

# SUBMISSION TO THE ADVISORY PANEL ON K-12 EDUCATION GOVERNANCE REVIEW

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## INTRODUCTION

The Canadian Union of Public Employees (CUPE) is the largest union in the province with over 30,000 members. CUPE represents a wide range of workers in health care, K-12 education, municipalities, universities, libraries, provincial agencies and community-based organizations.

In the K-12 education sector, CUPE represents just over 7,000 support staff employed in 20 school divisions and with a private school bus company. In the public school system, CUPE has almost 6,000 members covered by 18 collective agreements with 15 public school boards. CUPE is the second largest organization, after the Saskatchewan Teachers' Federation, representing staff in the K-12 education system. CUPE also represents over 126,000 education workers across the country.

Our members work as educational assistants, caretakers and maintenance workers, journeyperson trades, administrative and clerical staff, library assistants and technicians, bus drivers, information technology specialists, food services workers, social workers and school counsellors, speech and language therapists and braillists. CUPE members in these classifications are professionals working directly with students, and they are the support staff who ensure our schools operate smoothly and provide the best environment for students to learn.

Our union has experienced three rounds of school division restructuring in this province: the two voluntary amalgamations of school divisions in 1997 and 2004 and the mandatory restructuring in 2006. In each instance, it took years for the newly formed school divisions to adjust to the new boundaries, including addressing numerous human resources and labour relations issues.

In our submission we will highlight the labour relations issues that must be taken into account during this review. At this time, when the provincial government is demanding wage freezes or rollbacks for public sector workers, restructuring school divisions will create massive disruption and chaos to the system.

Our submission will also outline the importance of democratically-elected school boards that are accountable to communities and the value of parent and community input into children's education. Our submission also raises concerns with the proposals to create three additional administrative bodies in education, the increased funding to private faith-based schools and the double whammy of restructuring school divisions while cutting their provincial funding.

## KEY PRINCIPLES FOR THE AMALGAMATION OF SASKATCHEWAN SCHOOL DIVISIONS

Earlier in January, CUPE held a one-day meeting with our education members from across the province to discuss the Perrins' report on consolidating school divisions. Our members support maintaining the current school division structure; however, they endorsed the following set of principles that should guide any restructuring of school divisions if this is to occur.

### **Students First**

1. The goal of restructuring school divisions in Saskatchewan must be to improve the delivery and quality of education to children, their families and communities. All students deserve a quality education system, safe and healthy learning environments and the supports to be successful.
2. Education must be provided equitably to students across the province. Students deserve the same high quality education regardless of where they live, their income or family status, language or ability.
3. Funding for PreK-12 education must be equitable and take into account the specific needs of students in different communities, especially high enrolment schools, vulnerable students, indigenous children and schools with high numbers of English as an Additional Language (EAL) students.

### **Meaningful Consultation**

4. The government must consult meaningfully with all stakeholders before implementing any changes to school division structures. Those who should have meaningful input into the process include administrators, teachers and support staff and their respective organizations; parents, organizations that represent specific student interests and local communities.

### **Democratic Governance Structures**

5. Restructured school divisions must have democratically-elected and accountable school boards that are responsive to local communities. The goal of restructuring should not be cost cutting. School divisions that are geographically too large will be less responsive to students, their families and communities. With appointed school divisions, there will be less engagement and accountability for education services at the community level.

## **Collective Agreement and Employment Rights**

6. The collective agreement rights and provisions of education support workers must be recognized and protected during school division amalgamations.
7. If an amalgamated school division inherits multiple support staff collective agreements, no education support staff shall have their wage rate or benefits reduced. To maintain fairness and equity among education support staff, provincial funding should be provided to immediately raise the wage rate and benefits to the highest rate among the legacy agreements.
8. The transition to a new school division structure must protect a stable labour relations environment by maintaining current union representation rights.

## **NEED FOR MEANINGFUL CONSULTATION**

CUPE is very concerned that there has not been meaningful consultation around the government's proposals to restructure the public school division system. The government appointed former civil servant Dan Perrins in mid-November 2016 to provide options for a new system of governance in the K-12 education sector. Mr. Perrins heard from some stakeholders but he did not officially ask for input or conduct public consultations.

