

Update on Bill 52: Impact on Schools for September 2007

Further information has been received from the Ministry concerning the impact of Bill 52, also known as *The Education Amendment Act – Learning to 18, 2006*.

In a memo from the Ministry dated April 5, 2007, it was made clear that students aged 16 and 17, who have been in attendance since December 20, 2006 are expected to attend school and remain in attendance until the end of June of the year they turn 18 (the new definition of compulsory school attendance age). Those who are under this compulsory school attendance age and who return to school after December 20, 2006 must remain in school until the end of June of the year they turn 18.

Students who are of compulsory school attendance age and in full-time attendance will be fully funded by the Ministry. This funding is important given the declining enrolment in our Board. Any student who is of compulsory school attendance age and who is absent for more than **15 consecutive days must not be removed from the register**. Rather, the absence must be investigated, in order to allow that student to remain on the register. Also note that students who are not turning 18 during this calendar year must be assumed to be returning in September 2007. Thus, timetables must be created for all these students on the assumption that they will return to their current school of attendance, unless the school is otherwise informed.

Another important change in the legislation concerns students who have “withdrawn from parental control”. These students, over 16 but who are still of compulsory school attendance age, may indicate that they have withdrawn from parental control and are resident pupils of the Board. Legal Services has indicated that these students must provide the following three pieces of evidence in order to qualify:

1. proof of residence
2. proof of independent means or income
3. a letter signed by the student withdrawing from parental control

For students who are of compulsory school attendance age and whose attendance is problematic, it is the Ministry’s expectation that the school will use all the Student Success resources available to support and engage these students. This includes an initial referral to the Student Success teacher(s) in the school, referral to Guidance and/or referral to the School Support/Success Team. The expectation is that various program options will be tried with these students: credit rescue, credit recovery, dual credits etc. to ensure that the student is continuing to move toward an OSSD. Only when the school has made every attempt to engage the student and has remained unsuccessful, would the School Support/Success Team make the decision to initiate an Attendance Referral to the Attendance Counsellor (for students under 16) or Social Worker (for students over 16).

A number of provisions of Bill 52 have not yet been enacted. At this point, the penalties for truancy, the terms of “Equivalent Learning” and revisions to SALEP have not been enacted. However, it has been made clear that SALEP in its current form is an option for students who are 16 and for those until June of the year they turn 18. Ministry staff has advised us that these new provisions will not be proclaimed until well into the next school year, perhaps as late as next spring.

In summary, the implications are as follows:

- ✓ Compulsory school attendance age is now until the end of June of the year the student turns 18.
- ✓ Students aged 16 and 17, who have been in attendance since December 20, 2006 (when the act was proclaimed) must remain in attendance until June of the year they turn 18.
- ✓ Students who are of compulsory school attendance age and who return to school after December 20th, 2006 must also remain in school until June of the year they turn 18.
- ✓ Students of the age of compulsory attendance must remain on the register and will be funded.
- ✓ 15 consecutive day absences for students of the age of compulsory attendance must be reported to Attendance/Social Work, to ensure continued funding.
- ✓ Timetables must be created for students of the age of compulsory attendance, under the assumption that they will be returning in September (unless the OSR has been requested by another school or information has been received that they are moving).
- ✓ Students over 16 but who are still the age of compulsory attendance may indicate that they have withdrawn from parental control and are resident pupils of the Board. The following evidence is required:
 - *proof of residence*
 - *proof of independent means or income*
 - *a letter signed by the student withdrawing from parental control*
- ✓ Student Success resources must be made available to re-engage students who are of compulsory attendance age and who are experiencing difficulties in progressing toward their OSSD.
- ✓ Some provisions of Bill 52 - penalties for truancy, the terms of “Equivalent Learning” and revisions to SALEP – have not been enacted of yet and likely will not be enacted until next winter at the earliest.