

Restoration 101

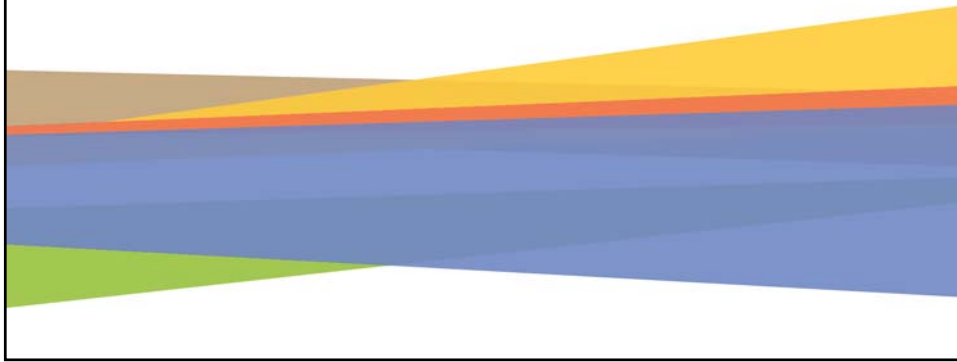
WHAT THE RESTORED CONTRACT MEANS FOR NVSD

Overview

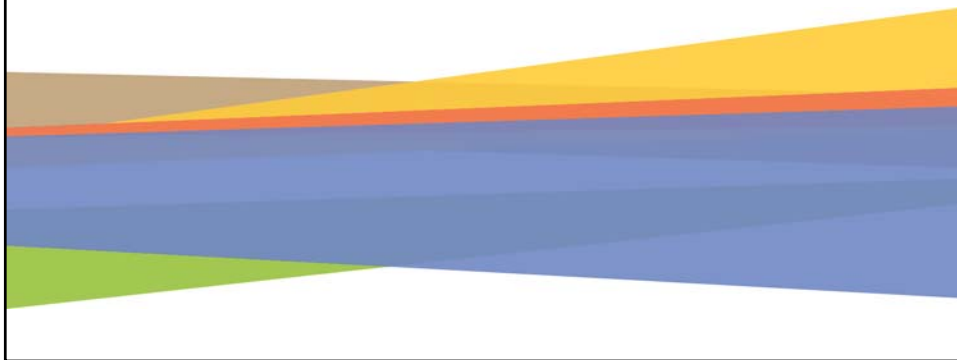


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Introductions



How did we get here?



Supreme Court of Canada Decision



- On January 25, 2002, the Provincial Government introduced Bills 27 and 28 which removed substantial language from teacher Collective Agreements. The bills passed on January 27, 2002.
- The removal of language was extensive and included many provisions that defined class size and class composition, as well as many of the practices that were embedded in the organizations of schools. One example: how "School Based Teams" were organized to support students with learning needs.
- The impact was significant changes over time to all areas:
 - Enrolling
 - Non-enrolling
 - Support services

Supreme Court of Canada Decision



- While practice evolved since 2002 (15 years), there has been an ongoing legal battle that has been through several courts.
- In November 2016, the Supreme Court of Canada reinstated all the struck language.
- The BCTF won and a return to restored language will be in place for 2017/2018.
- From November 2016 to March 2017, the BCTF/Government negotiating "how" to restore the language.

Government/BCTF Agreement March 2017



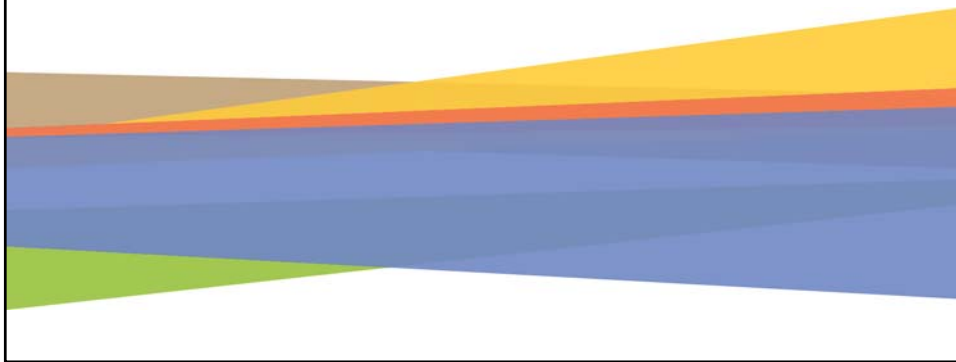
- March 2017: BCPSEA, BCTF and Provincial Government agree to a MOA (Memorandum of Agreement) regarding restoration of contract language that was removed in 2002.
- This language is **OUR** language moving forward.

