

CLASS SIZE REGULATION

Authority: *School Act*, section 76.1 and 175 (2)(f)

B.C. Reg. 245/02..... Effective August 12, 2002
Amended by BC Reg. 445/03..... Effective July 1, 2004
Amended by BC Reg. 255/06..... Effective September 8, 2006
Amended by BC Reg 205/08..... Effective June 27, 2008
Lieutenant Governor in Council Regulation

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Definitions

1 (1) In this regulation:

"Act" means the *School Act*;

"class" means a group of students regularly scheduled to be together in a classroom for the purposes of instruction in an educational program.

(2) For the purposes of section 76.1 (2) [*maximum class size for kindergarten and grades 1 to 3*] 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.

(3) For the purposes of section 76.1 (2.1) [*maximum class size for grades 4 to 7*] of the Act, "grades 4 to 7" means a class containing students in those grades and includes a class containing students in those grades and in any other grade except kindergarten and grades 1 to 3.

(4) For the purposes of sections 76.1 (2.2)(b), 76.1 (2.3)(b), 76.2 (a) and 76.3 (8)(a)(i) of the Act, "consult" means

(a) provision by the principal of a school to the teacher of a class with

(i) information relevant to a proposal for the size and organization of the class, and

(ii) 2 school days before a decision is made respecting the size and organization of the class for the teacher to consider the proposal and provide the principal with the teacher's views in that regard, and

(b) consideration by the principal of the teacher's views, if any have been provided,

and "consulted" has a similar meaning

[am. B.C. Reg. 445/03, effective July 1, 2004; am. B.C. Reg. 225/06, effective September 8, 2006; am. B.C. Reg. 205/08, effective June 27, 2008]

Determination dates

1.1 (1) A superintendent of schools for a school district must determine the average size of a board's classes, in the aggregate, as of the following dates, for the purposes of section 76.1 (1) of the Act:

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(a) September 30;

(b) January 15 or May 15 or both, in respect of the board's kindergarten, grades 1 to 3, grades 4 to 7 or grades 8 to 12 classes, if the superintendent has reasonable grounds to believe that the average class size of the board's kindergarten, grades 1 to 3, grades 4 to 7, or grades 8 to 12 classes has increased since the previous determination.

(2) If the superintendent determines the average size of a class as of a date referred to in subsection (1) (b), the reference to "September 30" in sections 2 to 4 must be read as "January 15" or "May 15" as applicable.

[am. B.C. Reg. 225/06, effective September 8, 2006]

Kindergarten

2 (1) The average class size, in the aggregate, for kindergarten classes in a school district is determined by the formula:

$$\frac{\text{students}}{\text{classes}}$$

where

students = the total number of students in kindergarten in the school district, as of September 30;

classes = the total number of kindergarten classes in the school district, as of September 30.

(2) For the purposes of counting kindergarten classes under subsection (1), if a class contains kindergarten students and students in another grade, the class must not be counted as one class but as a portion of a class determined by the formula, calculated to one decimal place:

$$\frac{\text{kindergarten students}}{\text{students}}$$

where

kindergarten students = the number of students in the class in kindergarten;

students = the number of students in the class.

[am. B.C. Reg. 225/06, effective September 8, 2006]

Grades 1 to 3

3 (1) The average class size, in the aggregate, for grades 1 to 3 in a school district is determined by the formula:

$$\frac{\text{students}}{\text{classes}}$$

where

students = the total number of students in grades 1 to 3 in the school district, as of September 30;

classes = the total number of grades 1 to 3 classes in the school district, as of September 30.

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(2) For the purposes of counting grades 1 to 3 classes under subsection (1), if a class contains students in grades 1 to 3 and students in kindergarten or another grade, the class must not be counted as one class but as a portion of a class determined by the formula, calculated to one decimal place:

$$\frac{\text{students}}{\text{total students}}$$

where

students = the number of students in the class in grades 1 to 3;

total students = the number of students in the class.

[am. B.C. Reg. 225/06, effective September 8, 2006]

Grades 4 to 7

4 (1) The average class size, in the aggregate, for grades 4 to 7 in a school district is determined by the formula:

$$\frac{\text{students}}{\text{classes}}$$

where

students = the total number of students in grades 4 to 7 in the school district, as of September 30;

classes = the total number of grades 4 to 7 classes in the school district as of September 30.

(2) For the purposes of counting grades 4 to 7 under subsection (1), if a class contains students in grades 4 to 7 and students in another grade, the class must not be counted as one class but as a portion of a class determined by the formula, calculated to one decimal place:

$$\frac{\text{students}}{\text{total students}}$$

where

students = the number of students in the class in grades 4 to 7;

total students = the number of students in the class.

[am. B.C. Reg. 225/06, effective September 8, 2006]

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Grades 8 to 12

4.1 (1) The average class size, in the aggregate, for grades 8 to 12 in a school district is determined by the formula:

$$\frac{\text{students}}{\text{classes}}$$

where

students = the total number of students in grades 8 to 12 in the school district, as of September 30;

classes = the total number of grades 8 to 12 classes in the school district as of September 30.

(2) For the purposes of counting grades 8 to 12 under subsection (1), if a class contains students in grades 8 to 12 and students in another grade, the class must not be counted as one class but as a portion of a class determined by the formula, calculated to one decimal place:

$$\frac{\text{students}}{\text{total students}}$$

where

students = the number of students in the class in grades 8 to 12;

total students = the number of students in the class.

[am. B.C. Reg. 225/06, effective September 8, 2006]

Exclusions

5 In determining class sizes under sections 2 to 4, the superintendent must exclude the following:

- (a) a student in an adult or continuing education program;
- (b) a student in a distributed learning school;
- (c) a class where the educational program is delivered through distributed learning;
- (d) *REPEALED* by B.C. Reg. 225/06
- (e) a student in a Provincial resource program;
- (f) a student in an alternate program;
- (g) a student in a work study or work experience program;
- (h) a class operated exclusively for students who
 - i) have learning disabilities or have disabilities of an intellectual, physical, sensory, emotional or behavioural nature, or
 - ii) have exceptional gifts or talents

[am. B.C. Reg. 225/06, effective September 8, 2006]

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Reports

- 6 (1) Subject to subsection (2), on or before October 30 of each year, a board must prepare and submit to the minister a class size data report in the form and manner and containing the information required by the minister.
- (2) A board may include the class size data report with the report on organization of classes required under section 76.3 (10) of the Act, unless the board has instructed the superintendent to revise the report under section 76.3 (7) (b).

[am. B.C. Reg. 225/06, effective September 8, 2006]