

STA Examiner

Surrey Teachers' Association

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Teachers Win Compensation for Class size and Composition Violations



Denise Moffatt

Following arbitrator Jim Dorsey's ruling in August of 2009 where he found that 21 of 81 representative classes were in violation of *the School Act*, Dorsey has now ruled on the remedies for the 21 classes that were in violation. Despite the employers' position that no remedies other than simple declarations were appropriate, Dorsey awarded substantial remedies to teachers in the form of compensatory days. These days were awarded for both classes where he ruled the principal's opinion of the class was not reasonably held and where the consultation process itself was lacking or inadequate. Dorsey also created a formula to apply this remedy to the remaining 1,500 grievances.

Of note, Dorsey did not agree that inadequate funding was a factor in determining appropriateness for student learning or the scope of remedy for teachers. *"It is not to be left to arbitrators to diminish remedies for individual teachers or increase deference to the opinions of principals and superintendents because underfunding places boards of education in positions where they must stretch their opinions of what is appropriate for student learning to meet class size and composition standards with inadequate funding."* (paragraph 73)

Essential factors:

Where teachers and staff reps did not complain about the lack of consultation, agreed to inadequate consultation or agreed to teach classes exceeding the standards, the remedy was reduced.

Teachers who agreed to help organize or load classes which exceed the standards also placed themselves in jeopardy of diminishing or negating any remedy.

Therefore,

Teachers must continue to clearly articulate their disagreement with their classes and that the union must promptly file grievances on violations in order to ensure timely resolution and remedy.

The remaining grievance from the 2006-2008 school years will now be reviewed by the parties to determine the applicability of the remedy on these classes. While this remedy does not undo the past lost learning and working conditions we hope it will deter future violations.

FSA Withdrawals

Unlike many other lower mainland districts, the Surrey School District has not agreed to accept parent withdrawal forms at face value. Instead, principals have been directed to contact parents directly and to persuade them to change their views. We wrote to the Chair of the Board of Education and spoke with senior management about this matter, but they have not altered their view. Mike McKay confirmed the reason for the principals' phone calls stating, "In some cases, a parent's increasing [sic] understanding of the variables associated with the FSA cause that parent to be more supportive of the student participating in the assessment than had originally been the case."

The district is of the view that parents have not been given all of the information by teachers and are making, in some cases, uninformed choices. We believe that parents are informed about the negative impact of the FSA and that we have provided sufficient support materials. It is our view that the Board's strategy puts parents in a difficult position and will be divisive within schools. We are very disappointed our district has not supported teachers' opposition to these tests despite nearly ten years of resistance to the FSA by Surrey teachers.

“Now that I’m home in the rain and the cold winter weather of Vancouver, what do I remember most about teaching in Peru this summer?” *Laura Barker*

I remember the reports we heard in the news before we left about the violence and protests that had been intensifying in Peru. For months, indigenous groups in Peru had staged demonstrations against a series of legislative decrees that threatened their ancestral lands. Concerned about oil and logging development in the Amazon--as well as other neo-liberal policies--people across the country held marches, went on strike, and caused traffic chaos to register their discontent with the government’s policies. Thousands protested and dozens were killed in clashes between police and citizens. This sadly familiar story is echoed around the world as citizens take a stand against government corruption and the corporate economic model that exploits natural resources while ignoring local needs. I was interested to learn that, along with other trade unions in the country, Peru’s teacher union, SUTEP, was in the forefront of the protests in Peru. Through an inspiring show of solidarity, protesters forced the government to repeal some of its pro-corporate decrees, just a week before we were to arrive.

I also remember my first days in Lima and seeing the very different areas of this city of 8 million people, from the shanty towns on the outskirts, to the beautiful old centre of the city, to the upscale suburbs. I remember the building where we taught our workshops in Lima. Some of the round windows in our classrooms had no glass in them so we tended to stay in our coats throughout the session--it is a bit chilly in Lima in July. Through that window I could look down at the street during the break where some local young people with an entrepreneurial spirit had set up a table to sell hot chocolate and cake outside the building; there was little

else available for a quick snack in the neighbourhood and they promptly filled a need.

