

- 59.8 The Board may dismiss an ADTU member on probation by giving thirty (30) days' notice in writing, providing that the notice shall not be given during the first thirty (30) days of probation and that there shall be at least twenty (20) teaching days included in the notice period, such notice to be issued only after consultation with the Superintendent of Schools and consideration of a second less than satisfactory report prepared pursuant to Article 56 (Evaluation of Teaching Performance).
- 59.9 An ADTU member who has received notice pursuant to Article 59.3 has the right to discuss the reasons with the principal of the school and the Superintendent of Schools, and may, where the Board so determines, be interviewed by the Superintendent of Schools and the Board, or the Superintendent of Schools and a committee of the Board.
- 59.10 An ADTU member may be accompanied by another member or by a representative of the ADTU who may represent and/or advise the member during an interview referred to in Article 59.9.
- 59.11 The standard for the dismissal of a probationary ADTU member shall be the lack of suitability based on teacher performance consistent with the criteria identified in Appendix A, titled, Criteria Critical to Teacher Competence.

ARTICLE 60 - CLASS SIZE P

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 125.

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.

- 60.1 Effective September 1, 1991, the Board agrees to employ sufficient staff to provide for class sizes consistent with the following targets:
- | | |
|-------------------------------|----|
| First year primary (K) | 21 |
| 2nd, 3rd, and 4th yr. Primary | 25 |
| Multi-grade Primary | 23 |

5th, 6th, 7th yr. (Lower Interim.)	29
Multigrade (Lower Intermediate)	27
8th, 9th, 10th yr. (Upper Interim.)	30
Multigrade (Upper Intermediate)	28
11th, 12th, 13th yr. (Interim/Grad)	30
Industrial Education (Jr. Sec.)	26
Industrial Education (Sr. Sec.)	24
Science (Sr. Sec.)	26
Home Economics	26
English/Social Studies (Sr. Sec.)	28
Resource Rooms	
i) Low incident/high cost	10
ii) High incident/low cost	15

- 60.1.1 For the purposes of determining class size, a kindergarten (primary one) student included in a multi-grade primary shall be considered a full-time equivalent student.
- 60.1.2 Class size limits above shall be reduced by two (2) for each additional grade beyond two (2) included in a multi-grade class. For example, the class size limit for a multi-grade primary class with second, third, fourth year students in it would be twenty-one (21).
- 60.2 The Board's annual staff allocation shall be based on the class size targets referred to in Article 60.1.
- 60.3 The targets referred to in 60.1 can be exceeded by no more than one (1) in year one and two (2) in years two and above, before an upper limit is reached.
- 60.3.1 In no case shall resource rooms exceed the targets referred to in Article 60.1.
- 60.4 The limits referred to in Article 60.3 shall come into force by September 30 and January 31 of each school year.
- 60.5 The number of students in a laboratory, shop or other specialized class shall not exceed the number of which can be accommodated safely and in no case shall it be more than the number determined in accordance with Article 60.3.
- 60.6 Classes may exceed the limits referred to in Article 60.3 only under the following circumstances:
- 60.6.1 band, choir, PE and other specialized classes where the ADTU member and the principal mutually agree, and

- 60.6.2 the principal and the enrolling ADTU member(s) agree to exceed the limits for educationally sound reasons; and
- 60.6.3 where there are external budgetary constraints beyond the Board's control.
- 60.6.4 in emergency situations, a principal may assign a student to a classroom on an interim basis for a maximum of two (2) weeks where in the opinion of the principal, no other immediate practical alternative exists.
- 60.7 Special needs students as identified in Article 81.1 (Inclusion of Students with Special Needs) enrolled in regular classrooms for more than fifty (50)% of the regularly scheduled elementary class time, or for more than fifty (50)% of a course in a secondary school shall be counted as:
 - 60.7.1 two (2) students in the class or course where the special needs are not considered severe, or
 - 60.7.2 two (2) students where a full-time aide remains in the classroom with the student, or
 - 60.7.3 three (3) students in a class or course where the special needs are considered profound and where an aide is not in full attendance with the student.
- 60.8 In no case shall there be more than two (2) special needs students integrated into a classroom except where no practical alternative exists, and assistance is provided. Such assistance shall include but not be limited to teacher aide time and implementation of the provisions of Article 60.7.
- 60.9 The total secondary teaching load for any classroom teacher shall not exceed 203.
- 60.10 Class size disputes shall be processed on an expedited basis.
- 60.11 Home Schooling

An ADTU member shall not be required to register or provide assessment for a home schooling student if the addition of such a student would result in the ADTU member's class size exceeding the class size limit specified in this Article.