Although Mr. Perrins' report<sup>1</sup> lists three options to radically transform the public school division structure in the province, his opening transmittal letter to Minister Don Morgan points out that he heard:

- Unanimous support for elected school boards
- Unanimous support for no more amalgamations because the 2006 amalgamations have already created school divisions large enough to achieve economies of scale
- Unanimous support for the Education Sector Strategic Plan
- Agreement that further progress on the sector plan would be lost during a process of further amalgamations

Considering the strong agreement among stakeholders for the status quo, we do not understand why all the options put forward by Mr. Perrins call for massive reorganization of the current public school system and why two of the three options call for unelected, appointed school board members.

We are also concerned that the Advisory Panel appointed by Minister Morgan to review governance options has not been provided enough time to conduct thorough

consultations. The panel has less than one month to consult stakeholders and develop recommendations for massive system change.

In the absence of comprehensive public consultations on school governance, many school divisions are holding their own public consultations. The feedback from many of these forums has been strong support for the existing public school division boundaries. The Lloydminster Public School Division, which operates under a bi-provincial agreement, is contemplating moving its division to Alberta's jurisdiction and have "Saskatchewan pay their fair share of the freight," the director of education for the Lloydminster Public School Division told the media.<sup>ii</sup>

We urge the Advisory Panel to strongly advise the government to delay any decision on school division restructuring until meaningful consultation can take place.

## **CUPE SUPPORTS DEMOCRATICALLY-ELECTED SCHOOL BOARDS**

Public education is a critical part of a democratic society. Public education is a public good and important for the development of students' mental, physical and emotional well being.

Having one provincial or four appointed boards or fewer than 18 elected boards will have a negative impact on parents' ability to have input into their children's education and will reduce community engagement and accountability for education.

CUPE believes that our public school system should have elected school boards that are small enough to ensure input from parents and accountability to communities within their boundaries.

In a recent opinion piece, Dr. Murray Scharf and Dr. Herve Langlois, who penned a report on Saskatchewan's school finance and governance in 1990, write:

Removal of the community, as represented by local boards of education, would create a structure within which parents, as individuals, would have to deal with the centralized government. The parents' ability to deal with a governing body close to them would be eliminated and the pivotal educational pillar upon which a democratic society is built would be destroyed.<sup>iii</sup>

Scharf and Langlois also ask about the unintended consequences of the centralized, appointed board model. They question whether parents will take their children out of the public system and move them to the separate school system, or establish their own private schools. The Advisory Panel must consider all the consequences of establishing centralized, appointed boards.

### **No evidence to support appointed, centralized boards**

There is no evidence in Perrins' report to support one or four appointed public school boards. As we pointed out earlier, Perrins acknowledges unanimous support for the status quo of elected school boards and that stakeholders believe further amalgamation would detract from the Education Sector Strategic Plan, thereby reducing educational outcomes for children. The table on page 7 in Perrins' report comparing the four western provinces shows that Saskatchewan already has the fewest number of school boards in the west. Manitoba, which has a smaller land mass than Saskatchewan and similar population, has 37 school divisions (36 public) compared to 28 school divisions (18 public) in Saskatchewan.

Perrins refers to the creation of one appointed public school board in Prince Edward Island (PEI) as evidence of a trend across the country to consolidate school divisions. This is erroneous. The geographical size of PEI and its low student population does not make it a compelling comparison for Saskatchewan.

The total land mass of Prince Edward Island is just 5,660 sq km. The smallest rural school division in Saskatchewan (excluding Creighton and Ile-a-la Crosse which are community-based divisions) is Prairie Spirit SD with a land mass of 15,510 sq km, or almost three times the size of PEI. The school divisions in Saskatchewan with the largest geography are Chinook (42,739 sq km) and Northern Lights (322,197 sq km).

The total student population in PEI's single English school board is 18,842. Saskatoon and Regina public school divisions each have more students than the total student population in PEI (Saskatoon public has 22,819 students and Regina public has 21,160 students).<sup>iv</sup> The large geographical areas of our existing school divisions demands a decentralized structure and not a centralized one.

Furthermore, PEI is the only province in the country with an appointed school board. The remaining nine provinces have elected school boards. Even the French language school board in PEI is elected. We strongly assert that there is no trend toward appointed boards



or consolidating into one provincial board, and there is no evidence that this would improve the delivery of education to children.

### **Will school closures occur?**

Although Perrins does not mention school closures in his report, the consolidation of school divisions would make it easier for a centralized appointed body to close small rural schools under the guise of “finding efficiencies.”