Eventually I taped chart paper over that round window frame and, despite the breeze that still whistled through, there was a warmth and enthusiasm from these Peruvian teachers. Many of them must work two jobs to support their families on their meager teacher’s salary. Despite these challenges, they made long journeys on public transportation to attend our English pedagogy workshops, happy for the rare opportunity to participate in professional development and to make personal connections with Canadian teachers. I remember the first of many participants who thanked me and kissed both cheeks at the end of each session. Many of the teachers wanted multiple photos taken with us at the end of the course. Though we were only there for a week, they secretly organized a lovely closing ceremony in which they sang, danced, performed skits, and offered us traditional gifts and snacks.

I also remember how I felt when I found out that the union activists in Peru are not released or paid for their work. It’s a wonder the union has any volunteers at all, given how hard the teachers must work just to make ends meet. The passion and commitment of these union activists was inspiring. One was even shot during the previous month’s protests. It was also quite interesting to facilitate discussions with the teachers in our workshops about what they wanted their union to do for them. Given the political situation in the country, professional development is not what the union has traditionally focussed on, and classroom teachers expressed the opinion that their day-to-day teaching needs are not understood or supported by the union. Thus, it was

intriguing to both facilitate pedagogical workshops with teachers and gently introduce new ideas to the union activists, encouraging them to listen to the needs of their teachers and to allow them to get more involved in the union.

I also remember arriving at our second location, Piura, in the north. Our SUTEP host there was on his cell phone constantly, setting up media interviews for us and juggling his work and union duties. As he walked with us down the main road downtown, giving us a brief tour, he handed out leaflets advertising our workshops to teachers he met in the street. A few days later, in the middle of an excursion he took us on to the artisan community of Catacaos, a man rode up to us on his bicycle. Our host had arranged for this reporter to meet us in the town square where he promptly unstrapped a tape recorder from across his chest and there in the middle of the street interviewed the SUTEP union representatives and our team leader Julia.

And finally, I remember preparing for my workshop on assessment strategies in language learning classrooms. There’s nothing like having to distill down the essence of your practice into a workshop of a few short hours to make you really articulate the nuggets of what you believe. Once we got to Lima and better understood the needs and the level of the workshop participants, I needed to tweak the content just a bit. But when we got to the second location in Piura, most of us needed to do quite an overhaul of the content. The language level in the north was much lower than Lima as the teachers have fewer opportunities to hear and speak English. We suspected this might be the case, but after our first day we frantically chopped and

(Continued from page 2)

adjusted our workshops as we were met with many blank stares in the first session. Turns out my “nuggets” could be distilled even further!

Preparing and facilitating a workshop is the best professional development I can think of. And presenting in front of one’s peers is an excellent way to keep honest about what works and make you reflect on your practice. I have many more memories of teaching in Peru this summer--along with thousands of photos--but I am most grateful for the opportunity to work with Canadian and Peruvian colleagues and to be reminded of the importance of union development and solidarity in a developing country.

News from the STA Pro-d Committee:

Stephen Anderson, Professional Issues Officer

We would like to thank Patti Turner for her many years of service on the Pro-d Committee. Patti has accepted a position at the BCTF as the coordinator of the Internal Mediation Service (IMS) and the Judicial Council (formerly held by Kelly Shields who has moved into another position). Patti guided the Pro-d committee for many years and was relied upon for her historical knowledge, organizational, and presentation skills. Patti also helped form the Joint District/STA Mentoring Committee over 10 years ago which has close to 100 participants this year.

This has now led to a vacancy on the STA Pro-d Committee and the Joint District/STA Teacher Mentorship Committee. In addition to Patti's now vacant position on the Teacher Mentorship Committee, there are 4 other vacant 2 year term positions for this committee (2 secondary positions and 2 elementary positions). If teachers are interested in being appointed to these committees, please complete the Curriculum Vitae found on the STA Website (www.surreyteachers.org) and send it to Lorna Sheh at the STA office.

BCTF New Teachers' Conference - March 26-27, 2010

in Richmond at the Radisson Hotel

The STA Executive committee has passed the following motion at their meeting on January 18.



THAT the STA provide funding for fifteen teachers to attend the BCTF New Teachers' Conference with funds to come from the New Teachers: Conference/Orientation budget line, which if exhausted funds to come from PEAP.

The funds will cover the conference fee and a release day. This will be on a first come, first served basis. Contact Lorna Sheh at the STA office to get your name on the list.

