

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF EDUCATION

School Act

Ministerial Order No.

I, George Abbott, Minister of Education, order that, effective July 1, 2012, the attached Class Size and Compensation Regulation is made.

March 27/12
Date

George Abbott
Minister of Education

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

Authority under which Order is made:

Act and section: School Act, R.S.B.C. 1996, c. 412, s. 168.01

Other: _____

March 22, 2012

R/177/2012/27

CLASS SIZE AND COMPENSATION REGULATION

Definitions

- 1 (1) In this regulation:
 - “Act” means the *School Act*;
 - “class” means a group of students scheduled to be together at least twice a week with a teacher for the purposes of engaging in an educational program;
 - “eligible teacher” means a teacher who, in a year in which additional compensation under section 4 may be provided, is not in a category of teachers prescribed under section 3.
- (2) For the purposes of section 76.1 (2) of the Act:
 - “grades 1 to 3” means a class containing students in those grades and includes a class containing students in those grades and in any other grade except kindergarten;
 - “kindergarten” means a class containing kindergarten students and includes a class containing kindergarten students and students in any other grade.

Classes not subject to 30-student limit

- 2 The following categories of classes are prescribed for the purposes of section 76.1 (2.1) (b) of the Act:
 - (a) an adult or continuing education class;
 - (b) a class conducted by means of distributed learning;
 - (c) a class that is part of an alternate program;
 - (d) a class that meets for the purpose of a work study or work experience program;
 - (e) a class that is limited to students enrolled in a specialty academy, as defined in section 82.1 (1) of the Act;
 - (f) a music class, including band, choir, instrumental music and orchestra;
 - (g) a performing arts class, including drama and dance;
 - (h) a Planning 10 class;
 - (i) a board-authorized leadership course.

Ineligible teachers

- 3 The following categories of teachers are prescribed for the purposes of section 76.1 (2.3) (b) of the Act:
 - (a) teachers on call;
 - (b) teachers on a term appointment of less than one calendar month;
 - (c) teachers who, in a school year, have not submitted a notice under section 4 (2).

Additional compensation

- 4 (1) For every month of the school year, except September, that an eligible teacher is a teacher referred to in section 76.1 (2.2) (b) of the Act, the board must provide to the eligible teacher additional compensation that has a dollar value determined as follows:

$$DV = [AV \div 9] \times P \times S$$

where:

- DV = the dollar value of the additional compensation
- AV = the average salary, for the previous school year, of a full-time teacher in the Province, divided by 30
- P = the percentage of a full-time instructional month that the teacher teaches the class
- S = the highest number of students enrolled in the class during the month for which the calculation is made, minus 30
- (2) An eligible teacher of a class referred to in section 76.1 (2.1) (a) of the Act, after consulting with the school's principal, may submit a notice to the board identifying the form of additional compensation the board is to provide to the eligible teacher.
- (3) In a notice under subsection (2), an eligible teacher may identify one or more of the following forms of additional compensation:
- (a) additional preparation time;
 - (b) an additional professional development allowance;
 - (c) an additional allowance for classroom supplies and equipment;
 - (d) additional pay.
- (4) Subject to subsection (6), after receiving a notice under subsection (2), a board must provide to the eligible teacher the additional compensation identified in the notice.
- (5) Nothing in subsection (4) requires a board to provide additional preparation time to an eligible teacher for a time period when, in the board's opinion, an appropriate teacher on call is not available to take the place of the eligible teacher.
- (6) If, at the end of a school year, an eligible teacher is still entitled to additional compensation for that school year, the board must provide it in the form of additional pay.
- (7) A board's obligation, in respect of a school year, to pay additional compensation to an eligible teacher must be met within one month after the end of the school year.