

**MINISTRY OF EDUCATION
BRIEFING NOTE**

DATE: July 4, 2016
CLIFF: 188546

PREPARED FOR: Keith Godin, A/Assistant Deputy Minister, for **Information** at the request of Executive Director, Education Analytics Branch, Governance and Analytics Division

SUBJECT: Schools Institute FSA Reporting – Dr. John Taylor

BACKGROUND:

The Schools Institute is operated by Dr. John Taylor of Adminfo Resources Incorporated (“Adminfo”). In correspondence addressed to Deputy Minister Byng dated May 5, 2016, Dr. Taylor invited the Ministry to consider the usefulness of his latest report “*Instructional Program Effectiveness to 2015¹*” and indicated his willingness to meet with interested parties to discuss the report and methods used.

It should be noted however, that the Ministry has a history with Dr. Taylor. In the late 1980's, and 1990's, John Taylor was a contractor working with Ministry of Education staff. His contracted projects included the Annual Report, Exam and FSA data. In 2005, due to changing data access policies, his access to identifiable data became more restricted. Dr. Taylor initiated a claim for damages for breach of contract, unlawful exercise of discretion and abuse of discretion; however, the claim has not moved forward. In the spring of 2016 Dr. Taylor indicated that he wished to enter into settlement discussions with the Ministry, but to date, no meeting has been set s.14

His latest report’s methodology follows the change over time in student grade 4 to grade 7 Foundation Skills Assessment (FSA) scores. It hypothesizes that improvement in student FSA scores in Grade 7 relative to Grade 4 as a direct reflection of success in school instruction. To do this it splits students out in two separate cohorts: students who have stayed in the same school from grade 4 to grade 7, and students that have changed schools from grade 4 to grade 7. The report that has been submitted to the Ministry for review only focuses on the cohort of students that remained in the same school from 2011/12 (grade 4) to 2014/15 (grade 7). This change in student FSA scores over time is averaged for each school (or District), and compared against the Provincial average scores to report in Percentage Equivalent (%Eq) terms.

DISCUSSION:

Currently, this methodology is not used in Ministry public standard reports however it has been investigated by the Ministry in the past. The methodology has merit in that it explores improvement over time rather than an absolute score. In doing so, highly advantaged populations do not tend to draw positive attention unless they also continue to show improvement over an already high starting point. Although the Fraser Institute reports rank all schools, its methodology tends to produce high scores for many independent schools – even if the students in those schools do not continue to improve at a high rate.

¹ <http://www.theschoolsinstitute.com/effective/index.html>

Dr. Taylor claims that his approach controls for socioeconomic and cultural factors outside the control of schools; therefore the study's results can be directly attributed to the effectiveness of instructional programs in each school rather than whether students are educationally advantaged or disadvantaged. Even though achievement growth is tracked against the same socioeconomic cohort within each school, there does not appear to be any explicit control for socioeconomic and cultural factors across schools. Therefore the statement that socioeconomic and cultural status is controlled for may be misleading. It cannot be assumed that any differences are due to instructional programs alone; other factors such as community resources or parental involvement may explain all or part of any differences.

s.13

CONCLUSION:

s.13

ATTACHMENTS:

1. 187630 John Taylor Instructional Program Effectiveness to 2015 Report

<u>Contact Information</u>	Approved / Not Approved
Darlene Therrien Education Analytics Branch Phone: 250-387-3711	
	Keith Godin, ADM Date signed: July 11, 2016

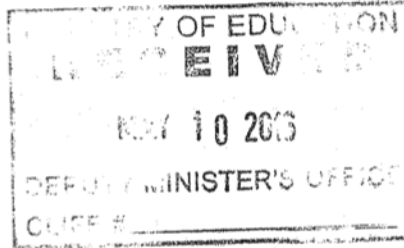


the
SCHOOLS INSTITUTE

data services you can count on



Mr. Dave Byng
Deputy Minister of Education
B.C. Ministry of Education
P.O. Box 9179 Stn Prov Govt
Victoria, B.C.
V8W 9H8



ADMINFO Resources Inc.
4490 Copsewood Place
Victoria, B.C.
V8X 4S5
Tel and fax: (250) 658-0366
Email: adminfo@pacificcoast.net

May 9, 2016

Dear Mr. Byng,

I am writing to you because a package I mailed to you on Thursday May 5, 2016 may not have been properly processed by Canada Post and may not reach you.

I have enclosed a copy of the package originally mailed to you, including its covering letter. If you have received the package mailed May 5, the enclosed package and covering letter may be recycled.

I apologize for any inconvenience.

Yours sincerely,

Dr. John Taylor
for ADMINFO Resources Inc.

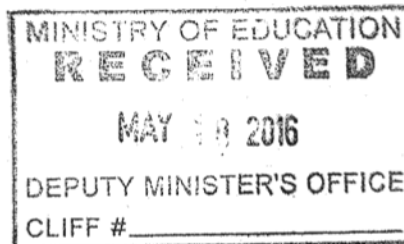


the
SCHOOLS INSTITUTE

data services you can count on



Mr. Dave Byng
Deputy Minister of Education
B.C. Ministry of Education
P.O. Box 9179 Stn Prov Govt
Victoria, B.C.
V8W 9H8



ADMINFO Resources Inc.
4490 Copewood Place
Victoria, B.C.
V8X 4S5
Tel and fax: (250) 658-0366
Email: adminfo@pacificcoast.net

May 5, 2016

Dear Mr. Byng,

I am writing to you in your capacity as a provincial education leader to provide a new report I have prepared. It classifies all BC elementary schools according to their instructional program effectiveness in reading and numeracy from grade 4 to grade 7. The results are based on a robust and time-tested methodology used in the field of program evaluation, and applied to anonymized FSA student level data provided by the BC Ministry of Education.

The enclosed report entitled **Instructional Program Effectiveness to 2015** contains broad instructional program effectiveness information for all BC elementary schools whose students remained in the same school from grade 4 in 2011/12 to grade 7 in 2014/15. It is well known that student achievement in schools is affected by socioeconomic and cultural factors outside the control of schools. The methodology I have used controls both factors so that results can be attributed to the effectiveness of instructional programs in each school rather than whether students are educationally advantaged or disadvantaged.

I commend the first and last pages of the enclosed report to you for further information.

The results show there are many schools with effective instructional programs which are ranked poorly in the Fraser Institute's rankings. For example, the school on the accompanying list with the greatest gain in FSA reading is a public school and ranked 432/944 by the Fraser Institute. I believe these schools and all others with effective instructional programs deserve recognition for their **value added** to student achievement. The enclosed report identifies those schools.

I invite you to discuss this new instructional program effectiveness methodology with your colleagues to address the question of whether it has sufficient merit that it may be useful for the annual accountability and planning cycle for BC schools and districts. If requested, I am prepared to present my case to any key groups to support this proposal.

At this point in time, I have limited mailed distribution of the enclosed report to all district superintendents, the Presidents of BCPVA, BCSSA, BCCPAC, BCTF and BCSTA, and the Minister and Deputy Minister of Education.

To learn more about this research, please visit www.theschoolsinstitute.com/effective/. You will also find a **Backgrounder for Schools** with details of the methodology, and **The Empowering Schools Project** which is designed to take advantage of this new methodology for the benefit of BC students. Please consider supporting this project.

I hope you will find this report **Instructional Program Effectiveness to 2015** useful. Please feel free to contact me by telephone or email as shown above if you have any questions or suggestions for taking this new initiative further.

Yours sincerely,

Dr. John Taylor
for ADMINFO Resources Inc.



Instructional Program Effectiveness to 2015

Based on students in these schools

Grade 4 in 2011/12 $\xrightarrow{\text{Same school}}$ Grade 7 in 2014/15

The Foundation Skills Assessment

The Foundation Skills Assessment (FSA) is a standardized assessment of reading, writing and numeracy skills of grade 4 and grade 7 students in British Columbia, conducted annually by the BC Ministry of Education since 2000. In reading and numeracy, each student receives a "Scale Score" based on the students' pattern of responses to questions on each assessment. In 2008, all student scores were scaled by the Ministry so that all reading scores and all numeracy scores had a provincial mean of 500 and a standard deviation of 100 at both grade levels. This means that about two-thirds of students scored between 400 and 600. Since 2008 (the Base Year), the student Scale Scores from all assessments have been based on the same level of difficulty. This means that provincial means after 2008 are not always 500, nor are the standard deviations always 100, but it does mean that all comparisons between groups of students over time are meaningful - that is, differences between the achievement levels of groups of students can be attributed to the different skill levels of the students and not to differences in difficulty level of the assessments.

To make the scores more meaningful to educators in the following table, Adminfo Resources has re-scaled the scores so they have a provincial mean of 68 and a standard deviation of 18, so they behave like familiar classroom percentages. They are called "Percentage Equivalent" (%Eq) scores. This means that about two-thirds of students score between 50%Eq and 86%Eq.

Research on FSA results

For both reading and numeracy, Adminfo Resources has matched the FSA results of grade 4 students in a given year with their grade 7 results three years later. Each group of students with valid and reliable FSA scores in grade 4 and grade 7 is called an FSA Matched Cohort. The data allow research to be conducted on the losses and gains students made from grade 4 to grade 7.

Adminfo Resources has conducted two types of research using FSA Matched Cohorts. The first type of research is based on students who wrote the FSA in the same school in grade 4 and grade 7. This has led to results which quantify the effectiveness of reading and numeracy instructional programs in schools which enrol students in both grade 4 and grade 7. The methodology is described in the **Backgrounder for Schools** available at www.theschoolsinstitute.com. Click on the Effective Instructional Programs page, and then **Backgrounder for Schools**. Detailed results for each school are available from the school's Student Achievement Report (see the Products page at the above website).

The second type of research is based on students who wrote the FSA in different schools. In this case, the effectiveness of instructional programs cannot be attributed to a single school, but schools enrolling grade 7 students are able to get an estimate of the gains or losses of student achievement from grade 4 FSA results in their feeder schools three years earlier. This enables them to identify feeder schools in which students have lost achievement from grade 4 to grade 7 which may be attributable to factors such as breaks in program continuity, or deficient transition practices between the two schools.

In the following table, all results from the first type of research are confined to students who remained in the same school from grade 4 to grade 7. All other students are excluded. This means that schools which enrol students in Grade 4 but not Grade 7, or in Grade 7 but not Grade 4 (for example, schools in districts with a middle school configuration of K-5, 6-8, 9-12) cannot be included in the list below. Non standard schools are also not included (see Notes at the end of the list).

For each school below, the net gain or loss of the school's FSA Matched Cohort (i.e., the same students in 2011/12 grade 4 and 2014/15 grade 7 three years later) is reported in Percentage Equivalent (%Eq) terms. The net gain or loss means the actual gain or loss for the school's FSA Matched Cohort minus the gain or loss of all FSA Matched Cohorts in the rest of the province. This conforms to a well-known and robust research design described in more detail in **Backgrounder for Schools** (see above).

Results for both reading and numeracy are provided below. At provincial level, gains and losses for students who remained in the same school from grade 4 in 2011/12 to grade 7 in 2014/15 were an average of +2.2 %Eq for reading and -1.5%Eq for numeracy.

To help interpret the results, please read **Interpretation of Results** on the last page of this document.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
100 Mile House Elementary	Public	100 Mile House	Loss of less than 5%Eq	Gain of 5 to 10%Eq
A. H. P. Matthew Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of more than 10%Eq
A. J. Elliott Elementary	Public	Sointula	Masked	Masked
A. J. McLellan Elementary	Public	Surrey	Loss of less than 5%Eq	Loss* of more than 10%Eq
Aatse Davie School	Indept	Fort Ware	Masked	Masked
Abbotsford Christian School	Indept	Abbotsford	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Aberdeen Elementary	Public	Abbotsford	Masked	Masked
Aberdeen Elementary	Public	Kamloops	Gain of less than 5%Eq	Gain of less than 5%Eq
Acwalsacta Band School	Indept	Bella Coola	Too small	Too small
Adam Robertson Elementary	Public	Creston	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Adams Road Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Admiral Seymour Elementary	Public	Vancouver	Too small	Too small
Agassiz Christian School	Indept	Agassiz	Masked	Masked
Agnes L. Mathers Elementary Secondary	Public	Sandspit	Masked	Masked
Airport Elementary	Public	Lazo	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
Al-Hidayah School	Indept	New Westminster	Masked	Masked
Albion Elementary	Public	Maple Ridge	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Aldergrove Christian Academy	Indept	Aldergrove	Masked	Masked
Alert Bay Elementary	Public	Alert Bay	Gain of more than 10%Eq	Gain of less than 5%Eq
Alex Aitken	Public	Duncan	Gain of less than 5%Eq	Loss of less than 5%Eq
Alex Hope Elementary	Public	Langley	Loss of less than 5%Eq	Loss of less than 5%Eq
Alexander Elementary	Public	Duncan	Too small	Too small
Alexander Robinson Elementary	Public	Maple Ridge	Too small	Too small
Alexis Creek Elementary/Secondary	Public	Alexis Creek	Masked	Masked
Alexis Park Elementary	Public	Vernon	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
Alfred B. Dixon Elementary	Public	Richmond	Loss of less than 5%Eq	Loss* of less than 5%Eq
Alice Brown Elementary	Public	Langley	Gain of less than 5%Eq	Loss of less than 5%Eq
Alouette Elementary	Public	Maple Ridge	Too small	Too small
Alvin A. McKay Middle	Public	Greenville	Masked	Masked
Anahim Lake Elem-Jr Secondary	Public	Anahim Lake	Masked	Masked
Anchor Point Montessori	Indept	Vancouver	Masked	Masked
Annieville Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of more than 10%Eq
Annunciation School	Indept	Prince Rupert	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Archibald Blair Elementary	Public	Richmond	Gain of 5 to 10%Eq	Gain of 5 to 10%Eq
Armstrong Elementary	Public	Burnaby	Loss of less than 5%Eq	Loss* of less than 5%Eq
Arrow Heights Elementary	Public	Revelstoke	Loss of less than 5%Eq	Loss of 5 to 10%Eq
Arrowview Elementary	Public	Qualicum Beach	Masked	Masked
Arthur Stevenson Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain of less than 5%Eq

.../continued on page 3

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Ashcroft Elementary	Public	Ashcroft	Gain of less than 5%Eq	Gain of less than 5%Eq
Aspen Park Elementary	Public	Comox	Gain of less than 5%Eq	Loss of less than 5%Eq
Aspengrove School	Indept	Lantzville	Gain of less than 5%Eq	Gain of less than 5%Eq
Assumption School	Indept	Powell River	Loss of less than 5%Eq	Gain of 5 to 10%Eq
Atlin School	Public	Atlin	Masked	Masked
Au Coeur de L'île	Public	Comox	N/A	Too small
Aubrey Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Avalon Adventist Junior Academy	Indept	Port Hardy	Masked	Masked
Az-Zahraa Islamic Academy	Indept	Richmond	Masked	Masked
B.X. Elementary	Public	Vernon	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Babine Elem-Secondary	Public	Granisle	Masked	Masked
Barlow Creek Elementary	Public	Quesnel	Gain of less than 5%Eq	Loss of less than 5%Eq
Barriere Elementary	Public	Barriere	Gain* of 5 to 10%Eq	Loss* of 5 to 10%Eq
Barrowtown Elementary	Public	Abbotsford	Masked	Masked
Bayridge Elementary	Public	Surrey	Loss* of 5 to 10%Eq	Loss of 5 to 10%Eq
Bayview Community Elementary	Public	Vancouver	Too small	Too small
Bayview Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss of less than 5%Eq
BC Muslim School	Indept	Richmond	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Beach Grove Elementary	Public	Delta	Loss of less than 5%Eq	Too small
Beachcombers Community School	Indept	Fanny Bay	Masked	Masked
Beairsto Elementary	Public	Vernon	Loss of less than 5%Eq	Gain of less than 5%Eq
Bear Creek Elementary	Public	Surrey	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Bear Valley School	Public	Stewart	Masked	Masked
Beattie School of the Arts	Public	Kamloops	Loss of less than 5%Eq	Gain* of more than 10%Eq
Beaver Creek Elementary	Public	Surrey	Gain* of less than 5%Eq	Gain* of 5 to 10%Eq
Beverly Elementary	Public	Prince George	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Bella Bella Community School	Indept	Bella Bella	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Bella Coola Adventist Academy	Indept	Bella Coola	Masked	Masked
Belmont Elementary	Public	Langley	Loss of less than 5%Eq	Loss of less than 5%Eq
Bench Elementary	Public	Cowichan Bay	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq
Berkshire Park Elementary	Public	Surrey	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Betty Huff Elementary	Public	Surrey	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq
Bibleway Christian Academy	Indept	Surrey	Masked	Masked
Big White Community School	Public	Kelowna	Masked	Masked
Blackburn Elementary	Public	Prince George	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Blessed Sacrament School	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Blue Mountain Elementary	Public	Maple Ridge	Too small	Too small
Blueridge Elementary	Public	North Vancouver	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq

.../continued on page 4

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Blundell Elementary	Public	Richmond	Loss of less than 5%Eq	Gain of less than 5%Eq
Bonaccord Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Boston Bar Elem-Secondary	Public	Boston Bar	Masked	Masked
Bothwell Elementary School	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Bouchie Lake Elementary School	Public	Quesnel	Too small	Too small
Boundary Bay Montessori House	Indept	Delta	Masked	Masked
Boundary Elementary	Public	North Vancouver	Loss of less than 5%Eq	Gain of less than 5%Eq
Boundary Park Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Bowen Island Community School	Public	Bowen Island	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Bowser Elementary	Public	Bowser	Too small	Too small
Bradner Elementary	Public	Abbotsford	Loss of less than 5%Eq	Gain of 5 to 10%Eq
Braemar Elementary	Public	North Vancouver	Gain* of less than 5%Eq	Gain* of less than 5%Eq
Brantford Elementary	Public	Burnaby	Gain of 5 to 10%Eq	Gain of 5 to 10%Eq
Brechin Elementary	Public	Nanaimo	Too small	Too small
Brentwood Park Elementary	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Bridge Lake Elementary	Public	Bridge Lake	Masked	Masked
Bridgeview Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Britannia Community Elementary	Public	Vancouver	Too small	Too small
British Columbia Christian Academy	Indept	Port Coquitlam	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Brockton Preparatory School	Indept	North Vancouver	Gain* of more than 10%Eq	Too small
Brooke Elementary	Public	Delta	Too small	Too small
Brooklyn Elementary	Public	Comox	Loss of less than 5%Eq	Gain of less than 5%Eq
Brooksbank Elementary	Public	North Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Brookside Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Buckhorn Elementary	Public	Prince George	Loss of less than 5%Eq	Loss of less than 5%Eq
Buckingham Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Buick Creek Elementary	Public	Buick	Masked	Masked
Bulkley Valley Christian School	Indept	Smithers	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Cache Creek Elementary	Public	Cache Creek	Gain of less than 5%Eq	Gain of less than 5%Eq
Cambridge Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Cameron Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of less than 5%Eq
Campbell River Christian School	Indept	Campbell River	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Canalta Elementary	Public	Dawson Creek	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Canyon Heights Elementary	Public	North Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Canyon/Lister Elementary	Public	Canyon	Too small	Too small
Capilano Elementary	Public	North Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Capitol Hill Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain of less than 5%Eq
Captain James Cook Elementary	Public	Vancouver	Loss* of 5 to 10%Eq	Loss of less than 5%Eq

.../continued on page 5

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Captain Meares Elem-Secondary	Public	Tahsis	Masked	Masked
Cariboo Adventist Academy	Indept	Williams Lake	Masked	Masked
Carisbrooke Elementary	Public	North Vancouver	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
Carlin Elementary Middle	Public	Tappen	Too small	Too small
Carnarvon Community Elementary	Public	Vancouver	Loss* of 5 to 10%Eq	Loss of 5 to 10%Eq
Carson Elementary School	Public	Quesnel	Too small	Too small
Cascade Christian School	Indept	Chilliwack	Masked	Masked
Cascade Heights Elementary	Public	Burnaby	Gain* of less than 5%Eq	Loss* of less than 5%Eq
Caulfeild Elementary	Public	West Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Cayoosh Elementary	Public	Lillooet	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Cedar Grove Elementary	Public	Gibsons	Gain of less than 5%Eq	Loss of less than 5%Eq
Cedar Hills Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Cedar Valley Waldorf School	Indept	Squamish	Masked	Masked
Cedars Christian School	Indept	Prince George	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Centennial Christian School	Indept	Terrace	Masked	Masked
Chaffey-Burke Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Chalmers Elementary	Public	Delta	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Chalo School	Indept	Fort Nelson	Masked	Masked
Champlain Heights Community Elementary	Public	Vancouver	Too small	Too small
Chantrell Creek Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Charles Dickens Elementary	Public	Vancouver	Too small	Too small
Chartwell Elementary	Public	West Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Chase River Elementary	Public	Nanaimo	Loss of less than 5%Eq	Too small
Chemainus Elementary Community School	Public	Chemainus	Gain of less than 5%Eq	Loss of less than 5%Eq
Chief Maquinna Elementary	Public	Vancouver	Too small	Too small
Children of Integrity Montessori	Indept	Coquitlam	Masked	Masked
Chilliwack Adventist Christian School	Indept	Chilliwack	Masked	Masked
Chimney Hill Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Choice School For Gifted Children	Indept	Richmond	Masked	Masked
Christ Church Cathedral School	Indept	Victoria	Loss of less than 5%Eq	Gain of less than 5%Eq
Christian Life School	Indept	Fort St John	Loss of less than 5%Eq	Too small
Christina Lake Elementary	Public	Christina Lake	Gain of less than 5%Eq	Loss of less than 5%Eq
Cilaire Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss of less than 5%Eq
Cindrich Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Cinnabar Valley Elementary	Public	Nanaimo	Gain of less than 5%Eq	Loss of less than 5%Eq
Clayton Elementary	Public	Surrey	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Clearview Elem-Jr Secondary	Public	Fort St John	Gain of less than 5%Eq	Loss* of more than 10%Eq
Cleveland Elementary	Public	North Vancouver	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq

