

## What is happening?

- Family choice is being protected by affirming students' and families' right to make decisions on in-person learning and masking.
- Through regulatory changes, students are now able to continue in-person learning, if that is what they want, if a school authority temporarily shifts to at-home learning.
- School authorities will have clarity on expectations related to educational programming and masking in schools.

## Specifically, what regulatory changes were made?

- The changes required several regulatory changes to cover all school authority types, we:
  - created a new Ministerial Regulation under section 51(2) of the *Education Act*;
  - amended the Private Schools Regulation;
  - amended the Charter Schools Regulation; and
  - amended the Early Childhood Services Regulation.

## When do the regulatory changes take effect?

- These changes are effective November 24, 2022.

## Do these changes apply to students in all school authorities?

- Masking changes apply to public, separate and Francophone school authorities, as well as independent (private) schools, public charter schools, and early childhood services operators.
- In-person learning changes apply to grades 1-12 public, separate and Francophone school authorities, as well as independent (private) schools, and public charter schools.
- In-person learning changes do not apply to early childhood services and Kindergarten classes, as these learning environments are not compulsory.
- First Nations schools are not impacted by these changes (masking and in-person).

## In-Person Learning

### What changes have you made to ensure in-person learning?

- With the regulatory changes in place, school authorities are now required to ensure an in-person learning option for students in grades 1 to 12 if a temporary shift to at-home learning occurs.
  - This change would not apply to pre-Kindergarten early childhood services and Kindergarten, as these learning environments are not compulsory.
- If a school authority temporarily shifts a group of classes or a grade to at-home learning, the school authority is required to offer students and families the option of coming into school to attend class in-person.
- School authorities will also continue to offer the full-complement of courses and will maintain the integrity of educational programming for classes that have temporarily shifted to at-home learning.

### **What happens if there is a public health emergency at a school?**

- In the case of a public health emergency, and as was the case before the pandemic, the *Public Health Act* remains the overarching direction on all public health matters and it would prevail over the *Education Act*.

### **Why make the in-person learning change?**

- Some children did well with at-home learning during the pandemic, but we know many others found it very challenging and if given the choice would have continued with in-person learning.
- In order for students to continue making gains in the areas of learning loss and mental health, we need to create a stable, face-to-face environment where they can do so.
- Through literacy assessments, we learned that about 70,000 at-risk students in grades 1-3 were, on average, 11 months behind grade level at the start of the 2021-2022 school year following a 17-month period of intermittent at-home learning. Assessment results from May to June 2022, after returning to consistent in-person learning and following small-group interventions, showed that the average learning loss dropped to 3.7 months.
- This change will minimize potential learning loss and support mental health for students.

### **Can you describe a situation where both learning types would be provided?**

- If a school authority has capacity to offer both in-person or at-home learning they can offer both.
- If a school is temporarily offering at-home learning, the school would need to ensure there are enough staff, including teachers on-site to provide in-person learning to those students who choose that option.
- School authorities are required to offer the full-complement of courses in-person and will maintain the integrity of the educational programming for all in-person classes.
- The school authority would manage the deployment of teachers and staff, based on the number of students opting for in-person learning.

### **How small will you allow in-person learning classes to become? For example, if there is only one child in an entire school who wants in-person learning, will that be allowed?**

- There are no limits on how small a class can be.
- Every student should have the opportunity for in-person education.

### **Can a school combine classes?**

- Given the unique circumstances in each school, classes/grades can be combined to offer in-person instruction when operationally feasible to do so without diminishing the courses or educational programming for students.

### **Are school authorities allowed to bus students to a different location to offer an in-person learning option to students?**

- This option would be considered only if no other options were available.
- School authorities will need to contact the department in order to enact this option.
- Parents need to be informed that the child will attend an alternate site for in-person learning.

## **Are students who attend Outreach Schools/Programs required to pursue their studies only in-person?**

- No, students who attend an Outreach School are able to continue their studies in the same manner whether it be distance education, online, or in-person.
- At-home learning means teacher-directed education programming provided by a board to a student on a temporary basis at the student's residence or at a location other than the student's regularly attended school.

## **How will a school authority know whether a student is learning at-home or in-person?**

- School authorities are responsible for establishing processes to track student attendance whether in-person or at-home.

## **Shifts to at-home learning and exemptions**

### **Can a school authority apply for an exemption to the In-Person Learning Regulation and amended Private Schools Regulation and Charter Schools Regulation for a class(es)/grade(s)?**

- In-person learning is a priority for all schools.
- In the event that in-person and at-home learning is not feasible due to operational constraints, the school authority will need to contact the department to discuss potential options.
- The process to apply for an exemption to the requirement for in-person learning will be similar to the process that was in place for a request to shift a school/school authority to at-home learning and will include data that would support the request.
  - For example, a chronic substitute teacher shortage that prevents a class(es) or grade(s) in a school authority from continuing in-person learning.
- The formal request should be sent by the superintendent's office to [educationsystemsupport@gov.ab.ca](mailto:educationsystemsupport@gov.ab.ca) requesting a temporary exemption.

### **Do school authorities need to seek Minister approval to shift a class(es)/grade(s) to at-home learning?**

- A school authority is required to ensure in-person classes are available for those students or families who wish to attend classes in-person. As long as in-person options that maintain courses and educational programming for students are available, shifting a class would not require Minister approval.

### **Does a school authority need to report temporary shifts to at-home learning to the Department?**

- No, school authorities will not need to report temporary shifts to at-home learning as long as in-person learning is also maintained for students who wish to learn in-person.

## **Masking**

### **What rules are changing for student masking?**

- Regulatory changes will require school authorities to ensure all students are able to access in-person learning regardless of their personal decision to wear or not wear a mask.

### **If a student comes to school sick or becomes sick at school can a school send the student home?**

- Schools can send students home if they are too ill to be at school, similar to what was in place before the pandemic disruptions.

### **Why make the masking change in regulation?**

- The intent of the regulation change is to clarify that masking is a personal choice for students and families that will not impact access to in-person learning.
- It's particularly important that students aren't stigmatized or ostracized for a decision to wear or not wear a mask.
- By making the change, we are also setting a province-wide standard that will bring clarity and consistency for all school authorities.

### **Can school authorities require students to wear masks during certain educational activities?**

- Yes, when masking is required for educational purposes. For example, a CTS Construction/Fabrication class, a chemistry class may require a mask for safety reasons, and other educational activities that may require a mask for safety reasons.

### **In the case of a health emergency, can the Chief Medical Officer mandate masks?**

- As was the case before the pandemic, the *Public Health Act* would remain the overarching authority on public health.
- If the Chief Medical Officer of Health were to mandate at-home learning, then that decision would supersede the in-person and masking regulatory changes made by Education.

### **Could these changes put students and school staff at risk, particularly vulnerable children?**

- The health, safety and well-being of students and staff are of the utmost importance.
- As was the case before the pandemic, all Albertans are encouraged to follow general public health best practices such as staying home when sick, washing hands, etc.
- All Albertans should review their own situation and make a decision to mask or not mask based on their own risk factors.
- Should a student choose to mask or not, this personal decision must be respected.