

*NSTU Response to: Steps to  
Effective and Sustainable  
Public Education in Nova  
Scotia*

The Dr. Ben Levin Report

5/18/2011

Nova Scotia Teachers Union

## Overview

It is important to note at the beginning that Dr. Ben Levin acknowledges the high quality of education provided by the public education system in Nova Scotia. We agree there are things we are missing, students we do not reach, outcomes not achieved, new approaches to teaching and learning we have not fully embraced or implemented and relationships we must enhance and cultivate. There is more to be done and that will always be the case. The teachers of Nova Scotia have never rested on the status quo, but continue to learn and address the needs of student learning. This is one of the prime reasons our system is of such high quality.

The report presents five bulleted perspectives on education resources.<sup>1</sup> In general we acknowledge these perspectives and concur. Money is an important input to education, although not the only one. Even though we recognize that funding will never be sufficient for what we believe is attainable and that there is a financial framework within which the province must operate, we also believe that education must be the priority focus of any government wishing to establish a sustainable and prosperous province. We believe that even in times of restraint, fiscal prudence must be managed in a manner that continues to enhance the education of our children and youth. Saving money at the expense of the education of our children is a false economy.

Other inputs are acknowledged in this list and are extremely important. Specifically trust and leadership are identified as catalytic. The NSTU agrees with this assessment and wishes to emphasize that the collegial relationship among classroom teacher, school-based administration and school board central office educational staff must be nurtured and enhanced. We are in the process of establishing, through the Nova Scotia Educational Leadership Consortium, an Instructional Leadership Program for Principals designed to provide school principals with the theory, pedagogical skills and relationship building skills for them to build that trust and leadership at the school level. In order to accomplish this, to build trust among all teachers so they may work effectively as members of professional learning communities, and improve the ability to address an expanding diversity of student needs, teachers and administrators need to be accorded professional responsibility and autonomy.

Dr. Levin also identifies seven things that should not be system priorities and with some minor suggestions, we agree that all seven items are not worth the time and effort expended.

Although in line with Dr. Levin's recommendation, the Nova Scotia Teachers Union wishes to underscore very strongly its support for principals and board central office staff within the bargaining unit. We believe this is a key factor in maintaining and enhancing the collegial relationship among all the professionals in education and is central to the "trust and leadership" identified earlier in the report.

---

<sup>1</sup> Levin, Ben, Steps to Effective and Sustainable Public Education in Nova Scotia, April 2011, page 4

We also believe that existing regimes of testing are counterproductive and frequently obstruct good teaching and learning. Large-scale assessment can be meaningful for student learning, but only when these assessments are designed to support the classroom teacher and her understanding of her students, are developed by teachers, are focused on the Nova Scotia curriculum, are marked in a timely manner, are never used to rank students, schools or teachers, and are used to support teacher-developed classroom assessment, both for and of learning.

Some of the large-scale assessment implemented by some regional school boards fails to meet the above standard. Instead the results have no meaning for the classroom teacher or to the school administration other than as part of an arbitrary, external accountability process that circumvents efforts at building “trust and leadership”. There is a role for system accountability through assessments, based on the Nova Scotia curriculum, that are administered to random samples of students. The results of this type of assessment can effectively be used to determine whether we are providing an appropriate curriculum and whether that curriculum is being received. A census style assessment is not an efficient or an effective mechanism for determining system level performance.

Dr. Levin identifies five key areas of focus.

### **Reducing Failure throughout the system**

Dr. Levin identifies three areas of note. First, Dr. Levin states that grade level retention should be avoided and seems to suggest by inference that there is significant grade level retention currently taking place. While many teachers have expressed concern that some students are not receiving the instructional assistance they need, everyone throughout the system is aware of the research that clearly indicates that grade level retention is counterproductive and does not improve student learning. It is extremely difficult for a student to be retained at a grade level and requires that the school board resource personnel, school guidance personnel, the classroom teacher and the parents are all convinced it is in the educational and developmental best interest of the student. Grade level retention is not done lightly and, most significantly, it is not done frequently; it is, in fact, a rare occurrence.

It is important to continually examine why students fail to achieve the curriculum outcomes. As indicated in the report, if student difficulty can be addressed at an early stage, there is clear benefit for the student, for the education system and for the Province. We acknowledge and support the approach suggested in the report that if we are able to avoid or overcome obstacles to student learning as students proceed, there will be less demand on the part of students to repeat courses in order to obtain higher marks. While this certainly makes the education system more efficient, it does not necessarily lead to any cost saving. The efforts to avoid failure require more resources, primarily time and the ability of teachers to attend to more of the individual needs of students. This suggests a reduction in class size and not the status quo or an increase that will result from the funding cutbacks that will, in turn, result in reducing the number of teachers.

