

BACKGROUND

SUBJECT: Saskatchewan Distance Learning Corporation

DATE: December 9, 2022

ISSUE: On December 7, the Government of Saskatchewan established a new Crown corporation for Distance Learning and will acquire Sun West School Division's Distance Learning Centre to deliver the model. Read the government [news release](#).

Impacts of a Treasury Board Crown Corporation

- While school divisions are accountable to a locally elected board of trustees, as a Crown corporation the Saskatchewan Distance Learning Corporation will be accountable to a Board of Directors and, ultimately, the Treasury Board.
- The DLC will be under substantially more government control than the current decentralized model operated by boards of education.
- The Treasury Board is a committee of the Executive Council whose members are appointed by government. The Chair of the Treasury Board is currently Minister of Finance Donna Harpauer. See Figure 1.
- Crown corporations have broad financial powers that are not available to other public entities (e.g., boards of education), including the ability to borrow, loan, invest, raise revenue and engage in capital market activities.

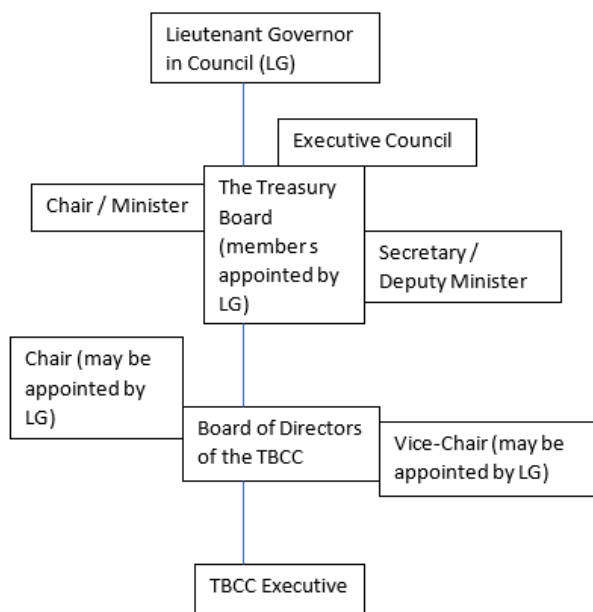


Figure 1

Employment Status

- It appears the provisions surrounding employment largely rest on what is needed or desired by government at the time of the legislation's drafting, meaning that there is wide latitude to build provisions as government sees fit.
- Government states that regardless of where teachers live, they will have opportunities to work for the DLC. Previous information from government stated teachers must reside in Saskatchewan. Specific reference to Saskatchewan was absent in its December 7, 2022 news release.

Jurisdiction

- The extent to which the new online learning Crown corporation can operate beyond provincial boundaries depends largely on the language contained within the act which brings it into existence – meaning as government determines.
- Examples of this include, whether it can sell programming to individual consumers or educational entities outside of the province, or even privatize the new online learning platform altogether in the future.

Additional Information

- The Treasury Board Crown Corporation will be created through the passage of enabling legislation, currently in development.
- *The Crown Corporations Act, 1993* states that a Treasury Board Crown Corporation requires a board. It does not state that the board needs to be elected the same way Boards of Education are. In fact, the government could choose to make any appointment they wish without any input from the community.

STF Outstanding Questions and Concerns

Since government first announced its plans, the STF has been working diligently with sector partners to represent teachers' interests and priorities. The Federation's concerns and expectations have been raised with government multiple times, including in meetings between staff and elected officials and in written correspondence. These issues include:

Status of Teachers and Contracts

- The new Crown corporation must make legislative and regulatory provision for teachers to remain members of the Saskatchewan Teachers' Federation and remain full members of the Provincial Collective Bargaining Agreement.
- If the corporation is a separate entity, the Federation will expect that these teachers form a local association to allow them to further attend to the unique working conditions inherent for distance learning teachers.
- Residency requirements for teachers are imperative – teachers working for the corporation must live within a reasonable commuting distance to a Saskatchewan school and be able to report to said school when requested.
- It is imperative that the contracts for these teachers not be secondments because teacher and contractual representation would focus on their originating employer rather than the Crown corporation. A clearly defined employment relationship is essential to ensure that these teachers can be fairly represented.
- Contracts must allow teachers to teach both face-to-face and online so that they can continue to collaborate with their colleagues as well as build relationships within their home school.
- Certified, registered Saskatchewan teachers must be employed by the corporation.
- Teachers working for northern and other school divisions currently have access to housing subsidies through their employing school divisions. Ensuring these provisions stay in place for teachers with either fully virtual

or blended assignments will be imperative to ensuring that sufficient professional teaching staff are available in these communities.

Meeting Student Needs

- The sole use of Saskatchewan curricula is non-negotiable, as well as the ability for these distance learning teachers to design and deliver their own instruction tailored to the needs of students and the communities being served.
- This model should not force school divisions to make wholesale changes to their scheduling to accommodate those students accessing distance learning options.
- Schedules such as block scheduling should be avoided as they have detrimental effects on student learning and discipline-based subjects such as physical education and the arts. Support for students accessing distance learning courses must be clearly defined.
- Support should not require teachers to both teach a face-to-face class and simultaneously provide support to distance learning students.
- If distance learning opportunities are to be provided in schools as scheduled experiences, a certified teacher must be assigned to support those students rather than populating these instructional environments with educational assistants.

Upholding Public Education

- The legislation for this Crown corporation must state that the corporation cannot be sold. Doing so would jeopardize the employment status of the teachers working for the Crown as well as commodifying the Saskatchewan curricula and all resources developed by the teachers working there.
- It may be free for students, but STF Policy 1.5 (Education Funding) defines public education funding as being “allocated to democratically elected boards of education.”
- Like other Treasury Board Crown Corporations, this new online learning platform may have broad powers to raise revenues via fees for service.

Timeline

- October 27, 2021: Throne Speech mentions development of an online learning policy.
- October 6, 2022: Government announces plan to centralize online learning in Saskatchewan.
- October 28, 2022: Minister of Education attends Saskatchewan Teachers’ Federation Councillor Conference to bring greetings and says registration for the new DLC will be open this winter.
- November 8, 2022: Education sector partners send a joint letter to Minister of Education
- November 17, 2022: Saskatchewan Teachers’ Federation sends a letter to Minister of Education, highlighting teachers’ concerns with centralized online learning.
- December 7, 2022: Government announces details of the Saskatchewan Distance Learning Corporation.