

RESTORED LANGUAGE RESTORED LANGUAGE RESTORED LANGUAGE
SECTION D - WORKING CONDITIONS

Article D.1: Staffing Formula - Non-Enrolling/English as a Second Language Teachers

1. The Government will provide funding in order to decrease the ratios of non-enrolling teachers to students. Notwithstanding the ratios established in this article, in no event will the financial obligations to government or school districts resulting from this article exceed the funding being made available by government, in each year of the agreement, as follows:

Year 1 (July 1, 1998 to June 30, 1999) \$20 million

Year 2 (July 1, 1999 to June 30, 2000) \$5 million

Year 3 (July 1, 2000 to June 30, 2001) \$5 million

2. Districts shall utilize the funding outlined above, exclusively for the purposes of hiring additional non-enrolling teachers and will make all reasonable efforts to comply with the non-enrolling staffing ratios agreed by the Parties, which are estimated to be achievable within the allocation of funding and are described below.

3. Non-enrolling staffing ratios

a. Employee staffing ratios in each category shall not decrease below the number reported in the 1997/98 Ministry form 1530, and as shown in D.1.9.

b. Teacher Librarians:

Effective July 1, 1998, teacher librarians shall be provided on a minimum pro-rated basis of teacher librarians to students in the ratio shown in D.1.9.

Effective July 1, 1999, teacher librarians shall be provided on a minimum pro-rated basis of at least one teacher librarian to seven hundred and two (702) students as shown in the tables in paragraph 5 and D.1.9.

c. Counsellors:

Effective July 1, 1998, counsellors shall be provided on a minimum pro-rated basis of at least one counsellor to six hundred and ninety-three (693) students as shown in the tables in the tables (sic) in paragraph 5 and D.1.9.

d. Learning Assistance Teachers:

Effective July 1, 1998, learning assistance teachers shall be provided on a minimum pro-rated basis of learning assistance teachers to students in the ratio shown in D.1.9.

Effective July 1, 2000, learning assistance teachers shall be provided on a minimum pro-rated basis of at least one learning assistance teacher to five hundred and four (504) students as shown in the tables in paragraph 5 and D.1.9.

e. Special Education Resource Teachers:

Special education resource teachers shall be defined as those teachers assigned to programs 1.16, 1.17 and 1.18 by school districts on Ministry form 1530, September 1997.

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Effective July 1, 1998, special education resource teachers shall be provided on a minimum pro-rated basis of at least one special education resource teacher to three hundred forty-two (342) students as shown in the tables in paragraph 5 and D.1.9.

4. Support for ESL Students

a. ESL students shall be defined pursuant to the definition used for reporting to the Ministry in the 1996 form 1701, "those students whose English language performance is sufficiently different from standard English to prevent them from reaching their potential."

b. Effective July 1, 1998, teachers specifically assigned to providing instruction to ESL students shall be provided on a minimum pro-rated basis of at least one (1) ESL teacher to seventy four (74) identified students as shown in the tables in paragraph 5 and Appendix A attached. Staffing ratios shall not decrease below the number reflected in the 1997/98 Ministry form 1530 and as shown in D.1.9.

5. The following tables summarize the annual expenditure and the estimated ratio for each category of non-enrolling teachers and English as a Second Language teachers.

Year 1 - 1998/99

Extra Teachers

Counsellors Librarians English as a Special Learning

Second Education Assistance

Language Resource Teachers

Teachers Teachers

Ratios 1/693 1/74 1/342

Additional 79 57 79 79 57 Teachers

Cost \$4.5 million \$3.25 million \$4.5 million \$4.5 million \$3.25 million

Total 351 Additional Teachers

Total Cost \$20 million

Year 2 - 1999/00

Extra Teachers

Librarians

Ratios 1/702

Total Additional Teachers 88

Total Cost \$5.0 million

Year 3 - 2000/01

Extra Teachers

Learning Assistance Teachers Ratios 1/504

Total Additional Teachers 88

Total Cost \$5.0 million

6. Process

a. By May 15, 1998, the Ministry of Education will provide to each district, in writing, an estimated funding amount that will be provided to achieve the goals of this article, subject to all of the provisions and expectations of this article. This funding will be based on the non-enrolling requirements as delineated in D.1.9.