We agree with Dr. Levin that the concept of failure is frequently a significant component of the public criticism of public education. In particular the notion that a system that does not have sufficient failure is somehow not upholding high standards or is not “preparing students for the real world” is common among those who wish to propose an exclusive, elitist education that

sorts individuals into system-defined life roles. This approach has been rejected in Nova Scotia for a long time now. Our system is predicated on the belief that all children can learn and that public education is for everyone. We strive to have all children achieve the learning outcomes set forth in the Nova Scotia Public School Program. While his statements in this area may be useful for the public discourse on the purpose of public education, they are not particularly relevant to teachers, administrators, our school boards or the Nova Scotia Department of Education.

## Special Education

The discussion presented under the heading of “Special Education” stands out as particularly misrepresenting the Nova Scotia context. It appears to be describing a system that does not reflect the philosophy and policy underpinning the approach taken in Nova Scotia. We have rejected the concept that “special education” provides “programs and services” to “children outside the mainstream.” In contrast, we have adopted an approach that attempts to focus on the diverse needs of all children; one that sees public education as applicable to the diverse needs, interests, goals, challenges and aspirations of all children. It is unfortunate that the Nova Scotia Special Education Policy (2008) and the Special Education Implementation Review Committee Report (June 2001) were not included in the literature review contained in the References section of the Report, although both are available as public documents on the Department of Education Student Services website.<sup>2</sup>

The language used in the report lends itself to a marginalization of those children with special needs, in particular by referring to their needs as “‘soft’ areas of identification”, “especially students thought to have learning disabilities or behaviour problems.”<sup>3</sup>

We further reject the assertion that there is no evidence that our efforts at addressing students with special needs have not been effective. In addition, Dr. Levin fails to distinguish the resources available to students who have learning challenges that can be remediated and those who face intellectual limitations that preclude those students from ever achieving the outcomes of the Public School Program. In this latter case, the achievement gap will never be reduced, even though the student may go on to lead a fulfilling, satisfying and productive life.

The development of an Individual Program Plan in the Nova Scotia context does not appear to be well understood. While we do agree for the need to reduce cumbersome paperwork, these plans are developed by specialist and resource teachers, the classroom teacher, guidance counsellor if applicable and the parents. The critical component of these plans is the link “to classroom practices”. To suggest that “sometimes they are not even written by classroom teachers” expresses considerable ignorance of the Nova Scotia Program Planning Process, which is clearly described in another Department of Education document not included in the list of references for the report.<sup>4</sup>

Dr. Levin’s discussion of the role and allocation of Teaching Assistants demonstrates, as does his bibliography, that he did not consult the “Teacher Assistants Guidelines”, published by the Department of Education in 2009 or the Nova Scotia Review of Special Education (2007). *Note 6: Educational Assistants* cites research that has no relation to Nova Scotia and the concluding statement of this section suggests we should abandon the use of Teaching Assistants completely,

---

<sup>2</sup> <http://studentservices.ednet.ns.ca/documents>

<sup>3</sup> Levin, Ben, Op. Cit. Page 11

<sup>4</sup> *The Program Planning Process: A Guide for Parents*, Nova Scotia Department of Education 2006

if their use “in fact may have negative”<sup>5</sup> effects. In Nova Scotia, Teaching Assistants may be used to address issues of “Personal Care” and “Safety/Behaviour Management Support” and within those two dimensions of their responsibilities, they may “assist with program support when specifically directed and monitored by teacher(s)”<sup>6</sup> The Teacher Assistant Guidelines further clarify the teacher’s role and responsibilities. “Teachers are responsible for teaching all students who are placed under their supervision and care. This includes responsibility for safety and well-being, as well as program planning, implementation, and evaluation. This is not a responsibility that can be transferred or delegated to non-teaching staff.”<sup>7</sup> Working with a teacher assistant, teachers have the following responsibilities:

- Collaborating with the teacher assistant, providing regular feedback, discussion and clarifying specific job functions based on the needs of the student
- Ensuring on-going communication with the teacher assistant
- Informing the teacher assistant of classroom procedures and the establish school matrixes according to positive and effective behavioural support (PEBS)
- Informing and modelling confidentiality practices pertaining to home-school relationships
- Resolving conflicts with the teacher assistant with the teacher assistant first, administration second and school board third, reflecting board policies
- Serving as primary contact with the parents and guardians
- Informing the school principal or designate when students whom the teacher assistant is supporting are absent so that the teacher assistant’s schedules or assignments can be adjusted
- Collaborating with the principal regarding identified job functions and performance appraisal of the teacher assistant(s)<sup>8</sup>

