

Teacher Council: Frequently Asked Questions

1. How do elections take place to choose the Council?

In September, the union delegate will be responsible for putting out a call for nominations, identifying the minimum and maximum number of representatives to be elected, according to clause 4-2.03. If elections are required, the delegate is responsible for supervising the ballot and reporting the results. The delegate must inform the principal of who has been chosen within five days following the conclusion of the process.

2. Are there other, non-elected positions to be filled?

Yes. The principal, the union delegate, and a teacher member of the Governing Board chosen by her or his peers are members, but without the right to vote or to preside at meetings.

3. Why does a member of the Governing Board automatically sit on the Council?

To ensure liaison between the two bodies, so that teachers are always aware of topics that are being dealt with at the governing board in order to provide input as deemed necessary.

4. How are the chairperson and secretary chosen?

The positions are normally filled by the majority of voting members of the Council. The Council may establish specific rules governing this election.

5. Can the responsibilities of chair and secretary be rotated among Council members?

As long as they are voting members, yes.

6. The contract says that the Council shall adopt its own rules of internal procedure (clause 4-2.13). Can you give some examples?

Elements such as the date and time of regular meetings, the publication, posting and circulation of the agenda and the official minutes, the procedure to be followed when a member wishes to invite a guest (other than a teacher), the number of times a member may speak on an issue, the right of a non-member to speak and the voting privileges of the chairperson are all examples of such internal rules.

7. Clause 4-2.06 lists twenty (20) specific items on which the principal is obliged to consult the Council. Suppose I want to bring up an item not included in this list?

The Council may consider any other item raised by the principal or by a teacher, especially when the item is of collective interest and does not come within the jurisdiction of another body. For example, other specific procedures are detailed in the collective agreement to deal with complaints about inequitable workloads (8-11.00 of the Local Agreement), and the placement and support of students having special needs (8-9.00 of the Provincial Agreement).

8. Are there any deadlines for dealing with specific items?

Although in most cases no specific deadlines are included in the agreement (exceptions: consultation on the organizational plan must begin in March; certain topics delegated from the teacher staff to the Council under Article 4-7.00), there are suggested deadlines that can be found in the chart *Suggested Deadlines for Teacher Council*.

9. What if a principal demands an immediate decision?

Truly urgent situations are highly exceptional. Clause 4-1.04 provides for a thirty (30) day period for the Council to reach a recommendation, except in certain specific situations arising from the Education Act, as detailed in clause 4-2.07. The Council has the right to receive from the principal all information pertinent to the matter under discussion and the right to delay a decision to permit consultation with the teachers, the union, etc. Since Council meetings follow a regular monthly schedule, principals should be aware of their obligation and prepare to do initiate discussions in sufficient time to permit deliberation and to respond to external deadlines.

10. What happens when a principal fails to consult on an obligatory topic mentioned in clause 4-2.06?

It is not necessary to consult on every topic each year, though many are recurrent. Second, the Council may, through its Chairperson, remind the principal of her or his obligation when it is timely to do so – or simply place the topic on the agenda.

11. Who creates the agenda for meetings of the Teacher Council?

The preparation of agendas is normally the prerogative of the Chairperson. Normally, the Chairperson or the Council as a whole will devise some mechanism for soliciting the input of other teachers or the principal in placing items for consideration.

12. Can a principal ignore the recommendation of the Teacher Council?

On matters that are strictly consultative in nature, the principal is not bound to accept the recommendation of the Council but the policy that is finally adopted by the principal “should reflect the decisions and/or recommendation of the bodies consulted.” (Clause 4-1.06) On other matters, *e.g.*, the organization of professional activities for teachers, mutual agreement is required. On certain topics specified in the Education Act and detailed in Article 4-7.00, the level of teacher participation goes beyond consultation to include *collaboration* or *elaboration of proposals by the teachers* prior to their presentation to the governing board as information or for approval, as the case may be.

13. Since the principal does not have the right to vote, how does the Council know if she or he accepts its recommendation?

In the event that the principal disagrees with a Council recommendation, she or he must clearly notify the Council at its next regular meeting or at the latest, thirty (30) days from the date of the recommendation and provide the reasons for so doing, in written or oral form.

14. Does the principal have the right to consult teachers via staff meetings, rather than at Council?

For all legal purposes, the only type of consultation that matters is that which takes place at Council. Even for those matters for which the Education Act requires the teachers or the staff as a whole to be consulted, once the teachers have decided, on an annual basis, to delegate their participation to the Teacher Council (clauses 4-7.01 and 4-7.02), the Council becomes the only representative voice of the teachers. The only exceptions involve generating requests to modify certain working conditions (see clause 8-10.02 of the Provincial Agreement) or to take a decision regarding the displacement of up to two professional days by lengthening instructional days (see

clause 8-5.02 of the Local Agreement), in which case a meeting of the teachers is required (clauses 4-2.10 and 4-2.11).

15. What happens if a school does not form Teacher Council?

The principal no longer has any responsibility to consult teachers on any of the twenty (20) items found in clause 4-2.06.

16. How are the minutes of the Teacher Council circulated?

Once the minutes are approved – usually at the next meeting – they should be posted on the general notice board. Copies must also be sent to LTU and to the school board (office of the Director General) within ten (10) days of their approval.

17. How long should minutes be retained?

The LTU office keeps minutes for two years. They may be securely discarded at that point.