.../continued on page 6

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Cliff Drive Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Clinton Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain of less than 5%Eq
Cloverdale Catholic School	Indept	Surrey	Loss of less than 5%Eq	Loss* of more than 10%Eq
Cloverdale Christian School	Indept	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Cloverdale Traditional	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Coal Tyee Elementary	Public	Nanaimo	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Coast Meridian Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Coast Tsimshian Academy	Indept	Lax Kw Alaams	Masked	Masked
Coghlan Fundamental Elementary	Public	Aldergrove	Gain of less than 5%Eq	Loss of less than 5%Eq
Coldstream Elementary	Public	Coldstream	Gain of less than 5%Eq	Gain of less than 5%Eq
Colebrook Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
College Heights Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
Collettsville Elementary	Public	Merritt	Gain of less than 5%Eq	Loss of less than 5%Eq
Collingwood School	Indept	West Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Columbia Park Elementary	Public	Revelstoke	Loss of less than 5%Eq	Loss of 5 to 10%Eq
Confederation Park Elementary	Public	Burnaby	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Connaught Heights Elementary	Public	New Westminster	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Cornerstone Christian Academy	Indept	Richmond	Loss of less than 5%Eq	Gain of less than 5%Eq
Cornerstone Christian School	Indept	Abbotsford	Masked	Masked
Cornerstone Kindergarten	Indept	Surrey	Masked	Masked
Corpus Christi School	Indept	Vancouver	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Cortes Island Elem-Jr Secondary	Public	Mansons Landing	Masked	Masked
Cougar Canyon Elementary	Public	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq
Cougar Creek Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Cousteau L'Ecole Francaise Interna'le	Indept	North Vancouver	N/A	Masked
Cove Cliff Elementary	Public	North Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Coyote Creek Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Crawford Bay Elem-Secondary	Public	Crawford Bay	Masked	Masked
Credo Christian Schools	Indept	Langley	Loss of less than 5%Eq	Loss of less than 5%Eq
Creekside Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Crescent Park Elementary	Public	Dawson Creek	Gain of less than 5%Eq	Loss of less than 5%Eq
Crescent Park Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Crofton Elementary Community School	Public	Crofton	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Crofton House	Indept	Vancouver	Loss* of less than 5%Eq	Loss* of more than 10%Eq
Dallas Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain* of less than 5%Eq
Daniel Woodward Elementary	Public	Richmond	Loss of less than 5%Eq	Gain of less than 5%Eq
Dasmesh Punjabi School	Indept	Abbotsford	Loss* of more than 10%Eq	Loss* of more than 10%Eq
David Brankin Elementary	Public	Surrey	Loss of 5 to 10%Eq	Loss* of 5 to 10%Eq

.../continued on page 7

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

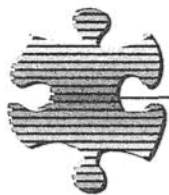
N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
David Hoy Elementary	Public	Fort St James	Too small	Too small
David Livingstone Elementary	Public	Vancouver	Too small	Too small
David Lloyd George Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
David Oppenheimer Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
David Stoddart	Public	Clinton	Masked	Masked
David Thompson Elementary	Public	Kamloops	Loss of less than 5%Eq	Loss* of more than 10%Eq
Davie Jones Elementary	Public	Pitt Meadows	Loss of less than 5%Eq	Loss of less than 5%Eq
Davis Bay Elementary	Public	Sechelt	Masked	Masked
Dease Lake School	Public	Dease Lake	Masked	Masked
Decker Lake Elementary	Public	Burns Lake	Gain of less than 5%Eq	Loss of less than 5%Eq
Deer Lake SDA School	Indept	Burnaby	Gain of less than 5%Eq	Gain* of more than 10%Eq
Delta Christian School	Indept	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq
Denman Island Elementary	Public	Denman Island	Masked	Masked
Departure Bay Elementary	Public	Nanaimo	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Devereaux Elementary	Public	Dawson Creek	Masked	Masked
Devon Gardens Elementary	Public	Delta	Gain of less than 5%Eq	Gain of less than 5%Eq
Diamond Elementary School	Indept	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Diamond Vale Elementary	Public	Merritt	Gain of less than 5%Eq	Gain* of more than 10%Eq
Discovery Elementary	Public	Shawnigan Lake	Gain of less than 5%Eq	Loss of less than 5%Eq
Dog Creek Elem-Jr. Secondary	Public	Dog Creek	Masked	Masked
Dogwood Elementary	Public	Surrey	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Dogwood School	Indept	Abbotsford	Masked	Masked
Don Christian Elementary	Public	Surrey	Gain* of less than 5%Eq	Loss of less than 5%Eq
Don Titus Montessori	Public	Chetwynd	Masked	Masked
Donald E. McKay Elementary	Public	Richmond	Loss of less than 5%Eq	Loss of less than 5%Eq
Dorothy Lynas Elementary	Public	North Vancouver	Loss of less than 5%Eq	Gain of less than 5%Eq
Dorothy Peacock Elementary	Public	Langley	Gain of less than 5%Eq	Loss of less than 5%Eq
Douglas Road Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Dr. A. R. Lord Elementary	Public	Vancouver	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Dr. Annie B. Jamieson Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Dr. D. A. Perley Elementary	Public	Grand Forks	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Dr. F. D. Sinclair Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Dr. George M. Weir Elementary	Public	Vancouver	Gain* of less than 5%Eq	Gain of less than 5%Eq
Dr. H. N. MacCorkindale Elementary	Public	Vancouver	Too small	Gain of less than 5%Eq
Dr. R. E. McKechnie Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Dragon Lake Elementary	Public	Quesnel	Too small	Too small
Drinkwater Elementary	Public	Duncan	Gain of less than 5%Eq	Gain of less than 5%Eq
Dufferin Elementary	Public	Kamloops	Loss of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 8

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Duncan Christian School	Indept	Duncan	Loss* of more than 10%Eq	Loss of 5 to 10%Eq
Eagle View Elementary	Public	Port Hardy	Gain of less than 5%Eq	Gain of less than 5%Eq
East Kensington Elementary	Public	Surrey	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Eastview Elementary	Public	North Vancouver	Loss of less than 5%Eq	Loss* of less than 5%Eq
Eaton Arrowsmith School	Indept	Vancouver	Masked	Masked
Ebenezer Canadian Reformed School	Indept	Smithers	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
École Andre Piolat	Public	North Vancouver	N/A	Gain* of 5 to 10%Eq
École Baker	Public	Quesnel	Loss of more than 10%Eq	Loss* of 5 to 10%Eq
École Cedardale	Public	West Vancouver	Gain* of more than 10%Eq	Gain* of more than 10%Eq
École Cobble Hill Elementary	Public	Cobble Hill	Too small	Too small
École Cote du Soleil	Public	Powell River	N/A	Too small
École de l'Anse-au-sable	Public	Kelowna	N/A	Gain of less than 5%Eq
École De La Vallée De Pemberton	Public	Pemberton	N/A	Masked
École des Collines d'or	Public	Kamloops	N/A	Masked
École des Deux-Rives	Public	Mission	N/A	Gain of 5 to 10%Eq
École des Navigateurs	Public	Richmond	N/A	Too small
École des Pionniers	Public	Port Coquitlam	N/A	Gain* of more than 10%Eq
École des Sentiers-Alpins	Public	Rossland	N/A	Masked
École des Sept-Sommets	Public	Rossland	N/A	Masked
École du Pacifique	Public	Sechelt	N/A	Too small
École Entre Lacs	Public	Penticton	N/A	Loss* of more than 10%Eq
École Franco-Nord	Public	Prince George	N/A	Masked
École Frank Ross Elementary	Public	Dawson Creek	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq
École Inman Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
École Jules Quesnel Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
École la Passerelle	Public	Whistler	N/A	Too small
École Lac des Bois	Public	Prince George	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
École les Aiglons	Public	Garibaldi Highlands	N/A	Masked
École Lloyd George Elementary	Public	Kamloops	Gain of less than 5%Eq	Loss of less than 5%Eq
École mer et montagne	Public	Campbell River	N/A	Masked
École Oceane	Public	Nanaimo	N/A	Masked
École Pauline Johnson Elementary	Public	West Vancouver	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
École Puntledge Park Elementary	Public	Courtenay	Too small	Too small
École Riverdale Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
École Robb Road	Public	Comox	Gain of less than 5%Eq	Gain* of more than 10%Eq
École Seaforth Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Edgehill Elementary	Public	Powell River	Loss of less than 5%Eq	Gain of less than 5%Eq
Edgewater Elementary	Public	Edgewater	Loss of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 9

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Edgewood Elementary	Public	Edgewood	Masked	Masked
Edgewood Elementary	Public	Prince George	Loss of less than 5%Eq	Loss of less than 5%Eq
Edith Cavell Elementary	Public	Vancouver	Too small	Too small
Edith McDermott Elementary	Public	Pitt Meadows	Loss* of 5 to 10%Eq	Loss* of 5 to 10%Eq
Edmonds Community	Public	Burnaby	Too small	Too small
Ellendale Elementary	Public	Surrey	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Ellison Elementary	Public	Vernon	Gain of less than 5%Eq	Loss* of more than 10%Eq
Elsie Roy Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Emily Carr Elementary	Public	Vancouver	Too small	Too small
English Bluff Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Eric Langton Elementary	Public	Maple Ridge	Too small	Too small
Erickson Elementary	Public	Erickson	Too small	Too small
Erma Stephenson Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Errington Elementary	Public	Errington	Too small	Too small
Evergreen Independent School	Indept	Cobble Hill	Masked	Masked
Fairview Elementary	Public	Maple Ridge	Too small	Too small
Fairview Elementary	Public	Nanaimo	Too small	Too small
Falkland Elementary	Public	Falkland	Masked	Masked
False Creek Elementary	Public	Vancouver	Too small	Too small
Florence Nightingale Elementary	Public	Vancouver	Too small	Too small
Foothills Elementary	Public	Prince George	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Forest Grove Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of 5 to 10%Eq
Forest Grove Elementary	Public	Forest Grove	Masked	Masked
Forest Park Elementary	Public	Nanaimo	Gain of 5 to 10%Eq	Too small
Forsyth Road Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Fort Fraser Elementary	Public	Fort Fraser	Masked	Masked
Fort Langley Elementary	Public	Fort Langley	Gain of less than 5%Eq	Gain of less than 5%Eq
Fort Rupert Elementary	Public	Port Hardy	Loss of less than 5%Eq	Loss* of more than 10%Eq
Francois Lake Elementary	Public	Francois Lake	Masked	Masked
Frank J. Ney Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Fraser Academy	Indept	Vancouver	Masked	Masked
Fraser Lake Elem-Secondary	Public	Fraser Lake	Too small	Too small
Fraser Valley Adventist Academy	Indept	Aldergrove	Loss of 5 to 10%Eq	Loss* of more than 10%Eq
Fraser Wood Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Frost Road Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Fruitvale Elementary	Public	Fruitvale	Gain of less than 5%Eq	Gain* of more than 10%Eq
G. T. Cunningham Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
G.A.D. Elementary School	Indept	Surrey	Masked	Masked

.../continued on page 10

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Gabrielle-Roy	Public	Surrey	N/A	Gain of less than 5%Eq
Gabriola Elementary	Public	Gabriola Island	Too small	Too small
Galiano Community School	Public	Galiano Island	Masked	Masked
Garden City Elementary	Public	Richmond	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
General Brock Elementary	Public	Vancouver	Too small	Loss of less than 5%Eq
General Currie Elementary	Public	Richmond	Gain of less than 5%Eq	Gain of less than 5%Eq
General Gordon Elementary	Public	Vancouver	Too small	Too small
General Wolfe Elementary	Public	Vancouver	Too small	Too small
George Greenaway Elementary	Public	Surrey	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
George M Murray Elementary	Public	Lillooet	Loss of 5 to 10%Eq	Loss of 5 to 10%Eq
Georges Vanier Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Georgia Avenue Elementary	Public	Nanaimo	Too small	Too small
Gibson Elementary	Public	Delta	Loss* of 5 to 10%Eq	Loss* of 5 to 10%Eq
Gibsons Elementary	Public	Gibsons	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Gilmore Community Elementary	Public	Burnaby	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Gilpin Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of less than 5%Eq
Giscome Elementary	Public	Willow River	Masked	Masked
Gitwinksihlkw Elementary	Public	Gitwinksihlkw	Masked	Masked
Glen Eden School	Indept	Richmond	Masked	Masked
Gleneagles Elementary	Public	West Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
Glenlyon Norfolk School	Indept	Victoria	Loss* of more than 10%Eq	Loss of less than 5%Eq
Glenmerry Elementary	Public	Trail	Loss of less than 5%Eq	Loss of less than 5%Eq
Glenview Elementary	Public	Prince George	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Glenwood Elementary	Public	Burnaby	Masked	Masked
Glenwood Elementary	Public	Langley	Gain of less than 5%Eq	Gain of less than 5%Eq
Glenwood Elementary	Public	Maple Ridge	Too small	Too small
Golden Ears Elementary	Public	Maple Ridge	Loss* of 5 to 10%Eq	Loss of 5 to 10%Eq
Good Shepherd Christian School	Indept	Osoyoos	Masked	Masked
Gordon Greenwood Elementary	Public	Langley	Loss of less than 5%Eq	Gain of less than 5%Eq
Graham Bruce Community Elementary	Public	Vancouver	Gain of less than 5%Eq	Too small
Grandview Elementary	Public	Vancouver	Too small	Too small
Grassy Plains School	Public	Burns Lake	Masked	Masked
Gray Elementary	Public	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq
Green Timbers Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of more than 10%Eq
Greenwood Elementary	Public	Greenwood	Masked	Masked
Grindrod Elementary	Public	Grindrod	Gain of less than 5%Eq	Loss of less than 5%Eq
Gwa'sala-'Nakwaxda'xw School	Indept	Port Hardy	Gain of less than 5%Eq	Loss of 5 to 10%Eq
H. T. Thrift Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 11

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Haahuupayak School	Indept	Port Alberni	Loss of less than 5%Eq	Gain* of more than 10%Eq
Haldane Elementary	Public	Chase	Loss of less than 5%Eq	Gain of less than 5%Eq
Halfmoon Bay Elementary	Public	Halfmoon Bay	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Halls Prairie Elementary	Public	Surrey	Masked	Masked
Hamilton Elementary	Public	Richmond	Loss of less than 5%Eq	Gain of less than 5%Eq
Hammond Bay Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Hammond Elementary	Public	Maple Ridge	Too small	Too small
Harold Bishop Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Harry Hooze Elementary	Public	Maple Ridge	Too small	Too small
Hart Highlands Elementary	Public	Prince George	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
Hartley Bay Elem-Jr Secondary	Public	Hartley Bay	Masked	Masked
Harwin Elementary	Public	Prince George	Too small	Too small
Harwood Elementary	Public	Vernon	Gain of less than 5%Eq	Gain of less than 5%Eq
Hastings Community Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Hawthorne Elementary	Public	Delta	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Hazelgrove Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Heath Traditional Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Heather Park Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
Hellings Elementary	Public	Delta	Gain of less than 5%Eq	Loss* of less than 5%Eq
Henderson Elementary	Public	Powell River	Loss of more than 10%Eq	Loss* of more than 10%Eq
Henry Anderson Elementary	Public	Richmond	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Henry Bose Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Henry Hudson Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Heritage Christian School	Indept	Kelowna	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Heritage Elementary	Public	Prince George	Loss of less than 5%Eq	Loss* of more than 10%Eq
Highglen Montessori Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
Highland Park Elementary	Public	Pitt Meadows	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Highlands Elementary	Public	North Vancouver	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Highroad Academy	Indept	Chilliwack	Loss of 5 to 10%Eq	Loss* of 5 to 10%Eq
Hillcrest Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
Hillview Elementary	Public	Vernon	Loss of 5 to 10%Eq	Loss* of 5 to 10%Eq
Hjorth Road Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Holly Elementary	Public	Delta	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
Holly Elementary	Public	Surrey	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Hollyburn Elementary	Public	West Vancouver	Too small	Too small
Holy Cross Elementary School	Indept	Burnaby	Gain* of more than 10%Eq	Loss of less than 5%Eq
Holy Cross School	Indept	Penticton	Gain* of more than 10%Eq	Gain of 5 to 10%Eq
Holy Trinity School	Indept	North Vancouver	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq

.../continued on page 12

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Hope Lutheran Christian School	Indept	Port Coquitlam	Loss of less than 5%Eq	Gain of less than 5%Eq
Hornby Island Elementary	Public	Hornby Island	Masked	Masked
Horse Lake Elementary	Public	Lone Butte	Loss of less than 5%Eq	Gain of 5 to 10%Eq
Horsefly Elem-Jr Secondary	Public	Horsefly	Masked	Masked
Houston Christian School	Indept	Houston	Masked	Masked
Howard De Beck Elementary	Public	Richmond	Gain of less than 5%Eq	Gain of less than 5%Eq
Huband Park Elementary	Public	Courtenay	Gain of less than 5%Eq	Loss of less than 5%Eq
Hudson's Hope School	Public	Hudson S Hope	Masked	Masked
Hyland Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Immaculate Conception	Indept	Prince George	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Immaculate Conception School	Indept	Delta	Loss* of less than 5%Eq	Loss* of less than 5%Eq
Immaculate Conception School	Indept	Vancouver	Gain of less than 5%Eq	Loss* of more than 10%Eq
Iqra School	Indept	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Irwin Park Elementary	Public	West Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
J. Alfred Laird Elementary	Public	Invermere	Loss of less than 5%Eq	Loss of less than 5%Eq
J. T. Brown Elementary	Public	Surrey	Gain of 5 to 10%Eq	Gain of less than 5%Eq
J. V. Humphries Elem-Secondary	Public	Kaslo	Too small	Too small
J. W. Sexsmith Community Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Jack Cook Elementary	Public	Terrace	N/A	Masked
Jaffray Elem-Jr Secondary	Public	Jaffray	Gain of 5 to 10%Eq	Gain of less than 5%Eq
James Ardiel Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
James Gilmore Elementary	Public	Richmond	Gain of less than 5%Eq	Gain of less than 5%Eq
James Kennedy Elementary	Public	Langley	Loss of less than 5%Eq	Loss* of less than 5%Eq
James L. Webster Elementary	Public	Trail	Too small	Too small
James McKinney Elementary	Public	Richmond	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
James Thompson Elementary	Public	Richmond	Gain* of more than 10%Eq	Gain* of more than 10%Eq
James Thomson Elementary	Public	Powell River	Gain of less than 5%Eq	Gain* of more than 10%Eq
James Whiteside Elementary	Public	Richmond	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Janice Churchill Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Jarvis Traditional Elementary	Public	Delta	Gain of less than 5%Eq	Gain of less than 5%Eq
Jessie Lee Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of 5 to 10%Eq
Jessie Wowk Elementary	Public	Richmond	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
John A. Hutton Elementary	Public	Grand Forks	Loss* of 5 to 10%Eq	Loss* of 5 to 10%Eq
John Calvin School	Indept	Chilliwack	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
John G. Diefenbaker Elementary	Public	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
John Henderson Elementary	Public	Vancouver	Too small	Too small
John Knox Christian School	Indept	Burnaby	Loss* of 5 to 10%Eq	Gain* of less than 5%Eq
John Norquay Elementary	Public	Vancouver	Gain* of 5 to 10%Eq	Loss of less than 5%Eq

.../continued on page 13

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
John Paul II Catholic School	Indept	Port Alberni	Masked	Masked
John T. Errington Elementary	Public	Richmond	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Juniper Ridge Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain of less than 5%Eq
K. B. Woodward Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Kamloops Christian School	Indept	Kamloops	Loss of 5 to 10%Eq	Gain of less than 5%Eq
Kanaka Creek Elementary	Public	Maple Ridge	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Kathleen McNeely Elementary	Public	Richmond	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Kelly Creek Community School	Public	Powell River	Loss* of more than 10%Eq	Loss of 5 to 10%Eq
Kelowna Christian School	Indept	Kelowna	Loss of less than 5%Eq	Gain of less than 5%Eq
Kelowna Waldorf School	Indept	Kelowna	Masked	Masked
Kennedy Trail Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Kenneth Gordon	Indept	North Vancouver	Masked	Masked
Kerrisdale Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Kersley Elementary School	Public	Quesnel	Masked	Masked
Khalsa School (Surrey)	Indept	Surrey	Loss of less than 5%Eq	Loss* of less than 5%Eq
Khowhemun Elementary	Public	Duncan	Too small	Too small
Kidston Elementary	Public	Coldstream	Loss of less than 5%Eq	Gain of less than 5%Eq
King's Christian School	Indept	Salmon Arm	Gain of less than 5%Eq	Loss of less than 5%Eq
King's School	Indept	Milner	Masked	Masked
Kingswood Elementary	Public	Richmond	Too small	Too small
Kinnaird Elementary	Public	Castlegar	Too small	Too small
Kinnikinnick Elementary	Public	Sechelt	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Kirkbride Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Kispiox Community School	Indept	Kispiox	Too small	Too small
Kitchener Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain* of more than 10%Eq
Kitwanga Elementary	Public	Kitwanga	Too small	Too small
Klappan Independent Day School	Indept	Iskut	Masked	Masked
Kootenay Christian Academy	Indept	Cranbrook	Gain of 5 to 10%Eq	Loss of less than 5%Eq
Kyuquot Elementary Secondary	Public	Kyuquot	Masked	Masked
L'ecole Bilingue Elementary	Public	Vancouver	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
L'ecole Victor Brodeur	Public	Victoria	N/A	Loss of less than 5%Eq
La Verendrye Elementary	Public	Chilliwack	N/A	Masked
Lac La Hache Elementary	Public	Lac La Hache	Masked	Masked
Ladner Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Lady Grey Elementary	Public	Golden	Loss of less than 5%Eq	Loss of less than 5%Eq
Laity View Elementary	Public	Maple Ridge	Loss* of less than 5%Eq	Loss of 5 to 10%Eq
Lake Kathlyn Elementary	Public	Smithers	Masked	Masked
Lakeview Christian School	Indept	Victoria	Masked	Masked

