

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

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*(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.