

BCTF DECLARATION of TEACHING and LEARNING CONDITIONS



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Introduction

In the late 1960s, teachers in British Columbia raised concerns about poor learning conditions for students and poor working conditions for teachers. At the time, teachers bargained locally but the law prohibited strikes and provided for bargaining only salaries and bonuses. Teachers were legally prevented from bargaining class sizes and other learning and working conditions.

Nevertheless, members adopted a unilateral Declaration of Basic Working and Learning Conditions Rights and embarked on a campaign to expand our scope of bargaining. The BCTF and teachers around the province launched a political action and public relations campaign to highlight the need for better teaching and learning conditions. Through political action, protests, demonstrations, study sessions, and strikes, teachers expanded their bargaining rights and achieved many improvements in working and learning conditions. In 1987, under pressure from teachers all over the province, the government introduced legislation that gave teachers full-scope bargaining rights including the right to strike.

On January 28, 2002, the government introduced legislation that took away our right to full collective bargaining including the right to strike, and resulted in the stripping of class-size limits, class composition provisions, and non-enrolling ratios from our collective agreements. Fifteen collective agreements were vapourized and replaced with seven collective agreements for the amalgamated districts. Over 30 years of work for better working and learning conditions was wiped out by that legislation.

We have since been on a new campaign to restore working conditions for teachers and learning conditions for students.

As a first step in that campaign, the 2005 BCTF Annual General Meeting adopted the new Declaration of Teaching and Learning Conditions that is contained in this booklet. It is our declaration of what teachers and students deserve and of what teachers consider to be the building blocks of a quality public education system.

Declaration of Teaching and Learning Conditions

POLICIES

3.J.01— Declaration of Teaching and Learning Conditions

Preamble

A school system that will foster the growth and development of every individual, to the end that she or he will become a self-reliant, self-disciplined, socially and environmentally responsible member of a democratic, pluralistic society, requires appropriate teaching and learning conditions. The Declaration of Teaching and Learning Conditions sets out the rights and responsibilities of BCTF locals and members, the rights and responsibilities of students, and the teaching and learning provisions that will ensure an education system of the highest quality and responsibility.

1. Rights and responsibilities of the local association

- 1.1 It is the responsibility of the local to ensure that discussion of the declaration takes place.
- 1.2 It is the responsibility of the local to make an annual presentation to the school board and the public to report on the teaching and learning conditions in the district.
- 1.3 It is the right and responsibility of the local to participate in any school board established committees whose mandate affects the working and learning conditions of members. All bargaining unit members on such committees shall be appointed by the local.
- 1.4 It is the right and responsibility of the local to defend and improve the collective agreement.

2. Rights and responsibilities of members and staff (see also *Members' Guide to the BCTF Policy 31.B.02, the BCTF Code of Ethics*)

- 2.1 The staff of a public school has the right and responsibility to ensure a school environment for staff and students that follows participatory democratic practices. (see *Members' Guide to the BCTF* Sections 3.O—Staff Committees, 9.A.03, 31.A.04, 31.A.02 (5), 30.A.01)
- 2.2 The staff of a public school has the right and responsibility to provide input to the local for the local budget presentation to the school board.
- 2.3 It is the right and responsibility of a school staff to advocate for improved teaching and learning conditions.
- 2.4 A school staff has the right to participate in decisions regarding the allocation of learning resources in the school.

3. Rights and responsibilities of members

- 3.1 The member has the right to belong to a union that will act on her or his behalf in negotiating all terms and conditions of her or his employment and representing her or him with the employer.
- 3.2 The member has the right to work in a workplace free from harassment, sexual harassment, and free from discrimination on the basis of race, colour, ancestry, place of origin, religion, gender, sexual orientation, age, marital status, disability, or family status.
- 3.3 The member has the right to due process in the pursuit of teaching or learning concerns associated with her or his assignment. (see *Members' Guide to the BCTF Policy 50.A.01*)
- 3.4 The member has the responsibility of assessing the quality of the learning conditions provided for the students in her or his care. (see *Members' Guide to the BCTF Policies 30.A.15 and 28.32*)
- 3.5 The member has the right and responsibility to participate in decision making regarding the policies and practices in her or his workplace.

