

4-0.00 METHODS, SUBJECTS, PROCEDURES OF PARTICIPATION OF TEACHERS OTHER THAN THE SUBJECTS (AND THEIR METHODS) NEGOTIATED AND AGREED UPON AT THE PROVINCIAL LEVEL

4.1.00 GENERAL PRINCIPLES

4-1.01 This chapter shall apply to schools and centres.

4-1.02 The goal of participation at every level is to ensure that the best educational service is provided to the student clientele and the adult/vocational education clientele of the board. Teachers, as the persons most closely involved with teaching, must participate in the shaping of educational policies. To this end, the active involvement of teachers in the participatory bodies shall be ensured as provided for in this chapter.

4-1.03 Any matter within the scope of the system of participation must be referred by the board or the principal to the participatory body as provided for in the terms of this agreement.

4-1.04 Each participatory body shall have thirty (30) days to fulfill its obligations and to forward to the appropriate body its recommendation/proposal except in the cases referred to under clause 4-2.07.

4-1.05 Each participatory body shall have the right to:

- a) receive from the board or principal upon request, all information pertinent to the matter under consideration;
- b) invite to a meeting, at no cost to the board, school or centre, unless authorized by the board or principal respectively, any person to enlighten or inform it on a matter under consideration after serving a notice of at least forty-eight (48) hours.

4-1.06 For participation to be meaningful, decisions and policies should reflect the input of the bodies consulted.

4-1.07 Participation is established at two levels:

- a) at the board level, in accordance with articles 4-3.00; 4-4.00, 4-5.00, 4-6.00 and 4-7.00;
- b) at the school or centre level, in accordance with articles 4-2.00, 4-7.00 and 4-8.00.

4-1.08 The participatory bodies at the board level:

- a) are formed on a parity basis;
- b) meet during the regular hours of work, in accordance with clause 3-6.01*.

PARTICIPATION AT THE SCHOOL OR CENTRE LEVEL

4-2.00 TEACHER COUNCIL

4-2.01 For the purpose of teacher participation in the establishment of the educational policies of the school or centre, the board and the union agree to form a Teacher Council.

- 4-2.02 Except as specifically indicated in clause 4-2.04, members of the Teacher Council shall be members of the teaching personnel of the school or centre elected by their colleagues. Elections shall take place in the month of August or September annually and the names of these members shall be forwarded to the principal by the union delegate of the school/centre within five (5) days of the election. When a vacancy occurs on the Teacher Council, a replacement may be elected within thirty (30) days of the date of the vacancy being known.
- 4-2.03 The Teacher Council shall be composed of:
- a) at the elementary school level, not less than five (5) and not more than ten (10) voting members. Nevertheless, in an elementary school of one hundred (100) students or less, not less than three (3) and not more than ten (10) voting members;
 - b) at the secondary school level or the centre, not less than seven (7) and not more than twelve (12) voting members when the number of teachers in the school or centre is more than twenty (20). When there are twenty (20) or fewer teachers in the school or centre, the Teacher Council shall be composed of not less than five (5) and not more than nine (9) voting members;
 - c) not less than five (5) and not more than nine (9) voting members when a school has a combination of elementary and secondary classes;
 - d) the teachers of the school or centre shall constitute the Teacher Council when the number of teachers is less than five (5).
- 4-2.04 By virtue of their office, the following shall be members of the Teacher Council and shall have the same rights, privileges and responsibilities as other members of the Council, except for the right to vote and to preside at meetings:
- a) the principal;
 - b) the union delegate;
 - c) a teacher member of the Governing Board designated by the elected teacher members of the Governing Board each September.
- 4-2.05 The Teacher Council shall give consideration to a matter referred to it by the principal or by any teacher assigned to the school or centre.
- Notwithstanding the above, when the Teacher Council considers an item listed in article 4-7.00 and delegated to it in accordance with clause 4-7.01, it may invite all teachers to participate in the deliberation of the Council.
- 4-2.06 In particular, the Teacher Council is consulted on the following matters:
- 1) a) criteria in addition to preference and seniority, such as the particular nature of the post, to be utilized by the principal for the preliminary distribution of workload and responsibilities among all teachers applicable for the following year in accordance with clauses 8-7.02 (b)* and 8-12.01; at the secondary/centre level the Teacher Council and the principal may agree to utilize the process for the preliminary distribution of workload found in the second paragraph of clause 8-12.04;
 - b) by September 30, the current staffing plan is presented in accordance with (a) above.

- 2) a) the establishment for the following school year of the supervision needs and an equitable system of rotation among teachers to carry out the supervision duties identified in clauses 8-7.01* and 8-7.02*;
b) by September 30, the actual supervision needs and rotation system are reviewed in accordance with (a) above and taking into account previously unforeseen needs.
- 3) the establishment each September of an equitable system of emergency substitution in accordance with clause 8-8.05.1 (e);
- 4) the use for the following school year of clerical and secretarial help for teachers in accordance with clause 8-8.02*;
- 5) the homeroom system in accordance with clause 8-12.07 (c);
- 6) the number, timing, format and duration of meetings with parents within the framework of clause 8-8.04.2 (b);
- 7) the placement in the school calendar of moveable pedagogical days and the programming of activities for non-board-wide pedagogical days including the fixed in-school pedagogical days;
- 8) the orientation of teachers new to the staff and new to teaching;
- 9) the establishment and application of an equitable system of invigilation for examinations in accordance with clause 8-12.08;
- 10) the addition of other activities and corresponding credits to the extracurricular activities list in accordance with clause 8-12.12.07;
- 11) the application of the provisions of article 8-12.12.00 respecting extracurricular activities;
- 12) the "school success plan";
- 13) the beginning and ending of the students' instructional timetable, including the students' lunch hour(s) in accordance with clause 8-6.06.2 and Appendix L-III;
- 14) the use of a school/centre as a teacher training site in accordance with Appendix L-VI (7.0);
- 15) the choice of textbooks and teaching materials in accordance with clause 4-1.02 (c)*;
- 16) the system used for reporting student evaluation and progress in accordance with clause 4-1.02 (a)*;
- 17) the system used for reporting the late arrivals and absences of students in accordance with clause 4-1.02 (b)*;
- 18) the application of clause 5-11.03 and Appendix L-I regarding uninhabitable conditions;
- 19) the organization of the students' "progressive entry" at the pre-school level;
- 20) the school's proposed organization plan in accordance with clauses 4-1.02 (d)* and 5-21.16 and Appendix L-II;