Shared Commitment to Equitable Access to Learning

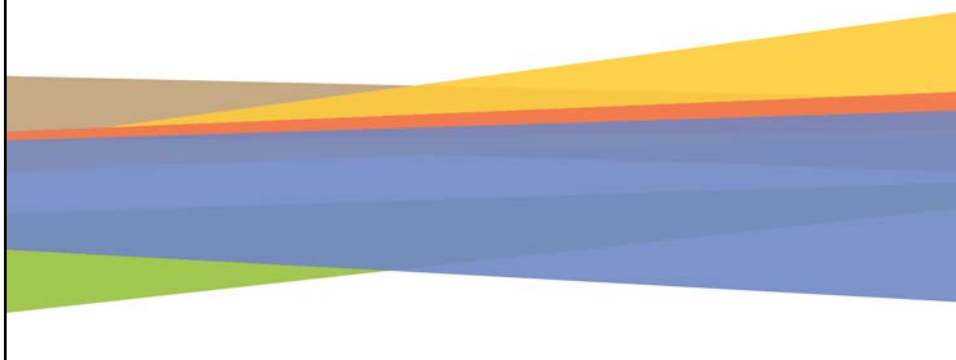


- “All students are entitled to equitable access to learning, achievement and the pursuit of excellence in all aspects of their education. The Provincial Parties are committed to providing all students with special needs with an inclusive learning environment which provides an opportunity for meaningful participation and the promotion of interaction with others. The implementation of this Memorandum of Agreement shall not result in any student being denied access to a school, educational program, course, or inclusive learning environment unless this decision is based on an assessment of the student’s individual needs and abilities.”

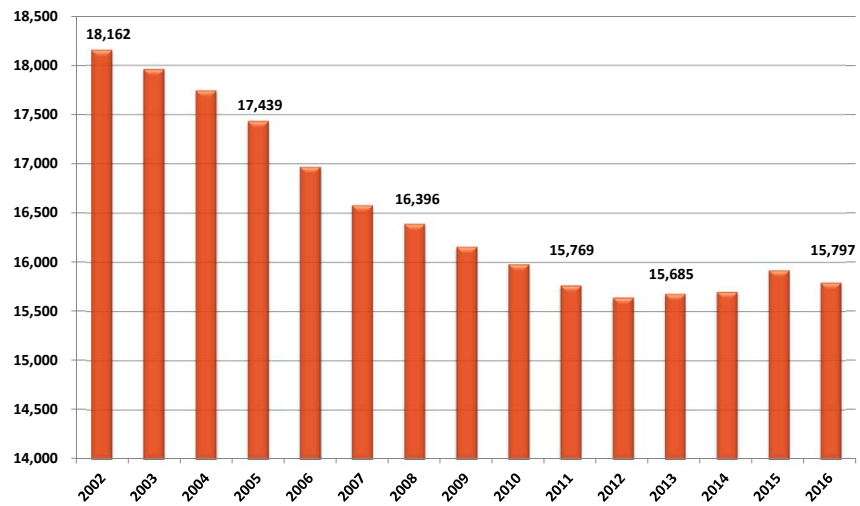
What has changed since 2002?



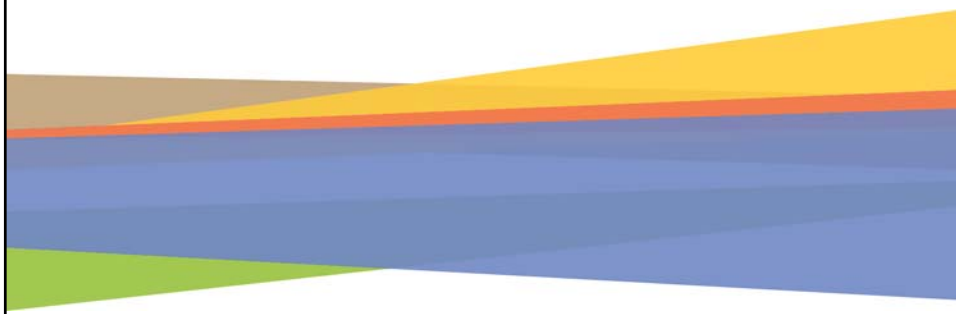
Enrolment 2002 - 2017



NVSD Student Enrollment 2002-2017



Students With Special Needs



What has changed?

