing educational environment to at-risk, emotionally fragile students between the ages of 13-16 (grades 8-10). Lee School is currently funded through The Ministry of Children and Family Development, OPTIONS: Services to Communities Society, and School District #36 (Surrey). Upon completion of the Lee School program, students are encouraged to continue their education in a setting most suited to their individual needs. (1 teacher, 1 SEA per 16 students)

LINKS Program

The LINKS Program is a partnership program between School District 36 (Surrey), the Ministry of Children and Family Development and Pacific Community Resources Society. The program is designed for youth aged 12-18 with a court order, citing a probationary sentence. In addition to providing educational and recreational programming, the program is aimed at providing:

- intensive support to decrease criminal behaviour
- success in educational, vocational or employment prep programs
- skills to promote positive relationships between youth and his/her family
- transition plans for youth to other settings e.g., school settings, vocational training, pre-employment programs, etc.
- supports to stabilize behaviours
- programming and activities that engage youth and keep them off the street and/or out of high-risk situations
- mentoring and coaching in anger management and other pro-social skills
- opportunities to build connections to community-based programs

(1 teacher, 1 inner city worker per 10-15 students)

Teen Recreation and Educational Enhancement Services (TREES)

TREES is a non-traditional, self-contained alternate school in Surrey which serves secondary students 13-16 years of age. Students must reside within Surrey and have an active file with the Ministry of Children and Family Development. Students referred to TREES have demonstrated an inability to succeed in a regular or alternate school setting for a variety of reasons. They may have been absent from school for some time, considered at-risk, have considerable family difficulties, and present serious behaviour and/or learning difficulties. TREES is funded jointly by the Ministry of Children and Family Development and the Ministry of Education. Supervision for this school is undertaken by Pacific Community Resources Society and Student Support Services. TREES combines academic programming and recreational activities with individual and group counselling and family consultation. Peer mentoring is used as an avenue to clarify student values, perceptions, and effective decision-making. (3 teachers, 1 inner city worker per 24 students)

Teamwork. Respect. Empathy. Knowledge. (T.R.E.K.)

The T.R.E.K. Program supports students 13-16 years of age (grades 8-10) who have not experienced recent success in a regular or alternate school program. These youth are highly disengaged from the education system. Often these students are involved in behaviours that place them at high-risk. The T.R.E.K. Program consists of individual and group counseling, life skills training, parent/teen mediation, on-going assessment, education, job readiness and social/recreational activities. OPTIONS: Services to Communities Society provides the Youth Service Provider for this program. Program goals include increased self-esteem, team building and a reduction in high-risk behaviours. T.R.E.K. offers a program that is tailored to meet each young person's unique social, emotional, physical, academic, and recreational needs. (1 teacher, 1 counselor, 1 CCYW, 16 hrs SEA time for 24 students)

Other Program/Service Implications

Reduction in paraprofessional staff

The significant increase in the number of special education staff that would be required with contracted pre-bill 28 ratios would result in a reduction in the number of paraprofessional staff, particularly Special Education Assistants and Child Care Workers. These support workers provide key interventions to vulnerable learners and significant support to enrolling teachers. One could expect considerable negative parent reaction to a reduction in services.

Shortage of trained staff

There is currently a significant shortage of fully trained and certified teachers in Special Education and English as a Second Language. As a result, teachers without training or experience in Special Education are working in these positions. This problem would be exacerbated by the additional qualified teachers required in order to achieve compliance.

Fragmented Service

A return to fixed non-enrolling ratios for learning assistance, ESL, teachers of the learning disabled will subvert a team approach to providing service to students with learning challenges, create unbalanced workloads, and increase the workload of classroom teachers who would find themselves collaborating with a myriad of specialists and para-professionals.

Reduction/Elimination of Helping Teachers/Consultants

A reduction in the staff that supports curriculum implementation and the practice of teaching would have a significant impact on teaching and learning in the District. These consultants are presently charged with providing support to teachers in all curricular areas. They coordinate and implement programs at the school level (ie. numeracy project) that increase achievement for all students. They work side by side with teachers who implementing new curricula and work to develop units and themes that support diverse learners. They play a key role in the professional growth and development of classroom teachers and non-enrolling specialists.

Support Provided by Helping Teachers (FTE)

<i>Learner Support Teams</i>	7
<i>Special Education/Gifted</i>	5
<i>Literacy</i>	6
<i>Numeracy/Science</i>	4
<i>Aboriginal Education</i>	3
<i>Other areas</i>	7

Impact of the Reduction of Technology Support

Support for the educational use of technology with reliable and sustainably hardware and software has been a challenge for more than two decades. There are raised expectations that technology play an integral role in teaching and learning. Schools have come to rely on a cadre of technology support staff to ensure that the technology functions as it should. Achieving contracted class size/composition provisions at current levels of funding would result in further reductions in technology support and would only allow the District to maintain its major business functions such as payroll, student data collection and finance.

Impact on District Operations

There are many district services that teachers expect to be in place to support them in their work, including adequate resources, reliable equipment and a safe, comfortable, pleasant work environment. Reductions in central operations like maintenance, purchasing, reprographics, learning resource services, will result in inefficiencies and shortages due to lost opportunities for maximizing purchasing power and increased workload at the school level.

Impact on Space and Resources

The additional cost to create the space (ie. new portables) for the additional teachers required at the elementary level is estimated at \$4.5 Million.

Summary

This paper contemplated the impact of returning to the contracted class size/composition of the past at current funding levels. Schools serve communities that are unique in their demographic makeup and require different responses to student needs. Districts require the flexibility to allocate limited human and material resources in an equitable manner. This was difficult to achieve with the formula driven system that was in place prior to the enactment of Bill 28. Since that time, the challenges in responding appropriately to diverse student needs have become even more complex. Even with additional funding a return to the rigid contract language pertaining to class size/composition and non-enrolling teacher ratios of the past would severely hamper district capacity to effectively respond to the community and students that they serve.

Returning to 2001 Contract Provisions Teacher FTE Requirements

Total Classroom Teachers	84.5
Total Non-Enrolling Teachers	<u>262.25</u>
	346.75 FTE

Surrey would require at least an additional 347 teaching FTE at an average teacher salary/benefit cost of \$92,148. the total cost would be approximately \$33 Million

Financial Impact at Current Funding Levels

	<u>FTE</u>	<u>\$\$\$</u>	<u>% Reduction</u>
Principals & Vice Principals – District Based	5.0		50%
Principals & Vice Principals – School Based	<u>5.0</u>		2%
	10.0	\$1.3 M	
Support Staff – District Based	108.0		27%
Support Staff – School Based	<u>32.0</u>		5%
	140.0	\$8.0 M	
Exempt Professional Staff	9.0	\$1.0 M	10%
Paraprofessionals	132.0	\$6.4 M	12%
Teachers – Helping teachers/consultants	32.0		100%
Teachers – School and Program Based	<u>144.0</u>		4%
	176.0	<u>\$16.3 M</u>	
		<u>\$33.0 M</u>	

Pages 53 through 10,685 redacted for the following reasons:

s.12, s.13, s.14, s.17