b. By May 30, 1998, School Districts shall provide to the Ministry in writing, with

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copies to the Local and BCTF, staffing plans for each school and district for each category outlined in paragraphs 3 and 4 above, that set out how the estimated funding shall be utilized.

c. In the event the district concludes it will not be able to achieve the required ratios with the estimated funds, or that the implementation of this article creates other costs which cannot be met with the allocated funds, the district shall, by no later than May 30 of that year of that year submit its staffing plan to the Ministry, with copies to the Local and state therein the reasons why, in the opinion of the district, it is not possible to achieve the ratios which would otherwise apply.

d. Within ten (10) days of submission of the staffing plan referred to above, a joint committee of no more than three (3) representatives of the district and no more than three (3) representatives of the local shall meet to address whether it is possible to resolve any outstanding issues in order to achieve the non-enrolling ratios referred to in this agreement.

e. Where this process fails, either party, within five (5) working days, may refer the matter to Vince Ready or another mutually acceptable arbitrator for binding decision. Such decision shall be provided within ten (10) days of the referral.

f. By June 15, 1998, the Ministry of Education shall communicate to schools districts, in writing, the level of funding the district will receive in Year 1 to support increased levels of non-enrolling staffing.

g. By September 30 in each year of this arrangement, each District shall submit to the Ministry with copies to the Local and the BCTF, the Staffing Formulae Implementation Plan detailing the actual staffing formulae for the categories identified in paragraphs 3 and 4 above.

7. The process set out in paragraph 6 will be implemented on an accelerated schedule as determined by the Ministry of Education, in consultation with the Parties, for years 2 and 3 of the agreement.
8. All provisions regarding non-enrolling teachers, in the Previous Collective Agreement shall apply, except as modified by this article. Where the Previous Collective Agreement provides for services, case load limits or ratios additional or superior to those established through this process, the services, case load limits or ratios from the Previous Collective Agreement shall continue to apply.
9. Staffing Ratio Tables as follows:

Counsellors Staffing Ratios
Learning Assistance Staffing Ratios
Special Education Resource Teachers Staffing Ratios
Teacher-Librarians Staffing Ratios
ESL Teachers Staffing Ratios

Article D.2: Class Size and Staffing (L)

Important Note:

The following class size language is significantly affected by the “Memorandum of Agreement - K-3 Primary Class Size.” This Memorandum is attached to this contract at page.

The basics of the Memorandum provide the following maximum class sizes:

	98-99	99-00	00-01
K	20	20	20
1	25	23	22
2	23	22	
3	23	22	

For further details on split classes and other details, the actual Memorandum should be consulted.

1. The Board agrees to allocate teaching staff to schools to provide for maximum class sizes as follows:

- Elementary
- Primary Year 1 22
- Multi-age Primary 25
- Primary Year 2 or 3 or 4 26
- Multi-age Intermediate 28
- Intermediate Years 1-4 30
- Secondary
- Science, Home Economics, Industrial Education 26
- Other 30
- District Special Education Classes
- High Incidence 15
- Low Incidence 10
- Total Secondary Student Load 190

2. The Board and the Association recognize the impact class size and composition can have upon a teaching/learning environment.

3. Every reasonable effort will be made to ensure that classes have a lower class size than referred to in D.2.1.

4. For educationally sound reasons, a school staff may, through the consultative process, decide on a school organization that would result in classes exceeding the above.

5. Allocations of other staff shall be based on the following formula

- Teacher-Librarians 1 per 400 students
- Secondary Counsellors 1 per 300 students

6. The Association recognizes the authority of the Board to adjust these staffing allocations when external financial constraints beyond the Board's control are imposed. In such case, the Board agrees to inform the Association immediately and will provide details as to the possible implications on school staffing levels.

7. Prior to submitting annual staffing recommendations to the Superintendent of Schools, each

school's Administrative Officer shall discuss with his/her staff the staffing needs for the following school year.

8. Concerns shall be resolved quickly and corrective measures will be taken by September 30th or, if after that, within ten (10) working days. In the event that an acceptable solution has not been found within this time frame, the teacher or the Association may initiate a grievance at Step 3 of the grievance procedure.

9. Teachers of Primary Program Year 1 students shall be entitled to implement gradual entry programs involving altered hours and the phasing in of small groups of students.

