

## Legislative Framework and Core Policies

### The Legislative Framework

The provincial government, through the Minister of Education, is responsible for setting standards and the overall policy direction for the K-12 school system in British Columbia and for providing the funding needed to operate schools.

K-12 Education in B.C. is governed by 3 major pieces of legislation: the [School Act](#), the [Independent School Act](#), and the [Teachers Act](#). The Ministry of Education is also responsible for administering the [Library Act](#), the [First Nations Education Act](#) (2007), and section 9.4 of the [Special Accounts Appropriation and Control Act](#).

The *School Act* establishes the framework for the public education system and sets out the rights and responsibilities of students, parents/caregivers, teachers, school principals, school district officials, school trustees and the Minister of Education. School districts are created by Cabinet and the number of school trustees, and the areas from which they are elected, are set by the Minister. Each board of education is a distinct legal entity from the Province and from other boards. Boards are the owners of property such as school buildings and are the employers of school district staff.

Boards of education are responsible for the operation and management of schools in their districts and for providing educational programs to B.C.'s public school students, subject to the regulations and the orders of the Minister. Key provisions that have been in place since the *School Act's* inception include the requirement for public schools to be secular, and for public education to be provided free of charge to students who are ordinarily residents of B.C.

### School District Staff

Each board of education is required under the *School Act* to appoint a superintendent who reports to the board, and is responsible for improvement of student achievement in that school district; the general organization, administration, supervision and evaluation of all educational programs provided by the board; and for the operation of schools in the school district. Each school board must also appoint a secretary treasurer to act as its corporate financial officer. Superintendents, secretary treasurers directors of instruction, principals and teachers have duties set out in the [School Regulation](#). Teachers are defined in the Act as persons who have a teaching certificate and are employed by a board to provide instruction, including designing and assessing the educational program of students.

### Students

Students have a right to attend public school from the year they reach the age of five until the end of the school year in which they turn nineteen. Students who are residents of B.C. have a right to enrol in any public school in any of B.C.'s 60 school districts, subject to space availability. Adults who have not graduated may take courses leading to graduation free of charge.

## Choice

Parents and caregivers may choose to have their children attend a public school or an independent school. Catchment areas for each public school are determined by boards of education and the right to attend a catchment area school is set out in the *School Act* [section 74.1](#) and the policies of local boards.

Students with rights under section 23 of the [Charter](#) have the right to attend an educational program provided in French. First Nations students may attend a school operated by the government of Canada or by a First Nation or a participating First Nations under the [First Nations Jurisdiction over Education in British Columbia Act \(Canada\)](#).

Parents and caregivers also have the option of educating their children at home. If this option is chosen, parents/caregivers are responsible for designing the educational program for their child and must register their child with either a public or independent school.

## Independent Schools

Independent schools offer a range of religious, cultural, philosophical or educational approaches and operate under one of four classes as set out under the [Independent School Act](#). The degree of provincial regulation and funding varies among these four classes. An independent school is governed by a board of directors that make up an “authority” – similar in operation to a public board of education – which operates each school. The Inspector of Independent Schools is responsible for ensuring that all independent schools in B.C. hold and comply with a certificate of group classification. The Inspector is also empowered to require reports and statements from schools and to seek court orders where necessary, and is responsible for home schooling policies

There are unique regulations and orders of the Minister and the Inspector that apply to independent schools. One of the key orders, the [Educational Standards Order](#), adopts some parts of the public school orders to apply to funded independent schools, such as the Graduation Program.

## Regulations and Orders

Many of the specific rules governing K-12 education are set out in “subordinate legislation” (Cabinet regulations, minister’s regulations, or ministerial orders made under the authority of the *School Act* or *Independent School Act*). Examples include [graduation program](#) requirements, the mandatory [curriculum](#), rules about [letter grades](#) and student [reporting](#), [IEPs](#), and the [school calendar](#) requirements.

“[The Statement of Education Policy Order \(Mandate for the School System\)](#)” is an Order in Council enacted in 1989 that continues to guide much of the Ministry’s work. It contains the Mission Statement for the school system, the Attributes of an Educated Citizen, the Goals of Education, a commitment to diversity and choice, and a high level, aspirational listing of the

duties, rights and responsibilities of students, parents, teachers, principals, boards of education, district officials, the community and the Ministry.

The Policy for Student Success and the Framework for Enhancing Student Learning both have their foundations in the Statement of Education Policy Order.

### Policy for Student Success

The Ministry of Education places student success at the centre of its mandate, by continually focusing on improving results and ensuring equity of access and outcomes for all learners. As specified in the [Statement of Education Policy Order](#), the Ministry's mandate is to develop the "Educated Citizen," which is defined as the intellectual, human, social, and career development of students.

The K-12 sector continues to advance the "Educated Citizen" supported by the [Policy for Student Success](#). The Policy for Student Success ensures that all talents, efforts, and resources are focused on students succeeding in life, regardless of their background or where they live in B.C. This commitment depends on using evidence to make decisions, having the courage to adjust and improve programs and policies that are not optimal for students, enabling equity of access to quality education for every student, aligning investments that clearly demonstrate better outcomes, and leading through innovative approaches. Continuous improvement on student success is guided by five principles:

1. **Quality teaching and leadership** – Great teachers and educational leaders have always been the key to student success. The critically important role of teachers in a student's life will be constantly evolving to adapt to the rapidly changing context in children's lives.
2. **Student-centred learning** – Students benefit from more flexibility and choice of how, when, and where their learning takes place.
3. **Future Orientation** – B.C.'s education system will prepare all students for lifelong learning, encourage the use of technology, and support students to graduate with practical expectations informed by employers and post-secondary institutions.
4. **High and measurable standards** – Having a modern and well-developed curriculum that reflects common values and expectations for skills, knowledge, and competencies will be effective for students only if it is complemented by rigorous and consistent learning standards and province-wide assessments.
5. **Healthy and effective learning environments** – B.C.'s K-12 sector will foster inclusive learning environments where all students feel that they are safe and belong – physically and emotionally – and where all students are inspired to explore their personal strengths and interests.

## Framework for Enhancing Student Learning

B.C.'s K-12 education system continues to evolve and discover the best ways to support continuous improvement and to build public trust and confidence in the quality of education provided. The focus of the Framework for Enhancing Student Learning is system improvement, including a shared commitment to improve student success and equity of outcomes for Indigenous students, children and youth in care, and students with disabilities or diverse abilities.

Ensuring continuous improvement throughout the system requires a collective approach that recognizes diversity, relies on evidence informed decision making and is responsive to the needs of students while respecting local autonomy to deliver educational programs. B.C.'s Framework for Enhancing Student Learning was developed collaboratively with education partners and Indigenous rightsholders to ensure a system-wide focus on continuously improving educational outcomes for all students.

The Enhancing Student Learning Reporting Order and Framework for Enhancing Student Learning Policy require boards of education to set, create and maintain a strategic plan, annually report on student outcomes and put systems in place to continuously improve the educational outcomes for all students and improve equity for Indigenous students, children and youth in care, and students with disabilities or diverse abilities. The policy is grounded in a shared commitment and common values including literacy, numeracy, graduation, belonging and career and life goals to support each and every learner and improve equity of learning outcomes.