- 21) the preparation of a recommendation to the Educational Policies Committee reflecting the joint intention of the principal and a clear majority of the teachers under contract in the school to proceed with the establishment of a cycle-based instructional schedule involving a change in the length of the instructional period in accordance with clause 4-2.12 (6);
 - 22) the number of teachers on the School Level Special Needs Committee as per clause 8-9.05* and representation criteria;
 - 23) the approval of the School Level Special Needs Committee's proposal regarding access to services for teachers with special needs students;
 - 24) the process for selecting full-time teachers who volunteer to act as supporting teachers according to clause 8-7.06* and Article 8-11.00*;
 - 25) the placement of four (4) compensatory pedagogical days in accordance with clause 8-12.12.06 (b).
- 4-2.07 Between the date on which a request for advice is submitted to the Teacher Council and the date on which a measure is implemented, the Council must have a reasonable period of time to fulfill the obligation it has to forward its recommendation to the principal of the school/centre, but this period of time shall not be more than thirty (30) days unless an extension of this time is agreed to by the principal. Notwithstanding the above, the period of time shall not be more than fifteen (15) days when the principal is required to meet the time frame set out in sections 96.13 and 96.15 of the Education Act (CQLR, c.I-13.3).
- 4-2.08 In the event that she/he disagrees with a recommendation emanating from the Teacher Council within the framework of clause 4-2.06, the principal must provide the reason at the next regular Council meeting. Notwithstanding the above, the notification must be given within thirty (30) days.
- 4-2.09 The Teacher Council and the principal shall agree each year on the organization of professional activities for teachers in accordance with section 96.21 of the Education Act (CQLR, c.1-13.3).
- 4.2.10 If a school or centre intends to amend the working conditions prescribed in clause 8-10.02* or 13-15.12*, the principal and the Teacher Council shall jointly each year:
- a) convene a meeting of the teachers in the school/centre with at least forty-eight (48) hours written notice indicating the purpose of the meeting;
 - b) present to the teachers a written recommendation to amend the collective agreement for the following school year;
 - c) ensure that the meeting is attended by at least eighty percent (80%) of the teachers under contract and verify that at least seventy-five percent (75%) voted in favour of the recommendation;
 - d) moreover, in the case where the proposed modifications would directly impact the working conditions of twenty-five percent (25%) or less of the teachers under contract, the written consent of the majority thus affected shall be required;
 - e) following the application of clause 4-2.10 (a), (b) and (c), forward the request before June 1 to amend the collective agreement in accordance with Article 8-10.00 signed by the principal and the Teacher Council chairperson, to the Labour Relations Committee in order to verify that the terms of clause 8-10.03 have been met.
- 4-2.11 Following the application of clause 4-2.10, the board and the union shall, if necessary, amend the agreement in order to carry out the request.

4-2.12 Operation

The internal organizational procedures of the Teacher Council shall be determined by the Council and shall include the following:

- 1) In the month of August or September of each school year, the union delegate will hold a meeting of the teachers of the school or centre for the purpose of electing a Teacher Council and representatives to the Governing Board.
- 2) At its first meeting to be held annually before September 30, the Teacher Council shall elect a chairperson and a secretary from among its members.
- 3) The Teacher Council shall meet at least once per month.
- 4) The Teacher Council shall adopt its rules of internal procedure. Notwithstanding the above, all Teacher Council meetings shall be open to the teachers of the school/centre.
- 5) Matters decided by vote shall require a simple majority vote of Council members present.
- 6) The Teacher Council shall also determine the voting procedures to be used at meetings convened in accordance with clause 4-2.06 (23) or 4-2.10 at least one week prior to any such meeting.
- 7) The Teacher Council must send, within ten (10) days of their approval, the minutes of each meeting signed by the chairperson to the union and the board. The approved Teacher Council minutes will also be posted on the general notice board of the school/centre.

4-2.13 Failure of the teachers of a school/centre to form a Teacher Council in accordance with this article, the principal shall be released of all responsibilities with respect to the consultation set out in clause 4-2.06.

PARTICIPATION AT THE BOARD LEVEL

4-3.00 EDUCATIONAL POLICIES COMMITTEE

4-3.01 For the purpose of teacher participation in the establishment of educational policies at the board level, the board and the union agree to form an Educational Policies Committee.

4-3.02 The parties to this agreement shall each be responsible for determining the composition of its own delegation. Each party to this agreement shall appoint four (4) members to its delegation, the names of which shall be forwarded to the other party before September 15 of each year.

4-3.03 For a meeting to take place, at least three (3) members from each delegation must be present.

4-3.04 The Educational Policies Committee shall adopt its rules of internal procedure.

4-3.05 Operation

- 1) The Educational Policies Committee must meet within fifteen (15) days of a notice of meeting received by either party. An agenda shall accompany the notice of meeting.
- 2) At its first annual meeting, the Educational Policies Committee shall appoint a chairperson and a secretary from among its members. One representative from the board and one representative of the union shall occupy one of the two posts alternately from year to year.