...continued on page 14

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Lakeview Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Lakeview Elementary	Public	Quesnel	Too small	Too small
Langdale Elementary	Public	Gibsons	Masked	Masked
Langley Christian	Indept	Langley	Loss* of less than 5%Eq	Loss* of less than 5%Eq
Langley Fine Arts Elementary	Public	Fort Langley	Loss of less than 5%Eq	Gain of less than 5%Eq
Laronde Elementary	Public	Surrey	Loss of less than 5%Eq	Gain* of more than 10%Eq
Larson Elementary	Public	North Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Latimer Road Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Laura Secord Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Lavington Elementary	Public	Vernon	Loss* of more than 10%Eq	Loss* of 5 to 10%Eq
Lena Shaw Elementary	Public	Surrey	Loss of less than 5%Eq	Loss* of less than 5%Eq
Les Voyageurs	Public	Langley	N/A	Masked
Lighthouse Christian Academy	Indept	Victoria	Gain* of 5 to 10%Eq	Gain of 5 to 10%Eq
Likely Elem-Jr Secondary	Public	Likely	Masked	Masked
Lions Gate Christian Academy	Indept	North Vancouver	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Little Prairie Elementary	Public	Chetwynd	Loss of less than 5%Eq	Loss of less than 5%Eq
Lochdale Community	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Lord Beaconsfield Elementary	Public	Vancouver	Too small	Too small
Lord Byng Elementary	Public	Richmond	Gain* of 5 to 10%Eq	Loss* of 5 to 10%Eq
Lord Kelvin Elementary	Public	New Westminster	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Lord Kitchener Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Lord Nelson Elementary	Public	Vancouver	Too small	Too small
Lord Roberts Elementary	Public	Vancouver	Too small	Too small
Lord Selkirk Elementary	Public	Vancouver	Too small	Too small
Lord Strathcona Community Elementary	Public	Vancouver	Too small	Too small
Lord Tennyson Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Lord Tweedsmuir Elementary	Public	New Westminster	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
Lower Nicola Band School	Indept	Merritt	Masked	Masked
Lucerne Elem-Secondary	Public	New Denver	Masked	Masked
Lyndhurst Elementary	Public	Burnaby	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Lynn Valley Elementary	Public	North Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Lynnmour Elementary School	Public	North Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
Lytton Elementary	Public	Lytton	Masked	Masked
M. B. Sanford Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
M. V. Beattie Elementary	Public	Enderby	Loss* of more than 10%Eq	Too small
Maaqtusiis Elementary	Indept	Ahousaht	Too small	Too small
Madrona School	Indept	Vancouver	Masked	Masked
Magnussen School	Indept	Vancouver	Masked	Masked

...continued on page 15

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Majagaleehi Gali Aks Elementary	Public	Hazleton	Too small	Too small
Malaspina Elementary	Public	Prince George	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Manoah Steves Elementary	Public	Richmond	Loss of less than 5%Eq	Gain* of less than 5%Eq
Maple Bay Elementary	Public	Duncan	Loss of less than 5%Eq	Gain of less than 5%Eq
Maple Green Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Maple Grove Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Maple Lane Elementary	Public	Richmond	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Maple Ridge Christian School	Indept	Maple Ridge	Gain of less than 5%Eq	Gain* of more than 10%Eq
Maple Ridge Elementary	Public	Maple Ridge	Too small	Too small
Maranatha Christian School	Indept	Williams Lake	Loss* of more than 10%Eq	Gain of less than 5%Eq
Maria Montessori	Indept	Victoria	Loss of 5 to 10%Eq	Loss* of more than 10%Eq
Marion Schilling Elementary	Public	Kamloops	Gain of less than 5%Eq	Loss of less than 5%Eq
Marlborough Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain* of less than 5%Eq
Martha Currie Elementary	Public	Surrey	Loss* of less than 5%Eq	Loss of less than 5%Eq
Martha Jane Norris Elementary	Public	Surrey	Gain* of less than 5%Eq	Gain of less than 5%Eq
Martin Morigeau Elementary	Public	Canal Flats	Masked	Masked
Mary Jane Shannon Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Mayne Island School	Public	Mayne Island	Masked	Masked
Maywood Community School	Public	Burnaby	Too small	Too small
McBride Centennial Elementary	Public	McBride	Gain of 5 to 10%Eq	Loss* of 5 to 10%Eq
McCloskey Elementary	Public	Delta	Gain of less than 5%Eq	Loss of less than 5%Eq
McGirr Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
McGowan Park Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
McKim Middle School	Public	Kimberley	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
McLeod Elementary Secondary	Public	Groundbirch	Masked	Masked
McLeod Road Traditional	Public	Surrey	Gain of 5 to 10%Eq	Gain* of more than 10%Eq
Meadowridge School	Indept	Maple Ridge	Loss of less than 5%Eq	Loss* of more than 10%Eq
Mediated Learning Academy	Indept	Coquitlam	Too small	Loss of less than 5%Eq
Mennonite Educational Institute	Indept	Abbotsford	Loss of less than 5%Eq	Loss* of more than 10%Eq
Merritt Bench Elementary	Public	Merritt	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Merritt Central Elementary	Public	Merritt	Loss of less than 5%Eq	Loss of less than 5%Eq
Mile 108 Elementary	Public	108 Mile Ranch	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Miracle Beach Elementary	Public	Black Creek	Gain of less than 5%Eq	Gain of less than 5%Eq
Mission Hill Elementary	Public	Vernon	Gain of less than 5%Eq	Loss of less than 5%Eq
Mitchell Elementary	Public	Richmond	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Moberly Lake Elementary	Public	Moberly Lake	Masked	Masked
Montecito Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of less than 5%Eq
Montroyal Elementary	Public	North Vancouver	Loss* of 5 to 10%Eq	Gain of less than 5%Eq

.../continued on page 16

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Morfee Elementary	Public	Mackenzie	Loss of less than 5%Eq	Loss of less than 5%Eq
Morgan Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Moricietown Elementary & Secondary School	Indept	Smithers	Masked	Masked
Morley Elementary	Public	Burnaby	Gain* of 5 to 10%Eq	Gain* of less than 5%Eq
Mormon Hills Elementary Secondary	Indept	Creston	Loss of less than 5%Eq	Gain* of more than 10%Eq
Morning Glory School	Indept	Qualicum Beach	Masked	Masked
Mount Cheam Christian School	Indept	Chilliwack	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Mount Pleasant Elementary	Public	Vancouver	Too small	Too small
Mountain Christian School	Indept	Dawson Creek	Masked	Masked
Mountain View Christian Academy	Indept	Terrace	Masked	Masked
Mountain View Elementary	Public	Nanaimo	Too small	Too small
Mountainview Montessori	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
Mt Lehman Elementary	Public	Abbotsford	Loss of less than 5%Eq	Loss of less than 5%Eq
Muheim Memorial Elementary	Public	Smithers	Loss of less than 5%Eq	Gain of less than 5%Eq
Mulgrave School	Indept	West Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Myrtle Philip Community School	Public	Whistler	Gain of less than 5%Eq	Gain of less than 5%Eq
Naghtaneqed Elem-Jr Secondary	Public	Nemaiah Valley	Masked	Masked
Nak'albun Elementary School	Indept	Fort St James	Too small	Too small
Nakusp Elementary	Public	Nakusp	Gain* of more than 10%Eq	Too small
Nanaimo Christian School	Indept	Nanaimo	Loss of 5 to 10%Eq	Loss* of more than 10%Eq
Nanoose Bay Elementary	Public	Nanoose Bay	Gain of less than 5%Eq	Loss* of more than 10%Eq
Nazko Valley Elementary	Public	Quesnel	Masked	Masked
Neilson Grove Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Nelson Christian Community School	Indept	Nelson	Masked	Masked
Nelson Elementary	Public	Burnaby	Loss of less than 5%Eq	Loss of less than 5%Eq
Nelson Waldorf School	Indept	Nelson	Gain of less than 5%Eq	Gain of less than 5%Eq
New Hazelton Elementary	Public	New Hazelton	Loss of less than 5%Eq	Loss of less than 5%Eq
Newton Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Nicholson Elementary	Public	Golden	Loss of less than 5%Eq	Loss* of more than 10%Eq
Nicola Canford Elementary	Public	Lower Nicola	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Noel Booth Elementary	Public	Langley	Loss of less than 5%Eq	Gain of less than 5%Eq
Nootka Community Elementary	Public	Vancouver	Loss of less than 5%Eq	Gain of less than 5%Eq
Norgate Community Elementary	Public	North Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Norma Rose Point School	Public	Vancouver	Masked	Masked
North Cariboo Christian School	Indept	Quesnel	Gain of less than 5%Eq	Loss of 5 to 10%Eq
North Cedar Intermediate	Public	Nanaimo	Gain of less than 5%Eq	Loss of less than 5%Eq
North Otter Elementary	Public	Aldergrove	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
North Oyster Elementary	Public	Ladysmith	Too small	Too small

.../continued on page 17

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
North Ridge Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
North Shuswap Elementary	Public	Celista	Masked	Masked
Northside Christian School	Indept	Vanderhoof	Masked	Masked
Notre Dame	Indept	Dawson Creek	Gain of 5 to 10%Eq	Gain* of less than 5%Eq
Nukko Lake Elementary	Public	Prince George	Gain* of 5 to 10%Eq	Loss of less than 5%Eq
Nusdeh Yoh	Public	Prince George	Loss of more than 10%Eq	Loss of 5 to 10%Eq
Oak and Orca Bioregional School	Indept	Victoria	Masked	Masked
Ocean Cliff Elementary	Public	Surrey	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
Okanagan Adventist Academy	Indept	Kelowna	Masked	Masked
Okanagan Falls Elementary	Public	Okanagan Falls	Loss of less than 5%Eq	Loss* of more than 10%Eq
Okanagan Landing Elementary	Public	Vernon	Too small	Too small
Old Yale Road Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Oliver Elementary	Public	Oliver	Loss of less than 5%Eq	Loss of less than 5%Eq
Osoyoos Elementary	Public	Osoyoos	Loss of less than 5%Eq	Gain of less than 5%Eq
Our Lady of Fatima	Indept	Coquitlam	Loss of less than 5%Eq	Loss of less than 5%Eq
Our Lady of Good Counsel	Indept	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Our Lady of Lourdes	Indept	West Kelowna	Masked	Masked
Our Lady of Mercy	Indept	Burnaby	Loss* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Our Lady of Perpetual Help	Indept	Kamloops	Loss of less than 5%Eq	Loss of 5 to 10%Eq
Our Lady of Perpetual Help	Indept	Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
Our Lady of Sorrows	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Our Lady of the Assumption	Indept	Port Coquitlam	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Pacific Academy	Indept	Surrey	Loss* of less than 5%Eq	Loss* of 5 to 10%Eq
Pacific Christian School	Indept	Victoria	Gain of less than 5%Eq	Loss of less than 5%Eq
Pacific Heights Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Pacific Spirit School	Indept	Richmond	Masked	Masked
Pacific Way Elementary	Public	Kamloops	Gain of less than 5%Eq	Loss* of less than 5%Eq
Panorama Park Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Park Avenue Elementary	Public	Nanaimo	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Parkcrest Elementary	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Parkland Elementary	Public	Farmington	Masked	Masked
Parkland Elementary	Public	Quesnel	Masked	Masked
Parkview Elementary School	Public	Sicamous	Loss* of more than 10%Eq	Too small
Pauline Haarer Elementary	Public	Nanaimo	Loss of less than 5%Eq	Gain of less than 5%Eq
Peace Arch Elementary	Public	White Rock	Gain of less than 5%Eq	Gain of less than 5%Eq
Peace Christian School	Indept	Chetwynd	Loss of less than 5%Eq	Gain of less than 5%Eq
Peace View School	Public	Dawson Creek	Masked	Masked
Pebble Hill Traditional Elementary	Public	Delta	Too small	Too small

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

.../continued on page 18

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Peden Hill Elementary	Public	Prince George	Gain of less than 5%Eq	Loss* of more than 10%Eq
Pender Islands Elem-Secondary	Public	Pender Island	Loss of 5 to 10%Eq	Loss of 5 to 10%Eq
Penticton Christian School	Indept	Penticton	Masked	Masked
Peterson Road Elementary	Public	Langley	Gain of less than 5%Eq	Gain of less than 5%Eq
Phil & Jennie Gagliardi Academy	Indept	Comox	Too small	Too small
Pierre Elliott Trudeau Elementary	Public	Vancouver	Too small	Too small
Pinantan Elementary	Public	Pinantan Lake	Masked	Masked
Pineview Elementary	Public	Prince George	Gain of 5 to 10%Eq	Loss of less than 5%Eq
Pinewood Elementary	Public	Delta	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Pinewood Elementary	Public	Prince George	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Pitt Meadows Elementary	Public	Pitt Meadows	Too small	Too small
Pleasant Valley Christian Academy	Indept	Vernon	Masked	Masked
Pleasant Valley Elementary	Public	Nanaimo	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Port Alberni Christian School	Indept	Port Alberni	Masked	Masked
Port Clements Elementary	Public	Port Clements	Masked	Masked
Port Guichon Elementary	Public	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq
Port Kells Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Pouce Coupe Elementary	Public	Pouce Coupe	Masked	Masked
Powell River Christian School	Indept	Powell River	Masked	Masked
Prespatou Elem-Secondary	Public	Prespatou	Gain of less than 5%Eq	Loss of less than 5%Eq
Prince Charles Elementary	Public	Surrey	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Qualicum Beach Elementary	Public	Qualicum Beach	Too small	Too small
Quarterway Elementary	Public	Nanaimo	Loss* of more than 10%Eq	Loss of less than 5%Eq
Queen Alexandra Elementary	Public	Vancouver	Too small	Too small
Queen Elizabeth Elementary	Public	Vancouver	Too small	Too small
Queen Margaret's	Indept	Duncan	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Queen Mary Community Elementary	Public	North Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Queen Mary Elementary	Public	Vancouver	Too small	Too small
Queen of All Saints Elementary	Indept	Coquitlam	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Queen of Angels School	Indept	Duncan	Loss of less than 5%Eq	Loss of less than 5%Eq
Queensbury Elementary	Public	North Vancouver	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Queneesh Elementary	Public	Courtenay	Loss of less than 5%Eq	Loss of less than 5%Eq
Quilchena Elementary	Public	Richmond	Gain of 5 to 10%Eq	Gain of 5 to 10%Eq
Quilchena Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Quinson Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
R. C. Talmey Elementary	Public	Richmond	Too small	Too small
R. M. Grauer Elementary	Public	Richmond	Gain of less than 5%Eq	Gain* of more than 10%Eq
Raft River Elementary	Public	Clearwater	Gain of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 19

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Ranchero Elementary	Public	Salmon Arm	Masked	Masked
Randerson Ridge Elementary	Public	Nanaimo	Loss of less than 5%Eq	Loss of less than 5%Eq
Ray Shepherd Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Ray Watkins Elementary	Public	Gold River	Loss of less than 5%Eq	Loss* of more than 10%Eq
Red Bluff Lhtako Elementary	Public	Quesnel	Too small	Too small
Regent Christian Academy	Indept	Surrey	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Renfrew Community Elementary	Public	Vancouver	Too small	Too small
Richardson Elementary	Public	Delta	Gain of less than 5%Eq	Loss of less than 5%Eq
Richmond Christian School	Indept	Richmond	Loss of less than 5%Eq	Gain of less than 5%Eq
Richmond Jewish Day School	Indept	Richmond	Gain of 5 to 10%Eq	Gain of 5 to 10%Eq
Ridgeview Elementary	Public	West Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Ridgeway Elementary	Public	North Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Riverview Elementary	Public	Quesnel	Loss* of more than 10%Eq	Too small
Robert J. Tait Elementary	Public	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
Robert L. Clementson Elementary	Public	Kamloops	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
Roberts Creek Elementary	Public	Roberts Creek	Loss of less than 5%Eq	Gain of less than 5%Eq
Robson Community School	Public	Robson	Too small	Too small
Rock City Elementary	Public	Nanaimo	Too small	Loss of less than 5%Eq
Rolla Discovery School	Public	Rolla	Masked	Masked
Ron Brent Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
Ron Pettigrew Christian School	Indept	Dawson Creek	Loss of 5 to 10%Eq	Gain of less than 5%Eq
Roots and Wings Montessori	Indept	Langley	Masked	Masked
Rosemary Heights Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Ross Elementary	Public	Abbotsford	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Ross Road Elementary	Public	North Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Rosser Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Royal Heights Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Rutherford Elementary	Public	Nanaimo	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Sacred Heart	Indept	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq
Sacred Heart	Indept	Prince George	Masked	Masked
Sacred Heart Catholic School	Indept	Williams Lake	Masked	Masked
Samuel Brighthouse Elementary	Public	Richmond	Gain of 5 to 10%Eq	Gain* of 5 to 10%Eq
Savona Elementary	Public	Savona	Masked	Masked
Sea View Elem-Jr Secondary	Public	Port Alice	Masked	Masked
Seabird Island Community	Indept	Agassiz	Too small	Too small
Seaview Elementary	Public	Lantzville	Gain of less than 5%Eq	Loss of less than 5%Eq
Second Street Community	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Selkirk Montessori School	Indept	Victoria	Loss of less than 5%Eq	Gain* of 5 to 10%Eq

.../continued on page 20

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

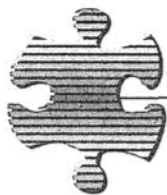
N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Semiahmoo Trail Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Sen Pok Chin	Indept	Oliver	Masked	Masked
Senator Reid Elementary	Public	Surrey	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Serpentine Heights Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Seymour Heights Elementary	Public	North Vancouver	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Shaughnessy Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Sherwood Park Elementary	Public	North Vancouver	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Signal Hill Elementary	Public	Pemberton	Loss of less than 5%Eq	Loss of less than 5%Eq
Sikh Academy	Indept	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Silver Creek Elementary	Public	Hope	Too small	Too small
Silver Star Elementary	Public	Vernon	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Silverthorne Elementary	Public	Houston	Loss of less than 5%Eq	Loss of less than 5%Eq
Simon Cunningham Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Simon Fraser Elementary	Public	Vancouver	Too small	Too small
Sir Alexander Mackenzie Elementary	Public	Vancouver	Too small	Too small
Sir Charles Kingsford-Smith	Public	Vancouver	Too small	Too small
Sir Guy Carleton Community Elementary	Public	Vancouver	Too small	Too small
Sir James Douglas Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss of 5 to 10%Eq
Sir John Franklin Community	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Sir Matthew Begbie Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Sir Richard McBride Elementary	Public	Vancouver	Too small	Too small
Sir Sandford Fleming Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Sir Wilfred Grenfell Community	Public	Vancouver	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
Sir Wilfrid Laurier Elementary	Public	Vancouver	Too small	Too small
Sir William Macdonald Community	Public	Vancouver	Masked	Masked
Sir William Osler Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
Sir William Van Horne Elementary	Public	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Sk'aadgaa Naay Elementary	Public	Skidegate	Loss of less than 5%Eq	Loss of less than 5%Eq
Sk'elep School of Excellence	Indept	Kamloops	Too small	Too small
Sketchestn Community School	Indept	Savona	Masked	Masked
South Meridian Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
South Park Elementary	Public	Delta	Loss of 5 to 10%Eq	Loss* of less than 5%Eq
South Peace Elementary	Public	Dawson Creek	Masked	Masked
South Sa-hali Elementary	Public	Kamloops	Gain of less than 5%Eq	Gain of less than 5%Eq
South Slope Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of less than 5%Eq
Southgate Middle School	Public	Campbell River	Masked	Masked
Southlands Elementary	Public	Vancouver	Too small	Too small
Southpointe Academy	Indept	Delta	Loss of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 21

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Southridge Elementary	Public	Prince George	Loss* of 5 to 10%Eq	Loss* of more than 10%Eq
Southridge School	Indept	Surrey	Loss* of less than 5%Eq	Loss of less than 5%Eq
Sowchea Elementary	Public	Fort St James	Too small	Too small
Sperling Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Spring Creek Adventist Christian School	Indept	Terrace	Masked	Masked
Spring Creek Community School	Public	Whistler	Gain of 5 to 10%Eq	Gain of 5 to 10%Eq
Spruceland Traditional	Public	Prince George	Loss of less than 5%Eq	Gain of less than 5%Eq
Spul'u'kwuks Elementary	Public	Richmond	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
St. Andrew's	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
St. Ann's Academy	Indept	Kamloops	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
St. Ann's School	Indept	Quesnel	Loss of less than 5%Eq	Gain of less than 5%Eq
St. Anthony of Padua	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain of 5 to 10%Eq
St. Anthony's	Indept	Kitimat	Loss of less than 5%Eq	Gain of less than 5%Eq
St. Anthony's	Indept	West Vancouver	Gain* of 5 to 10%Eq	Loss of 5 to 10%Eq
St. Augustine's	Indept	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
St. Bernadette	Indept	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
St. Catherines School	Indept	Langley	Loss of less than 5%Eq	Loss of 5 to 10%Eq
St. Edmund's	Indept	North Vancouver	Loss* of more than 10%Eq	Loss* of more than 10%Eq
St. Francis de Sales	Indept	Burnaby	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
St. Francis of Assisi	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
St. Francis Xavier	Indept	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
St. George's School	Indept	Vancouver	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
St. Helen's	Indept	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
St. James	Indept	Abbotsford	Gain* of more than 10%Eq	Gain* of more than 10%Eq
St. James	Indept	Vernon	Gain of less than 5%Eq	Loss of less than 5%Eq
St. John's School	Indept	Vancouver	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
St. Joseph Elementary School	Indept	Kelowna	Gain* of 5 to 10%Eq	Gain* of more than 10%Eq
St. Joseph School	Indept	Nelson	Masked	Masked
St. Joseph the Worker	Indept	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
St. Joseph's	Indept	Chемainus	Gain of 5 to 10%Eq	Loss of 5 to 10%Eq
St. Joseph's	Indept	Smithers	Loss* of 5 to 10%Eq	Gain of less than 5%Eq
St. Joseph's	Indept	Vancouver	Loss* of more than 10%Eq	Loss* of more than 10%Eq
St. Joseph's Catholic	Indept	Victoria	Loss of less than 5%Eq	Loss of less than 5%Eq
St. Jude's	Indept	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
St. Margaret's	Indept	Victoria	Masked	Masked
St. Mary's	Indept	Chilliwack	Gain* of more than 10%Eq	Gain* of more than 10%Eq
St. Mary's	Indept	Prince George	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
St. Mary's	Indept	Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq

.../continued on page 22

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
St. Michael's Elementary	Indept	Trail	Gain of less than 5%Eq	Gain* of more than 10%Eq
St. Michaels	Indept	Burnaby	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
St. Patrick's	Indept	Maple Ridge	Loss of less than 5%Eq	Loss of less than 5%Eq
St. Patrick's Elementary	Indept	Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
St. Patrick's School	Indept	Victoria	Loss of less than 5%Eq	Gain of less than 5%Eq
St. Paul School	Indept	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
St. Pius X Elementary School	Indept	North Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Star of the Sea	Indept	Surrey	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Stein Valley Nlakapamux School	Indept	Lytton	Masked	Masked
Stoney Creek Elementary	Public	Burnaby	Loss* of 5 to 10%Eq	Loss of less than 5%Eq
Stratford Hall	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Strawberry Hill Elementary	Public	Surrey	Gain of less than 5%Eq	Loss of less than 5%Eq
Stride Avenue Community School	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Stuart Wood Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain* of 5 to 10%Eq
Studio 9 Independent School of the Arts	Indept	Kelowna	Masked	Masked
Sullivan Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Summit Elementary	Public	Kamloops	Loss of less than 5%Eq	Loss of less than 5%Eq
Suncrest Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss of less than 5%Eq
Sunnyside Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
Sunrise Ridge Elementary	Public	Surrey	Gain of less than 5%Eq	Loss* of more than 10%Eq
Sunrise Waldorf School	Indept	Duncan	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Sunset Elementary	Public	Port McNeill	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Sunshine Hills Elementary	Public	Delta	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Surrey Centre Elementary	Public	Surrey	Loss of less than 5%Eq	Loss of less than 5%Eq
Surrey Christian	Indept	Surrey	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Surrey Muslim School	Indept	Surrey	Loss of 5 to 10%Eq	Loss of 5 to 10%Eq
Surrey Traditional	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
T. E. Scott Elementary	Public	Surrey	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
T'lisalagi'lakw School	Indept	Alert Bay	Masked	Masked
Tahayghen Elementary	Public	Masset	Loss of less than 5%Eq	Gain of less than 5%Eq
Tahltan School	Public	Telegraph Creek	Masked	Masked
Tansor Elementary	Public	Duncan	Loss of less than 5%Eq	Gain of less than 5%Eq
Tatla Lake Elem-Jr Secondary	Public	Tatla Lake	Masked	Masked
Taylor Park Elementary	Public	Burnaby	Gain of less than 5%Eq	Gain of less than 5%Eq
Tecumseh Elementary	Public	Vancouver	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Telkwa Elementary	Public	Telkwa	Masked	Masked
Texada Elementary	Public	Van Anda	Masked	Masked
The Fernie Academy	Indept	Fernie	Loss of less than 5%Eq	Gain of less than 5%Eq

.../continued on page 23

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.



Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
The Global School	Indept	Langley	Masked	Masked
The Westside School	Indept	Vancouver	Masked	Masked
Thetis Island Elementary	Public	Chemainus	Masked	Masked
Thomas Kidd Elementary	Public	Richmond	Gain of 5 to 10%Eq	Gain of less than 5%Eq
Thunderbird Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss* of 5 to 10%Eq
Timothy Christian School	Indept	Chilliwack	Loss* of less than 5%Eq	Loss of less than 5%Eq
Toad River Elem-Secondary	Public	Fort Nelson	Masked	Masked
Tomekichi Homma Elementary	Public	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
Tomsett Elementary	Public	Richmond	Too small	Too small
Topham Elementary	Public	Langley	Loss of less than 5%Eq	Gain of less than 5%Eq
Traditional Learning Academy	Indept	Coquitlam	Loss of 5 to 10%Eq	Loss* of 5 to 10%Eq
Trafalgar Elementary	Public	Vancouver	Loss of 5 to 10%Eq	Gain* of 5 to 10%Eq
Tremblay Elementary	Public	Dawson Creek	Loss of less than 5%Eq	Loss* of more than 10%Eq
Tuc-el-Nuit Elementary	Public	Oliver	Gain of less than 5%Eq	Gain of less than 5%Eq
Twain Sullivan Elementary	Public	Houston	Loss* of more than 10%Eq	Loss* of more than 10%Eq
Twelfth Avenue Elementary	Public	Burnaby	Loss of less than 5%Eq	Gain of less than 5%Eq
Twin Rivers Elementary	Public	Castlegar	Loss* of 5 to 10%Eq	Loss* of 5 to 10%Eq
Tyee Elementary	Public	Vancouver	Gain of less than 5%Eq	Gain* of more than 10%Eq
Ucluelet Elementary	Public	Ucluelet	Loss of 5 to 10%Eq	Loss of 5 to 10%Eq
Unity Christian School	Indept	Chilliwack	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
University Highlands Elementary	Public	Burnaby	Masked	Masked
Uplands Park Elementary	Public	Nanaimo	Gain of less than 5%Eq	Loss* of more than 10%Eq
Upper Halfway Elem	Public	Fort St John	Masked	Masked
Upper Lynn Elementary	Public	North Vancouver	Gain* of 5 to 10%Eq	Gain* of 5 to 10%Eq
Upper Pine Elem-Jr Secondary	Public	Fort St John	Gain of less than 5%Eq	Loss of 5 to 10%Eq
Upper Sumas Elementary	Public	Abbotsford	Loss* of more than 10%Eq	Loss of less than 5%Eq
Urban Academy	Indept	New Westminster	Masked	Masked
Valemount Elementary	Public	Valemount	Gain* of 5 to 10%Eq	Gain of 5 to 10%Eq
Valley Christian School	Indept	Mission	Too small	Too small
Valley View Elementary	Public	Courtenay	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Van Bien Elementary	Public	Prince George	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Vancouver Christian	Indept	Vancouver	Loss of 5 to 10%Eq	Loss of less than 5%Eq
Vancouver College	Indept	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Vancouver Hebrew Academy	Indept	Vancouver	Gain* of 5 to 10%Eq	Gain of less than 5%Eq
Vancouver Montessori School	Indept	Vancouver	Masked	Masked
Vancouver Talmud Torah Elementary	Indept	Vancouver	Gain of 5 to 10%Eq	Gain* of more than 10%Eq
Vancouver Waldorf School	Indept	North Vancouver	Gain* of more than 10%Eq	Gain* of more than 10%Eq
Vanway Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq

.../continued on page 24

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
Veritas Catholic	Indept	Terrace	Loss of less than 5%Eq	Loss* of more than 10%Eq
Vermilion Forks Elementary	Public	Princeton	Loss of less than 5%Eq	Gain of 5 to 10%Eq
Vernon Christian School	Indept	Vernon	Gain of less than 5%Eq	Loss of less than 5%Eq
Victoria School for Ideal Education	Indept	Victoria	Masked	Masked
Voyageur Elementary School	Public	Quesnel	Too small	Too small
W. D. Ferris Elementary	Public	Richmond	Gain of less than 5%Eq	Gain of 5 to 10%Eq
W. E. Graham Community School	Public	Slocan	Masked	Masked
W. E. Kinvig Elementary	Public	Surrey	Gain* of less than 5%Eq	Gain* of 5 to 10%Eq
Walnut Park Elementary	Public	Smithers	Loss of less than 5%Eq	Gain of less than 5%Eq
Walnut Road Elementary	Public	Surrey	Loss of less than 5%Eq	Gain* of less than 5%Eq
Walter Lee Elementary	Public	Richmond	Gain of less than 5%Eq	Loss of less than 5%Eq
Walter Moberly Elementary	Public	Vancouver	Loss of less than 5%Eq	Gain of less than 5%Eq
Waverley Elementary	Public	Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
Websters Corner Elementary	Public	Maple Ridge	Too small	Too small
Wells Barkerville Elementary	Public	Wells	Masked	Masked
West Bay Elementary	Public	West Vancouver	Gain of less than 5%Eq	Loss of less than 5%Eq
West Boundary Elementary	Public	Rock Creek	Gain of less than 5%Eq	Gain of less than 5%Eq
West Coast Christian School	Indept	Vancouver	Masked	Masked
West Langley Elementary	Public	Langley	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
West Point Grey Academy	Indept	Vancouver	Loss* of less than 5%Eq	Gain of less than 5%Eq
West Sechelt Elementary	Public	Sechelt	Gain of less than 5%Eq	Gain of less than 5%Eq
West-Mont School	Indept	Victoria	Masked	Masked
Westcot Elementary	Public	West Vancouver	Gain of less than 5%Eq	Gain of less than 5%Eq
Westerman Elementary	Public	Surrey	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Westmount Elementary	Public	Kamloops	Loss of less than 5%Eq	Gain of less than 5%Eq
Westridge Elementary	Public	Burnaby	Gain of 5 to 10%Eq	Gain* of more than 10%Eq
Westside Academy	Indept	Prince George	Loss of less than 5%Eq	Loss of less than 5%Eq
Westview Elementary	Public	North Vancouver	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Westwind Elementary	Public	Richmond	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Westwood Elementary	Public	Prince George	Gain of less than 5%Eq	Loss of less than 5%Eq
Whistler Waldorf School	Indept	Whistler	Masked	Masked
White Rock Christian Academy	Indept	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
White Rock Elementary	Public	White Rock	Loss of less than 5%Eq	Gain of less than 5%Eq
Whole School	Indept	Winlaw	Masked	Masked
Whonnock Elementary	Public	Maple Ridge	Too small	Too small
Wickaninnish Community School	Public	Tofino	Gain of less than 5%Eq	Gain of 5 to 10%Eq
Wildflower	Public	Nelson	Too small	Too small
William Bridge Elementary	Public	Richmond	Gain of less than 5%Eq	Gain of less than 5%Eq

.../continued on page 25

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

School Name	Sector	Town/City	READING	NUMERACY
William Cook Elementary	Public	Richmond	Gain of less than 5%Eq	Gain* of 5 to 10%Eq
William F. Davidson Elementary	Public	Surrey	Gain of less than 5%Eq	Gain of less than 5%Eq
William Konkin Elementary	Public	Burns Lake	Gain of 5 to 10%Eq	Gain of less than 5%Eq
William of Orange Christian	Indept	Surrey	Masked	Masked
William Watson Elementary	Public	Surrey	Gain* of more than 10%Eq	Gain* of 5 to 10%Eq
Willowstone Academy	Indept	Kelowna	Masked	Masked
Windermere Elementary	Public	Windermere	Loss of less than 5%Eq	Loss of more than 10%Eq
Windrem Elementary	Public	Chetwynd	Loss of less than 5%Eq	Loss* of 5 to 10%Eq
Windsor Elementary	Public	Burnaby	Gain of less than 5%Eq	Loss* of less than 5%Eq
Windsor House School	Public	North Vancouver	Too small	Too small
Wix-Brown Elementary	Public	Langley	Gain of less than 5%Eq	Gain of less than 5%Eq
Woodland Centre School	Indept	Vanderhoof	Masked	Masked
Woodland Park Elementary	Public	Surrey	Gain of less than 5%Eq	Gain* of more than 10%Eq
Woodward Hill Elementary	Public	Surrey	Loss of less than 5%Eq	Gain of less than 5%Eq
Yahk Elementary	Public	Yahk	Masked	Masked
Yaqaan Nukiy School	Indept	Creston	Masked	Masked
Yennadon Elementary	Public	Maple Ridge	Too small	Too small
York House School	Indept	Vancouver	Loss of less than 5%Eq	Loss of less than 5%Eq
Zeballos Elem-Secondary	Public	Zeballos	Masked	Masked
Zion Lutheran Christian School	Indept	Prince George	Masked	Masked

Masked = The number of enrolled 2011/12 grade 4 students or 2014/15 grade 7 students is less than 10

N/A = The French version of FSA Reading is not compatible with the English version so the Reading results are not available for these schools

Too small = The size of the FSA Matched Cohort is either less than 5 or less than 30% of enrolled students in either grade level

%Eq = Percentage Equivalent - see explanation on page 1

* Statistically significant at 90% level. Otherwise, gain or loss is not statistically significant.

Some educators may consider a loss or gain of 5%Eq to be educationally significant. Others may prefer at least 10%Eq.

NOTES

- Schools which are not standard schools or did not enrol any 2011/12 grade 4 students or any 2014/15 grade 7 students have been omitted.
- Counts of schools listed above are as follows:

Type of effectiveness	Reading			Numeracy		
	Not significant	Statistically significant	Total	Not significant	Statistically significant	Total
Gain of more than 10%Eq	1	17	18	0	51	51
Gain of 5 to 10%Eq	25	53	78	24	57	81
Gain of less than 5%Eq	195	7	202	156	8	164
Loss of less than 5%Eq	211	14	225	169	13	182
Loss of 5 to 10%Eq	23	39	62	23	61	84
Loss of more than 10%Eq	3	20	23	1	46	47
Too small	--	--	102	--	--	113
N/A	--	--	24	--	--	0
Masked	--	--	160	--	--	172
TOTAL			894			894

.../continued on page 26

Instructional Program Effectiveness in BC schools from 2011/12 Grade 4 to 2014/15 Grade 7

Interpretation of Results

1. Traditionally, FSA results have been reported one year at a time, and trends have been reported as a time series of annual results. This means that a different cohort of students is used each year to identify trends. If a school improved from 60% Meeting/Exceeding Expectations in one year to 70% Meeting/Exceeding Expectations the following year, the gain may be attributed to the improved effectiveness of the school's instructional program, BUT it may also be attributed to a stronger cohort of students in the second year with no change in the school's instructional program. This Cohort Effect makes it difficult to determine if the school is improving. It affects all schools and districts.
 2. In addition, if two schools are compared, differences in student achievement may be attributed to differences in the effectiveness of instructional programs in the schools (as claimed by the Fraser Institute), BUT they may also be attributed to differences in socioeconomic background of students or to cultural factors, since these two factors are well-known to affect student achievement. Other factors such as class composition and differences in instructional resources may also affect comparisons between schools based on student achievement.
 3. The results shown in the accompanying table are based on all students in each school who were enrolled in the school in grade 4 in 2011/12 AND in grade 7 in 2014/15 AND who had valid FSA results at both grade levels. All other students have been removed from the analysis. This means that the Cohort Effect is controlled (since the gains or losses reported here are based on the same students), and socioeconomic and cultural factors are both controlled because they are unchanged (for the same reason). The results reflect the changes in student achievement regardless of whether the students are low-achieving students or high-achieving students in grade 4.
 4. The research design used in this document is based on a robust and time-tested evaluation of effectiveness of intervention (the school's instructional program) used in the field of Program Evaluation. It includes an experimental group (the FSA Matched Cohort in the school), a control group (the FSA Matched Cohorts in all other schools), a pre-test for both groups (grade 4 FSA) and a post-test for both groups (grade 7 FSA). The measures used are valid, reliable, and sensitive to change. For further details, the reader is referred to the document **Backgrounder for Schools** described on page 1 of this document. This is a new approach, and very different from the Fraser Institute's approach. For example, the school on the accompanying list with the greatest gain in reading is a public school and ranked 432/944 by the Fraser Institute. The school with the greatest gain in numeracy is also a public school and ranked 355/944. Further, a number of highly ranked independent schools show small losses from grade 4 to grade 7. This may be attributed in part to a statistical phenomenon known as Regression Toward the Mean. However, it is relatively small effect, and a number of other highly ranked schools show significant gains in student achievement from grade 4 to grade 7.
 5. Using the FSA data to measure the effectiveness of instructional programs in schools from Grade 4 to Grade 7 does not allow for the identification of individual teacher effectiveness. The instructional programs from Grade 4 to Grade 7 usually involve at least four teachers (in Grades 4, 5, 6 and 7) and instructional support personnel.
 6. Program effectiveness by definition involves all aspects of the instructional programs (this is called the Program Logic Model in the field of Program Evaluation). It includes all resources (funding, teachers, and instructional resources), leadership, communications, sequencing of activities, teacher in-servicing, teacher collaboration, class composition, feedback loops based on diagnostic testing and formative evaluation (assessment for learning, which excludes the FSA), specified curriculum goals, continuity of the curriculum over the three-year period, learning conditions, assessment of learning, the backgrounds and motivation of the students exposed to the program, homework policies and practices, the support structures for the students (both at school and at home), and other factors.
-
7. If a particular school shows a significant gain in student achievement, it is safe to conclude that the school had an effective instructional program in place for the grade 4 students in 2011/12 through to the grade 7 students in 2014/15.
 8. If a particular school shows a significant loss in student achievement, it is important to remember that the result applies to only one cohort of students. However, this may be an early warning sign that the school's instructional programs as described in item 6 above may need revision. A suggested first step is to share these results with colleagues and parents, and (for public schools) the school district's Director of Instruction (or equivalent). The current School Plan may need a significant re-write if the same practices continue to be ineffective.
 9. The instructional programs of schools with less effective instructional programs shown by significant losses can be helped by some of the more effective features of programs in schools with significant gains in student achievement. If you are comfortable with this approach, please read **The Empowering Schools Project** found at www.theschoolsinstitute.com/effective/. The project is currently unfunded, and would benefit from Ministry of Education support.
 10. There are many schools with effective instructional programs which are ranked poorly in the Fraser Institute's rankings (see item 4 above). These schools and all others with effective instructional programs deserve recognition for the **value added** to student achievement.

Prepared by Dr. John Taylor
Adminfo Resources Inc.
adminfo@pacificcoast.net
(250) 658-0366

Weber, Megan EDUC:EX

From: John Taylor <adminfo@pacificcoast.net>
Sent: November 15, 2017 10:11 AM
To: Therrien, Darlene EDUC:EX
Cc: EDUC Governance and Analytics EDUC:EX
Subject: RE: Civil claim settlement

Hi Darlene,

Following my emails to you on October 6 and October 18, 2017, I am writing again to ask if you have an update on the status of the Ministry of Education's response to the "Conduct" document and some insights into the Ministry's position regarding its willingness to negotiate a fair settlement of my civil claim. In the "Conduct" document, I have provided some options for what I consider to be a win-win scenario to settle the matter.

A brief review of the timeline this year, updated to the present day ...

February 24, 2017

I provided you and Chelsea Chalifour with two copies of my document entitled "BC Ministry of Education Conduct and its Effects on the Adminfo Education Reporting System" (the "Conduct" document). This is the basis we have been using to negotiate a settlement out of court.

April 29, 2017

You advised that you have completed a review, and you now needed to touch base with your legal branch.

July 29, 2017

Following my email queries to you on July 7 and July 28, you advised on July 29 that your legal office could not find the "Conduct" document.

August 2, 2017

I provided two more copies of the "Conduct" document to you, and you advised they were forwarded to your legal office.

Putting aside the loss of three months caused by the misplacement of the "Conduct" document between April 29 and July 29, your review took about 9 weeks, and your legal office has now had the document for a further 15 weeks since August 2, 2017.

Please advise on the current status of the Ministry's deliberations with this matter.

At some point, I need to decide whether there is a realistic prospect of a fair settlement through negotiations, or if I need to pursue other means. Of course, I would prefer the former rather than the latter, and I have given the Ministry considerable leeway in finding the time to determine its legal and moral position regarding my preferred option, out of the public eye.

I expect the government would prefer to keep it that way, since the optics of the Ministry's conduct I have documented do not flatter the government.

Regards,

John

From: [Godin, Keith EDUC:EX](#)
To: [Weber, Megan EDUC:EX](#)
Subject: FW: Meeting Request with Keith Godin
Date: February 27, 2020 1:52:56 PM

-----Original Message-----

From: Godin, Keith EDUC:EX
Sent: April 24, 2018 3:27 PM
To: Payne, Robert G JAG:EX <Robert.Payne@gov.bc.ca>
Cc: Andersen, Maureen P JAG:EX <Maureen.Andersen@gov.bc.ca>
Subject: FW: Meeting Request with Keith Godin

FYI

-----Original Message-----

From: John Taylor [<mailto:adminfo@pacificcoast.net>]
Sent: Tuesday, April 24, 2018 3:22 PM
To: Godin, Keith EDUC:EX
Subject: Re: Meeting Request with Keith Godin

Dear Mr. Godin,

Thank you for responding to my inquiries regarding a proposed in-person meeting with me, originally scheduled for March 15, 2018.

I appreciate the courtesy of your reply.

You are correct that I ultimately wish to discuss two issues - a Proposal for a new direction for the FSA on the one hand, and settlement of the legal proceedings on the other. I am comfortable discussing them either separately or together. In my attempts to settle the legal proceedings over the last two years, I have kept the door open for a win-win agreement in which progress on the FSA proposal could be used by the Ministry as a partial trade-off to settle the legal issues. However, it is clear from your last paragraph that you will not entertain mixing the two, so in accordance with your wishes, I will proceed with the Proposal separately from settlement of the legal proceedings.

The Subject headings I will use in future emails will be "A new direction for the Foundation Skills Assessment - PROPOSAL" and "Settlement of legal proceedings". I will update you on recent developments for both topics.

I might add that I am not averse to us referring to each other by our first names, if you concur.

Sincerely,

John

>Dear Dr. Taylor,

>

>I am writing to follow-up on your request to re-schedule the meeting we
>had planned in March. Again, I regret any inconvenience my earlier
>cancellation may have caused. That said, I have now had an opportunity
>to review more carefully your email and attachments of January 29,
>2018.

>

>On closer review, your "Instructional Program Effectiveness" report
>does not appear to be a product the Ministry would be interested to
>purchase. Having reconsidered the report and other attachments to your

>email, it is difficult for me to identify the utility of a meeting to
>discuss them. Based on this, I must decline a meeting on the basis
>described in your email.
>
>I note that your January 29 email suggests we also meet to discuss
>"related matters". Please feel free to make any clear proposal you
>wish the Ministry to consider. However, if your interests are in
>discussing your pending legal proceedings, I should advise that I
>cannot mix the Ministry's operational work with settlement of a legal
>claim.
>
>
>Yours truly,
>
>Keith Godin
>

--

* * * * * ADMINFO Resources Inc.
4490 Copsewood Place
Victoria B.C.
Canada V8X 4S5
Ph/fax: +250-658-0366
* * * * *

Weber, Megan EDUC:EX

From: John Taylor <adminfo@pacificcoast.net>
Sent: April 25, 2018 7:09 PM
To: Godin, Keith EDUC:EX
Cc: Minister, EDUC EDUC:EX; EDUC DM EDUC:EX
Subject: A new direction for the Foundation Skills Assessment - PROPOSAL
Attachments: Eighteen Years of FSA Grade 7 Numeracy.pdf

Categories: Info/File

Dear Mr. Godin,

I am writing in response to your email to me yesterday, April 24, 2018, in which you declined to meet with me regarding my proposal for A new direction for the Foundation Skills Assessment. You described the basis for your refusal as follows:

"On closer review, your "Instructional Program Effectiveness" report does not appear to be a product the Ministry would be interested to purchase. Having reconsidered the report and other attachments to your email, it is difficult for me to identify the utility of a meeting to discuss them. Based on this, I must decline a meeting on the basis described in your email."

Your review is based on an email I sent to Minister Fleming, Deputy Minister Macdonald, and yourself on January 29, 2018. The January 29 email is little more than an update of a more complete email I sent on October 25, 2017. The October 25 email would have been a much better basis for your review.

In response to your review, with respect to my "Instructional Program Effectiveness" report, at no time have I proposed that the Ministry purchase the report. That is not my intent. My intent is to encourage an entirely different way for the Ministry to approach its efforts to improve student achievement. To do that, I have used the umbrella term "A new direction for the Foundation Skills Assessment". I have prepared a written proposal I wish to personally discuss with you to that end. The breadth and complexity of the proposal precludes conducting our discussions by email or telephone.

I have attempted to capture the broad impact of the proposal in the following sentence I have extracted from an email I sent to Minister Fleming on Monday April 23, 2018 (two days ago):

"I expect the proposal I wish to offer will have a significant positive impact on the Ministry's accountability framework, public perception of the Ministry's education priorities and leadership, and on the achievement of thousands of BC students each year."