The board chair of Chinook School Division pointed out at a recent news conference that there were 176 schools closed during the last set of amalgamations in the province. The chair pointed out “once you go, especially to appointed boards, or very long distances between communities, you lose a lot of that personal knowledge, community knowledge. And it’s a lot easier to shut down something if you don’t know a soul there, you don’t know anything about it, but you have a mathematical formula to follow.”<sup>v</sup>

The mayor of McLean is also worried that its school of 115 students will be closed after amalgamations. The Leader Post reported that he doesn’t believe that any of the options presented by Perrins would be in the best interest of his community.<sup>vi</sup>

School closures would also have a negative impact on the length of time students spend on the bus travelling to school. The Chinook School Division reports that its buses travel 28,135 km every day. The longest one-way ride time for a student is 81 minutes.<sup>vii</sup> The Living Sky School Division transports 3,619 students by bus over 18,464 km daily. Their longest one-way ride time is 100 minutes.<sup>viii</sup>

## **EDUCATION FUNDING AND EFFICIENCIES**

It is not clear why the government is considering such massive restructuring of our public school divisions. Although the restructuring options in Perrins’ report apply only to the 18 public school divisions, the government’s obsession to find efficiencies also applies to the separate school divisions. It appears that the government believes that centralizing school divisions and creating additional administrative bodies to drive “efficiencies” is going to make our K-12 system more efficient and save money.



The drive for efficiencies assumes that our school divisions are inefficient. Our members tell us that there is no “fat” in the school system and that, if anything, our schools need additional funding to provide more hands-on support for students and to improve the upkeep of our schools.

A retired dean of education at the University of Manitoba, John Weins, was interviewed by CBC Saskatchewan and said that merging school divisions will not save the government money. Although fewer boards means fewer trustees, Weins said that the experience in Manitoba shows that larger school districts tend to spend more on senior administrators. “The salaries have gone up exponentially as a result of that,” he said.<sup>ix</sup>

### **School divisions already squeezed**

The Saskatchewan School Boards Association (SSBA) reported that school divisions achieved over \$15 million in savings in 2015-16 – triple their target of \$5 million. The school divisions, without being consolidated, have cooperated on bulk purchasing, LED/HVAC upgrades, improved use of technology and reduction of full-time equivalent (FTEs) to reach \$15 million in savings.<sup>x</sup>

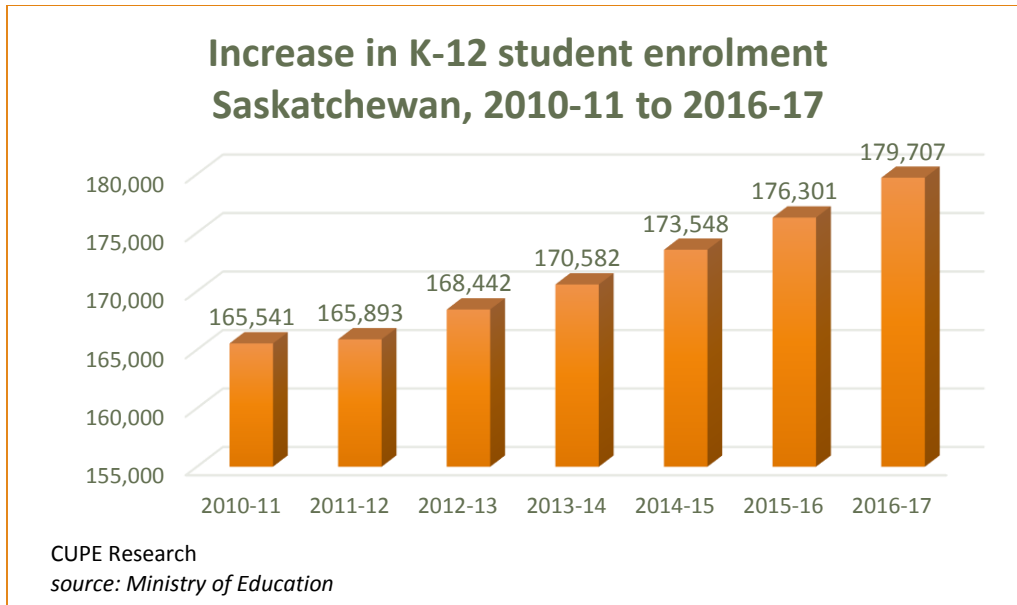
The provincial government also clawed back a total of \$4.5 million in WCB surplus in July and December 2016.<sup>xi</sup>

