



2017: SB24

**MEMORANDUM TO:** Superintendents of Business and Finance

**FROM:** Andrew Bright  
(A) Director  
Education Funding Branch

**DATE:** September 7, 2017

**SUBJECT:** **Elementary Class Size Reporting Requirements and Compliance for 2017-18**

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I am writing to share information about the reporting requirements for elementary class size data for the 2017-18 school year and important changes to the Ministry of Education's Compliance Framework.

As announced as part of the 2017-18 GSN, the government has made a commitment to invest in reducing class sizes in Full Day Kindergarten (FDK) and Grades 4 to 8. This commitment is a part of the government's plan to improve public education and advance student achievement and well-being. Amendments to O. Reg. 132/12 (Class Size) under the *Education Act* have been made and are effective for the 2017-18 school year. Please refer to [2017:B04](#), [2017:SB14](#) and [O. Reg. 132/12 \(Class Size\)](#) for details.

For 2017-18, as in previous years, school boards should continue to organize elementary classes in accordance with Ontario's class size regulation ([link above](#)). The regulated elementary class size requirements are summarized here for your reference:

- At least 90.0 per cent (90 per cent rounded to the nearest tenth) of primary classes must have 20 or fewer students;
- All primary classes must have 23 or fewer students;
- All combined primary and junior/intermediate classes must have 23 or fewer students;
- A board-wide average class size for FDK which does not exceed 26.0. Please note, the board-wide average class size for FDK classes will be rounded to the nearest tenth (i.e. 26.0 or lower is compliant).

- Up to 10.0 per cent (10 per cent rounded to the nearest tenth) of FDK classes may have up to 32 students only if one of the following exceptions applies: (a) If purpose-built accommodation is not available (this exception will sunset after five years); (b) If a program will be negatively affected (e.g., French Immersion); or (c) Where compliance will increase the number of FDK/Grade 1 combined classes.
- A maximum board-wide average class size for grades 4 to 8 classes as listed in the table for the board under the relevant year in the Class size regulation (O.Reg 132/12).

## **Class Size Compliance Framework**

The measures set out in the “Class Size Compliance Framework” section of this memo can only take effect if certain regulations are made by the Lieutenant Governor in Council under the Education Act. Such regulations have not yet been made. Therefore the content of this section should be considered to be subject to such regulations, if and when made. The information here is provided for information purposes only and is not binding.

In July 2016, the ministry shared details of a Compliance Framework to ensure compliance with the FDK and primary provisions of the class size regulation. An overview of the Compliance Framework is provided as Appendix A with this letter.

Beginning in 2017-18, the ministry is proposing to expand this framework such that the compliance measures would apply to boards which are not compliant with any elementary provisions of the regulation. Specifically, this means that compliance measures would also be applied when boards are not compliant with the junior-intermediate (grades 4-8) maximum board-wide class size averages identified in the class size regulation.

It is expected that the 2017-18 school year will be the first year in which board averages for grades 4-8 are subject to the framework. This means that the grade 4-8 regulated averages in the 2016-17 school year and prior years would not be considered for the purposes of applying the compliance measures of the Framework.

As you know, the framework includes additional compliance measures when boards are non-compliant for two or more consecutive years. The Framework would be applied independently to the regulatory requirements for grades 4-8 and to the FDK-primary regulatory requirements for the purposes of calculating consecutive years. This means that a board would be in year 2 or 3 of non-compliance if all counts of non-compliance were in the same category. For example, if your board was not compliant with the FDK, primary or mixed grade provisions of the regulation (sections 2, 5 or 9 of O. Reg. 132/12, respectively) in 2016-17, and your board is not compliant with any of those provisions of the class size regulation in 2017-18, your board would be considered in year 2 of non-compliance and a one percent restriction in the GSN envelope for board administration and governance will be applied to your board’s funding in 2017-18 (in-

year). However, if your board corrects the non-compliance issue in the FDK-primary grades in 2017-18, and becomes non-compliant with the junior-intermediate provisions of the regulation in 2017-18, then 2017-18 would be considered year 1 of non-compliance under the framework, and your board would be required to submit a Compliance Management Plan.

### Elementary Class Size Reporting Instructions

As outlined in the class size regulation, boards are required to report their 2017-18 elementary class size results no later than October 31, 2017 on the Elementary Class Size website at: <https://pcs.edu.gov.on.ca>. The log-in and password to access this website remain unchanged from previous years.

