



Jackson Award Arbitration

Board of Education Learning Session

January 21st, 2025



Background

- Certain provisions of the collective agreement between BCPSEA and the BCTF were deleted in 2002. In 2016, the Supreme Court restored these provisions (now known as the 'restored language').
- Restored provisions include:
 - Required ratios for non-enrolling teachers.
 - 'Best Efforts' processes for class building and remedies.
 - Class size and Composition **(and this is what we are talking about today)**



What is the Jackson Award?

- An arbitration decision issued by Arbitrator Marguerite Jackson in 2019.
- Clarifies how to apply special education funding categories when calculating class size and composition.
- Specifies the use of older definitions from the 1995 Special Education Services Manual.

Evolutionary Change

Historical Context of Autism (Medical Field)

1980 DSM-III: Autism defined as a developmental disorder.

1987 DSM-III Revised: Included pervasive developmental disorder-not otherwise specified (PDD-NOS) as a diagnosis.


1994 DSM-IV: Autism Spectrum as the umbrella term with **five conditions** - Autism, PDD-NOS, Asperger's Syndrome, Childhood Disintegrative Disorder (CDD), and Rett's Syndrome

1995 DSM-5: Introduced Autism Spectrum Disorder (ASD) as the new umbrella term.

1980

Historical Context of Autism (Min. of Education)

1985 Manual: Numeric categories (e.g., 3.25 = Autistic). The Autistic definition utilized was endorsed by the Canadian Society for Autistic Children (from 1977).

 **1995** Manual: the definition of Autism changed based on the DSM-IV. However, **specifically excluded** "*students who present with any of the cluster of disabilities referred to as "pervasive developmental disorders."* Meaning, **ONLY** students with an Autism diagnosis could be claimed.

2006 Manual: Expanded to Autism Spectrum Disorder. Meaning increase in G category students and associated funding.

2017 Restored Language taking us back to 1995 Min. of Ed Language impacting class size and composition.

↓
2017



Simply Put...

1. The definitions of Categories G have broadened over time from one diagnosis to five.
2. Jackson Award specifies using 1995 Special Education Manual definitions for restored composition language. This is for consistency purposes.
3. Implications for class size and composition calculations.
(What does this look like?)



Implementation Requirements

1. Review student files for designations G using 1995 definitions.
2. Complete the review by September 2024.
3. Ensure there is no impact on:
 - Individual Education Plans (IEPs)
 - Funding Designations (Level 2 - \$24,070.00)

Our Review Process

Spring of 2024

We met with the Board as well and the CTA to share that we would be completing the following two items:

1. A REVIEW

A review of students (K-4 and Imagine High Students) who hold a G Designation by a registered Psychologist. Utilizing the DSM-V, students who have an Autism Spectrum Disorder diagnosis and meet all of the following criteria are subject to class composition language – marked deficits in:

- Communication
- Intellectual
- Language

✓ 299 Reviewed Files

✓ 144 Meet Restored Language

✓ 48%

2. AN EMBEDDED GO FORWARD PROCESS

- Enhanced our Category Review Process to include the above review process when designating categories.

Evolution of Supports

Meeting the unique needs of every student through personalized, specialized support, rather than a one-size-fits-all approach. Since the time of restored language (2017), we've expanded our supports to include and not limited to:

SCHOOL

- Maintained EA Level...and
- Site-based Resource Teachers (RTs)
- Expanded Counselling Services
- Child and Youth Care Workers (CYCWs) in every school
- AAC Support (touch chat / switches)
- SLP and SLA

DISTRICT

- Board Certified Behaviour Analysts (BCBA)
- Response Support Workers (RSWs)
- Occupational Therapist (OT) Sensory Specialist
- Mental Health & Behaviour Team
- ACCESS and DRT Teams
- Bridges Team
- Integrated Care Services

Conclusion

1. We have a **legal** obligation to adhere to the direction provided by BCPSEA by implementing the Jackson Award.
2. We are **confident** in our support of students through the use of a variety of personalized and specialized supports that have expanded at the school and district since the time of restored language.