In the last number of years, even before the Finance Minister announced a \$1 billion deficit, the government has reduced overall funding to school divisions. Many school divisions have used money in their reserves to balance budgets or prevent layoffs. A number of school divisions, however, have had to cut teacher or support staff positions through layoffs or by attrition. For example, Prairie Spirit School Division laid off 60 FTE educational assistants last year. Prairie South School Division laid off 28 school assistants working at 10 schools in Moose Jaw, two social workers, and the SIRS helpdesk position. Other school divisions have reduced hours of work of support staff, who already earn low wages. There is no more room to cut without creating unbearable workload on remaining staff and negatively affecting the quality of education to our students.

All of these cuts have taken place while the provincial student enrolment has jumped by 6.5% since the 2010-11 school year (see table 1). Prairie Spirit School Division saw its enrolment increase by 10.7% in the last four years, yet it has been forced to cut staff because of reduced provincial funding.

When school divisions cut teaching or support staff, the children suffer: class sizes become larger and there is less individual support. If the provincial government wants to improve educational outcomes, cutting funding to schools will only set back those goals.

**TABLE 1**



### **Private independent schools should be de-funded**

CUPE strongly believes that the Advisory Panel must examine the government policy of providing public funding to private independent schools. It is unacceptable for the provincial government to force consolidation of school divisions and reduce their funding in the name of efficiency when it has increased funding to small, independent religious schools that are not accountable to the public.

There are a number of associate schools and historical high schools in the province that for decades received provincial funding at a rate of 70% of school division per pupil funding. In 2011, the Wall government increased the funding to associate schools to 80% of what school divisions received (historical high schools' funding remains at 70%). In the 2016-17 school year, the government provided \$18.2 million to associate schools, who receive their funding through public school divisions.

In 2011, the government made a bold move and decided to directly fund private religious schools at 50% of the per pupil average of school divisions<sup>xii</sup>, even though a similar proposal by the Ontario Conservative Party in 2007 lost them the provincial election<sup>xiii</sup>. The Ministry of Education reports that these independent schools received \$2.1 million in 2012-13, which increased to \$4.4 million in 2016-17 for a total of \$13.7 million over 4 years. <sup>xiv</sup>. In addition, alternate independent schools received \$5.5 million in 2016-17.

The enrolment in many of the private schools is incredibly low. There is an average of 36.5 students per school, with some schools having as few as 6 or 9 students.<sup>xv</sup> A school in the public system that low enrolment would be considered unviable and closed. Only the longer established historical high schools and associate schools have enrolments in the same range as public schools.

CUPE does not believe that public dollars should be provided to independent schools, especially when the government is slashing funding to school divisions and demanding efficiencies. Eliminating independent school funding, which did not exist prior to 2011, would save the province about \$10 million per year. Reducing the funding to associate schools back to the original 70% formula would also save millions of dollars per year.

### **Social impact bonds – picking winners and losers**

The government's announcement on September 15, 2016 to support a social impact bond for Mother Teresa Middle School (MTMS) raises many concerns about preferential treatment for private schools. In the agreement Mosaic Company will pay \$1 million over five years to MTMS, which only has 88 students. The government will repay Mosaic the full amount plus annual interest of 1.3 percent if 82 percent of the students complete high school. If the high school graduation rate is below 75 percent, then the government will not repay Mosaic.<sup>xvi</sup>

The premise of social impact bonds is that private investment is better than the government at achieving social outcomes because investors are risking their money. But is Mosaic's money really at risk? The CBC quoted a spokesperson for MTMS saying that all of the students from its initial grade 6 class in 2011 are still in high school and on track to graduate.<sup>xvii</sup> If all of the students are already on track to graduate, then why has the government created this social impact bond? It appears that Mosaic is guaranteed to be repaid with interest.

It is not wrong to support and invest in students' success. But it is wrong for the government to pick winners and losers with public dollars. In the same CBC story, Minister of Education Don Morgan admits "It's an expensive program we couldn't afford to do it everywhere across the province."<sup>xviii</sup>

At a time when the government is cutting funding to school divisions and demanding sacrifices, it is not fair to make a special deal to funnel \$1 million to one small private school. Decisions on funding our schools must be done on the basis of fairness, equity and the public good.