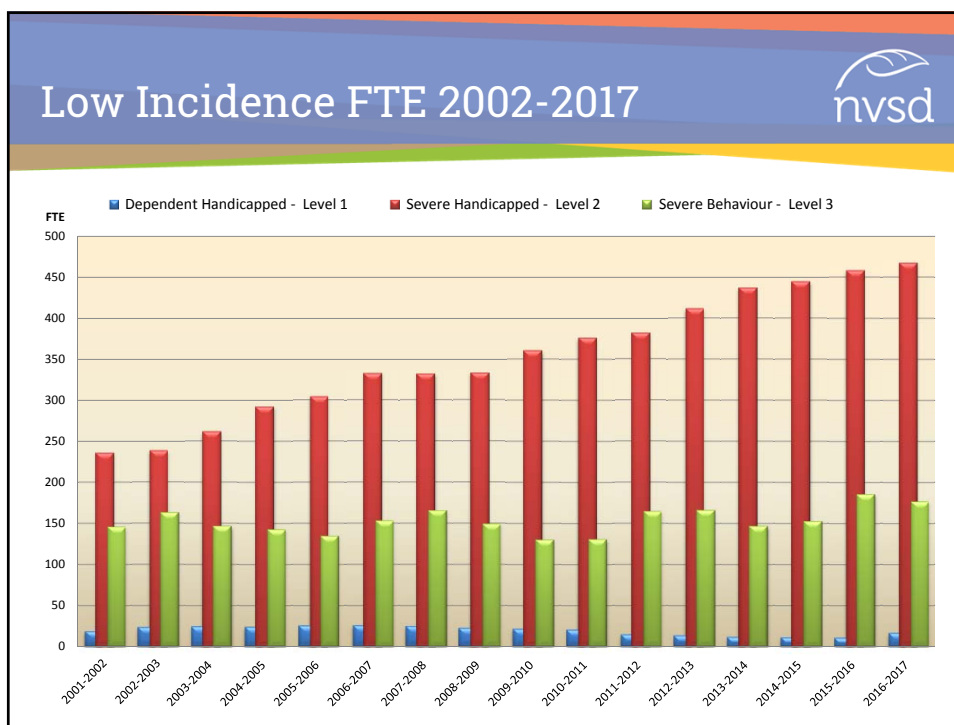
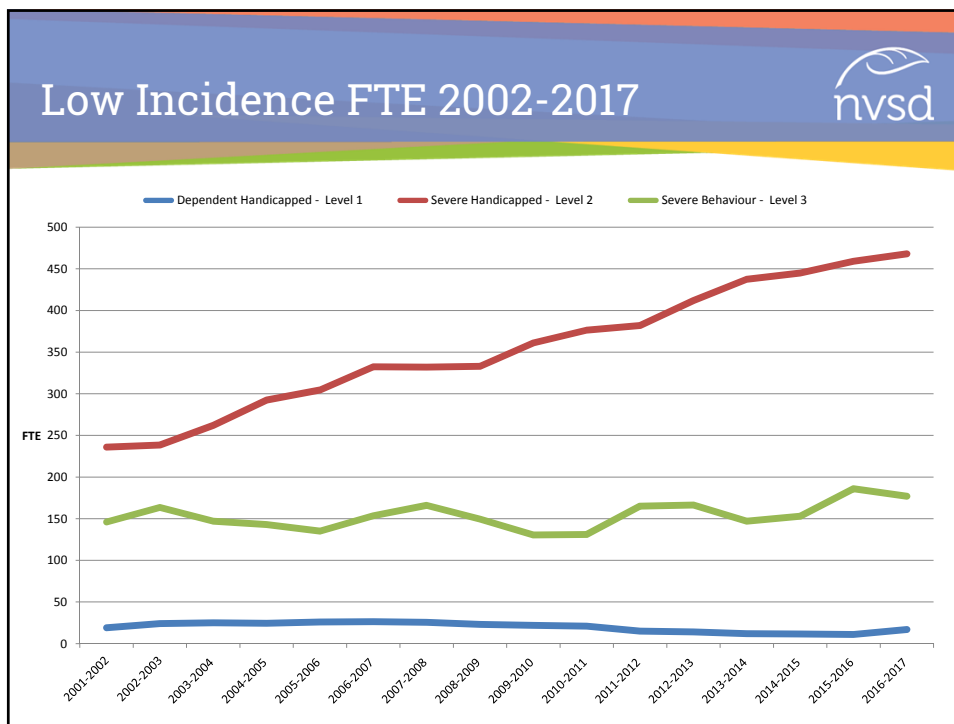