The purpose of my request for a meeting with either Minister Fleming, Deputy Minister Macdonald, or yourself is not to submit the proposal for Ministry approval, but to ask for the Ministry's cooperation and assistance in setting up a properly constituted panel of education representatives to evaluate the proposal and make recommendations to the Ministry. Since implementation of the proposal involves a radically different view of efforts to improve student achievement, I believe it is important for the Ministry to be able to defend any decision to support it, in the event the Ministry encounters significant opposition. The Ministry could then defer to the panel's recommendations. Thus, the constitution, expertise and experience of evaluation panel members is fundamentally important.

To support my case that the Ministry should consider an entirely different way to approach its efforts to improve student achievement, I have attached a document showing FSA results for Grade 7 Numeracy based on Foundation Skills Assessments conducted since their inception in 1999/2000. I have chosen Grade 7 Numeracy because that is the area which I believe stands to gain the most from implementation of the Proposal. Improvements can be expected elsewhere as well.

In the attached document, the Notes underneath each graphic tell the story of the perspective I have with regard to efforts to improve student achievement. Figures 1 and 2 show the results from eighteen years of efforts to improve BC student achievement in Grade 7 Numeracy. They have clearly led nowhere, and failure to improve student achievement has led previous Ministry administrations to question why. From my examination and understanding of current and past Ministry accountability frameworks, it appears that all reasonable efforts have been made in BC with various configurations of responsibilities, reporting and instructional program management, all to no effect at provincial level. With current perspectives, I cannot foresee any other major changes that can be employed across the province that are likely to change the status quo of no improvement after eighteen years.

The one factor in common with all BC education accountability frameworks and planning regimes with which I am familiar is the focus on levels of student achievement over time. That is the same thing which is being done over and over again, and I believe it needs to change if we are to expect different results. Focusing on levels of student achievement is fraught with problems, because of the confounding effects of socioeconomic and cultural factors and cohort effects, at all levels of instruction. They make it difficult to see improvement even when it occurs. The intent of my Proposal is to broaden the focus in the Ministry's accountability and planning frameworks from levels of student achievement to include gains and losses in student achievement. The Proposal controls for these confounding factors and allows a clearer view of the effects of improved instructional programs. I have presented that perspective in Figures 3 and 4 of the attached document. The Proposal can be expanded to the Graduation Program when the Graduation Literacy and Numeracy Assessments are in place.

With this in mind, I respectfully request that you reconsider your decision to decline a meeting with me on this proposal.

Sincerely,

John Taylor

--

ADMINFO Resources Inc.

4490 Copsewood Place

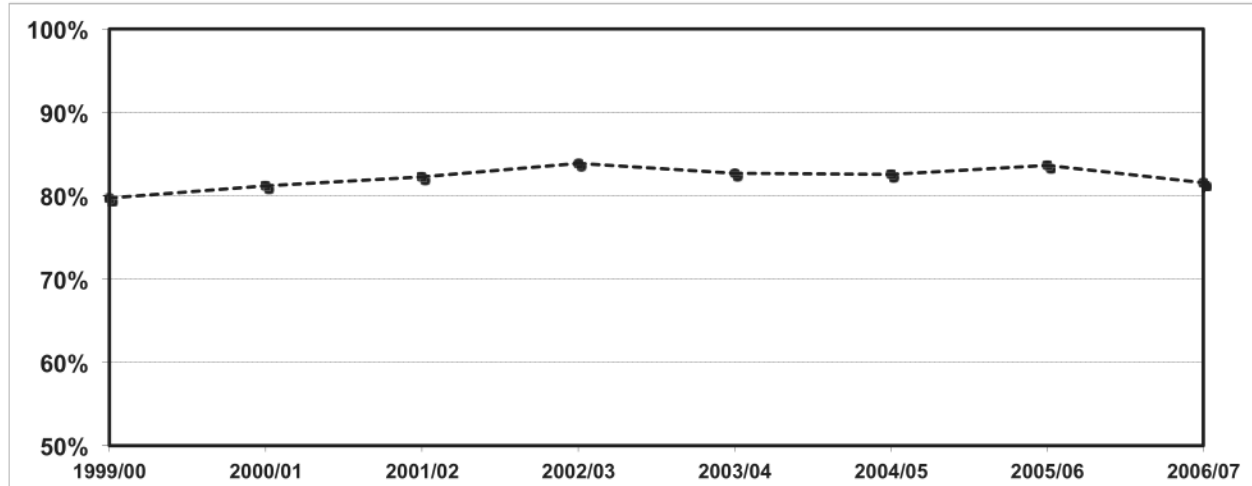
Victoria B.C.

Canada V8X 4S5

Ph/fax: +250-658-0366

FIGURE 1
Foundation Skills Assessments in British Columbia
Percentage of students Meeting or Exceeding Expectations
Grade 7 Numeracy
1999/00 to 2006/07

SOURCE: BC Ministry of Education

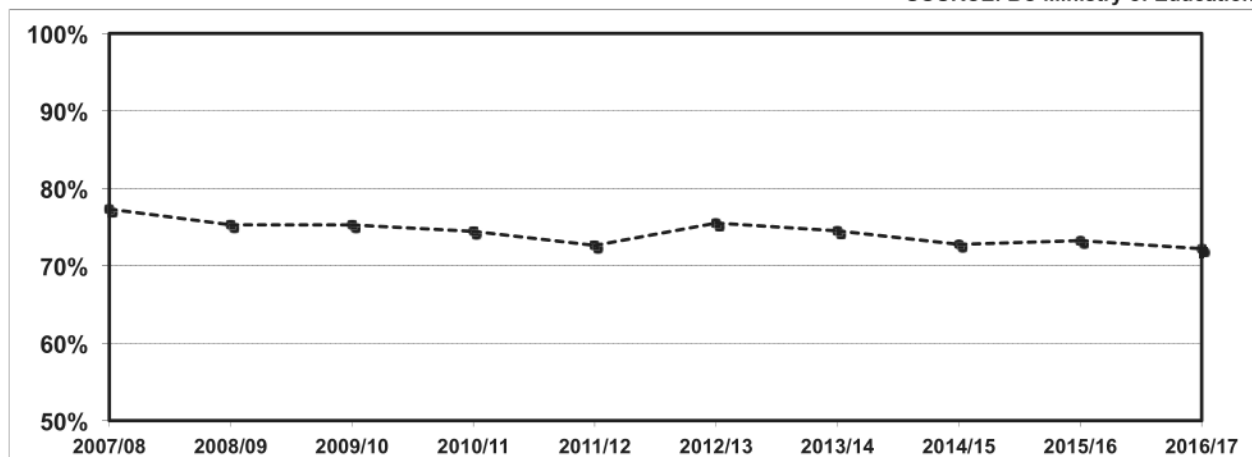


Notes. Results up to 2006/07 are not exactly comparable with results for 2007/08 and beyond because the FSA was conducted mostly in May each year to 2006/07 and a modified FSA was conducted mostly in February each year from 2007/08 onwards.

Results show eight years of school and district planning to improve student achievement achieved almost no improvement.

FIGURE 2
Foundation Skills Assessments in British Columbia
Percentage of students Meeting or Exceeding Expectations
Grade 7 Numeracy
2007/08 to 2016/17

SOURCE: BC Ministry of Education

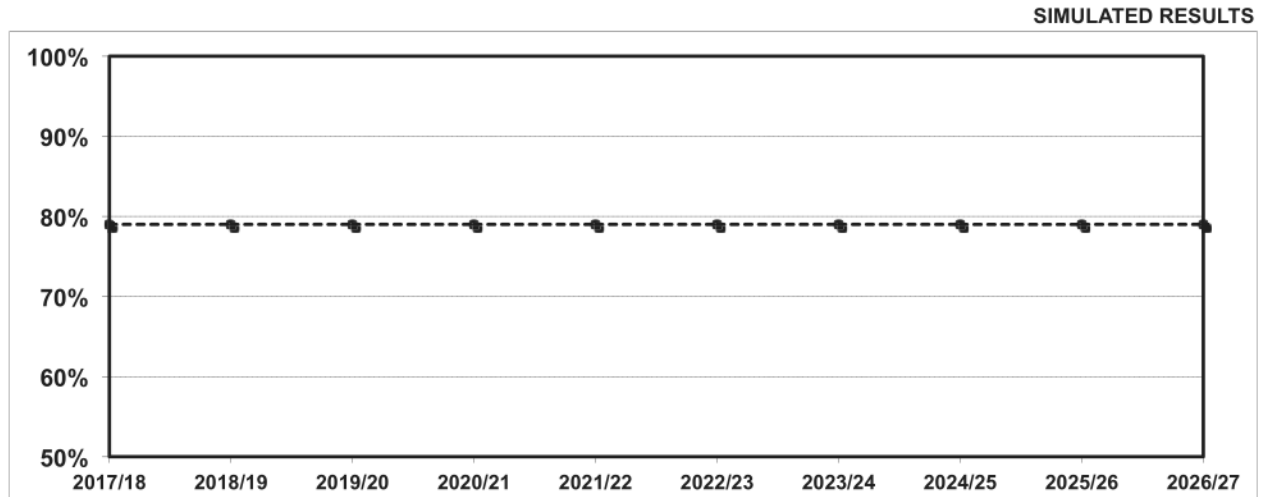


Notes. Results up to 2006/07 are not exactly comparable with results for 2007/08 and beyond because the FSA was conducted mostly in May each year to 2006/07 and a modified FSA was conducted mostly in February each year from 2007/08 onwards.

Results show another ten years of school and district planning to improve student achievement were unsuccessful.

FIGURE 3

Foundation Skills Assessments in British Columbia
 Percentage of students Meeting or Exceeding Expectations
 Grade 7 Numeracy
 PROJECTED 2017/18 to 2026/27
 (doing the same thing over and over again will produce the same results)

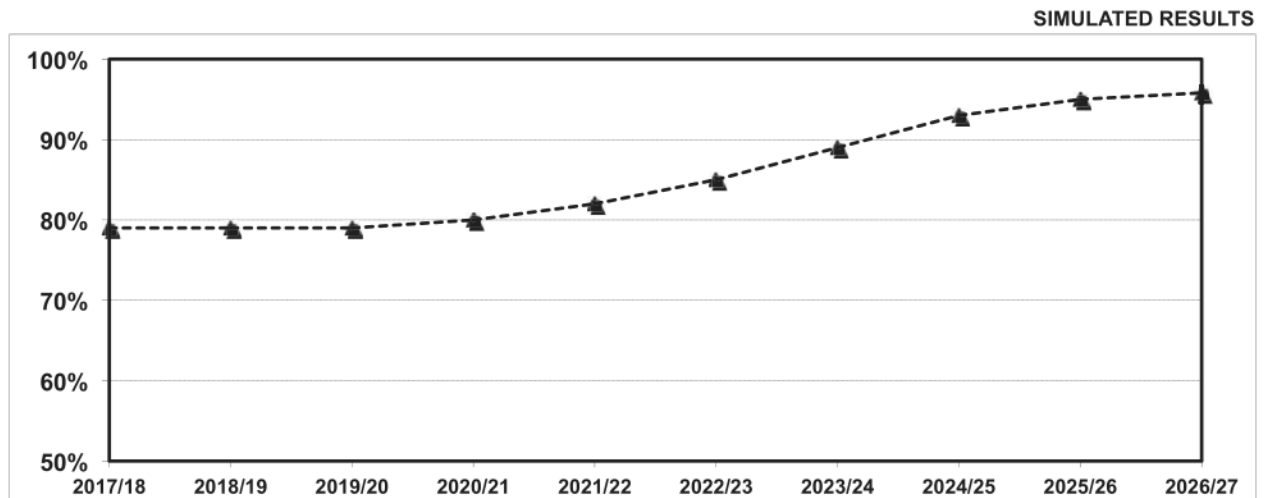


Notes. The starting point for 2017/16 may be slightly different from the one depicted above.

Albert Einstein has reportedly defined "insanity" as "Doing the same thing over and over again and expecting different results".

FIGURE 4

Foundation Skills Assessments in British Columbia
 Percentage of students Meeting or Exceeding Expectations
 Grade 7 Numeracy
 POTENTIAL 2017/18 to 2026/27
 (successfully implementing the Proposal for a New Direction for the FSA)



Notes. The Proposal for A New Direction for the Foundation Skills Assessment requires a radically different view of efforts to improve student achievement. The focus is on gains and losses rather than on levels of student achievement.

The gain shown above is described in the second paragraph on page 2 of the Proposal for the Empowering Schools Project.

Prepared by Dr. John Taylor
 Adminfo Resources Inc.
 April, 2018

Weber, Megan EDUC:EX

From: Shea, Megan EDUC:EX
Sent: May 3, 2018 3:02 PM
To: McPhee, Rita EDUC:EX
Subject: 202775 Taylor Outgoing re cancellation of meeting with ADM Godin

Rita, can you please include this email in the cliff log/trim files that we received where John Taylor references this email?

Thank you,
Megan

From: Shea, Megan EDUC:EX **On Behalf Of** Godin, Keith EDUC:EX
Sent: Tuesday, April 24, 2018 9:08 AM
To: 'John Taylor'
Subject: Meeting Request with Keith Godin

Dear Dr. Taylor,

I am writing to follow-up on your request to re-schedule the meeting we had planned in March. Again, I regret any inconvenience my earlier cancellation may have caused. That said, I have now had an opportunity to review more carefully your email and attachments of January 29, 2018.

On closer review, your “Instructional Program Effectiveness” report does not appear to be a product the Ministry would be interested to purchase. Having reconsidered the report and other attachments to your email, it is difficult for me to identify the utility of a meeting to discuss them. Based on this, I must decline a meeting on the basis described in your email.

I note that your January 29 email suggests we also meet to discuss “related matters”. Please feel free to make any clear proposal you wish the Ministry to consider. However, if your interests are in discussing your pending legal proceedings, I should advise that I cannot mix the Ministry’s operational work with settlement of a legal claim.

Yours truly,

Keith Godin

Weber, Megan EDUC:EX

From: Godin, Keith EDUC:EX
Sent: May 24, 2018 3:31 PM
To: Payne, Robert G JAG:EX
Cc: Andersen, Maureen P AG:EX; Chalifour, Chelsea EDUC:EX
Subject: Fwd: Settlement of legal proceedings

FYI

Sent from my iPhone

Begin forwarded message:

From: John Taylor <adminfo@pacificcoast.net>
Date: May 24, 2018 at 3:25:53 PM PDT
To: "Godin, Keith EDUC:EX" <Keith.Godin@gov.bc.ca>
Subject: Settlement of legal proceedings

Dear Mr. Godin,

I am writing to you regarding our attempts to settle our legal proceedings out of court. In good faith, I continue to seek settlement without subjecting the Ministry to public exposure of the Ministry's conduct since 2005, and without incurring the cost of a civil claim. Unfortunately, at this time, I need to find the services of another lawyer to represent me.

I ask for your indulgence while I find a suitable lawyer, and I will advise when I am in a position to continue our efforts.

Please feel free to inquire regarding the status of my legal position at any time.

Sincerely,

John Taylor

--

ADMINFO Resources Inc.
4490 Copeswood Place
Victoria B.C.
Canada V8X 4S5
Ph/fax: +250-658-0366

>discuss them. Based on this, I must decline a meeting on the basis
>described in your email.
>
>I note that your January 29 email suggests we also meet to discuss
>"related matters". Please feel free to make any clear proposal you
>wish the Ministry to consider. However, if your interests are in
>discussing your pending legal proceedings, I should advise that I
>cannot mix the Ministry's operational work with settlement of a legal
>claim.
>
>
>Yours truly,
>
>Keith Godin
>

--

* * * * * ADMINFO Resources Inc.
4490 Copsewood Place
Victoria B.C.
Canada V8X 4S5
Ph/fax: +250-658-0366
* * * * *

From: [MacFarlane, Paige EDUC:EX](#)
To: [Gorman, James EDUC:EX](#)
Subject: heads up - Taylor
Date: September 28, 2012 3:14:30 PM
Attachments: [Agenda for meeting Oct 10.msg](#)

Hi James – just a heads up that John Taylor has informed us of additional legal action he intends to pursue.

We currently have a meeting scheduled Oct 10 and are seeking advice through Claire's area.

You and I have a bilateral Monday morning –we can chat further then. Meanwhile pls see attached.

Thanks

Paige MacFarlane

Assistant Deputy Minister | Open Government and Community Partnerships | Ministry of Education
phone: 250-415-7545 | twitter: @edupaige | [BC EdPlan](#)

From: [John Taylor](#)
To: [MacFarlane, Paige EDUC:EX](#)
Cc: [Ponsford, Caroline EDUC:EX](#)
Subject: Agenda for meeting Oct 10
Date: September 27, 2012 7:41:32 PM

Ms. Paige MacFarlane
Assistant Deputy Minister

Dear Ms. MacFarlane,

You may recall an email I sent to you on August 14, 2012, in which I requested a meeting with you to continue the discussions I have had with Rick Davis over the previous half-year. I also advised there were other items I wished to discuss with you as well. In response, you agreed to a meeting on October 10th. Caroline Ponsford is also scheduled to attend that meeting.

I am writing at this time to suggest an agenda for the October 10th meeting. First, I will describe a brief history below.

From January, 1990 to May, 2005, I had a close collaborative and productive relationship with the Ministry of Education in my capacity as a consultant. I prepared the first draft of an educator indicator booklet for the province, helped to introduce the Personal Education Number, re-designed the enrolment projection model, helped prepare the Ministry's Annual Report for many years, and validated both the 6-year Dogwood Completion model and the processing and reporting of FSA data for seven successive years. Also, with the Ministry's co-operation, I developed an extensive annual reporting system for BC schools and districts. In response to high demand, this reporting system became the backbone of my business as a consultant.

In May, 2005, the Ministry unilaterally turned its back on this relationship and began an adversarial approach which I would characterize as systematic obstruction of access to Ministry data. The obstruction has taken two forms: denial of access to student level data, and very late provision of school, district and provincial summary data I use for my reporting system (contrary to two agreements with the Ministry). Subsequent loss of sales to BC schools and districts has deeply affected my business, and myself and family. I mentioned this briefly to Rick Davis.

I have sought legal counsel to help me to secure access to student level data and to attempt to recover my business losses since 2005. With respect to student level data, as a result of an extended legal process over six years, when my requests for access to data were opposed by the Ministry at every turn, the Information and Privacy Commissioner ordered the Ministry on three separate occasions (Orders F09-21, F10-29 and F11-20) to give me access to certain student-level data I need for the FSA project I wish to conduct. For the last set of data, the Ministry was given until September 30, 2011 to provide the data. The Ministry provided only part of the data by the due date.

In light of the Ministry's continued obstruction, on July 30, 2011, I asked my legal counsel to begin legal proceedings to a) seek judicial review of an earlier OIPC decision on the Ministry's application of section 35 of FIPPA and b) to separately seek compensation for businesses losses I suffered due in part to the denial of access to data that the Commissioner eventually ordered the Ministry to provide. The legal advice I received is that I would need to commence

those proceedings by the end of September, 2011, so a Petition and a Notice of Civil Claim were filed on my behalf on September 30, 2011. I asked that the pleadings not be served on the Ministry until the latest possible date - to leave time for the Ministry and I to resolve our issues or to achieve concrete progress on them.

On December 5, 2011, I met with Rick Davis, who had been assigned to be my most senior contact with the Ministry, to begin discussions related to data provision and the project I wished to begin with the student level FSA data I was about to receive (but had not yet fully received). He began the meeting by saying he believed the Ministry had been treating me in a "bureaucratic" way, and he wished to put an end to it. I took that as a very positive sign, and I wish to continue rebuilding my relationship with the Ministry so we can once again work collaboratively and productively for the benefit of BC students and schools.

At that point, there were four items I wished to discuss with Rick (although I did not describe them all explicitly to him, because they would have taken much longer than a single meeting would allow). They were:

Item 1. Obstruction of access to the school, district and provincial level summary data I need for my reporting system to BC schools and districts. The problem was that delivery of the data was once again becoming very late (contrary to the two agreements mentioned above), leading to delivery of the reports too late to be able to be used by BC schools and districts for their planning to improve student achievement.

Item 2. Obstruction of access to the FSA student level data which the Information and Privacy Commissioner had ordered the Ministry to provide by September 30, 2011. The Ministry had not complied by the due date.

Item 3. Collaboration with the Ministry on the FSA project I wish to conduct using the FSA data the Ministry had been ordered to provide.

Item 4. Resolution of the issues in the September 30, 2011 Notice of Civil Claim.

In the time available, Rick and I discussed the first two items. By the end of the same day, Item 1 had been taken care of - I began receiving the data immediately. Rick worked with Brent Munro to resolve Item 2, and this was completed on June 12, 2012.

As described above, I wrote to you on August 14, 2012, requesting a meeting with you to continue the discussions I have had with Rick Davis. Items 3 and 4 above are the two items I had in mind for our October 10 meeting. However, Item 4 has changed to some extent, as follows:

I have recently been advised by my legal counsel that, to preserve my legal rights, I needed to either serve the pleadings on the Ministry, or apply to the Court for the right to delay doing so. However, an application to delay proceedings could result in me losing all rights to compensation. I did not wish to lose those rights. I wish it were not so, but I have instructed my counsel to serve the pleadings and that has just been done. I want to assure you that, as it has been since 2005 and particularly in the past year, it is my sincere desire to resolve all these issues amicably, productively and without resort to further actions on those proceedings which I have served on the Ministry only because I would lose my rights otherwise and not because it is the avenue by which I hope to achieve resolution with the Ministry.

Accordingly, by way of this email, and as a courtesy to you, I am advising that the Ministry will shortly (probably early next week) receive notification that the Civil Claim has been served. The Civil Claim does not involve either you or Ms. Ponsford - it covers the period of the tenure of Christina Sinnemann and Brent Munro as Managers of Data and Reporting (now called Business Intelligence).

Having said that, I am also advising that I am very receptive to Rick's expressed wish to put an end to the adversarial relationship which has brought so much harm not only to my business but also to the reputations of some Ministry personnel, and I will seek ways in good faith to resolve current issues to the mutual satisfaction of myself and the Ministry.

I very much look forward to our meeting on October 10th.

Sincerely,

John Taylor

--

* * * * *

ADMINFO Resources Inc.

4490 Copewood Place

Victoria B.C.

Canada V8X 4S5

Ph/fax: +250-658-0366

* * * * *

From: [MacFarlane, Paige EDUC:EX](#)
To: [Gorman, James EDUC:EX](#)
Cc: [Baines, Susan A EDUC:EX](#)
Subject: litigation
Date: October 4, 2012 5:13:48 PM
Attachments: [indemnification template.docx](#)
[excluded indemnification policy.pdf](#)
[Filed Notice of Civil Claim - Taylor.pdf](#)

James – we now have a copy of the actual documents in the Taylor case. Not sure if you are already aware of this or not, but you are in fact named in the lawsuit. There are a total of 8 people named, four current Ministry employees; four former Ministry employees.