We further note: in the period from 1993-94 to 1999-2000, the number of professionals providing special education services rose by 1.9% while the number of teacher assistants increased by 110.8%.<sup>9</sup> During the 2000-2001 academic year the ratio of teacher assistants to students was 1:125.9.<sup>10</sup> The Special Education Implementation Review Committee report recommended a ratio of 1:104<sup>11</sup>, the lowest ratio in the Atlantic Provinces. The current ratio stands at 1:70.7<sup>12</sup> and in at least one of the regional school boards this ratio is less than 1:50. Students with special needs require a focus on their learning challenges with attention paid to their educational development; tasks appropriate for teachers, but outside the job description for teacher assistants.

---

<sup>5</sup> Levin, Ben, Op. Cit. Page 29

<sup>6</sup> Teacher Assistant Guidelines, Department of Education 2009, page 7

<sup>7</sup> Ibid. page 9, quoting “Special Education Policy, Nova Scotia Department of Education 2008”

<sup>8</sup> Ibid, op. cit. Page 9.

<sup>9</sup> Special Education Implementation Review Committee Report, June 2001, page 21

<sup>10</sup> Student population: 155,873, Teaching Assistant hours per day reported by boards: 8,664.1, using a 7 hr. Day, the calculation yields 1:125.9.

<sup>11</sup> Nova Scotia Department of Education Special Education Policy, page 10, <http://studentservices.ednet.ns.ca/sites/default/files/speceng.pdf> This figure is also part of the Report of the Hogg Commission on Education funding.

<sup>12</sup> Student population: 127,489, Teaching Assistant hours per day reported by boards: 12,618.1, using a 7 hr. Day, the calculation yields 1:70.7.

## Improving Daily Teaching, Learning and Assessment Practices

The Nova Scotia Teachers Union strongly endorses the view presented in the report that the most significant system support should focus on what happens in the classroom and particularly with the classroom teacher. We are aware of and agree with the research that establishes the direct, positive connection between teacher learning and student learning. When teachers are able to take advantage of professional learning opportunities, attempt to implement new strategies, ideas, assessment practices, and differentiation techniques in their classrooms and with their students, and then to be able to discuss all of this with colleagues, student learning is enhanced, failure is reduced and engagement is achieved.

Dr. Levin noted the Education Professional Development Report and its conclusions and recommendations. We have in progress the implementation of the Instructional Leadership Program for principals and the first cohort is scheduled to begin this summer. The NSTU was part of the development team for this program and approved the regulatory changes so it could go forward.

The NSTU has also been working with the other education partners to establish a coherent approach to professional learning communities that will engage teachers and administrators in a cooperative, collegial approach to teacher learning that we are convinced will be the most effective vehicle to address many of the issues Dr. Levin raises concerning student learning. The report of the Professional Learning Community Study Group Committee has been submitted to the Minister for consideration. It is extremely important to note however that while the NSTU strongly endorses effective and meaningful professional learning communities within our schools, teachers cannot face an increase in workload. Any attempt to impose a preconceived model of a professional learning community on teachers or ask them to engage in these professional conversations by adding to their workload will result in failure and it is an approach we cannot support.

## Allowing More Things To “Count” as Learning for the Purposes of Earning School Credentials

The report suggests a variety of ideas in this section. We support the inclusion of independent study within the senior high school program, both within and independent from many of the existing courses. However, independent study does not mean a student engages in isolated study. Independent study involves a more intensive, one on one interaction with a teacher or teachers. The student and teacher must work together to define the area of study, plan the process, assess progress and finally evaluate the final product. If the expectation is that all students would engage in this form of study as part of their high school experience, it would typically require more teacher time, and therefore more teachers, than the current model.

*“.... Undertaking independent work on the course instead of attending some classes. As they will be required to do in university, students learn in this way to regulate their won effort and learning.”<sup>13</sup>*

---

<sup>13</sup> Levin, Ben, Op. Cit. Page 16

This is laudable, but comes to fruition not by decree, but through a process that teaches students how to assume the responsibility for their own learning and through close collaboration between student and teacher. It is far from clear that increasing independent study would be a cost reduction and may well require additional resources in order to be successfully implemented.

Of greater concern are the suggestions that students should receive credit in the public school system for learning they have gained outside school, particularly when this learning is not simply prior learning relevant to an existing course. While there are some very significant concerns around the evaluation of such learning, particularly with respect to teacher workload, the real problem is that it is philosophically antithetical to the purpose of public education and reduces it to a check-list of credits.