Each board must select a single date in September 2017 as the “reorganization date”, also known as the “count date”. This date must be a school day and must be no earlier than September 1 and no later than September 30, 2017. The web application should be used to report actual class size results as of the reorganization date chosen by each board.

In any year, a board that does not submit its elementary class size information to the ministry by the October 31st deadline will be subject to immediate cash withholdings equivalent to 50 percent of monthly transfers from the ministry.

For this year’s collection, an additional feature has been incorporated in the data input section of the website which reflects the recent changes to the FDK requirements in the class size regulations. For each FDK class, users will be required to report whether conditions apply that permit FDK classes of up to 32 students under the regulation, and which of the conditions applies. A drop down list of options for pure FDK classes (classes which contain only students from junior kindergarten and/or kindergarten) will provide the following options:

<b>FDK Condition Value</b>  <i>This is required for manual class size submissions to the ministry</i>	<b>FDK Condition</b>  <i>The options below will be provided as a drop down list for FDK classes</i>	<b>Description of Situation</b>
1	Not Applicable	All other types of classes not described in 2 to 5 (including FDK classes that contain students from other grades)
2	Purpose built accommodation is not available	FDK classes that do not contain students from other grades and the total number of students in the class on this line is 31 or 32.

3	Program is negatively affected	FDK classes that do not contain students from other grades and the total number of students in the class on this line is 31 or 32.
4	Compliance will increase the number of FDK-combined splits	FDK classes that do not contain students from other grades and the total number of students in the class on this line is 31 or 32.
5	Other	<p>FDK classes that do not contain students from other grades and:</p> <p>1)the total number of students in a given class is greater than 32; or</p> <p>2) the class has 31 or 32 students and the reasons listed in 2, 3, or 4 above do not apply.</p> <p><u>Please note that any classes which fall into this category are non-compliant.</u></p>

Please note:

- For a pure FDK class (a class which contains only students from junior kindergarten and/or kindergarten) which contains 31 or 32 students, only one of options 2, 3, 4 or 5 can be reported.
- For a pure FDK class which contains more than 32 students only option 5 can be reported.
- For a pure FDK class which contains 30 or fewer students only option 1 can be reported.
- For all other grade configurations, only option 1 can be reported.

If you are planning to send data to the ministry to upload on the Elementary Class Size website, please note that the format has changed slightly. An additional column, which indicates the appropriate FDK conditions for each class, will need to be included in the data set. The new column should only contain the relevant numerical values, as listed above, ranging from 1 to 5 for each class.

We strongly encourage boards to submit their elementary class size reports as early as possible in September to enable on-the-ground re-organizations, as required, to meet the class size requirements outlined in the regulation. Please note that any re-organizations after September 30th, 2017, cannot be counted toward the calculation of class size requirements, as the “count date” must be in the month of September 2017.

The ministry is available to support you in this process. For more information, or if you have any questions, please contact Claire Swallow by telephone at (416) 325-2002 or by email at [Claire.Swallow@Ontario.ca](mailto:Claire.Swallow@Ontario.ca).

*Original signed by*

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Education Funding Branch  
cc: Directors of Education

## **APPENDIX A:**

### **CLASS SIZE COMPLIANCE FRAMEWORK**

In year one of non-compliance, board Chairs and Directors will be notified by the Minister and Deputy Minister and required to submit a compliance management plan detailing how the board will become compliant with class size regulation.

In year two of non-compliance and beyond, board Chairs and Directors will be notified by the Minister and Deputy Minister and subject to the following requirements:

- A one percent reduction after two years in the GSN envelope for board administration and governance, as defined in the GSN funding regulation. This is effectively a requirement to re-direct these funds to the classroom to assist with compliance with the class size regulation.
- A three percent reduction after three years, similar to the year two reduction.
- A five percent reduction after four years similar to the other reductions.

The ministry will also conduct an analysis of that board's use of other revenues for administrative purposes to determine if further restrictions are necessary.

In any year a board that demonstrates compliance with the class size regulation and reporting will have the above measures lifted, subject to the approval of the Minister.

Any measures related to non-compliance for 2014–15 and 2015–16 will be applied to the 2016–17 GSN. Going forward, measures will be imposed in-year (for example, in November or December after boards submit information by the October deadline).