We're getting in touch with each person individually and making sure they are aware of next steps to be taken – which is filling out the indemnification template (attached). I assume this process applies to you as well –

I've also given GCPE a heads up.

Please let me know if you need further information on this – at the moment I am proceeding with the scheduled meeting with Mr. Taylor next week. I expect it will be brief, as given active litigation there is very little we can discuss.

If you have any further advice or direction, please let me know.

Paige MacFarlane

Assistant Deputy Minister | Open Government and Community Partnerships | Ministry of Education
phone: 250-415-7545 | twitter: @edupaige | [BC EdPlan](#)

Page 46 of 98

Withheld pursuant to/removed as

s.13

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **211**, Approved and Ordered **MAR 30 2012**


Lieutenant Governor

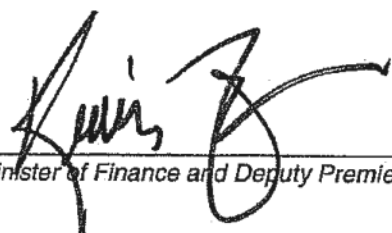
Executive Council Chambers, Victoria

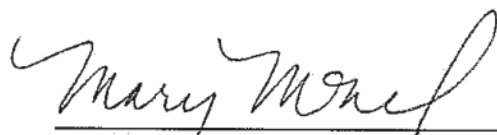
On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the attached Excluded Employees (Legal Proceedings) Indemnity Regulation is made.

DEPOSITED

March 30, 2012

B.C. REG. **62/2012**


Minister of Finance and Deputy Premier


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Financial Administration Act, R.S.B.C. 1996, c. 138, s. 72

Other: _____

March 27, 2012

page 1 of 22

R/258/2012/6

EXCLUDED EMPLOYEES (LEGAL PROCEEDINGS) INDEMNITY REGULATION

Contents

PART 1 – DEFINITIONS AND ELIGIBILITY FOR COVERAGE

- 1 Definitions
- 2 Employee may proceed at own expense
- 3 Where coverage may be available to employees
- 4 Where coverage is not available
- 5 General eligibility requirements – coverage as a party
- 6 Additional eligibility requirements – coverage in non-prosecution proceedings
- 7 Eligibility requirements – coverage as a party to an appeal
- 8 Eligibility requirements – coverage as a witness
- 9 Effect of other policies on coverage

PART 2 – APPLICATION FOR COVERAGE AND DETERMINATION OF ELIGIBILITY

- 10 Employee must provide notice of proceeding
- 11 Applying for coverage
- 12 How an application is processed
- 13 Determining initial eligibility – coverage in non-prosecution proceedings
- 14 Determining initial eligibility – coverage in prosecutions
- 15 Determining initial eligibility – coverage as a party to an appeal
- 16 Determining initial eligibility – coverage as a witness
- 17 Administrator must give notice of right to reconsideration if coverage refused
- 18 Requesting a reconsideration of a decision respecting eligibility
- 19 Government must provide coverage to eligible employee
- 20 Coverage is provided in relation to employee's performance of employment

PART 3 – HOW COVERAGE IS PROVIDED

- 21 When coverage begins
- 22 How government provides coverage in non-prosecution proceedings
- 23 How government provides coverage in prosecutions

PART 4 – TERMS AND CONDITIONS OF COVERAGE

- 24 Employee accepts terms and conditions of coverage
- 25 Government authority to appoint and instruct legal counsel in certain proceedings
- 26 Retainer agreements for outside counsel in non-prosecution proceedings
- 27 Government authority to settle certain proceedings
- 28 Employee authority in certain proceedings
- 29 Confidentiality and disclosure
- 30 Additional conditions that apply to non-prosecution proceedings
- 31 Administrator may require employee to reimburse coverage in non-prosecution proceedings
- 32 Employee obligation to reimburse coverage in prosecutions
- 33 Enforcing requirement to reimburse the government

PART 5 – TERMINATION OF COVERAGE

- 34 When coverage ends
- 35 Administrator must give notice of termination and right to reconsideration
- 36 Requesting a reconsideration of a decision respecting termination

PART 6 – MISCELLANEOUS

- 37 Administrator's obligation to consult ADAG
- 38 Record of administrator decisions respecting reimbursement
- 39 Agency head may delegate
- 40 Other persons who may be provided coverage under this regulation
- 41 Payment of amounts provided under indemnity
- 42 Practices respecting determination of eligibility
- 43 Transition

SCHEDULE

PART 1 – DEFINITIONS AND ELIGIBILITY FOR COVERAGE

Definitions

1 In this regulation:

“ADAG” means the Assistant Deputy Attorney General, Legal Services Branch, Ministry of Justice;

“administrator” means,

- (a) in respect of an employee other than a person described in paragraph (b), the agency head, or
- (b) in respect of Crown counsel, the Assistant Deputy Attorney General, Criminal Justice Branch, Ministry of Justice;

“agency head” has the same meaning as in section 1 of the *Public Service Act*, and includes a person to whom the agency head has delegated his or her duties or powers under section 39 of this regulation;

“appeal” includes proceedings for leave to appeal;

“BC Public Service Agency” means the BC Public Service Agency continued under section 5 (1) of the *Public Service Act*;

“civil action” includes a proceeding for civil contempt;

“conduct”, in respect of the conduct of an employee, includes any act or omission of the employee;

“coverage” means indemnity coverage provided under this regulation;

“Crown counsel” means

- (a) a person who is designated as Crown counsel under section 4 of the *Crown Counsel Act*, or
- (b) a special prosecutor appointed under section 7 of that Act;

“deputy minister” means,

- (a) with respect to a position in a ministry, the deputy minister of the ministry, and
- (b) with respect to a position with an employer that is an agency, board, tribunal, commission or government corporation, the person having overall responsibility for the agency, board, tribunal, commission or government corporation;

“employee” means

- (a) an excluded employee within the meaning of the Excluded Employees Indemnity Protection Regulation, and includes a former employee, or
- (b) a person, other than one referred to in paragraph (a), who is a Crown counsel or a former Crown counsel;

“employer” means

- (a) the government, or
- (b) an agency, board, tribunal, commission or government corporation in respect of which the *Public Service Act* applies to its employees;

“employment” means holding, as an employee, an office or position of employment or appointment;

“human rights proceeding” means a proceeding under the *Human Rights Code*;

“Legal Services Branch” means the Legal Services Branch of the Ministry of Justice;

“non-prosecution proceeding” means a type of proceeding, other than a prosecution, for which coverage may be provided under this regulation;

“outside counsel” means a lawyer who provides legal advice to or represents an employee in respect of a proceeding under a retainer agreement entered into by the government under this regulation;

“penalty proceeding” means a proceeding under an enactment in which the penalties that may be imposed on an individual are limited to monetary penalties, but does not include a civil action;

“performance of employment”, in relation to an employee, means the performance or exercise, or the intended or purported performance or exercise, of the duties or powers of the employee’s office or position of employment or appointment;

“professional body proceeding” means a proceeding before an employee’s professional association or governing body, or before a committee of the association or body;

“prosecution” means

- (a) a prosecution for a criminal or other offence, or a proceeding for criminal contempt, but does not include a penalty proceeding, and
- (b) in relation to a prosecution within the meaning of paragraph (a) in respect of which coverage is provided to an employee under this regulation, other than coverage as a witness, a proceeding in which the employee is or is likely to be an accused;

“reconsideration” means, as applicable, a reconsideration under

- (a) section 18 [*requesting a reconsideration of a decision respecting eligibility*], or
- (b) section 36 [*requesting a reconsideration of a decision respecting termination*];

“reviewer” means a person appointed as reviewer under section 23 (2) [*how government provides coverage in prosecutions*];

“statutory power” has the same meaning as in the *Judicial Review Procedure Act*;

“transfer at undervalue” has the same meaning as in the *Bankruptcy and Insolvency Act* (Canada).

Employee may proceed at own expense

- 2 (1) Nothing in this regulation prevents an employee from retaining his or her own legal counsel in respect of a proceeding, on terms and conditions set by the employee, at the employee's own expense.
- (2) However, if an employee proceeds as referred to in subsection (1), the employee is not eligible for coverage under this regulation.

Where coverage may be available to employees

- 3 (1) An employee may be eligible for coverage as a party to the following proceedings:
 - (a) a civil action against the employee;
 - (b) a defamation action against the employee;
 - (c) a defamation action commenced or continued by the employee;
 - (d) a professional body proceeding in which the employee is the respondent;
 - (e) a human rights proceeding in which the employee is a respondent;
 - (f) a prosecution in which the employee is an accused person;
 - (g) a penalty proceeding in which the employee is an accused person or the respondent;
 - (h) an appeal or judicial review of the exercise of a statutory power by a person other than the employee;
 - (i) an appeal from a proceeding described in paragraphs (a) to (h).
- (2) An employee is also eligible for coverage in circumstances where there are reasonable grounds to believe that a proceeding described in subsection (1) is likely to be commenced.
- (3) An employee may be eligible for coverage in any proceeding in which the employee appears as a witness.

Where coverage is not available

- 4 An employee is not eligible for coverage with respect to any of the following:
 - (a) legal proceedings brought by or on behalf of the employee, other than a defamation action brought by the employee;
 - (b) legal advice or representation respecting coverage;
 - (c) a dispute between the employee and his or her employer respecting the employee's employment;
 - (d) an appeal or judicial review of the exercise of a statutory power by the employee.

General eligibility requirements – coverage as a party

- 5 An employee is eligible for coverage as a party in a proceeding only if the employee's involvement in the proceeding arises from conduct that occurred in the performance of employment.

Additional eligibility requirements – coverage in non-prosecution proceedings

- 6 (1) An employee is eligible for coverage as a party in a non-prosecution proceeding only if the employee's conduct to which the proceeding relates was not dishonest, malicious or otherwise in bad faith.
- (2) An employee is eligible for coverage as a defendant in a defamation action only if Legal Services Branch provides the administrator with a legal opinion that the statement at issue in the action
- (a) was not defamatory,
 - (b) was not published by the employee,
 - (c) was made on an occasion of absolute privilege, or
 - (d) was reasonably related to the performance of employment and made without malice.
- (3) An employee is eligible for coverage to commence or continue a defamation action only if
- (a) Legal Services Branch provides the administrator with a legal opinion that there is a cause of action in defamation, and
 - (b) the administrator determines, based on the following factors, that it is in the public interest that such an action be commenced or continued:
 - (i) the need to rehabilitate the employee's usefulness for employment or appointment, including future employment or appointment by an employer;
 - (ii) the need to restore or preserve the integrity of the employee's office or position of employment or appointment;
 - (iii) the degree of likelihood that the defamation action will achieve the objectives set out in subparagraph (i) or (ii);
 - (iv) the need to achieve general deterrence of defamatory statements against employees;
 - (v) other factors that may be relevant to the public interest in commencing or continuing the defamation action by the employee.
- (4) An employee is eligible for coverage under section 3 (1) (h) *[coverage in appeal or judicial review for a person other than the statutory decision maker]* only if
- (a) the proceeding is likely to adversely affect the employee's personal privacy interests, and
 - (b) either
 - (i) the employee has a right to be served with the notice of appeal or petition and affidavits in the proceeding under the Supreme Court Civil Rules as a person whose personal interests may be affected by the order sought in the appeal or judicial review, or

- (ii) there are reasonable grounds to believe that the employee is likely to be found to have the right to be served with the notice of appeal or petition and affidavits in the proceeding under the Supreme Court Civil Rules as a person whose personal interests may be affected by the order sought in the appeal or judicial review.

Eligibility requirements – coverage as a party to an appeal

- 7 (1) An employee is eligible for coverage as a party in an appeal in a non-prosecution proceeding only if
- (a) the employee is eligible for coverage under
 - (i) section 5 [*general eligibility requirements – coverage as a party*], and
 - (ii) as applicable, section 6 [*additional eligibility requirements – coverage in non-prosecution proceedings*]with respect to the proceeding from which the appeal is taken, and
 - (b) for a proceeding in which the employee is the appellant in the appeal, the administrator determines that it is in the public interest that an appeal be taken.
- (2) An employee who has been acquitted in a prosecution is eligible for coverage as a party in an appeal by the Crown with respect to the prosecution only if the employee is eligible for coverage under section 5 [*general eligibility requirements – coverage as a party*].
- (3) An employee who has been convicted in a prosecution is not eligible for coverage to appeal the conviction.

Eligibility requirements – coverage as a witness

- 8 An employee is eligible for coverage as a witness in a proceeding only if
- (a) the evidence or testimony the employee is to provide relates to information acquired in the course of his or her employment, and
 - (b) either
 - (i) the employee is required by law to appear as a witness, or
 - (ii) the administrator determines that it is in the public interest to provide coverage to the employee to appear as a witness.

Effect of other policies on coverage

- 9 (1) In this section, “another policy” or “other policy” means an indemnity, policy of insurance or other agreement, arrangement or award for coverage other than the coverage available under this regulation.
- (2) If, in respect of a matter, an employee is eligible under another policy for coverage that is substantially the same as the coverage provided by government under this regulation and, under the other policy,
- (a) the employee is eligible for full coverage of the matter, the employee is not eligible for coverage under this regulation, or

- (b) the employee is eligible for partial coverage of the matter, the employee is eligible for coverage under this regulation only to the extent that the other policy does not provide coverage.
- (3) Nothing in this regulation limits or restricts
 - (a) an employer other than government from providing coverage in respect of a matter for which coverage is provided under this regulation, or
 - (b) the government from indemnifying an employee in circumstances where coverage under this regulation does not apply, if that further indemnity complies with the Guarantees and Indemnities Regulation.

PART 2 – APPLICATION FOR COVERAGE AND DETERMINATION OF ELIGIBILITY

Employee must provide notice of proceeding

- 10** (1) If an employee
- (a) becomes aware of a proceeding that has been or is likely to be commenced, and
 - (b) is likely to be seeking coverage under this regulation in relation to the proceeding,
- the employee must, at the earliest possible opportunity, inform his or her deputy minister in writing of the proceeding and that he or she is likely to be seeking the coverage.
- (2) In the case of a former employee, the deputy minister for purposes of this section and section 11 *[applying for coverage]* is the Deputy Attorney General.

Applying for coverage

- 11** (1) An employee who wishes coverage in respect of a proceeding must deliver to the deputy minister, within a reasonable time after informing his or her deputy minister of the proceeding, a written request for coverage in the form required by the administrator.
- (2) An employee who wishes coverage for an appeal must make a new request under this section for that coverage.

How an application is processed

- 12** (1) A deputy minister who receives a request for coverage must promptly forward the request to the administrator, who must determine in accordance with this Part whether the employee is eligible to receive coverage.
- (2) If the employee requesting coverage is the agency head, the ADAG or a deputy minister other than the Deputy Attorney General, that employee must
- (a) inform the Deputy Attorney General, in the manner and within the time required under section 10 *[employee must provide notice of proceeding]*, and

(b) deliver the written request described in section 11 *[applying for coverage]* to the Deputy Attorney General,
and the Deputy Attorney General must perform all the duties and exercise all the powers of the administrator and the ADAG under this regulation with respect to that employee's request.

Determining initial eligibility – coverage in non-prosecution proceedings

- 13 In considering an application for coverage as a party in a non-prosecution proceeding other than an appeal, the administrator may determine that the employee is eligible for coverage if
- (a) the administrator is satisfied that the requirements under
 - (i) section 5 *[general eligibility requirements – coverage as a party]*, and
 - (ii) as applicable, section 6 (2) to (4) *[additional eligibility requirements – coverage in non-prosecution proceedings]*are met, and
 - (b) the administrator has no reason to believe that the requirements under section 6 (1) *[additional eligibility requirements – coverage as a party in non-prosecution proceedings]* are not met.

Determining initial eligibility – coverage in prosecutions

- 14 In considering an application for coverage in relation to a prosecution in which the employee is or is likely to be an accused, the administrator may determine the employee is eligible for coverage in respect of the prosecution if satisfied that the requirements under section 5 *[general eligibility – coverage as a party]* are met.

Determining initial eligibility – coverage as a party to an appeal

- 15 (1) In considering an application for coverage under section 7 (1) *[eligibility requirements – coverage as a party to an appeal]* as a party to an appeal in a non-prosecution proceeding, the administrator may determine the employee is eligible for coverage if satisfied that
- (a) the requirements for coverage under that provision are met, and
 - (b) if the employee is the appellant in the appeal, it is in the public interest that an appeal be taken.
- (2) The administrator must make a determination under subsection (1) (b) on the basis of the following factors:
- (a) there are reasonable grounds to believe that the employee's reputation or personal privacy interests, or the integrity of the employee's office or position of employment, is likely to be adversely affected if the appeal did not proceed;
 - (b) the likelihood that the appeal will be successful;
 - (c) any other factors that the administrator considers may be relevant to the public interest in an appeal being taken.

- (3) In considering an application for coverage under section 7 (2) [*eligibility requirements – coverage as a party to a prosecution appeal*] as a party to a Crown appeal in a prosecution proceeding, the administrator may determine the employee is eligible for coverage if satisfied that the requirements under section 5 [*general eligibility – coverage as a party*] are met.

Determining initial eligibility – coverage as a witness

- 16 (1) In considering an application for coverage as a witness in a proceeding, the administrator may determine that the employee is eligible for coverage if satisfied that
- (a) the evidence or testimony the employee is to provide relates to information acquired in the course of his or her employment, and
 - (b) either
 - (i) the employee is required by law to appear as a witness, or
 - (ii) it is in the public interest to provide coverage to the employee to appear as a witness.
- (2) The administrator must make a determination under subsection (1) (b) (ii) on the basis of the following factors:
- (a) there are reasonable grounds to believe that the employee's reputation is likely to be adversely affected by evidence given in the proceeding;
 - (b) there are reasonable grounds to believe that any conduct of the employee in the performance of employment is likely to be subject to negative findings in the proceeding;
 - (c) there are reasonable grounds to believe that the employee's personal privacy interests are likely to be adversely affected;
 - (d) other factors that the administrator considers may be relevant to the public interest in providing coverage.

Administrator must give notice of right to reconsideration if coverage refused

- 17 If, in dealing with the application for coverage, the administrator determines that the employee is not eligible for coverage, the administrator must notify the employee to that effect, in writing, with the following information:
- (a) a written summary of the reasons for the administrator's determination;
 - (b) notice of the employee's right to request a reconsideration under section 18 [*requesting a reconsideration of a decision respecting eligibility*];
 - (c) the time within which the request for reconsideration must be made.

Requesting a reconsideration of a decision respecting eligibility

- 18 (1) An employee may request that the administrator reconsider a determination of eligibility under this Part by delivering a written request to the administrator, together with any evidence or submissions the employee wishes the administrator to consider.
- (2) The request must be made within

- (a) 14 days after receipt of the notice referred to in section 17 [*notice of right to reconsideration*], or
 - (b) such longer period as the administrator considers appropriate in the circumstances.
- (3) Evidence or submissions delivered under subsection (1) may be delivered in person, electronically or by ordinary mail or facsimile transmission, and delivery is effective on the date of actual receipt.
- (4) As soon as practicable after the time period referred to in subsection (2) has expired, the administrator must, after reviewing any evidence and submissions delivered by the employee,
- (a) confirm or reverse the determination with respect to the employee's eligibility for coverage, and
 - (b) communicate in writing to the employee the administrator's decision under paragraph (a) of this subsection, with reasons addressing any evidence or submissions delivered under subsection (1).

Government must provide coverage to eligible employee

- 19 The government must provide coverage in accordance with this regulation if
- (a) an employee has applied for coverage under section 11 [*applying for coverage*], and
 - (b) the administrator determines the employee is eligible for coverage.

Coverage is provided in relation to employee's performance of employment

- 20 (1) Subject to subsection (2), coverage for legal fees, disbursements and other expenses incurred by or on behalf of an employee in relation to a proceeding is provided as being an expense in relation to the performance of employment by the employee.
- (2) Subsection (1) does not apply if there is a finding in the proceeding that the employee conduct to which the proceeding relates
- (a) did not occur in the performance of employment, or
 - (b) was dishonest, malicious or otherwise in bad faith.
- (3) Subsection (2) (b) does not apply in relation to a civil action against a Crown counsel for malicious prosecution.

PART 3 – HOW COVERAGE IS PROVIDED

When coverage begins

- 21 (1) Subject to subsection (2), the government may provide coverage only in respect of legal fees, disbursements and other expenses or financial obligations that arise or are incurred after the date an employee informs his or her deputy minister, under section 10 [*employee must provide notice*], of a proceeding involving the employee.

- (2) The government may provide coverage in respect of some or all legal fees, disbursements and other expenses or financial obligations that arose or were incurred before the employee informed the deputy minister, if the administrator is satisfied that
 - (a) the employee could not reasonably comply with the requirement to inform his or her deputy minister before the legal fees, disbursements and other expenses or financial obligations arose or were incurred, and
 - (b) the employee acted reasonably in seeking legal advice before informing the deputy minister.

**How government provides coverage
in non-prosecution proceedings**

- 22 The government provides coverage for an employee in a non-prosecution proceeding by
 - (a) providing legal advice and representation to the employee by
 - (i) appointing legal counsel for the employee from Legal Services Branch, or
 - (ii) appointing outside counsel for the employee and reimbursing the employee for, or paying, the fees, disbursements and other expenses of outside counsel,
 - (b) paying for the employee's liability, if any, under a judgment, order or settlement in the proceeding, and
 - (c) paying an award, fine or penalty ordered against the employee.

How government provides coverage in prosecutions

- 23 (1) The government provides coverage for an employee who is an accused in a prosecution by paying the amounts certified for payment in accordance with this section to legal counsel appointed by the employee to represent that employee in defence of the prosecution under a retainer agreement in accordance with this section.
- (2) The government must, after consultation with the employee's legal counsel, appoint a person to
 - (a) set the terms and conditions of the legal counsel's retainer agreement, and
 - (b) review the accounts of the employee's legal counsel.
- (3) In setting the terms and conditions of a retainer agreement under this section, the reviewer must set the maximum amount of legal fees, disbursements and other expenses that may be claimed under the retainer agreement, having regard to the principle that the expenditure of public money under the retainer agreement should not exceed the minimum amount that is reasonably expected to be required to achieve a fair trial.
- (4) The reviewer may amend the terms and conditions of a retainer agreement under this section, including the maximum amount required under subsection (3), if satisfied that amendment is required to ensure that the employee receives a fair trial.

