

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF
EDUCATION

School Act

Ministerial Order No.

I, George Abbott, Minister of Education, order that, effective April 14, 2012, the attached Learning Improvement Fund 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, section 168.01

Other: _____

March 22, 2012

R/234/2012/27

LEARNING IMPROVEMENT FUND REGULATION

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Definitions

- 1 In this regulation:

“Act” means the *School Act*;

“estimated grant” means the amount of the grant

- (a) that the minister estimates will be provided to a board, and
- (b) that the board has been notified of, under section 115.2 (3) (b) of the Act, by the minister.

Consultations and spending plan

- 2 (1) Before making a submission to the minister under subsection (6), a board must ensure that consultations are carried out as follows:
 - (a) the principal or vice principal of each school in the district consults with at least one of
 - (i) the school’s teaching staff,
 - (ii) the staff committee, and
 - (iii) the staff representativeto identify for the superintendent which classes, if any, in the following school year will require additional resources to address learning improvement issues, taking the following into account with respect to each class:
 - (iv) the number of students assigned to the class and the learning needs of those students, including the resource requirements of students with diagnosed special needs;
 - (v) the experience and capacity of the teacher of the class and the resources already available to support learning in that class;
 - (b) the district superintendent, in consultation with the president of the local teachers’ union, formulates a tentative spending plan that is based on the consultations referred to in paragraph (a);
 - (c) within a reasonable time after the first day of classes of the school year referred to in paragraph (a), the principal or vice principal of each school in the district
 - (i) consults with at least one of
 - (A) the school’s teaching staff,
 - (B) the staff committee, and

- (C) the staff representative
to review the tentative spending plan referred to in paragraph (b), and
- (ii) advises the superintendent, based on the consultations referred to in subparagraph (i), of any changes to the priorities identified to the superintendent under paragraph (a);
- (d) the superintendent makes reasonable efforts to reach an agreement with the president of the local teachers' union respecting the contents of a spending plan to be submitted to this minister under subsection (6).
- (2) After complying with subsection (1) (d), the superintendent must submit to the board a spending plan for submission to the minister under subsection (6).
- (3) For greater certainty, an obligation under subsection (1) to carry out a consultation is satisfied if the person on whom the obligation is imposed provides to the persons with whom he or she must consult a reasonable opportunity to engage in the consultation.
- (4) In addition to doing the things described in subsection (1) (a) and (c), the principal and vice principal may consult with the applicable parent advisory committee respecting the matters referred to in that subsection.
- (5) In addition to doing the things described in subsection (1) (b) and (d), the superintendent may consult with the applicable district parent advisory council respecting the matters referred to in that subsection.
- (6) A board requesting, in a fiscal year, a grant under section 115.2 of the Act must submit to the minister, by the time and in the manner specified by the minister, a spending plan that allocates the estimated grant with respect to one or more of the following:
- (i) the provision of additional teaching staff and teacher assistants and other para professionals;
 - (ii) additional teaching time and services to students;
 - (iii) professional development training of teaching staff to address challenging learning conditions;
 - (iv) a reserve fund, not exceeding 30% of the estimated grant, that may be used for any of the purposes described in subparagraphs (i) to (iii), as the board considers appropriate.

Use of grant

- 3** A board that receives a grant under section 115.2 of the Act must use the grant in accordance with the spending plan submitted to the minister under section 2 (4).

Reduction prohibited

- 4** A board that receives a grant under section 115.2 of the Act must not reduce the expenditures it would have made to address learning improvement issues if the board did not receive the grant.

