Human Resources Legislative Update

Ontario Establishes New Class Size Limits

Date: June 5, 2012

On June 4, 2012, the Ontario government filed a new class size regulation under the *Education Act*. O. Reg. 132/12 (Class Size) defines a number of terms, including:

- “class size” in relation to elementary and secondary schools;
- co-operative education class;
- course;
- cycle;
- instructional day;
- part-time; and
- transfer course.

As outlined in the Ministry of Education’s announcement, the regulation sets new maximum average class sizes for students from kindergarten to Grade 12, including:

- a board average of 26 students per two instructors for full-day kindergarten (“FDK”);
- a cap of 23 students for junior kindergarten (in schools where FDK has not yet been rolled out) through to Grade 3, with 90 per cent of classes at 20 or fewer students;
- a board average of 24.5 students for Grades 4 to 8, with differences for some boards consistent with previous commitments to class size reductions; and
- a board average of 22 students for Grades 9 to 12.

The Regulation revokes O. Reg. 399/00 (Class Size), as recently amended by O. Reg. 26/12, and will come into force on September 1, 2012.