### **Shared Services and Education Quality Council will add costs**

CUPE is alarmed by the proposal in Perrins' report to establish a shared services entity like 3sHealth, an Education Quality Council and a provincial advisory board in education. If the goal of consolidating school divisions is to save money and reduce administration, creating three new bureaucratic bodies will defeat the purpose of cost savings and add tremendous costs to the education system.

Let us consider that example from health care. The government announced it will eliminate 12 regional health boards and create one provincial health authority to save between \$10 and \$20 million. 3sHealth has a 9-member board of directors and a 14-member oversight committee. The budget for 3sHealth in 2016 was \$34 million. Its primary purpose is to consolidate services in the health care sector but, despite its claims it would create savings, it cannot provide any evidence of concrete savings. The first business case for shared services developed by 3sHealth led to the privatization of all regional hospital laundry in the province.

CUPE is not convinced that a similar shared services entity in education will create savings and we are very concerned that such an entity will push the privatization of educational support services and job loss in rural Saskatchewan.

If the government or a shared services body centralizes information technology, payroll and accounts payable, positions that currently do this work in school divisions will be lost. A CUPE member at our January consultation meeting also warned us against the debacle of the Phoenix pay system in the federal government that had cost over runs and has missed payments to thousands of public servants.

## COLLECTIVE AGREEMENT AND EMPLOYMENT RIGHTS – THE EXPERIENCE OF PAST AMALGAMATIONS

In his recent report on educational governance review to the Minister of Education, Dan Perrins writes "(g)iven every school division has a number of locally negotiated employment contracts, a process to understand and review those contracts is a critical part of implementation for any changes."<sup>xix</sup>

CUPE agrees with this statement and recommends that the government ensure a thoughtful and well-planned strategy for the transition of bargaining units to a new school division governance structure. We also recommend that the government provide additional funding for the transition period, including funding for the upward adjustment of negotiated wages and benefits.

Our experience from past amalgamations in K-12 education is that it takes time and resources to merge numerous collective agreements and develop consistent human resources policies. A 2008 research report on school division restructuring by the Saskatchewan School Boards Association points out that "achieving equity between employees and schools in the new school divisions posed a significant challenge."<sup>xx</sup>

In 1996, there were 119 school divisions in the province and CUPE had 60 bargaining units in the K-12 education sector. After three rounds of amalgamations in 1997, 2004 and 2006, the number of school divisions dropped to 28 and CUPE consolidated the number of its bargaining units into 26, or by more than one-half.

Some amalgamations consolidated only two or three school divisions, a complicated process in itself. Other amalgamations combined higher numbers of school divisions and more collective agreements, which made the process significantly more complex. Considering that collective agreements will have different expiry dates, the process of bargaining a consolidated agreement can take several years.

For example, in 1997 when Saskatchewan Rivers School Division was formed, it inherited six separate CUPE collective agreements covering support staff. The school division applied to the Labour Relations Board for one bargaining unit including casual workers, who had been excluded. In 2006, Sun West School Division inherited six CUPE collective agreements that had to be merged into one. North East School Division inherited five CUPE collective agreements in 2006 that were merged into one over a number of years.

Unlike teachers, health care employees, or MLAs who are paid the same rate regardless of where they work or live in the province, K-12 education support staff across the province are paid substantially different rates of pay and have different hours of work. For example, an Educational Assistant (EA) may be paid \$17.00 to \$22.00 an hour for 27 to 36 hours per week, depending on where the EA works. It is also important to note that 10-month employees are paid only for the school days they work, which ranges from 190 to 197 days. Most 10-month employees are paid a gross annual salary of less than \$24,000 per year, which in most communities is below the Low Income Cut-off Line (LICO).

In past school division amalgamations, the new school divisions recognized that inequities among support staff were unfair and they agreed to negotiate common wages and benefits that raised lower-paid support staff to the rates in the higher paid legacy agreements. In a few instances, the wages of the higher paid staff were red-circled, creating disillusionment with amalgamations.

One member told us “we are still recovering from the losses of the 2006 amalgamation. Our members were red circled and we lost because we were ‘the best’ in the area.”

It is important to stress that existing negotiated wages and benefits of support staff are legally protected. In the process of consolidating school divisions, no support staff should have their wages reduced or red circled. We recommend that the government provide additional funding to address wage and benefit inequities by raising the lowest paid workers to the highest rate of their classification in the event of amalgamated school divisions.