- In 2002 – “H” was a designation called Severe Behaviour.
- In 2002 – we also had a “D” which was Chronic Health.
 - Serious Mental Illness was one medical diagnosis that fell into the D category
 - Cerebral Palsy, Diabetes, Crohn’s Disease, others
 - D’s actual name was “Physical Disabilities or Chronic Health Impairment”
- In 2017 – “H” is called Intensive Behaviour Intervention or Serious Mental Illness.
- Over time, we have blended two very different designations. In general, a majority of students who have serious mental illness (e.g., anxiety) do not manifest as a severe behavioural challenge in class.

Low Incidence FTE 2002-2017



Year	Dependent Handicapped				Severe Handicapped				Severe Behaviour					
	Level 1				Level 2				Level 3					
	FTE	\$	Total \$	% FTE	FTE	\$	Total \$	% FTE	FTE	\$	Total \$	% FTE	Total FTE	% FTE
2001-2002	19.00	\$31,910	\$606,290		236.00	\$12,460	\$2,940,560		146.00	\$6,014	\$878,044		401.00	
2002-2003	24.00	\$30,000	\$720,000	26.32%	238.50	\$15,000	\$3,577,500	1.06%	163.50	\$6,000	\$981,000	11.99%	426.00	6.23%
2003-2004	25.00	\$30,000	\$750,000	4.17%	262.00	\$15,000	\$3,930,000	9.85%	147.00	\$6,000	\$882,000	-10.09%	434.00	1.88%
2004-2005	24.50	\$30,000	\$735,000	-2.00%	292.50	\$15,000	\$4,387,500	11.64%	143.00	\$6,000	\$858,000	-2.72%	460.00	5.99%
2005-2006	26.00	\$32,000	\$832,000	6.12%	304.50	\$16,000	\$4,872,000	4.10%	135.00	\$8,000	\$1,080,000	-5.59%	465.50	1.20%
2006-2007	26.25	\$32,000	\$840,000	0.96%	332.50	\$16,000	\$5,320,000	9.20%	153.50	\$8,000	\$1,228,000	13.70%	512.25	10.04%
2007-2008	25.50	\$32,000	\$816,000	-2.86%	332.00	\$16,000	\$5,312,000	-0.15%	166.00	\$8,000	\$1,328,000	8.14%	523.50	2.20%
2008-2009	23.00	\$32,000	\$736,000	-9.80%	333.00	\$16,000	\$5,328,000	0.30%	149.50	\$8,000	\$1,196,000	-9.94%	505.50	-3.44%
2009-2010	22.00	\$32,000	\$704,000	-4.35%	361.00	\$16,000	\$5,776,000	8.41%	130.50	\$8,000	\$1,044,000	-12.71%	513.50	1.58%
2010-2011	21.00	\$36,600	\$768,600	-4.55%	376.50	\$18,300	\$6,889,950	4.29%	131.00	\$9,200	\$1,205,200	0.38%	528.50	2.92%
2011-2012	15.00	\$36,600	\$549,000	-28.57%	382.00	\$18,300	\$6,990,600	1.46%	165.00	\$9,200	\$1,518,000	25.95%	562.00	6.34%
2012-2013	14.00	\$36,600	\$512,400	-6.67%	412.00	\$18,300	\$7,539,600	7.85%	166.50	\$9,200	\$1,531,800	0.91%	592.50	5.43%
2013-2014	12.00	\$36,600	\$439,200	-14.29%	437.50	\$18,300	\$8,006,250	6.19%	147.00	\$9,200	\$1,352,400	-11.71%	596.50	0.68%
2014-2015	11.50	\$36,600	\$420,900	-4.17%	445.00	\$18,300	\$8,143,500	1.71%	153.00	\$9,200	\$1,407,600	4.08%	609.50	2.18%
2015-2016	11.00	\$37,700	\$414,700	-4.35%	459.00	\$18,850	\$8,652,150	3.15%	186.00	\$9,500	\$1,767,000	21.57%	656.00	7.63%
2016-2017	17.00	\$37,700	\$640,900	54.55%	468.00	\$18,850	\$8,821,800	1.96%	177.00	\$9,500	\$1,681,500	-4.84%	662.00	0.91%



Severe Behaviour/Serious Mental Health



Choices	- Embedded Support
DRT	- Educational Planning
Mountainside Secondary	- Integrated Support



What is being restored?

