

VEAES WEEKLY

TOPICS WORTH TALKING ABOUT! PLEASE READ AND DISCUSS WITH YOUR COLLEAGUES



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Freedom of Expression

by: Jody Polukoshko

Survey after survey, and focus group after focus group continue to demonstrate that teachers continue to be the most trusted source of information for parents about public education. More than administrators or districts, more than government, and even more than the teachers' union. Parents trust our perspective on how things are going in schools.

This comes with challenges, as we know, because there are rules surrounding the "duty of fidelity" to our employer that we need to be cautious about. Duty of fidelity is sometimes raised by the employer when they feel that teachers' expression (communication with parents, the public, social media) threaten confidence in the public school system, or convey misleading information that causes confusion and conflict. BCPSEA, the provincial organization that represents employers, often has a different view of this threshold than we do as teachers.

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The employer often claims that things like FSA communications, criticisms of the board, or other information that is contradictory to the public work of the VSB is a violation of an employee's duty of fidelity. We may have different views of this, but it's important that members protect themselves and are aware of this issue. The protocols agreed to by BCTF and BCPSEA around the distribution of FSA materials connect to this balance between our freedom of expression, and the Board's response to the content of our communications

Two things to keep in mind – the duty of fidelity does not extend to the provincial or federal government, just to your employer, the VSB, including elected trustees. Also, the duty of fidelity continues outside of work hours and off school grounds. The second is that we have the right, and even responsibility, to communicate to parents about issues impacting their child's education. These principles of duty of fidelity must always be read alongside our freedom of expression, especially in the context of public education. Put another way, the bar is high for our freedom of expression to be fettered.



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Freedom of Expression

by: Jody Polukoshko

Please also remember that your VSB email, the employer's TEAMS pages, and the employer's devices are all property of the VSB. They can, and do, read your communications. Please only do VSB work on the VSB's devices and technology, and please only use the VSB devices to do VSB work. We recognize that there may be efficiencies having work email, TEAMS apps, etc. on personal devices or your phone, and that texting with administrators might save you time, but we recommend utilizing the appropriate device for personal vs work. Remember also we don't conduct union business on the VSB email system so when you contact VEAES or the BCTF, do so using a personal email account. Thank you!

Here are some of the decisions issued by the 2013 Court of Appeal confirming teachers' Freedom of Expression:

"...it is difficult to see how discussion about class size and composition in relation to the needs of a particular child by an informed and articulate teacher could do anything but enhance the confidence in the school system. Like the arbitrator, I cannot discern any potential harm from the posting of materials on a school bulletin board."

"...teachers cannot be "silent members of society" in light of the importance of a "free and robust public discussion of public issues" to democratic society...The School Boards cannot prevent teachers from expressing opinion just because they step onto school grounds. School grounds are public property where political expression must be valued and given its place."

"...Canadian jurisprudence...stands for the principle that open communication and debate about public, political issues is a hallmark of the free and democratic society the Charter is designed to protect. Children live in this diverse and multi-cultural society, and exposing them to diverse societal views and opinions is an important part of their educational experience."

https://policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2013/11/osos113_FreedomofSpeechforTeachersConfirmed.pdf

<https://blogs.ubc.ca/ices/2013/05/27/bc-teachers-federation-scores-landmark-victory-in-academic-freedom-and-freedom-of-expression-bcpoli/>

Become a Delegate to the BCTF Annual General Meeting

March 16 - 19, 2024

by: D. Tereposky

At our next VEAES General Meeting on December 12, we will be voting on resolutions to be sent to the 2024 BCTF AGM. Held at a hotel in Vancouver, the BCTF AGM is where those resolutions and others from around the province will be debated and voted on. The BCTF AGM elects your provincial Executive Committee, sets the membership fee, manages the Short Term Disability Plan and sets policy for our public and internal direction. It is a wonderful networking opportunity to meet delegates from across the province, and to hear and participate in lively debates about issues related to our profession and social justice. Elected delegates will receive training and preparation for the meeting on March 7 and 11, for which they will be released from their class duties. If you have questions about attending, please contact any of the Local Reps:

samuel@veaes.ca, chloe@veaes.ca, or natasha@veaes.ca

Interested candidates can fill out this [nomination form](#). Deadline for submitting your nomination is **January 9**. Elections will take place at the January 16th VEAES General Meeting, held at Tupper Secondary School.

TTOC Social Thursday December 21st @ 4 PM

by: D. Tereposky for Kevin McPherson (TTOC Committee Chair)

TTOCs, enjoy a beverage and food courtesy of VEAES to celebrate the upcoming winter break! The VEAES TTOC Committee is hosting a social at CRAFT Beer Market at False Creek. Connect with fellow TTOCs and meet members of your TTOC Committee. RSVP to:

kevin@veaes.ca. See announcement above for details and we hope to see you there.



Update of Data Collected by New Failure to Fill Tool

Keep 'em coming folks!

by: Eric Proulx

At October's Staff Rep Assembly, we rolled out the new [VEAES Failure to Fill tool](#). VEAES wants to thank all teachers who have begun using the tool as now when VEAES reps have discussions, we have data to back up our claims that failure to fill is on a daily basis, having a profoundly negative effect on teacher morale, is adding to teacher workload and harming our ability to deliver services to our students.

So far, the data has come in handy in discussions with senior management at the VSB, with school trustees Jennifer Reddy, Lois-Chan Pedley, Janet Fraser, the BCTF Political Action division, among others.

Here's a breakdown of the data collected thus far (As of October 6th at 3:00PM):

- 843 responses, so 843 times people were impacted by a failure to fill.
- 71 school sites have begun reporting since roll-out.
- 36.6% of all reported events were "all day" events.
- 182 events resulted in lost prep time.
- 646 events resulted in loss of resource support (resource teacher being pulled from their services to students to fill in).
- 107 events where the library was closed.
- 33 times a TTOC had to start a day in one site and be re-deployed to another.
- 24 times a District Literacy Teacher was pulled.
- 85 "Other"... scenarios that I have not yet learned what they are! If you have personally chosen "Other" as a response, please reach out to eric@veaes.ca explaining this scenario, so our data can more accurately capture the experience of teachers on the ground!

Your hard work in reporting Failure to Fills is appreciated and please encourage your colleagues to use the tool when they are impacted! If you would like additional QR Code posters sent to your site, please reach out to Eric. Encourage your colleagues to use the tool if they are impacted by failure to fills.





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Dates to Remember

General Meeting/ Staff Rep Assembly

December 12
4 pm

Tupper Secondary - Cafeteria



Executive Committee Meeting

December 19
4 pm

VEAES Office
2238 Yukon Street



VEAES

The Vancouver Elementary and Adult Educators' Society is the union representing elementary teachers and adult educators working in public schools in Vancouver.