For more information or to register for this conference visit the BCTF website at:

[http://bctf.ca/
NewTeachersConference2010.aspx](http://bctf.ca/NewTeachersConference2010.aspx).

The STA New Teachers' Conference

was a great success again.

Thirty-one new teachers participated with curiosity and enthusiasm to problem solve common interests and celebrate their solidarity as members of the BC Teachers' Federation / Surrey Teachers' Association.

November 4, 2009
with Irene Lanzinger,
BCTF President



January 14, 2010
with Susan Lambert,
BCTF First Vice
President

Flu Vaccine Program **Catch-up Clinic** will be held on
Monday, February 15, 2010

at District Conference Centre Room #1, 9260-140 Street, Surrey. From 1:00 pm — 6:00 pm.



Report Cards

What is required by provincial policy? (2009)

Provincial regulations for reporting student progress require that parents or guardians be provided with a minimum of:

Three formal written report cards

Formal reports identify student progress and are placed in the Permanent Student Record file.

Two informal reports each school year

At least two informal reports must be provided to parents each school year.

Schools determine how they will communicate informally with parents.

What should be included in the informal report?

Informal reports **may** describe:

- ◆ what the student is able to do
- ◆ the areas of learning that require further attention or development
- ◆ ways the teacher is supporting the student's learning needs (and, where appropriate, ways the student or the parents might support the learning)

Do I have to use the informal report template in the report card program?

No, informal reports can take a variety of forms, such as:

- ◆ telephone calls
- ◆ interim reports (written or oral)
- ◆ conferences (parent-teacher, three-way, student-led, etc.)

A record of each informal report should be kept, noting the date, type and topic(s) of discussion.

F.A.Qs

Must primary teachers report on socials and science every term?

The Ministry Student Progress Report Order requires;

- ◆ separate reporting for social studies and science for at least two reports in each school year;
- ◆ reporting in each of the specific areas of fine arts (dance, drama, music and visual arts) at least once in each school year.

Must teachers report on social responsibility separately? Does this mean separate from the report card?

There is a requirement for primary teachers to “include a separate description of the student's social responsibility” within the report card.

From grade 4 up, the provincial requirement is to report “a description of the student's behavior, including information on attitudes, work habits, effort and social responsibility.

Do we have to use the performance standards in reference to social responsibility in primary and intermediate grades?

No, the performance standards are non-mandatory resources...and it says that in the front of each of the ministry documents.



Teachers are required by legislation to provide reports to parents. Given that the legislation applies to all school districts, why are there significant differences between what is required district to district?

School boards are allowed to adopt local report card templates provided they include all the things required by ministry policy. However, they can add requirements as long as those do not contravene provincial policy (for example, as letter grades in primary would).

Where can I find the provincial legislation and school board policy on reporting?

<http://www.sd36.bc.ca/Board/Policies/8000/8700-DistrictAssessmentEvalu.pdf>

<http://www.sd36.bc.ca/Board/Policies/8000/8700.1-DistrictAssessmentEva.pdf>

http://www.bced.gov.bc.ca/classroom_assessment/09_report_student_prog.pdf

<http://www.bced.gov.bc.ca/legislation/schoollaw/e/m192-94.pdf>

When an administrator signs your report card or IEPs does that mean the legal onus is removed from the teacher i.e. the administrator takes the responsibility?

No, you are required to write the report cards—the principal's signature indicates they have read the document.

Is the Early literacy Phonemic Awareness Test Surrey (ELPATS) mandatory?

- ◆ NO, the Surrey School District has several assessment initiatives designed to help teachers with assessment FOR learning, including RAD36 and ELPATS. These assessments don't “bring funding”, except in the sense that additional resources may be directed to a school where there seems to be more need.
- ◆ Teachers must administer assessments required by legislation and school board policy, e.g., provincial exams and Foundation Skills Assessments. RAD36 and ELPATS are not required by either.

Under what circumstances can I change the ‘PLOs’?

To better communicate with parents, the language of

the PLOs may be simplified
 Some PLOs may be clarified by adding specific examples
 As long as the integrity of the PLO is maintained

Can I report on one part of the PLO this term and the rest next term?

Yes, provided you report on the entire PLO before the end of the school year and do not change the integrity of the PLO

When should I assign an “I” for Incomplete?

On informal and formal reports
 As soon as problems are detected
 Before an “F” is assigned

Do I need to submit a “planning package” to my administrator at the beginning of the term?