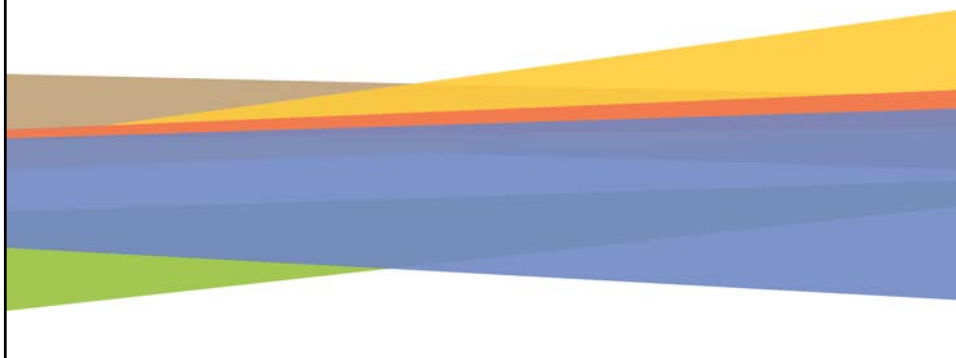
What is Being Restored?



- The NVSD Contract that was in place in 2001 is being restored.
- This includes:
 - NVSD Class size and Composition language
 - NVSD Ratios
 - NVSD Committees



Class Size / Composition



Restored Composition Rules



Article D.1.9

- “No more than three (3) students with special needs shall be integrated into a single regular classroom. Only one (1) of these may be from a low incidence category. Category 1.17 (Severe Behaviour).”

Class Size



Class Size Limits		
Class/Subject	Restored Language	Current
K	20	22
K-1	20	22
1-3	22	24
1-3 split	22	24
1-3 multi-age	22	24
3-4 split	23	24
4-7	29	30
4-7 split	27	30
8-10	30	30
11-12	30	30
Secondary English	28	30
ELL	15	15*
LAC groups (secondary)	12	15*
Special Education (Funct. 3)	10	15*

* There was no specific class size; however, generally the classes were kept at smaller sizes.

Ratios / Specialist Teachers



Non-Enrolling Ratios

	2016-17 Budget		
	Operating budget + TEF	NVSD Ratio: FTE	Variance <i>Over (Under)</i>
Total Librarians (Before NIT)	23.45	29.40	-5.95
Total Counsellors	36.30	27.75	8.55
Total Learning Support Teachers	88.57	34.91	53.66
Total SERT	18.40	44.02	-25.62
Total ELL (ESL) Teachers	15.32	16.71	-1.39
TOTALS:	182.04	152.79	29.25

Increased Staff



- Approximately 43 new Teacher positions, as compared to the start of the 2016/17 school year, are coming into the system.
- The positions predominantly will be enrolling teaching positions (Classroom teachers).

Ancillary Language & Committees



- Mainstreaming and Integration Committee
- Special Needs Schools Committee
- EA Allocation(s)
- District Screening Committee

* The language in the Collective Agreement at that time (including Committee names above) was originally written when Students with Special Needs were just being brought into Regular classrooms.

Special Needs Schools Committee



- "The Board and the Association recognize that there are schools which enrol students with significant social, emotional, physiological and economic needs.
- The Board further recognizes that it must provide additional personnel and resources in order to equalize the educational opportunity for students in these schools.
- A Joint Committee, of equal representatives between the Board and the Association, shall be struck to identify those schools which meet the criteria required for Special Needs designation, as well as to identify any additional resources beyond those specified in this Article (D.3), and it shall make such recommendations to the Board."

District Screening Committee



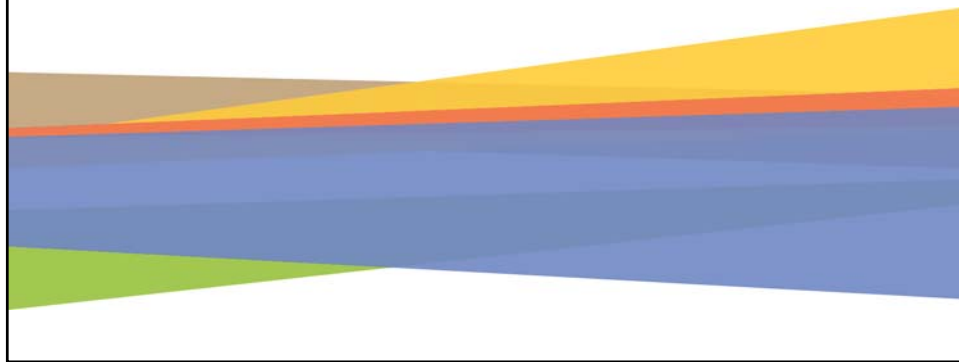
- “Criteria for the screening of Students with Special Needs shall be developed by the District Screening Committee and the criteria shall be used for the identification of Students with Special Needs.
- A student may be removed from Students with Special Needs designation by the District Steering Committee.
- Referrals from the School-based Resource Team shall be processed and a decision made within thirty (30) calendar days.
- The District Screening Committee shall completed the process of screening students by June 1st of each year.”