- (5) The following procedure applies for determining the amount to be paid to the employee's legal counsel:
- (a) the employee's legal counsel must submit his or her accounts, prepared in accordance with the retainer agreement, to the reviewer;
 - (b) the reviewer may certify amounts payable by the government only if satisfied that the amounts claimed on an account are consistent with the following:
 - (i) the terms and conditions of the retainer agreement;
 - (ii) the amount reasonably required to be expended in order to ensure that the employee receives a fair trial, both
 - (A) in respect of the work done or disbursement or charge incurred to which an account relates specifically, and
 - (B) in defence of the prosecution generally.
- (6) The government must pay to the employee's legal counsel those amounts certified under subsection (5) (b).

PART 4 – TERMS AND CONDITIONS OF COVERAGE

Employee accepts terms and conditions of coverage

- 24**
- (1) In applying and being determined eligible for coverage, the employee agrees to the terms and conditions established under this Part.
 - (2) It is a condition of coverage that the employee be eligible and continue to be eligible for coverage.
 - (3) Coverage is to be provided in accordance with Part 3 [*How Coverage is Provided*].
 - (4) The administrator may make the determinations the administrator considers necessary to ensure compliance with the terms and conditions of coverage for an employee.

Government authority to appoint and instruct legal counsel in certain proceedings

- 25**
- (1) Subject to section 28 [*employee authority in certain proceedings*], the government has the authority to appoint and instruct legal counsel, in respect of the following proceedings or an appeal from one of the following proceedings:
 - (a) a civil action against an employee;
 - (b) a defamation action against an employee;
 - (c) a human rights proceeding;
 - (d) a penalty proceeding;
 - (e) a proceeding in which an employee is a witness;
 - (f) a proceeding involving the employee's personal privacy interests.
 - (2) The ADAG may, for a proceeding listed in subsection (1), appoint
 - (a) legal counsel from Legal Services Branch, or
 - (b) outside counsel chosen by the ADAG in consultation with the employee.

- (3) The government may allow an employee to exercise all or part of the government's authority under subsection (1) on the terms and conditions the ADAG considers appropriate.

Retainer agreements for outside counsel in non-prosecution proceedings

- 26 (1) The government has sole authority to set the terms and conditions of a retainer agreement, other than in a prosecution, including setting the maximum amount of legal fees, disbursements and other expenses that may be paid under the agreement for outside counsel appointed
 - (a) by the government under section 25 (2) (b) *[ADAG appoints counsel after consultation with employee]*, or
 - (b) by an employee under section 28 (1) (a), (b) or (c) *[employee authority in certain proceedings]*.
- (2) The rate for legal fees to be set under subsection (1) must be consistent with the rate for legal fees paid to ad hoc counsel retained by Legal Services Branch to act for the government in comparable civil proceedings.

Government authority to settle certain proceedings

- 27 (1) The government has the authority to settle the following proceedings or an appeal from one of the following proceedings:
 - (a) a civil action against an employee;
 - (b) a defamation action against an employee;
 - (c) a human rights proceeding.
- (2) The government may allow an employee to exercise all or part of the government's authority under subsection (1), on the terms and conditions the ADAG considers appropriate.
- (3) If the government proposes settlement of a proceeding, the ADAG must notify the employee in writing of the proposed settlement, with a written summary of the following:
 - (a) the terms of the proposed settlement;
 - (b) the reasons the government considers the proposed settlement to be advisable.
- (4) If the employee disagrees with the proposed settlement, the employee may assume conduct and control of the proceeding and the following conditions apply:
 - (a) the government will terminate coverage for the proceeding;
 - (b) the employee must not say or do anything or fail to do anything that Legal Services Branch has advised the employee could affect the government's financial or other interests;
 - (c) the employee must agree to indemnify the government, on terms and conditions and with security satisfactory to the government, for any financial harm to the government caused or contributed to by the employee continuing with the proceeding.

Employee authority in certain proceedings

- 28 (1) An employee has the authority to appoint and instruct legal counsel in respect of the following proceedings or an appeal from one of the following proceedings:
- (a) a defamation action by an employee;
 - (b) a professional body proceeding;
 - (c) any proceeding in which an employee reasonably asserts that there is a conflict of interest between the employee and the government or the employee and another employee involved in the proceeding;
 - (d) a prosecution.
- (2) An employee has authority to
- (a) settle a proceeding referred to in subsection (1) (a), (b) or (c), after consulting with the administrator, and
 - (b) plead guilty in a prosecution.

Confidentiality and disclosure

- 29 (1) Without limiting any right of privilege or confidentiality otherwise provided by law, the following information is privileged and confidential and, subject to subsection (2), must not be disclosed by any person to any person:
- (a) the fact that coverage has been requested, provided, denied or terminated;
 - (b) the fact that legal counsel has been provided or appointed;
 - (c) any term or condition of a retainer agreement with legal counsel;
 - (d) any work done, disbursement or charge incurred, account submitted, or amount paid or payable by legal counsel in respect of a proceeding;
 - (e) any other payment or reimbursement made or required to be made in respect of coverage;
 - (f) the fact that a reviewer has been appointed under section 23 [*how government provides coverage in prosecutions*], any term or condition of a retainer agreement under that section or any accounts reviewed by the reviewer under that section;
 - (g) any proposal by the government of settlement of a proceeding that is subject to coverage, any term or condition of the proposed settlement and whether the employee has accepted or rejected the proposal;
 - (h) any information, including any evidence, submission or legal opinion provided or obtained or factor considered, and any notice or reason given or communication made under this regulation, in relation to any of the matters set out in paragraphs (a) to (g).
- (2) The restriction on disclosure in subsection (1) does not apply
- (a) to the extent disclosure is required by law,
 - (b) to disclosure to the employee, his or her legal counsel, a reviewer, or any other person responsible for administration of this regulation or otherwise involved in coverage,
 - (c) to disclosure with the written consent of every person whose personal interests or privilege may be affected by the disclosure, or

- (d) to disclosure by the government in the circumstances described in subsections (3) and (4).
- (3) An employee must
 - (a) consent under section 33.1 (1) (b) [*consent to disclosure of personal information*] of the *Freedom of Information and Protection of Privacy Act* to disclosure by the government of the total amount paid or incurred by the government for an employee's coverage related to a proceeding, and
 - (b) waive any solicitor-client privilege that may exist in the employee's favour respecting the total amount paid or reimbursed.
- (4) A consent or waiver referred to in subsection (3) takes effect only on conclusion of the proceeding for which the amount was paid or incurred, and after all rights of appeal of any party to the proceeding have been exhausted or extinguished.

Additional conditions that apply to non-prosecution proceedings

- 30**
- (1) The conditions set out in this section apply to all coverage under this regulation, other than coverage under section 23 [*how government provides coverage in prosecutions*].
 - (2) An employee must not
 - (a) voluntarily assume any liability in respect of a proceeding to which coverage may otherwise apply, or
 - (b) subject to section 28 (2) (a) [*authority to settle in certain proceedings*], settle a proceeding to which coverage may otherwise apply,
 except at the employee's own expense or with the written approval of the government.
 - (3) If the government has appointed legal counsel for an employee, the employee must cooperate fully in relation to the matter with that counsel, including by
 - (a) providing information that is complete and correct in all material respects, and
 - (b) aiding in securing other information or evidence and the attendance of witnesses.
 - (4) If one legal counsel represents both an employee and either the employee's employer or another employee, and a conflict of interest arises between the employee and the employer or between the first employee and the other employee, legal counsel must cease to represent the employees but may continue to represent the employer.
 - (5) If the government has appointed legal counsel in a proceeding, an employee must not
 - (a) interfere in any way in the proceeding or any negotiations for settlement of the proceeding, or
 - (b) act in a manner that creates a conflict of interest between the employee and the government or between the employee and another employee involved in the proceeding.
 - (6) An employee must not

- (a) say or do anything, or
 - (b) fail to say or do anything
- against the advice of legal counsel.

Administrator may require employee to reimburse coverage in non-prosecution proceedings

- 31
- (1) If the employee's coverage in a non-prosecution proceeding is terminated under section 34 (1) [*when coverage ends – termination on basis employee not eligible or conditions breached*], the administrator may, after taking into consideration the reasons coverage was terminated, direct that the employee reimburse the government for all or part of the amount paid or payable by the government for coverage.
 - (2) An employee who has been provided coverage under this regulation in relation to a proceeding must reimburse the government under subsection (3) if, in the proceeding, there is
 - (a) an order for costs in favour of the employee,
 - (b) another order or direction that money be paid to the employee for legal fees, disbursements or other expenses incurred by or on behalf of the employee in the proceeding, or
 - (c) in the case of a defamation action by the employee, an award of damages to the employee.
 - (3) In the circumstances described in subsection (2), the employee must
 - (a) reimburse the government from the money paid to the employee under the order, direction or award, to the fullest extent possible, the amount paid or payable by the government to provide coverage, or
 - (b) assign to the government the employee's rights under the order, direction or award.

Employee obligation to reimburse coverage in prosecutions

- 32
- (1) The section applies to coverage under section 23 [*how government provides coverage in prosecutions*].
 - (2) If, after the rights of appeal of the employee and the Crown have been exhausted or extinguished, the result of the prosecution is that the employee is convicted in relation to any of the offences with which the employee was charged, the employee must reimburse the government for all amounts paid or payable under section 23 in providing the coverage.
 - (3) If the employee's coverage is terminated under
 - (a) section 34 (1) [*when coverage ends – termination on basis employee not eligible or conditions breached*], or
 - (b) section 34 (3) [*when coverage ends – non-compliance in relation to provision of security*],
 the administrator may, after taking into consideration the reasons coverage was terminated, direct that the employee reimburse the government for all or part of the amount paid or payable by the government for coverage.

- (4) The administrator may, having regard to the employee's circumstances, direct the employee to provide security or further security, in accordance with the direction, for the amount that may be required to be reimbursed under this section.
- (5) The employee must not, on or after the date on which an act or omission that is the subject of the prosecution occurred, have made or make a transfer at undervalue of any property that may be the subject of security under this section.
- (6) For the purposes of subsection (5), if the offence charged is a continuing offence, the date under that subsection is the date on which the relevant act or omission first occurred.
- (7) The government must release or return the security provided under this section if, after the rights of appeal of the employee and the Crown have been exhausted or extinguished,
 - (a) the result of the prosecution is that
 - (i) the employee has been acquitted of all charges in the prosecution,
 - (ii) the Crown has withdrawn all charges against the employee, or
 - (iii) the court has ordered or, on application of the Crown has entered, a stay of all charges against the employee other than those on which the employee has been acquitted, and
 - (b) coverage has not been terminated as referred to in subsection (3).

Enforcing requirement to reimburse the government

- 33** The government may recover any money owing by an employee under
- (a) section 31 [*administrator may require employee to reimburse coverage in non-prosecution proceedings*], or
 - (b) section 32 [*employee obligation to reimburse government and provide security for coverage in prosecutions*]
- as a debt due to government, payable on demand.

PART 5 – TERMINATION OF COVERAGE

When coverage ends

- 34** (1) Subject to subsection (2), the government must terminate coverage of an employee under this regulation if at any time the administrator determines that
- (a) at the time application for coverage was made under Part 2 [*Application for Coverage and Determination of Eligibility*], the employee was not eligible for coverage,
 - (b) the employee is no longer eligible for coverage, or
 - (c) the employee is in breach of any of the terms and conditions of coverage and the breach is not remedied within the time and in the manner directed by the administrator.
- (2) If coverage relates to a prosecution, the government may terminate coverage under subsection (1) only after the decision maker in the proceeding issues its decision unless subsection (3) applies.

- (3) The government may terminate coverage of an employee under this regulation in relation to a prosecution if, at any time, the administrator
 - (a) determines that the employee has failed to provide security, as required under section 32 (4) *[employee obligation to provide security for coverage in prosecutions]*, or
 - (b) has reason to believe that the employee has made a transfer at undervalue as referred to in section 32 (5).
- (4) Termination of coverage takes effect on the date of the notice given under section 35 *[notice of termination and right to reconsideration]*.
- (5) The government may, in any event, terminate coverage
 - (a) once an employee is no longer involved as a party, accused or witness in a proceeding, or
 - (b) if or to the extent that the employee is eligible under another policy referred to in section 9 *[effect of other policies on coverage]*.

Administrator must give notice of termination and right to reconsideration

- 35 If the government is terminating coverage under section 34 (1) or (3) *[when coverage ends – ineligibility or non-compliance]*, the administrator must notify the employee to that effect in writing, with the following information:
- (a) a written summary of the reasons for the administrator's determination in relation to which the termination is made;
 - (b) notice of the employee's right to request a reconsideration under section 36 *[requesting a reconsideration of a decision respecting termination]*;
 - (c) the time within which the request must be made.

Requesting a reconsideration of a decision respecting termination

- 36 (1) An employee may request that the administrator reconsider a determination under section 34 (1) or (3) *[when coverage ends – ineligibility or non-compliance]* by delivering a written request to the administrator, together with any evidence or submissions the employee wishes the administrator to consider.
- (2) The request must be made within
- (a) 14 days after receipt of the notice referred to in section 35 *[notice of termination and right to reconsideration]*, or
 - (b) such longer period as the administrator considers appropriate in the circumstances.
- (3) Evidence or submissions delivered under subsection (1) may be delivered in person, electronically or by ordinary mail or facsimile transmission, and delivery is effective on the date of actual receipt.
- (4) As soon as practicable after the time period referred to in subsection (2) has expired, the administrator must, after reviewing any evidence and submissions delivered by the employee,
- (a) confirm or reverse the determination with respect to the employee's eligibility for coverage, and

- (b) communicate in writing to the employee the administrator's decision under paragraph (a) of this subsection, with reasons addressing any evidence or submissions delivered under subsection (1).
- (5) If the administrator reverses the determination, coverage for the employee is reinstated.

PART 6 – MISCELLANEOUS

Administrator's obligation to consult ADAG

- 37 (1) Before making a determination or direction under any of the following provisions, the administrator must consult with and obtain legal advice from the ADAG:
- (a) Part 2 [*Application for Coverage and Determination of Eligibility*];
 - (b) section 31 [*administrator may require employee to reimburse coverage in non-prosecution proceedings*];
 - (c) section 32 [*employee obligation to reimburse coverage in prosecutions*];
 - (d) Part 5 [*Termination of Coverage*].
- (2) The administrator must not make a determination or direction referred to in subsection (1) that is inconsistent with any legal advice given by the ADAG.
- (3) The administrator must consult with the ADAG if a settlement referred to in section 28 (2) (a) [*employee authority in certain proceedings*] is proposed.

Record of administrator decisions respecting reimbursement

- 38 The administrator must maintain a record of any determination or direction made by the administrator with respect to reimbursement to the government by an employee, setting out
- (a) the name of the employee, and
 - (b) the amount owing to the government.

Agency head may delegate

- 39 The agency head may delegate any of his or her duties or powers under this regulation, except the power to delegate, to an employee of the BC Public Service Agency.

Other persons who may be provided coverage under this regulation

- 40 A person in a class of persons set out in Column 1 of the table in the Schedule is eligible for coverage under this regulation, in accordance with that Schedule.

Payment of amounts provided under indemnity

- 41 If an amount becomes payable for coverage under this regulation, the administrator must direct the Executive Director of the Risk Management Branch in the Ministry of Finance to make the payment or arrange for the payment to be made.

Practices respecting determination of eligibility

- 42 The agency head must develop and publish practices that apply in relation to the agency head's determination of eligibility for coverage under this regulation.

Transition

- 43 The other provisions of this regulation respecting indemnities do not apply to a matter for which the government, before the date this regulation comes into force, provided an employee with indemnity in respect of legal fees, disbursements and other expenses or financial obligations in relation to a proceeding, and the indemnity remains in effect on the same terms and conditions as set out in the indemnity.

**SCHEDULE
OTHER INDEMNIFIED PERSONS**

Definition

- 1 In this Schedule, "tribunal" means a tribunal as defined in the *Administrative Tribunals Act*.

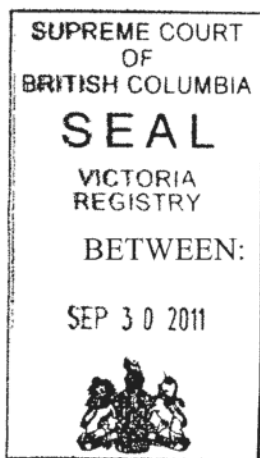
Coverage

- 2 A person in a class of persons set out in Column 1 of the table is eligible for coverage under this regulation, as if a person in the class were an employee, with the following modifications:
- (a) the official described opposite in Column 2 is the official to whom a person in that class must submit a notice under section 10 [*employee must provide notice of proceeding*] and a request for coverage under section 11 [*applying for coverage*] of this regulation;
 - (b) the official described opposite in Column 2 has the powers and authority of the administrator to make determinations and directions under
 - (i) Part 2 [*Application for Coverage and Determination of Eligibility*],
 - (ii) Part 4 [*Terms and Conditions of Coverage*],
 - (iii) Part 5 [*Termination of Coverage*], and
 - (iv) section 41 [*payment of amounts provided under indemnity*],and has the obligations of the administrator under section 38 [*record of administrator decisions respecting reimbursement*], as if the official were the administrator under those provisions;
 - (c) for a person in a class of persons described in item 1 or 4 of the table, the official described opposite in Column 2 has
 - (i) the powers and authority of the government under section 25 [*government authority to appoint and instruct counsel in certain proceedings*],
 - (ii) the powers and authority of the government under section 27 [*government authority to settle certain proceedings*], and

- (iii) the powers and authority to appoint outside counsel chosen by the official in consultation with the person, but not the powers and authority to set the terms and conditions of the retainer agreement for the legal counsel.

Coverage for Other Persons

Item	Column 1 Class of persons	Column 2 Request for coverage
1	Premier and other Executive Council members, and former Premiers and Executive Council members	Deputy Minister to the Premier
2	Deputy Attorney General	Deputy Minister to the Premier
3	Chair of a tribunal or former chair of a tribunal	Deputy Minister of the ministry responsible for the administration of the Act under which the chair is appointed
4	Vice chair or member of a tribunal or former vice chair or member of a tribunal	Chair of the tribunal



No. 11 4061
Victoria Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

DR. JOHN TAYLOR and ADMINFO RESOURCES INC.

PLAINTIFFS

**HER MAJESTY THE QUEEN IN THE RIGHT OF BRITISH COLUMBIA AS
REPRESENTED BY THE MINISTER OF EDUCATION and EMERY DOSDALL and
JAMES GORMAN and GERALD MORTON and WILL SHERMAN and BRENT
MUNRO and RENATE BUTTERFIELD and BARRY ANDERSON and
CHRISTINA SINNEMANN**

DEFENDANTS

NOTICE OF CIVIL CLAIM

This action has been started by the plaintiffs for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the plaintiff.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

Time for response to civil claim

A response to civil claim must be filed and served on the plaintiff(s),

- (a) if you reside anywhere in Canada, within 21 days after the date on which a copy of the filed notice of civil claim was served on you,

- (b) if you reside in the United States of America, within 35 days after the date on which a copy of the filed notice of civil claim was served on you,
- (c) if you reside elsewhere, within 49 days after the date on which a copy of the filed notice of civil claim was served on you, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

CLAIM OF THE PLAINTIFFS

Part 1: STATEMENT OF FACTS

The Parties

1. Dr. John Taylor is a doctorate education researcher who has conducted professional research in education and education statistics in British Columbia for twenty years, including for the Defendants and for B.C. schools and school districts (the “Plaintiff Taylor”).
2. ADMINFO Resources Inc. is a corporation continued under the *Business Corporations Act* S.B.C. 2002 C. 57 with registered offices in Victoria, British Columbia (the “Plaintiff ADMINFO”).
3. The Plaintiff Taylor is a shareholder, director and officer of the Plaintiff ADMINFO.
4. The Minister of Education is a member of the British Columbia Executive Council, appointed from time to time, and responsible for exercising the powers and fulfilling the duties of the Minister under the *School Act* RSBC 1996 C. 412 (“School Act”) (the “Defendant Minister”). The Defendant Minister is also the head of the public body that is the Ministry of Education (the “Ministry”) pursuant to Schedule 1 of the *Freedom of Information and Protection of Privacy Act* RSBC 1996 C. 116 (“FIPPA” or the “Act”).

5. Emery Dosdall (the “Defendant Dosdall”) was, at times material to the Plaintiffs’ claim, the deputy minister of the Ministry.

6. James Gorman (the “Defendant Gorman”) was, at times material to the Plaintiffs’ claim, the deputy minister of the Ministry.

7. Gerald Morton (the “Defendant Morton”) was, at times material to the Plaintiffs’ claim, an employee of the Ministry who reported to Barry Anderson and Renate Butterfield and supervised Christina Sinnemann and Brent Munro and responsible for, among other things, generating Ministry reports for B.C. schools and districts and implementing Ministry decisions on the disclosure of education data held in public records in the custody of the Ministry, including under research agreements made pursuant to section 35 of FIPPA.

8. Brent Munro (the “Defendant Munro”) was, at times material to the Plaintiffs’ claim, an employee of the Ministry responsible for, among other things, generating Ministry reports for B.C. schools and districts and implementing Ministry decisions on the disclosure of education data held in public records in the custody of the Ministry, including disclosure under research agreements made pursuant to section 35 of FIPPA.

9. Barry Anderson (the “Defendant Anderson”) was, at times material to the Plaintiffs’ claim, an executive employee of the Ministry responsible for, among other things, data policy development and Ministry decisions on the disclosure of education data held in public records in the custody of the Ministry, including disclosure under research agreements made pursuant to section 35 of FIPPA.

10. Renate Butterfield (the “Defendant Butterfield”) was, at times material to the Plaintiffs’ claim, an employee of the Ministry responsible for, among other things, supervising the Defendant Morton and reporting to the deputy minister.

11. Will Sherman (the “Defendant Sherman”) was, at times material to the Plaintiffs’ claim, an employee of the Ministry responsible for, among other things, advising the Minister as head of the public body on the head’s and the public body’s duties under FIPPA and for ensuring the Ministry’s duties under FIPPA were fulfilled.

12. Christina Sinnemann (the “Defendant Sinnemann”) was, at times material to the Plaintiff’s claim, an employee of the Ministry who reported to the Defendant Morton and supervised the Defendant Munro and was responsible for, among other things, generating Ministry reports for B.C. schools and districts and implementing Ministry decisions on the disclosure of education data held in public records in the custody of the Ministry, including under research agreements made pursuant to section 35 of FIPPA.

The Plaintiff Taylor is a professional education researcher

13. The Plaintiff Taylor’s education research has been highly valued by leaders in B.C. schools and school districts and some of the methods of analysis and reporting he developed have been emulated by the Defendants.