You are not required to submit a “planning package” as they are not necessary and significantly increase the workload of teachers. A list of PLOs you hope to teach that term will suffice and may be amended as the term progresses.

Do teachers at the same grade level have to teach/ report on the same PLOs each term?

No, teachers have professional autonomy to determine within the curriculum what will be taught and when. While conversations with colleagues are a great way to enhance professional practice, uniformity across grade level is not required.

How do I report on a student who is on an adapted or modified program?

Adapted – This means that a student will meet at least the minimal expectations of the IRPs. An adapted program retains the learning outcome of the curriculum, but adaptations are provided so the student can participate in the program.

A student on an adapted program receives the same report card as their peers, however, the teacher must comment on the subject areas which are being adapted and what the adaptations are which are being used. Students on adapted programs are assessed using the standards for the course/ program and can receive full credit for their work.

Modified – This means that the student is on an individualized program, an IEP, and will not meet minimal expectations of the regular curriculum.

A modified program has learning outcomes that are substantially different from the prescribed curriculum and are specifically selected to meet the student’s special need. A student on a modified program requires a report card which is individualized and reports on the progress of the goals of the IEP. A student on an IEP does not receive letter grades, except if they are taking a course (eg. Physical Education) which is not modified. (A student may be on a combination of an adapted and modified program).

Special General Meeting / STARA Meeting

March 3, 2010

Eaglequest Golf Centre

7778 - 152 Street, Surrey

4:00 – 6:00

Agenda items include:

- ◆ **School Calendar 2010-2011**
- ◆ **Election of Alternate Delegates to the BCTF AGM**

College of Teachers

Over the past few weeks a number of issues of concern have developed at the BC College of Teachers. Our zonal rep, Val Windsor, reported to our general meeting in January about the emerging issues.

There is a move from the College to change the *Teaching Profession Act* in order to prevent the BCTF from endorsing candidates and to restrict communication between college councilors and members. This is a clear attempt to prevent college councilors from exercising their charter rights and freedom of expression and association. The College claims the move is about public confidence but has failed to produce any evidence to support this assertion.

Next on this list is a fee increase. The college has a surplus of nearly \$2 million but has put forward a proposal for a fee increase in order to hire additional staff and to purchase a new building. The proposal, if carried, would see a 30% increase in fees. Although the College has been operating on a deficit budget, given the surplus, there is no pressing need for such a large increase and surely the purchase of a building is not justifiable at this time. We will continue to update you on this issue.



BC College
of Teachers

February 15th, 16th, 17th, or 18th

Staff Rep Training 2010

District Conference Center
9620-140 Street, Surrey
8:45am - 2:45pm
(Lunch provided)

**Space is limited and will be filled
on a first come first serve basis.**

**Register by emailing your name and preferred date to
Cindy Tierney or Donna Stewart via FirstClass**

When filling out your LOA please include the following information:

Leave type: STARA Training Article 40.772

Details: School Union Rep Training

Leave: with pay

Cost of TOC: to be borne by STA

Attention: Chrystal Tagmann

As always, you are responsible for booking your own TOC (dispatch # 604-507-5757).

Secondary teachers should include the following confirmation number on your LOAs.

**February 15 - #10021500, February 16 - #10021600 ,
February 17 - #10021700 , or February 18 - #10021800**

The following motion was passed at the December 16th STARA Meeting:

THAT if a staff representative knows in advance that they will not be attending training, another member from their staff may be chosen by the staff to represent them at training.

STA Job Share Information Meeting

**Thursday, February 11, 2010
3:45 — 6:00**

**District Conference Centre
9260 — 140 Street, Surrey**

- ◆ *This meeting will provide an opportunity to meet others who would like to job share.*
- ◆ *Forms will be available for those teachers who would like to put their name on the STA list of teachers seeking a job share partner. This list will be posted on our website.*
- ◆ *Denise Moffatt, STA President, Lori Wilson, STA Health & Safety Officer and Karen Kilbride, STA Executive will be available to explain the contract language and to answer questions about job sharing.*
- ◆ *If you are not able to attend this meeting, you can get a job sharer's information form online at www.surreyteachers.org or visit the Job Share Conference on First Class .*

**Surrey teachers with a
continuing contract have the
contractual right to job share.**

Participate in the Surrey Teachers' Communication Survey and win a prize!

