



SCHOOL DISTRICT 5

S O U T H E A S T K O O T E N A Y

June 9th, 2015

SD5 Critical of Newly Legislated Changes to School Act

At the June 9th, 2015 public Board meeting, School District 5 (SD5) Southeast Kootenay added their voice to that of other Boards across the province, writing government with their concerns over government's lack of consultation on Bill 11 and the speed with which government rushed it into law.

Bill 11 was introduced into legislature on March 16th, 2015 and contains several amendments to the School Act, Teachers Act and Advanced Education Statutes Amendment Act. The Bill was carried into legislature just six weeks later, on May 14th.

SD5 Chair Frank Lento says one of the key concerns for the Board is what this Bill means for democracy in BC. "Changes to the School Act dilute the decision-making powers of locally elected Boards of Education while providing broad and unprecedented powers to a sole individual, the government-appointed Minister of Education.

According to Lento, amendments have been made to sections of the School Act that pertain to shared service decisions, student data disclosure and administrative directives – including the appointment of a special advisor/committee to school districts and the management of a district's schools and school properties.

"The decision to close a school or sell school property rests with the local Board of Education, an elected body which is required to consult, in good faith, with their community prior to decision-making. The recently amended School Act gives the Minister of Education the sole authority to direct a district to close a school or sell a property —without ever setting foot in the community."

For over one hundred years Boards of Education have been elected to represent their communities in educational matters, including advocacy to the Province on such issues as school replacement, funding and the delivery of education.

"At present, there is a reasonable expectation by British Columbians that the Trustees they elect are afforded the same capacity to represent their constituents as municipal, provincial and federally elected representatives", says Lento. "Our Board believes that Bill 11, by transferring important decision-making powers to a single individual in Victoria is a direct threat to these democratic rights and expectations, regardless of the individual's political affiliation."

In addition to concern over the Bill's content, the lack of consultation afforded by government is also of concern. As co-governors, Boards of Education share responsibility for public education with the Ministry of Education (MoE) as outlined in their recently updated Memorandum of Understanding (MoU). The MoU, which was jointly authored by the BC School Trustees' Association (BCSTA) and the MoE was updated in December 2014, a scant four months prior to government's first introduction of Bill 11.

While the BCSTA and its member-boards requested consultation prior to the Bill's introduction into legislation and again prior to its third and final reading into law, the request went unheeded.

Still, the BCSTA appears hopeful that, as promised by Minister of Education Peter Fassbender, meaningful consultation between the co-governors will take place regarding any new regulations developed to support this new legislation.

Lento is not so optimistic saying the "opportunity to work together" has repeatedly been ignored by the provincial government. "They have a track record of doing things without so much as a heads' up", says Lento recalling the 2013 dismantling of the BC Public School Employers' Association (BCPSEA) Board and most recently, the \$54 million dollar "administrative savings" Boards have been directed to cut from their budgets, cuts described by Premier Christy Clark as "low-hanging fruit".

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