- 3.6 The member has the right to have employer-provided training in areas that are required for her or him to perform her or his duties.
- 3.7 Members have the right and opportunity to join Professional Specialist Associations to further their professional growth.
- 3.8 The member has the responsibility to maintain a standard of practice that reflects current knowledge and research, and the right to choose professional development activities appropriate to her or his professional inquiries and responsibilities. (see *Members' Guide to the BCTF Policy 31.A*)
- 3.9 The member has the right to determine methods of instruction, use of technology, planning and presentation of materials, and the appropriate assessment and evaluation instruments and strategies.
- 3.10 The classroom teacher, in collaboration with the school-based team and/or other specialist teachers assigned to provide support services to students, shall have the right to determine the placement of, resources for, and support services necessary to the needs of students with special and/or diverse learning needs and other students in the class. (see also Policy 9.A.21 (4))
- 3.11 The member has the right and responsibility to report to her or his local and the BCTF, any conditions that, in her or his judgment, are detrimental to the welfare, health, or safety of students and staff. It is expected that a member will report such conditions to the school staff representative and/or principal, as per local policy and pertinent legislation, prior to reporting them to the local or the BCTF.
- 3.12 The member has the right to spend a portion of the budget for instructional materials and supplies according to her or his professional judgment.
- 3.13 The member shall have the right and responsibility to provide input for the local budget presentations to the school boards.

- 3.14 Members who are new to the profession, new to the school district, in new assignments, and members who work as teachers teaching on call have the right to expect support from the local and the school board in adjusting socially and professionally to the culture of the staff and district in which they are employed.
- 3.15 The member has the right and responsibility to inform parents of changes in teaching and learning conditions, and the effects on the education of students.

4. Rights and responsibilities of students

- 4.1 The BCTF recognizes and supports the following rights and responsibilities of students:
 - 4.1.1 The right to enjoy freedom of speech, due process and freedom from any form of abuse, discrimination, or harassment and the responsibility to be aware and considerate of the rights of others.
 - 4.1.2 The right to enjoy equal access to free public school education, up to and including Grade 12 graduation, regardless of age or disability. This education should include free access to learning materials and to a wide range of curriculum offerings, and the responsibility to utilize available learning resources, and take advantage of opportunities for growth and development.
 - 4.1.3 The right to physical environments that are hygienic, safe, conducive to learning, and free from barriers to persons with disabilities, and the responsibility to refrain from practices that endanger the safety of others.
 - 4.1.4 The right and responsibility to retain their ethnic, cultural, and linguistic heritage, and to be made aware of the ethnic, cultural, and linguistic heritage of others.
 - 4.1.5 The right and responsibility to participate in decisions in accord with the growth of maturity of the student, both as an individual and as part of the group.
 - 4.1.6 The right to participate, without financial barrier in all courses, programs, activities, and clubs sponsored by the school.

- 4.1.7 The right to a teacher on call when any teacher providing support service to the student is absent (including an administrative officer who may be called away to fulfill administrative duties).

The preceding sections set out the rights and responsibilities for BCTF members, local unions, and for students. The sections that follow set out the best provisions for class size, support services materials, resources, facilities, and measures to ensure the health and safety of students and staff members.

5. Professional teaching staff formula minimum allocations

- 5.1 That the following be a Basic Staffing Formula:
- a. For the first 80 students, one teacher for each 10 students or fraction thereof.
 - b. For each 15 students or fraction thereof over 80, one additional teacher.
 - c. For the purposes of this formula, school teaching staff shall include classroom teachers, teacher-librarians, counsellors, learning assistance teachers, relieving and specialist teachers (e.g., elementary art, music, French).
- 5.2 For purposes of this formula, those teachers employed under special program approvals, with the exception of learning assistance teachers, shall not be included. For example, teaching staff for students with developmental disabilities, or students who are impaired in sight, hearing, or speech shall be in addition to the numbers provided by this formula.

6. Schools with greater educational needs—supplementary staffing

- 6.1 For schools with greater educational needs, additional teachers shall be provided. Factors indicative of greater education needs include:
- the socio-economic status
 - language spoken in the home
 - culture of the families whose children attend the school
 - the presence of students with special and/or diverse learning needs
 - availability of community resources, particularly in

small districts

- social pressures affecting students in rural and urban centres
- geography.

Each school should develop a school/community profile which includes information about the factors mentioned above, to assist in determining the educational needs of the school. The purpose of the supplementary staff is to permit reduced class sizes, a more intensive program of learning assistance and remedial instruction, and increased contact by the school staff with Ministry of Human Resources personnel, public health officials, social workers, home and school workers, and auxiliary professional personnel.

6.2 Additional teachers shall be provided to schools that:

- are located in the lowest quartile of the BC population on statistical measures of socio-economic status.
- include a high proportion where language spoken in the home is not English or French, or where significant cultural differences exist.
- include a number of students with special and/or diverse learning needs due to a physical, mental, behavioural or emotional disability, or with health issues.
- are located in the communities where the problems associated with small enrolment require additional programs.
- are located in environments where the social conditions require additional school programs.