At the Surrey Teachers' Association, we strive to keep you informed of current issues in education and your rights as a Surrey teacher. We are currently conducting a survey to give you an opportunity to tell us whether our communications are meeting your needs. We want to learn from you what we do well and what we can do better.

The 15-minute Communication Survey can be accessed at the following Survey Monkey website **until February 15th**:

<https://www.surveymonkey.com/s/K9FYK3B> or <https://www.surveymonkey.com/s/surreyteachers>



You may complete the survey by following the link or by contacting the STA office for a copy of the paper survey. All participants are eligible to enter a draw for **one of thirteen great prizes: a \$100**

grand prize, two \$50 prizes, and ten \$10 gift cards.

If you have any questions, or experienced technical problems with the online survey, or are interested in the results, please contact Chrystal Tagmann at the Surrey Teachers' Association. Tagmann_c@sd36.bc.ca
604-592-8395



BCTF Pension Recommendation Information and feedback session



Surrey teachers will be voting on the pension recommendations at the upcoming BCTF Annual General Meeting. Here's your chance to let our delegates know what you think about these recommendations. Your feedback is important.

Have your say!

Date:

February 25
March 1
March 4

Locations:

Ever Creek Sec.
Elgin Park Sec.
Queen Elizabeth Sec.

Time: 3:30pm

Teachers refuse to complete Satisfaction Surveys

The BCTF adopted a position that "teachers no longer participate in the government's satisfaction survey." (*Members' Guide to the BCTF 2009-10*, p.54, 9.A.22)

The Ministry of Education surveys do not ask about the availability of resources, the appropriateness of class sizes, the problems of class composition, the loss of services, school closures, or the reduction of choices in our schools.

There have been no educational benefits from these surveys. However, the government uses the survey results as a public relations exercise to brag about how happy everyone is with their education policies.

You cannot be compelled to complete the satisfaction survey yourself, but you may be required to have your students fill in the survey. The teacher survey is designed to get the "right" answer from teachers. It avoids any questions dealing with substantive issues facing our schools, students, and teachers.

No one directly involved in teaching and learning could express "satisfaction" with larger classes, fewer services, and closed neighbourhood schools. The BCTF is continually trying to get the minister to pay attention to teachers' dissatisfaction with conditions.

Please do not complete satisfaction surveys, and let the minister of education and your MLA know how you really feel.

Surrey Teachers' Association - February 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
	3:30-Status of Women Committee Meeting-STA 3:30-Mentorship Steering-STA	4:00-Executive Committee Meeting-STA	Surrey Retired Teachers-STA	8:30-Mediation Team-STA 3:45-BCTF AGM Delegate-Conference Centre 4:00-TIME Committee-STA	8:30-Mediation Team Non-Instructional Day	
		Denise Moffatt – Winter School				
7	8	9	10	11	12	13
	3:45-BCTF AGM Delegates-Conference Centre 4:00-Special Ed LSA-Conference Centre	4:00-STA Convention Committee Meeting-STA	4:00-Assessment Review-STA 4:00 Grievance Committee Meeting STA	3:45-STA Job Share Information Meeting-Conference Centre 3:30-Mentorship Committee-		
		Arbitration Hearing				
14	15	16	17	18	19	20
	3:30-Pro-D Committee Meeting-STA 4:00 STA Health & Safety Committee meeting -STA	4:00-Executive Committee Meeting-STA		3:30-District Health & Safety Committee Meeting 4:00-Economic Welfare Committee Meeting-STA		
		STARA Training — Conference Centre. Feb. 15, 16, 17, 18. To register please email Cindy Tierney or Donna Stewart via FirstClass				
21	22	23	24	25	26	27
	11:30-Presidents' Table-Board office Room #4	8:45-BCTF AGM Delegates-Conference Centre	4:00 All Day Kindergarten-Conference Centre	3:30 Pension Information & Feedback Session Enver Creek Secondary		
28	March	2	3	4	5	6
	3:30 Pension Information & Feedback Session Elgin Park Secondary	3:30 Pension Information & Feedback Session Location—TBA	4:00-Special General Meeting / STARA Meeting Eaglequest Golf Centre	8:45-Convention work day-STA 3:30-Mentorship-Conference Centre 3:30 Pension Information & Feedback Session Queen Elizabeth Secondary		