Public education is a means through which a society provides opportunities for young people to engage in learning. It sets out various minima, but is not defined by those minima. We have a minimum age at which youth may stop attending school, but we do not prohibit them from staying in school longer or even encourage them to withdraw from school when they reach that age. Although the Department of Education has established the minimum number of credits a student must achieve in grades 10 through 12, the Public School Program encourages students to partake of a larger set of educational experiences. If a student is able to speak Italian, which is not a course offered within the PSP, this does not detract from the benefit of taking another language if offered. This should be seen as an opportunity, not a penalty. By analogy, if a teacher were to take students to the Art Gallery of Nova Scotia she might indicate that because of the limited time for the trip, each student should be sure to study five paintings very closely. We would not think it reasonable for a student to say that he had seen two paintings at the Metropolitan Museum of Art in New York City and therefore he should only have to look at three paintings. Similarly, we would not discourage the student who wanted to pay close attention to seven.

While it may be reasonable for Nova Scotia to review what courses are required for high school graduation, the determination of those required courses has been a conscious and mindful process. We want students to have facility with English, with mathematics, with social science, with fine arts, with science, etc. Each of the required course areas consists of courses with specific curriculum outcomes. Very few school-based administrators have the expertise or the time to determine whether a student's individual and informal learning has resulted in the achievement of those outcomes. The suggestion that "principals should have discretion to substitute two or three compulsory courses with roughly equivalent external learning"<sup>14</sup> is at best impractical and at worst will result in a chaotic and haphazard public education system.

We do, however, support a comprehensive review of the Public School Program, the last such review having occurred over twenty-five years ago. A review of the PSP should bring together educators from the Department of Education, the Nova Scotia Teachers Union, the regional school boards, the universities and, very importantly, students.

## **Building Public Support and Engagement**

The Nova Scotia Teachers Union supports the recommendation that the province should set a small number of clear, easy to understand goals for the system and the reduction of new

---

<sup>14</sup> Levin, Ben, Op. Cit. Page 18

initiatives for schools, boards and teachers. Many, if not most, of the goals and initiatives advanced by the Department of Education and by regional school boards are, if taken in isolation, extremely laudable. However, teachers and administrators frequently complain that they get started on one thing and in short order are expected to shift gears and embrace something else yet again. Far too often, initiatives, as we have seen with the much needed student information system, are introduced as required working systems without adequate large-scale testing to determine the pitfalls and needed changes.

Although we generally support the principle that accords regional school boards the autonomy to manage their systems as they determine, there is some concern the reduction of the number of programs receiving targeted funding could result in both regional inequity and the loss of capacity in those areas designated for that targeted funding. Some program areas currently receiving this type of funding such as support for students with special needs, early literacy and support for Dr. Lee's recommendation concerning African Nova Scotian students, do so because the Department, in consultation with other education partners, is aware that without the provincial mandate, these services can be reduced or compromised in the face of other funding pressures.

As suggested by the report, one of the ways to reduce this pressure is to reduce the introduction of new curricula and other system initiatives. Currently teachers are feeling overwhelmed by change. They frequently note that they begin one initiative as a designated "top priority" only to see priorities shift and realign for the next school year. Frequent priority shuffle simply results in change paralysis where no effort is followed through to conclusion and an attitude of "this too shall pass" becomes a cultural standard.

We know a great deal about system change and that the critical components of change are confidence, competence and motivation. Motivation is achieved through autonomy, mastery and purpose.<sup>15</sup> The report recommends the creation of opportunities for interested parties to meet and debate what needs to be done in education.<sup>16</sup> The NSTU supports this recommendation and emphasises the importance that these opportunities must be genuine opportunities and allow individuals and groups to have autonomy over which issues are critical and the directions we must follow in order to make necessary changes.

The engagement of teachers within effective and genuine professional learning communities will address both the critical components of system change and the ability for professionals to engage in action-research to provide the evidence for effective practice.

## **Making Better Use Of Existing Facilities And Resources**

### **Teacher Turnover:**

The Nova Scotia Teachers Union shares the concern that too many teachers are leaving the profession and, as noted in the report, frequently within their first few years of teaching. We have seen the demands on teachers accelerate almost exponentially over the last few years. The increase in teacher workload can be divided into two streams. The first of those streams involves the increased educational expectations for all students. The school system is expected to address

---

<sup>15</sup> Pink, Daniel – Drive – *The Surprising Truth about what Motivates Us*

<sup>16</sup> Levin, Ben, Op. Cit. Page 18

much more than it ever was expected to in the past. Meeting the diverse needs of all students is extremely important and central to an education system that will prepare the citizens of Nova Scotia for a future in which knowledge and learning are critical and foundation elements of a successful economy and social environment.