Such staffing shall be determined by a school staff after consultation with parents, administrators, auxiliary professional personnel, and wherever possible, the students. This process might involve the use of school profiles, weighting formulas, and needs assessments.

6.3 In staffing such schools, the formulas outlined in article 7 shall be supplemented as follows:

Elementary and secondary schools

- for 60 to 105 students—one teacher
- for over 105 students—one teacher for each additional 100 students or major fraction thereof.

For purposes of this formula, those teachers assigned as a result of special education funding shall not be included. For example, teachers for students with developmental disabilities or impairment in sight, hearing, or speech shall be in addition to the numbers provided by this formula.

7. Class size, teacher workload, and specialized services

7.1 Subject to the conditions in article 6.3, minimum criteria shall be observed as set out in subsections 7.2 to 7.10 inclusive.

7.2 Maximum sizes for regularly scheduled classes shall be:

Kindergarten	15 students
Multi-graded Primary class	15 students
Primary single grade class (Grades 1-3)	20 students
Intermediate classes of 2 grades	22 students
Intermediate classes of 3 grades	17 students
Intermediate classes of 4 grades	15 students
Special class (including ESL)	less than 10 students
All second language courses and Secondary Humanities classes (English or French as FL combined with Socials)	23 students
Any other class (4-12)	25 students
Any other split class (4-12)	22 students
Shops and laboratories	20 students

“Regularly scheduled classes” include alternate programs, online learning, distance education, and adult education classes and/or caseloads. The equivalence shall be determined through analysis of the particular circumstances by the teacher and the union.

7.3 The purpose of inclusion of students with special needs into regular classes is to provide a positive educational experience for students with special needs and the other students in the class. Classes shall be smaller than the sizes stated in 7.2 when they include a high proportion of students with learning disabilities, diverse learning, behavioural, emotional, or health needs, or with a broad range of student ages, grade levels, or achievement levels.

- 7.4 Students shall not be segregated into classes on the basis of their gender.
- 7.5 That time for planning and collaboration must be included in the weekly instructional time as follows:
- instructional time 72%
 - preparation time 16%
 - collaboration time 12%

(includes time to plan with colleagues, research time, observation time, and assessment/evaluation time). (see *Members' Guide to the BCTF Policies* 49.11, 51.05, 51.07)

7.5.1 Instructional assignment shall be defined as time during the regular timetable week devoted to teaching courses and lessons and shall include time assigned to supervise curricular activities, including study periods.

- 7.6 That minimum professional staffing for school libraries or Learning Commons shall be:

Students	Teacher-librarians
200 or fewer	0.6
201-400	1.0
401-750	1.5
751-1,000	2.0
Over 1,000	2.5

Plus 0.5 teacher-librarians for each full 400 students above 1,000. Library support staff shall not be used to reduce or replace Teacher-librarian staffing. The allocation of library support staff shall not exceed the staffing allocation for teacher-librarians. Support staff shall be under the direct supervision of the teacher-librarian.

- 7.7 An adequate number of teacher-counsellors, special education resource teachers, learning assistance teachers, speech-language pathologists, psychometricians, teacher-psychologists, and special education assistants shall be provided to meet the needs of all students in elementary and secondary schools. In order to ensure that adequate resources are allocated to a school, the caseload for a learning support teacher shall be based on the following weighting formula:

- Category A (Physically dependent) and Category B (Deaf/blind)—4 points.
- Category C (Moderate to profound intellectual disability), Category D (Physical disability/chronic health impairment), Category E (Visual impairment), Category F (Deaf or hard of hearing), Category G (Autism spectrum disorder), or Category H (Intensive behaviour interventions/Serious mental illness)—3 points.
- Category K (Mild intellectual disability), Category Q (Learning disability), or Category R (Moderate behaviour support/Mental illness)—2 points.
- Category P (Gifted)—0.5 points.
- Students with no designation but who are seen for ongoing support—2 points.
- Students presently being assessed and/or in the referral and assessment process—1 point.
- Special case load and/or class composition consideration shall be given for students who exhibit multiple-category needs.

The total caseload for any one (1) full-time equivalent non-enrolling teacher for the school year shall not exceed a headcount of thirty (30) students or a weighting of thirty-three (33) points, as per weighting formula above. For those learning specialist teachers who are also enrolling teachers or have other teaching roles, their caseload should be reduced according to the percentage that they are teaching. For example, if a learning specialist teacher is teaching two courses out of a seven-course teaching load, the caseload should be reduced by 28%.