14. The Plaintiff Taylor, directly and through the Plaintiff ADMINFO, has had access to and worked with the Defendants’ student-level data and other education data for many of the past 20 years. During this time, they have done all that was required of them, contractually and professionally, in regard to the use and safeguarding of personal information in the data.

15. The Plaintiffs have had access to and worked with the Defendants’ student-level data and other education data under three separate research agreements that the Ministry entered into with the Plaintiff ADMINFO under the auspices of section 35 of FIPPA. The most recent agreement was entered into on August 15, 2003 with an expiry date of September 30, 2005 (the “Research Agreement”). The Plaintiffs used the Research Agreement data for, among other things, professional statistical research provided to clients in B.C. schools and school districts. The Defendants were fully aware of the Plaintiffs’ use of the Research Agreement data. The Plaintiffs always complied with the conditions in the research agreements.

The Defendants breached the Research Agreement and then refused to renew it

16. In May 2005, the Defendants began to act in breach of the Research Agreement as the Defendants refused to provide the Plaintiffs with access to student-level data and other of the Ministry's education data that the Plaintiffs were authorized to receive and had received under the Research Agreement.

17. The Plaintiff Taylor directly asked the Defendants to renew the Research Agreement ahead of the Research Agreement's September 30, 2005 expiry date and, in 2007, he asked the Defendants to enter into a new research agreement. The Plaintiff Taylor was told by the Defendants in 2005 that the Defendants could not do so, as the Ministry was in the process of reviewing its policy on providing education data to external researchers. The Plaintiff Taylor was told in 2007 that the Defendants' new policy made him ineligible for a research agreement.

18. While the Defendants were reviewing the Ministry's policy on providing education data to external researchers, the Government of British Columbia already had a Policies and Procedures Manual on the interpretation of FIPPA (the "Policy Manual"). It defined "research", "statistics" and "statistical research". It set out the provincial government's policy on section 35 and on a public body's grant of access to personal information under a research agreement. The policy closely tracks the conditions for disclosure of personal information set out in section 35. The Policy Manual contains a sample section 35 research agreement.

19. On September 14, 2005, the Defendants completed the Ministry's policy entitled "Provision of Data to External Clients" ("Data Policy"). Although a number of the Defendants summarized the Data Policy to the Plaintiff Taylor and used it as a basis for denying him another research agreement, he was never provided with a copy of the policy until 2007.

20. From the rationale of the Data Policy and its elements, it is clear that the Defendants intended it be applied to decisions on whether to enter into research agreements regarding student-level data with researchers under section 35. The Data Policy contains a number of

significant elements that are not found or grounded in section 35, in the FIPPA regulations, in the Policy Manual or the Policy Manual's sample research agreement.

21. From internal documents created by or at the direction of the Defendants, it appears clear that it was understood at the highest level of the Ministry that:

- a) the stated justification for the Data Policy did not draw from the requirements of section 35 or the Policy Manual;
- b) the requirement that a researcher applicant for a research agreement prove that his or her project was reviewed by a post-secondary ethical review committee is justified on the basis that it is part of the Defendants' template research agreement and is considered important by the Defendants. The requirement is not explained in any way in relation to section 35 or the protection of privacy; and
- c) the Defendant Dosdall was aware or made aware that the Data Policy would impact the Plaintiff Taylor's livelihood in regard to the Plaintiff ADMINFO's ability to continue to provide professional education research to B.C. schools and school districts.

22. When the Plaintiffs made their third request for renewal of the Research Agreement – at a September 22, 2005 meeting with the Defendant Morton – the Defendant Morton told the Plaintiff Taylor that the Research Agreement would not be renewed because, according to the Defendant Morton:

- a) the Research Agreement was “unlawful” – a statement that the Defendant Morton never elaborated on, despite being asked to do so by the Plaintiff Taylor on September 22, 2005 and in subsequent communications, including on December 30, 2005; and

- b) the Data Policy condition requiring researcher applicants to have their research reviewed by a post-secondary committee did not apply to the Plaintiffs, as the Defendants did not consider what the Plaintiffs do to be “research”.

23. Since 1990, the Plaintiff Taylor has been doing research and statistical research in B.C. education, as those are defined in the Policy Manual.

24. The Defendants’ positions – that the Research Agreement was unlawful and that the Plaintiffs do not do “research” – were communicated to the Plaintiff Taylor again, including in writing by the Defendant Sherman on March 21, 2006.

25. The Plaintiff Taylor enlisted the assistance of the Information and Privacy Commissioner of British Columbia with his issues. Ms. Catherine Tully of the Commissioner’s office wrote to the Defendant Sherman on January 4, 2007 and asked him if his March 21, 2006 communication accurately reflected the Defendants’ reasons for denying the Plaintiffs a renewal of the Research Agreement. It does not appear that the Defendant Sherman or anyone in the Ministry ever responded to Ms. Tully’s question.

26. In June and July of 2007, the Plaintiffs again applied to the Defendants for a research agreement under section 35 covering education data. After a number of conversations and meetings and after having provided the Defendants with a draft research agreement that conformed to the conditions under section 35, the Plaintiff Taylor was told on September 7, 2007 that the Plaintiff ADMINFO would not be granted a research agreement, not because what the Plaintiffs did was not research, but because:

- a) the Plaintiffs were already receiving summary data from the Ministry and the research could be done without the student-level data requested in the proposed research agreement;
- b) the research proposal had not been submitted to a post-secondary ethical review committee as required by the Data Policy; and

- c) the Defendant Morton was worried about the security of the data if it was in the Plaintiffs' custody.

27. The claim as to the sufficiency of the summary data for the research is simply untrue. Further, on his own inquiries, the Plaintiff Taylor learned that he could not satisfy the condition in b) above, nor could any similarly-situated member of the public, unless he was a faculty member or student at a post-secondary institution with access to an ethical review committee.

The Defendants entered into research agreements with other researchers and provided them the very data it denied to the Plaintiff

28. Edudata Canada ("Edudata") is a corporation operating under the auspices of the University of British Columbia and directed by Mr. Victor Glickman, a former senior official with the Defendant Ministry. Edudata charges clients for the research services and products it provides. The Ministry entered into an agreement with Edudata on March 13, 2003 under which the Ministry provides Edudata with a range of education data that, to the Plaintiff's information, is not available to any other research organization or individual - giving Edudata a virtual monopoly position in the province on some education research services and products.

29. The Plaintiff Taylor raised with the Defendants on a number of occasions that Edudata was publishing research material that it would be unable to publish unless it was receiving data that the Plaintiff and others had been denied and/or Edudata had been organizing data in a way that the Ministry does not permit. Despite being told that the Defendants would end this practice by Edudata, the practices continued. Ms. Tully of the Commissioner's office asked Allan Carlson, who was temporarily replacing the Defendant Sherman, on January 4, 2007 about the Defendants' apparent different treatment of Edudata, in terms of the data it received and what it was allowed to do with it, however, the Plaintiff Taylor is not aware of any of the Defendants ever responding to Ms. Tully's questions

30. The Data Policy indicates that, where applicable and as part of research agreement disclosures, the Defendants would provide researchers with data linked to encrypted Personal Education Numbers (“PENs”). On June 30, 2006, the Plaintiff Taylor made a FIPPA request to the Defendant Dosdall, including a request for student-level Foundational Skills Assessment (“FSA”) data with encrypted PENs. Six weeks later, the Ministry entered into an agreement with Mr. David Johnson of Wilfred Laurier University who is associated with the C.D. Howe Institute to provide Mr. Johnson with education data that includes encrypted PENs. However, just six weeks after that, on September 29, 2010, Ms. Gail McQueen, the Ministry’s then director responsible for FIPPA, wrote to the Plaintiff to tell him that the Defendant Dosdall would not be disclosing the requested data with encrypted PENs, as encrypting the PENs would take between 33.75 and 78 effort days over a period of 3.5 to 8 months. Despite having agreed to give comparable data to Mr. Johnson, and despite the Plaintiff Taylor providing Ms. McQueen with information that the PENs could be encrypted in a few hours, the Defendants did not relent from their refusal to provide the data with encrypted PENs.

31. The Defendants’ decision to refuse to provide the data with encrypted PENs, despite the Ministry’s agreements with Edudata and with Mr. Johnson and the Plaintiff Taylor’s advice on an encryption process, appears to have been taken at the very highest level of the Ministry, according to the Ministry’s own documents, which contain inaccuracies about the Plaintiffs and irrelevant considerations on reasons to deny access to student-level FSA data.

The Defendants’ differential treatment of the Plaintiffs occurred against a backdrop of otherwise obstructing the Plaintiffs’ access to education data and applying economic pressure on the Plaintiff Taylor

32. The backdrop to the Defendants exercising discretion – whether regarding the Plaintiffs request for a renewed/new research agreement or section 4 access to data – includes numerous examples of the Defendants:

- a) exercising their discretion, apart from that granted under Section 35 of FIPPA, to deny the Plaintiffs access to summary and other education data in the custody of the Ministry;

- b) obstructing the work of the Commissioner; and
- c) applying economic pressure to the Plaintiffs.

33. The Petitioner estimates that:

- a) the Plaintiff ADMINFO's gross revenue losses attributable to the Defendants' refusal to renew or enter into a research agreement with him on student-level data;
- b) the Plaintiff ADMINFO's gross revenue losses attributable to the Defendants' otherwise refusing to provide him summary and other education data in a timely manner and complete form; and
- c) the Plaintiff Taylor's legal costs of having to pursue such data from the Defendants

altogether total \$350,000. The Plaintiff Taylor estimates the future gross revenue losses at \$250,000.

Part 2: RELIEF SOUGHT

1. A declaration that the Defendants deliberately exercised their discretion unlawfully while aware that their conduct was unlawful and likely to injure the Plaintiffs.

2. In the alternative, a declaration that the Defendants breached their duty to the Plaintiff to take reasonable care in reviewing and approving applications for access to records to which members of the public have a statutory right in a fair manner, consistent with the criteria of *School Act* and *FIPPA* that govern the Defendants' conduct.

3. Judgment against the Defendants for damages to the Plaintiffs for the injuries suffered as a consequence of the tortious conduct of the Defendants.

4. Such further relief as this Honourable Court may deem just.

Part 3: LEGAL BASIS

The purposes of the statute under which the Defendants exercised discretion

1. The FIPPA purposes are to make public bodies more accountable to the public and protect personal privacy by, among other things, giving the public a right of access to records, specifying limited exceptions to the right of access and preventing the unauthorized disclosure of personal information by public bodies.

s. 2, FIPPA

2. As head of public body, the Defendant Minister exercises exclusive statutory authority, subject to review by the Information and Privacy Commissioner, to regulate the public's right to access information in the possession of the Ministry.

A requestor's right to information in the custody or control of the Ministry

3. A person who makes a request under section 5 has a right to access any record in the custody or under the control of a public body and, while the right of access to a record does not extend to information excepted from disclosure under Division 2 of Part 2 of the Act, if that information can reasonably be severed from a record an applicant has the right of access to the remainder of the record.

s. 4(1) and (2), FIPPA

4. The head of a public body must make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely.

s. 6(1), *FIPPA*

5. A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if the disclosure is for research or statistical purposes and is in accordance with Section 35 of the Act.

s. 22(4)(d), *FIPPA*

6. A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if the personal information relates to educational history. However, in determining whether a presumed unreasonable invasion of personal privacy is, at law, an unreasonable invasion of personal privacy, the head of a public body must consider all the relevant circumstances, including whether the disclosure is desirable for the purposes of subjecting the activities of the Government of British Columbia or a public body to public scrutiny.

ss. 22(4)(d); 22(2)(a), *FIPPA*

7. The exclusive authority vested in the Defendant Minister to regulate access to information in possession of the Defendant Minister gives rise to a duty on the part of the Defendant Minister to take reasonable care to ensure that the public's statutory right to access information is administered in a fair manner, consistent with the criteria of the *School Act* and *FIPPA*.

The requirements for disclosure of personal information under research agreements

8. A public body may disclose personal information for a research purpose, including statistical research, only if

- a) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form or the research purpose has been approved by the Commissioner;
- b) the information is disclosed on the condition that it not be used for the purposes of contacting a person to participate in the research;
- c) any record linkage is not harmful to the individual that information is about and the benefits to be derived from the record linkage are clearly in the public interest;
- d) the head of the public body concerned has approved conditions relating to the following:
 - i. security and confidentiality;
 - ii. the removal or destruction of individual identifiers at the earliest reasonable time; and
 - iii. the prohibition of any subsequent use or disclosure of that information in individually identifiable form without the express authorization of that public body; and
- e) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, this Act and any of the public body's policies and procedures relating to the confidentiality of personal information.

Section 35, *FIPPA*

9. Neither “research” nor “statistical research” is defined in the Act or in regulations under the Act.

Schedule 1, *FIPPA*
Section 1, Freedom of Information and
Protection of Privacy Regulation B.C.
Reg. 323/93 (“*FIPPA* Regulation”)

10. The Government of British Columbia’s Policy Manual characterizes section 35 of the Act as follows:

“Section 35 permits disclosure of information for purposes related to research and statistical studies providing all four conditions in the section have been met”.

11. The Policy Manual defines “research” as follows:

“Research is a systematic investigation into and study of materials or sources in order to establish facts and reach new conclusions [OED]. In order for a disclosure of personal information for a “research purpose” to be permissible, the research must intend to use the personal information to investigate and ascertain facts or verify theories.”

12. The Policy Manual defines “statistics” as follows:

“‘Statistics’ is the science of collecting and analyzing numerical data, especially large quantities of data and usually inferring proportions in a whole from proportions in a representative sample; any systematic collection or presentation of such facts [OED]”.

13. The Policy Manual defines “statistical research” as follows:

“‘Statistical research’ is any research based on these methods using quantifiable information, for example, to study trends, extrapolate from the data and/or draw conclusions. Statistical research is often done in demographics (e.g. to study the incidence of disease) to evaluate the success of training or health programs or to study other social issues and trends”.

14. The “Policy” section of the Policy Manual’s directions on section 35 provides that, among other things:

- a) a public body is permitted, but not obliged to, disclose personal information for research purposes; if the public body is not completely satisfied a researcher will comply with the provisions of a research agreement, it shall refuse to provide approval;
- b) the public body must be satisfied that all four requirements of section 35 are met before approving a research agreement;
- c) a public body shall only authorize a research agreement for a *bona fide* research project;
- d) the research agreement is not to be used as a means to browse records;
- e) personal information sets cannot be matched or compared with one another to make a decision about a particular person's entitlement or eligibility for, a job, benefit or service;
- f) the head of the public body must be satisfied that, without prior approval of the head, the recipient will not disclose or share the personal information with any other party, except as specified in the research agreement, and will destroy any personal identifiers in the information as soon as possible; for example, without prior approval of the head, the research may not use the information for another study, use the information to sell products or services to the subjects of the study or sell or give the information to a charity or solicit donations;
- g) the head of the public body must be satisfied that adequate security measures are in place to ensure the physical security of the personal information from unauthorized access, disclosure, theft or other danger; and

- h) research agreements shall be time limited and shall be drafted for the minimum amount of time required to conduct the research or study; research agreements shall not be ongoing or “open-ended” but may be renewed as required.

15. The Data Policy contains a number of significant elements that are not found or grounded in section 35, in the FIPPA regulations, in the Policy Manual or the Policy Manual’s sample research agreement, including:

- a) research that an applicant for a section 35 research agreement proposes to do must be reviewed by an ethical committee at a post-secondary institution;
- b) researchers will get the minimum data required to perform their analysis and, where possible, Personal Education Numbers (“PENs”) and school codes will be encrypted to further protect the privacy of individuals and schools;
- c) the Defendants retains the option of requiring any researchers to provide the Defendants with the results of any research conducted with Defendants data prior to publication of the research; and
- d) the Defendants may veto the release of any material related to the research agreement.

The lawful exercise of discretion

16. A public officer may only exercise discretion according to the law granting the power to decide.

17. A public officer may only exercise discretion within the bounds of the jurisdiction granted by statute – reasonably, in good faith, for a proper purpose and ignoring irrelevant considerations.

18. A public officer must consider all relevant factors and ignore all irrelevant ones
19. A public officer must not decide for his or herself that a “public interest” overrides the direction that flows from the empowering legislation.
20. A public officer must not fetter his or her discretion by reliance on a policy, rule or guideline of their own creation.

The unlawful abuse of discretion

21. The Defendants failed to exercise discretion within the bounds of jurisdiction conferred by the Act.
22. The Defendants failed to exercise discretion for a proper purpose and exercised discretion for an improper purpose.
23. In exercising discretion, the Defendants failed to take into account relevant factors and took into account irrelevant factors.
24. The Defendants unlawfully fettered their discretion by relying on a policy of their own creation that has no foundation in either the Act or the government’s Policy Manual.
25. The Defendants exercised discretion under section 35, and otherwise conducted themselves in regard to their discretion to provide other education data to the Plaintiffs:
 - a) aware that their conduct was unlawful and likely to injure the Plaintiffs, or
 - b) in the alternative, in a manner that breached their duty to the Plaintiffs to take reasonable care in reviewing and approving applications for access to records and subjects them to the Plaintiffs for such damages as he sustained as a natural and direct consequence thereof.

26. Her Majesty the Queen in the Right of British Columbia as represented by the Minister of Education is vicariously liable for any tortious conduct of the Defendants.

27. The Plaintiff pleads and relies on the provisions of the *Negligence Act*, R.S.B.C. 1996, C. 333.

Plaintiffs' address for service: Heenan Blaikie LLP
514 – 737 Yates Street
Victoria, BC
V8W 1L6
Attn: **JOHN S. HEANEY**

Fax number address for service (if any): 1-866-615-8276

E-mail address for service (if any): jheaney@heenan.ca

Place of trial: Victoria, British Columbia

The address of the registry is: 850 Burdett Avenue
Victoria, BC V8W 9J2

Date: September 30, 2011

Signature of **JOHN S. HEANEY**
Lawyer for the Plaintiffs, Dr. John Taylor and
ADMINFO RESOURCES INC.

Rule 7-1 (1) of the Supreme Court Civil Rules states:

(1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

- (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and
- (b) serve the list on all parties of record.

APPENDIX

[The following information is provided for data collection purposes only and is of no legal effect.]

Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:

In the exercise of their duties with the provincial government, the Defendants tortiously injured the Plaintiffs and caused them significant economic damages.

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:

[Check one box below for the case type that best describes this case.]

A personal injury arising out of:

- ☐ a motor vehicle accident
- ☐ medical malpractice
- ☐ another cause

A dispute concerning:

- ☐ contaminated sites
- ☐ construction defects
- ☐ real property (real estate)
- ☐ personal property
- ☐ the provision of goods or services or other general commercial matters
- ☐ investment losses
- ☐ the lending of money
- ☐ an employment relationship
- ☐ a will or other issues concerning the probate of an estate
- ☒ a matter not listed here

Part 3: THIS CLAIM INVOLVES:

[Check all boxes below that apply to this case]

- ☐ a class action
- ☐ maritime law
- ☐ aboriginal law
- ☐ constitutional law
- ☐ conflict of laws
- ☒ none of the above
- ☐ do not know

Part 4:

[If an enactment is being relied on, specify. Do not list more than 3 enactments.]

No. _____
Victoria Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

DR. JOHN TAYLOR and ADMINFO RESOURCES INC.

PLAINTIFFS

AND:

**HER MAJESTY THE QUEEN IN THE RIGHT OF BRITISH COLUMBIA AS
REPRESENTED BY THE MINISTER OF EDUCATION and EMERY DOSDALL
and JAMES GORMAN and GERALD MORTON and WILL SHERMAN and
BRENT MUNRO and RENATE BUTTERFIELD and BARRY ANDERSON and
CHRISTINA SINNEMANN**

DEFENDANTS

NOTICE OF CIVIL CLAIM

JOHN S. HEANEY

HEENAN BLAIKIE LLP

Barristers and Solicitors

#514 – 737 Yates Street

Victoria, BC V8W 1L6

Telephone: 250-381-9599

Facsimile: 1-866-615-8276

Email: jheaney@heenan.ca

Page 89 of 98

Withheld pursuant to/removed as

s.14

Page 90 of 98

Withheld pursuant to/removed as

s.14

Page 91 of 98

Withheld pursuant to/removed as

s.14

Page 92 of 98

Withheld pursuant to/removed as

s.14

Page 93 of 98

Withheld pursuant to/removed as

s.14

Page 94 of 98

Withheld pursuant to/removed as

s.14

Page 95 of 98

Withheld pursuant to/removed as

s.14

Page 96 of 98

Withheld pursuant to/removed as

s.14

From: [John Taylor](#)
To: [Therrien, Darlene HLTH:EX](#)
Cc: [EDUC Governance and Analytics EDUC:EX](#)
Subject: RE: Civil claim settlement
Date: November 15, 2017 10:10:48 AM

Hi Darlene,

Following my emails to you on October 6 and October 18, 2017, I am writing again to ask if you have an update on the status of the Ministry of Education's response to the "Conduct" document and some insights into the Ministry's position regarding its willingness to negotiate a fair settlement of my civil claim. In the "Conduct" document, I have provided some options for what I consider to be a win-win scenario to settle the matter.

A brief review of the timeline this year, updated to the present day ...

February 24, 2017

I provided you and Chelsea Chalifour with two copies of my document entitled "BC Ministry of Education Conduct and its Effects on the Adminfo Education Reporting System" (the "Conduct" document). This is the basis we have been using to negotiate a settlement out of court.

April 29, 2017

You advised that you have completed a review, and you now needed to touch base with your legal branch.

July 29, 2017

Following my email queries to you on July 7 and July 28, you advised on July 29 that your legal office could not find the "Conduct" document.

August 2, 2017

I provided two more copies of the "Conduct" document to you, and you advised they were forwarded to your legal office.

Putting aside the loss of three months caused by the misplacement of the "Conduct" document between April 29 and July 29, your review took about 9 weeks, and your legal office has now had the document for a further 15 weeks since August 2, 2017.

Please advise on the current status of the Ministry's deliberations with this matter.

At some point, I need to decide whether there is a realistic prospect of a fair settlement through negotiations, or if I need to pursue other means. Of course, I would prefer the former rather than the latter, and I have given the Ministry considerable leeway in finding the time to determine its legal and moral position regarding my preferred option, out of the public eye.

I expect the government would prefer to keep it that way, since the optics of the Ministry's conduct I have documented do not flatter the government.

Regards,

John

--

ADMINFO Resources Inc.
4490 Copsewood Place
Victoria B.C.
Canada V8X 4S5
Ph/fax: +250-658-0366