ARTICLE 61 - TEACHER WORKLOAD/STAFFING FORMULA – NON-ENROLLING/ENGLISH AS A SECOND LANGUAGE TEACHERS P

- 61.1 In time-tabling ADTU members' loads, consideration shall be given to each load with regard to equalizing the member's total assignments considering such factors as:
 - 61.1.1 the number of course preparations;
 - 61.1.2 the number of subject areas;
 - 61.1.3 the number of teaching locations; and
 - 61.1.4 the number of students.

- 61.2 In time-tabling a beginning ADTU member's load, particular consideration shall be given to the factors outlined in Article 61.1.
- 61.3 The principal shall provide opportunity to the staff committee to review and comment on ADTU member assignments with respect to the factors outlined in Article 61.1.

Itinerant Teachers

- 61.4 Travel time between schools of itinerant teachers who regularly enroll classes shall be part of the teachers' total instructional assignment.
- 61.5 Itinerant teachers who regularly enroll classes shall not be required to provide instruction to more students than can reasonably be scheduled within the time available pursuant to Article 64 (Duration of School Day).
- 61.6 Itinerant teachers shall have access to clerical time, storage facilities, work space and supplies on the same basis as other teachers.
- 61.7 Staffing Formula Non-enrolling/English as a Second Language Teachers [P.C. D.1]
- 61.7.1 The Government will provide funding in order to decrease the ratios of non-enrolling ADTU members 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 |
- 61.7.2 Districts shall utilize the funding outlined above, exclusively for the purposes of hiring additional non-enrolling ADTU members 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.
- 61.7.3 Non-enrolling staffing ratios
- i. Employee staffing ratios in each category shall not decrease below the number reported in the 1997/98 Ministry form 1530, as follows:
- Teacher Librarians: 1:857
- Counsellors: 1:612
- Learning Assistance Teachers: 1:428
- Special Education Resource Teachers: 1:453
- Support for ESL Students: 1:74

ii. 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 of 1:857.

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.

iii. Counsellors

Effective July 1, 1998, counsellors shall be provided on a minimum pro-rated basis of at least one counsellor to six hundred and twelve (612) students.

iv. 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 of 1:428.

Effective July 1, 2000, learning assistance teachers shall be provided on a minimum pro-rated basis of at least one learning assistance teacher to four hundred twenty eight (428) students.

v. 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.

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.

61.7.4 Support for ESL Students

- i. 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".
- ii. 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. Staffing ratios shall not decrease below the number reflected in the 1997/98 Ministry form 1530 and as shown in Appendix A attached.

61.7.5 Process [New Process Provisions as revised by June 4, 1999 Letter of Understanding]

- i. 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 Appendix A.

- ii. Prior to June 10, 1999 and May 30 in subsequent years, each school district shall hold a meeting with representatives of the Local for the purpose of general discussion of staffing plans for schools within that school district. The district shall make the Local aware of any potential non-compliance with non-enrolling/ESL staffing ratios and the reasons for that potential non-compliance.
- iii. In the event that the District concludes it is not able to achieve the required ratios with the estimated funds, or that implementation of the article creates other costs which cannot be met with the allocated funds, the District shall, by no later than June 15 of that year submit its staffing plan to the Ministry, with copies to the Local, BCTF and BCPSEA and state therein the reasons why, in the opinion of the District, it is not possible to achieve the ratios which would otherwise apply.
- iv. Between June 16 and September 15, inclusive, the staffing plan may be referred to a joint committee of no more than 3 representatives of the District and no more than 3 representatives of the Local. Any Local believing its Board not to be in compliance with respect to meeting required ratios, may also call for and have a meeting of the joint committee. The joint committee shall meet within five working days of such referral and shall address whether or not it is possible to resolve any outstanding issues in order to achieve the non-enrolling/ratios referred to in the Agreement.
- v. When this process fails, either party, within 5 working days, may refer the matter to a mutually acceptable arbitrator from the agreed upon list for an expedited arbitration.
- vi. By September 30, the Ministry of Education shall communicate to School Districts, in writing, the level of funding the District will receive in each year to support increased levels of non-enrolling staffing.
- vii. By September 30 in each year of this agreement, 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.

[Note: Please refer to June 22, 1999 Letter of Understanding #4, page 134, for list of agreed-to arbitrators.]

- 61.7.6 The process set out in paragraph 5 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.
- 61.7.7 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.