- 7.8 Qualified teacher-counsellors shall be provided at a minimum of one teacher-counsellor for each 250 students.
- 7.9 No member shall be required to perform school supervision duties.
- 7.10 Each member shall be entitled to a teacher teaching on call as a replacement when the member is absent for any reason.

8. Space, facilities, and resources

- 8.1 Classrooms and other space provided shall be sufficiently flexible to allow the staff choices in the organization of classes and groupings and in the application of effective instructional techniques.
- 8.2 Appropriate space and facilities should be provided to support all the programs offered in the school.
- 8.3 The size and configuration of a room in a school shall be based on a functional plan rather than on a rigid square footage formula, but a minimum classroom size should be 84 square metres (900 square feet).
- 8.3.1 Minimum instructional space at the elementary level shall be provided as follows:
- 4.4 square metres (47 square feet) per student in small schools enrolling up to 50 students; and
 - 50 square metres (2,700 square feet) plus 3 square metres (33 square feet) per student in schools enrolling 51 or more students.
- 8.4 Library or resource centre space or learning commons space for existing schools shall be:
- up to 100 students—168 square metres (1,800 square feet).
 - 101 or more students—168 square metres (1,800 square feet) plus .3 square metres (3 square feet) for each student above 100.
- 8.5 Physical library, resource centre or learning commons space for new schools, major renovations, or library additions to existing schools shall be:
per student .8 square metres (9 square feet).
- 8.6 All physical library space shall be dedicated and permanent, but flexible enough to accommodate a range of uses including but not limited to teaching space, collaborative working space, and quiet reading and working space.
- 8.7 Libraries shall be provided:
- 8.7.1 Ample, up-to-date and good condition print materials to reflect Canadian and global society and to support instruction and student interest and needs through inquiry and voluntary unlevelled free

reading selection.

- 8.7.2 Electronic (digital) capacity, including sufficient outlets and devices, and access to a broad spectrum of digital materials and tools free from imposed filtering.
- 8.8 Fully equipped gymnasium, playgrounds, sports fields, and outdoor environmental study areas shall be provided.
- 8.9 Separate changing, lavatory, and shower facilities for boys and girls shall be provided to facilitate integrated physical education and sports programs.
- 8.10 Lavatory facilities for classes including Kindergarten, Primary, or disabled students shall be provided within the classroom or the building in which the classroom is located.
- 8.11 Adequate space with ventilation and privacy shall be available in all schools for non-enrolling and for itinerant staff.
- 8.12 Accessibility shall be provided around, into, and within, the school structure for students and members with disabilities and impairments.
- 8.13 Each school shall have a staffroom of at least 84 square metres, equipped with kitchen facilities, adult washrooms, and shower facilities.
- 8.14 Each member shall have a workspace with access to personal storage, appropriate teaching and professional resources, and appropriate effective technology provided by the district.

9. Health and safety

- 9.1 All students and staff in public schools and programs have the right to be in schools or programs free from bullying, violence, discrimination, and harassment.
- 9.2 Classes shall be conducted only in seismically sound facilities that are well-ventilated, clean, and where temperature, lighting, humidity, sound level, and other physical conditions are hygienic, safe, and conducive to effective learning.
- 9.3 The number of students in a laboratory, shop, or other specialized classroom shall not exceed the number for which the facilities were originally designed.

- 9.4 All teachers new to assignments, including teachers teaching on call shall receive safety training. Teachers teaching on call will be provided with a practical written guide outlining routine and emergency procedures followed at the school and will be briefed by the employer on all health and safety risks presented by her or his assignment.
- 9.5 In any classroom where students with special needs are integrated, appropriate additional safety measures shall be available, and teachers including teachers teaching on call will be advised of such measures.
- 9.6 Students new to a school will not be in attendance until a background check has ascertained that the student poses no risk of violence or until a plan has been written and communicated to all staff and adequate resources and training are in place to eliminate or minimize the risk of violence.
- 9.7 Districts will have a system to track incidents of violence and/or threats of violence committed by students and parents/guardians, and this history will be communicated to all staff who are likely to have contact with the student and/or parent/guardian. (05 AGM, p. 41)
- 9.8 Teachers, including teachers teaching on call, will be apprised of any risk of violence from parents/guardians of students with whom they come into contact. A written plan, including training shall be in place to eliminate or reduce the risk of violence and communicated to all members, including teachers teaching on call.
- 9.9 Members will be advised of medical conditions which may affect learning or the health and safety of any students in the school.
- 9.10 Members will have the appropriate ergonomic working conditions.
- 9.11 Working alone procedures shall be in place for members when working in isolation, visiting the homes of students, or similar situations. (05 AGM, pp. 18-24)
- 9.12 Districts shall have an emergency response plan for incidents of catastrophe or violence.