10. Teachers engaged in dual entry primary programs shall be provided with release days in each term for the purpose of home visits, planning, assessments, parent interviews and gradual entry.

Article D.3: Mainstreaming/Integration (L)

1. This article will apply to the placement of and provision of resources for any student, including a student with special needs who, in the professional judgment of the teacher, requires an individual program or additional support.

2. The purpose of this article is to outline the process which will facilitate a quality educational program for all students by providing the most appropriate placement in the school and the most appropriate resources to support the students and the teacher to whom the students are assigned.

3. School-Based Team

For the purposes of this article "school-based team" shall include:

- a. potential receiving teacher(s);
- b. an administrative officer;
- c. school or district professional personnel, including special needs teachers and counsellors;
- d. other appropriate personnel.

Where applicable, the parent(s) and/or student may augment the school-based team.

4. Before placing a student identified in D.3.1, the school-based-team shall convene a meeting of classroom teachers who may potentially receive the student or who may be significantly affected by the placement. The school-based team will consider the student's scholastic history, any pertinent assessment data and any other information which contributes to an understanding of the student's learning needs. The school-based team will also consider class sizes in the school, class composition(s), existing support systems within the school, and the professional judgment and preferences of the teacher(s) who may potentially receive the student.

5. Before placement of the student is completed, the school-based team shall plan the student's educational program. The teacher(s) to whom the student is assigned shall be advised of school-based, district and other resources and/or support services available.

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6. Where an I.E.P. is required, it shall be developed by the school-based team. A "case

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manager” may be designated to monitor the I.E.P. Unless he/she has agreed to act as case manager, the teacher(s) to whom the student is assigned shall not be solely responsible for the development or management of an I.E.P.

7. Where appropriate, a provisional placement may be made to prevent undue delay in enrolling a student in school. This provisional placement will allow time for any necessary placement and/or planning meetings. Such meetings will occur as soon as possible. Additional resources may be provided to the school during the provisional placement.

8. Upon request of the teacher(s), the school-based team shall reassess the placement of the student, the student's educational program and the level of support being provided to the student and teacher(s). Requests for advice and/or additional resources shall be considered.

9. The school-based team shall meet on a regular basis to confirm that the student's placement, educational program and supporting resources are appropriate. The teacher(s) with whom the student is placed are included as members of the school-based team while that student's case is being considered.

10. Clear procedures shall be established for the carrying out of fire and earthquake drills that expedite the evacuation and care of handicapped children prior to the placement.

11. Special needs children and their teachers shall be fully covered by the Board's insurance in cases of accident or injury during all school-related events.

12. Appropriately trained persons shall be responsible to administer medication, perform medical procedures or attend to physical needs. The Board shall establish and implement a system for the administration of medication and medical procedures.

13. The Board shall provide the opportunity for teachers-on-call interested in receiving training to enable them to serve in classrooms with special needs students.

14. To ensure that all students receive adequate attention, no more than two (2) special needs students shall be placed in a single classroom.

15. For the purposes of this article “Special Needs Student s” shall be those identified as “Low Incidence” in Ministry of Education guidelines.

Article D.4: Home Education (L)

1. Educational services that may be required for home education students [as defined in the *School Act* Div. 4 (12 & 13), Regulation Section (3)] shall be provided by members of the bargaining unit.

2. The Board shall provide such additional teaching staff and resources as agreed to between the Board and Association to meet its statutory requirements in respect of home education students.

3. Teachers who enroll classes or otherwise provide educational programs to school-based students shall not be required to register, instruct, prepare materials or exams, assess or prepare reports or provide other educational sources to home education students unless home

schooling constitutes a discrete portion or part of the teacher's assignment.

Article E.10: Assignments (L)

1. Teacher assignments shall be based on the teacher's professional training, teaching experience, the personal preference of the teacher and an equitable distribution of the workload. Assignments, especially for beginning teachers, shall be made in consideration of the number of courses, preparations, class composition and teaching locations.

2. Teachers shall be informed of their next year's assignments at the earliest possible date and, wherever possible, before June 1. A teacher who is not satisfied with a proposed assignment may appeal to the Staff Committee, pursuant to Article A.25 of this agreement.