

January 28, 2014

A generation of BC children lose out

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Exactly twelve years ago, then-Education Minister Christy Clark and her government enacted laws that brought sweeping changes to BC's public education system and significant violations of teachers' Charter rights.

This week the BC Supreme Court ruled, for the second time, that this legislation is unconstitutional and that the government must restore what was illegally taken away. It's been a hard-fought victory, and teachers are rightly celebrating that justice has been done. But it comes with a bittersweet sense that so much needless damage has been done to public education in BC.

Premier Clark now has a choice: will she work with us to begin rebuilding our excellent school system or will she continue the fight? Rebuilding has to start with government respecting the Supreme Court ruling and apologizing for its deliberate attempt to provoke a strike and shut down BC schools in 2012.

Clark's misguided legislation stripped us of the right to bargain our working conditions and wiped out hundreds of provisions that kept class sizes smaller, ensured reasonable class composition, and guaranteed appropriate levels of support for students with special needs. The inevitable consequence has been 12 years of strife on the education scene, as we fought to reaffirm our rights and to try to prevent the damage we saw being done to students' learning.

That 2002 legislation, Bill 28, was ruled unconstitutional in 2011. On Monday, Justice Susan Griffin ruled that the government violated our rights again in 2012 with Bill 22, which re-enacted the same unconstitutional language from 2002. Clark and her government broke the law of the land, the Constitution, twice.

This week's ruling was a victory for teachers and students, but also for working people across BC and Canada. It's time governments across the country recognize that free collective bargaining is a constitutional right. They need to stop interfering in the bargaining process and allow both parties to negotiate in good faith. They need to know that their own political agendas do not supersede the rights we all have as Canadians.

Sadly, this victory does not erase 12 years of cutbacks in public education. As a result of this unconstitutional legislation, an entire generation of BC kids has been shortchanged. Children who were in Kindergarten in 2002 are now in Grade 12 and about to graduate. They have paid the highest price. They can never get back what Christy Clark and her government took from them. Throughout their school careers, they have been in larger, overly-complex classes, and received less one-one-one time than children who graduated prior to 2002.

It is because of the support of parents and the hard work of teachers, who are doing more with less, that BC's public education system is still as strong as it is.

Bill 28 also allowed the government to underfund education. As a result, BC has fallen behind the rest of Canada. According to the latest Statistics Canada data, BC is last on seven key measures of education funding. BC's funding is currently \$1,000 less per-student than the national average. Only PEI is worse than BC in terms of per-student funding. This is completely unacceptable for a province as prosperous as BC.

British Columbia also has the worst student-educator ratio in Canada. Among the 3,500 teaching positions cut since 2002, 1,400 were specialists like teacher-librarians, counsellors, English language and special education teachers. The implications for class composition are grave. The Ministry of Education's own statistics show there are over 16,000 classes with four or more children with special needs. Despite the dedication of teachers, many of those children simply aren't getting the extra help they need.

But now, there is hope that those coming up through the system will start to see classroom conditions and support levels improve. In restoring our working conditions contract language from 2002, BC schools will once again be able to offer smaller classes, more support for children with special needs, and extra help for all students.

Going forward, BC teachers are looking for a fair deal at the bargaining table, one that respects the important work we do and helps us help our students. We sincerely hope government is ready to put education before politics.