An additional part of this stream is the expectation that school is the place to address a myriad of social ills from bullying and conflict resolution to civic engagement and obesity. While these are important concerns, it is unrealistic to expect the education system to assume the bulk of either the responsibility or cost.

Both of these aspects of the first stream have dramatically increased teacher workload, with very little put in place for teachers to manage it.

The second stream is the increase in the accountability and paperwork demands that take teachers away from working with students. It is this second stream that is most frustrating for teachers and administrators. They may wish for their load to be lightened with respect to the educational demands on their time, but they have much more acceptance of the load because the focus is the student. The seemingly endless increase in reports and regulations is particularly discouraging for teachers. Everything from having to fill out triplicate reports for an office referral before the student can be sent, to submitting minutes of faux PLC meetings to the board central office, to ensuring the fire marshal can find the “binder” and that only the maximum amount of concrete brick wall is covered by students’ artwork represents a burden and deprofessionalization that drives many teachers to seek other careers.

### **Extra Credits**

We have articulated some our concerns in this area above in the section concerning “Allowing More Things to Count”. Public education is not just a minimum for future citizens. It must always be a system that encourages students to explore learning and that cannot be done if we limit a student’s learning opportunities within school to just those required credits. We also impose a discriminatory system if we do not allow students to retake courses in order to increase their subject learning and/or their mark. Students who have the financial and geographic means to take courses again by paying for them, either to the public system or to a private operator, will be able to do so, while those without the financial means or geographic access to the courses will not be able to.

### **School Facilities**

We appreciate that Dr. Levin has raised the issue of school closure. It is a sensitive issue and one that has no single “right” answer. We also acknowledge the emotions around closing schools are intense and often become heated. While a school may indeed be the heart of a community, it is not the responsibility of the Department of Education, the regional school board or the school itself to maintain the community. It must be further noted, particularly in urban settings, the implications for closing or maintaining a school extend to all students within the regional school board, not just those in the school in question. As Dr. Levin notes, the cost of keeping a school open is significant and if not justified, means resources cannot be made available for all students.

All decisions concerning whether or not to close a school must be rooted in the education of students. This includes the impact on students of long bus rides and the availability of the essential services Nova Scotians should expect from their schools. Particularly in urban settings where two or more underused facilities exist in reasonable proximity to each other, the

educational advantages of consolidation and efficient use of resources, both educational and structural (e.g. heating empty space is wasteful environmentally and financially), should not be ignored or be discarded for other reasons, especially for reasons not directly related to the education of the students.

The decisions surrounding school closure must always be open, transparent and complete. The primary criterion must be the education of students followed secondly by the efficient use of system resources. Unfortunately, the current process is costly, too cumbersome, requires too much time and is too adversarial. Legislation should be changed to enable an improved and manageable process for closing schools.

### **Community Use of Schools:**

The Province has facilitated more community use of schools by changing the insurance regulations to cover the expanded use of the facilities. As noted in the report, additional efforts can and should be made to encourage multipurpose use of schools as well as establishing cooperative funding agreements so that the custodial and security costs are shared among more partners and not the sole burden of either the regional school board or the community group, most of which have very limited resources.

Unfortunately, very few high schools in Nova Scotia have vocational facilities and therefore we are unclear what the report expects.

### **Conclusion**

The report very clearly outlines many of the perspectives on education in Nova Scotia that have been articulated by many of the education partners here. Dr. Levin's analysis underscores some of the important directions we have adopted and hope to pursue in maintaining and enhancing the high quality of education we provide for children and youth of the province.

The report brings to the fore ideas that should invite open and comprehensive public conversation. We support this open conversation and encourage the Province to provide an opportunity for all of us to reflect and discuss the directions we need to follow with respect to addressing the needs of all students, how we should increase student success in learning and minimize failure, how can we redesign the process for school closure and how can we increase trust and leadership among all educators so that classroom practice continues to be superior and shared.

Dr. Levin's background with educational system change gives concrete authority to the recommendation that the Province should limit the number of key objectives it should set as a priority. Teachers and administrators across the province have been overwhelmed by the number of initiatives and external priorities they have been expected to address. In part this has been the result of the compounding of Department of Education initiatives and priorities with those of the separate regional school boards. The Nova Scotia Teachers Union supports the recommendation for more system-wide coherence in this regard.

The report suffers from too little review of existing Nova Scotia education policy and practice and therefore suggests courses of action or investigation which are either already current practice or which are irrelevant in our context. Despite this shortcoming, the report provides us with a valuable analysis upon which we may build an even stronger and more effective education system.