Mainstreaming/Integration Committee



- “The Joint Mainstreaming/Integration Committee shall continue to study the issue of mainstreaming and integration. The Committee shall make recommendations to the Board and the Association.”

Space



Ministry of Education: Direction

Ministry Direction: Taxpayers Accountability Act

"Where portables are being considered, the school district must clearly demonstrate no other options exist to create space, the portables can be installed and ready for September 2017, and will be required over a minimum five-year planning horizon."

MOA Implementation Guide

What does that mean for schools?

Priority will be given to minor tenant improvements, conversion of space, that can be completed prior to September 2017.

Conversion of space will be different at each school, but may include:

- Re-utilization of Art rooms
- Re-utilization of Music rooms
- Re-utilization of Computer Lab
- Re-utilization of Activity/multi purpose rooms
- Re-organization of LAC classroom(s)
- Re-utilization of Stages
- “Taking back” of Leased Space (day care/pre-school)

Space



The school district needs to show utilization of these spaces prior to receiving portable(s) or other capital funding.

What does this mean?

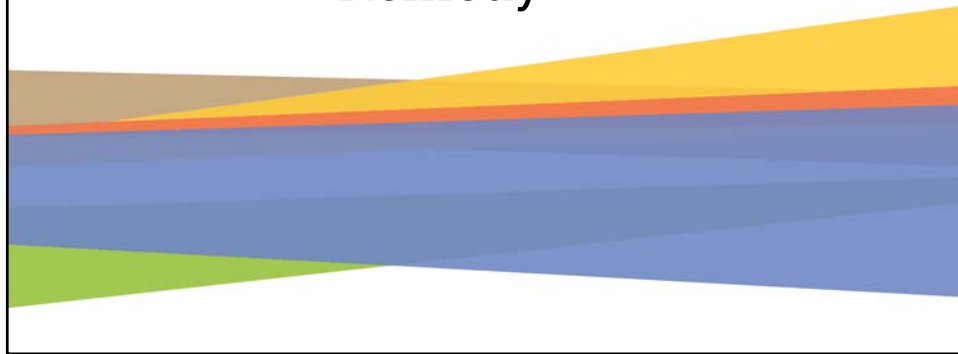


Possible change of location of program(s).

The School District is working to minimize disruptions to school(s) and programs while balancing community needs

What happens if we can't meet all the Collective Agreement requirements?

Remedy



"Best Efforts"

Best Efforts to be made to achieve Compliance:

- a) Re-examining existing school boundaries;
- b) Re-examining of existing space within a school or across schools that are proximate to one another;
- c) Utilizing Temporary classrooms;
- d) Reorganizing existing classes within a school to meet any class composition language, where doing so will not result in a reduction in a maximum class size by more than:
 - 5 students in K-3
 - 4 students for secondary shop or lab classes where the local class size limits are below 30 and;
 - 6 students in all other grades (4-12)
- e) Renegotiating the terms of existing leases or rental contracts that restrict the School Districts ability to fully comply with the restored collective agreement provisions regarding class size and composition;
- f) Completing the post and fill process for all vacant positions.

Remedy Options



Remedy Options Agreed to by the BCTF, BCPSEA and Provincial Government:

- 1) Additional Preparation time for the affected teacher;
- 2) Additional non-enrolling staffing added to the school specifically to work with the affected teachers' class;
- 3) Additional enrolling staffing to co-teach with the affected teacher;
- 4) Other remedies that the local parties agreed would be appropriate.

*Note: the provincially agreed to remedies are focused on providing resources back into the school environment.



Final Thoughts

Positive = more resources in the school district

We will need to work through the integration of the restored language in the modern context of Education today.

Facilities and Purchasing staff will be working during the summer to prepare classrooms for September opening.

School will need to work through the reorganization of space,

Questions?