CUPE members are very concerned that changes to existing school divisions will disrupt current labour management relations and lead to more grievances and labour disputes. The Advisory Panel must also consider how many provisions in CUPE collective agreements, such as kilometrage, lunch supervision and extra curricular activities, are tied to LINC agreements. An amalgamated school division will have to address multiple labour agreements.

Instead of planning a smooth transition for labour relations in the school board sector, the provincial government has sent school divisions a mandate letter that they are not to increase their overall compensation budget this year. The government’s demand for net zero bargaining at the same time as it plans massive restructuring of school divisions is going to create chaos and irreversible damage to our school system.

The uncertainty of not knowing if you'll have a job and the stress from the disruption to our school divisions could drive many staff to leave the system permanently. This will ultimately hurt the kids in our schools, who could be left without their teaching assistant, or their school secretary or the caretaker who keeps their classroom clean.

## CONCLUSION

CUPE supports the status quo of maintaining the existing 28 elected school divisions. The Perrins report has not provided any evidence or rationale for further amalgamations. As school divisions work together cooperatively to improve student educational outcomes across the province, any restructuring will create massive disruption to our education system. Ultimately, children and parents will lose education supports in the schools and access to their democratically-elected trustee.

If the government forges ahead and restructures school divisions, we urge the Minister to consult extensively with communities about boundaries and to maintain democratically-elected school board trustees.

CUPE opposes the creation of a shared services entity like 3sHealth. We strongly believe that such a body will create an additional bureaucracy that is not accountable or sensitive to local needs and that it will cost the public purse dearly, more than any savings it will find. If school divisions are being asked to reduce costs and find efficiencies, then private schools should also have their funding reduced.

CUPE urges the advisory panel to recommend that the government revoke its funding to independent schools and that it reduces its funding commitment to associate schools to 70% of school division per pupil rates.

CUPE recommends that, if public school divisions are consolidated, the government provide school divisions transition funding and additional funding for a labour adjustment strategy.



## ENDNOTES

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- <sup>i</sup> Dan Perrins, Educational Governance Review Report, Kindergarten to Grade 12, December 10, 2016, p.2.
- <sup>ii</sup> James Wood, "LPSD Raises Alberta Option," *My Lloydminster Now*, January 19, 2017.
- <sup>iii</sup> Murray Scharf and Herve Langlois, "School Governance by a Provincial Board Appointed on a Partisan Basis," Opinion, *Star-Phoenix*, January 11, 2017.
- <sup>iv</sup> Perrins, Appendix A and B.
- <sup>v</sup> Scott Anderson, "Chinook concerned over negative impacts of educational governance changes," *Southwest Booster*, January 17, 2017.
- <sup>vi</sup> Ashley Martin, "Education review has McLean mayor concerned for school's future," *Regina Leader-Post*, January 19, 2017
- <sup>vii</sup> Chinook School Division, 2014-15 Annual Report, p.35.
- <sup>viii</sup> Living Sky School Division, 2014-15 Annual Report, p.36.
- <sup>ix</sup> "No big bucks to be saved by merging school divisions: expert," *CBC Saskatchewan News*, November 17, 2016.
- <sup>x</sup> Saskatchewan School Boards Association, Provincial Efficiencies 2015-16. Accessed at <http://saskschoolboards.ca/wp-content/uploads/Efficiencies-Data-Collection-Consolidated.pdf>
- <sup>xi</sup> Ibid.
- <sup>xii</sup> Adrian Humphreys, "Regina adds funding for religious schools," *National Post*, December 22, 2011.
- <sup>xiii</sup> Karen Howlett, "Tory admits faith-based schools funding mistake," *The Globe and Mail*, October 25, 2007.
- <sup>xiv</sup> Email correspondence from Ministry of Education, December 21, 2016.
- <sup>xv</sup> Saskatchewan Independent Schools, Enrolments as of September 2015, Ministry of Education.
- <sup>xvi</sup> "Social Impact Bond Will Improve Graduation Rates for Mother Teresa Middle School Students," Government of Saskatchewan news release, September 15, 2016.
- <sup>xvii</sup> "Mosaic putting \$1M into Regina private school to boost graduation rate," *CBC Saskatchewan News*, September 15, 2016.
- <sup>xviii</sup> Ibid.
- <sup>xix</sup> Perrins, p. 19.
- <sup>xx</sup> Jackie Kirk, An Examination of School Division Restructuring in Saskatchewan, *SSBA Research Report* 2008, p.52.