

BOARD OF EDUCATION

DECISION REPORT

DATE: January 14, 2020
TO: Board of Education
FROM: Rohan Arul-pragasam, Acting Superintendent
RE: **2020 – 2021 LOCAL SCHOOL CALENDAR**

RECOMMENDATION:

THAT the Board of Education approve the Draft 2020 – 2021 Local School Calendar as outlined for feedback from employees, parents and the public.

BACKGROUND:

Since 2014-2015, following provincial legislation introduced in 2012 requiring school districts to determine the year calendar, the Local School Calendar in Chilliwack has included a 2-week spring break.

In order to accommodate a 2-week spring break and meet the legislated minimum Ministry of Education Instructional Hours, the District has been required to add time to each school day, resulting in going beyond the Hours of Work for teachers as defined by the Collective Agreement. Elementary teachers have varied around 25.5 weekly instructional hours, which is above the 25 Hours of Work as defined by the Collective Agreement. Middle/Secondary teachers have had additional weekly Hours of Work as well, hovering around 28, above the 27.5 hours as defined by the Collective Agreement.

This required modification to the Collective Agreement, including Articles D.22.5, D 23.1 and D 23.2. Modification to the Collective Agreement, must be negotiated each year and a Letter of Understanding (LOU) signed between the Board of Education and the Chilliwack Teachers' Association (CTA) if a 2-week spring break is supported. The LOU has also included the continued opportunity for Teachers Teaching on Call (TTOCs) to attend Curriculum Implementation Days and Professional Development Days.

A LOU was signed after the implementation of 2018 – 2019 Local School Calendar with modifications to the Collective Agreement including Articles D.22.5; D 23.1; D 23.2, as well as paying TTOCs to attend three non-instructional days for curriculum implementation. This was two days in 2019 - 2020 as the amended calendar regulation does not include professional days for curriculum implementation. In addition, typically, the school district has added additional time to 10-month

Canadian Union of Public Employees (CUPE) staff in order for them to recoup lost wages for the additional spring break days.

For the 2017 – 2018 school year, the Board of Education approved a 2-week spring break without a LOU, which resulted in a grievance initiated by the CTA. A resolution of the grievance resulted in a settlement agreement that was signed by the British Columbia Public School Employers' Association/the Board of Education of School District No. 33 (Chilliwack) (the "Employer") and the British Columbia Teachers' Federation/the Chilliwack Teachers' Association (the "Union") on March 7, 2019. The agreement required the Board of Education and the CTA to meet as soon as possible to discuss the possible amendments to the School Calendar for the 2019 – 2020 school year, including all provisions of Article D.22.2. If the parties were not able to come to an agreement by April 30, 2019, the disagreement would have been referred to an arbitrator responsible for rendering a decision no later than May 31, 2019.

The School District and the CTA met on numerous occasions during the month of April 2019 and came to the resolution on partial implementation of article *D.22.2.c*.

D.22.2 - The annual salary established for employees covered by this agreement shall be payable in respect of the teacher's regular work year. The regular work year shall include:

- a. no fewer than five (5) days for professional development;*
- b. no fewer than one (1) year-end administrative day;*
- c. one (1) full day and two (2) early dismissals after instruction of three hours for student assessment/evaluation and parent/teacher consultation for each formal reporting period.***

Current and past practice in SD33 is for schools to annually use 4 hours of Early Dismissals that are scheduled throughout the year to be used for parent/teacher consultation. This is considered Instructional Time by the Ministry and can then be included in the calculation of Instructional Hours for the purpose of meeting the requirements of Hours of Instruction. As a result, using the same definition, additional early dismissal times will be included in the calculation of Instructional Hours as per the School Calendar Regulation.

The Settlement agreement requires the Board of Education and the CTA to meet every November to discuss the school calendar for each subsequent school year. The discussion will generally identify the parameters of the school year and, in particular, whether a 2-week Spring Break is contemplated.

If, by December 31 of every year, the parties have not reached agreement on the necessary amendments to the collective agreement in order to implement the calendar, each party will set out a proposed calendar. The difference will be resolved by Troubleshooter Elaine Doyle on the basis that she will select which model will be utilized. Troubleshooter Doyle's decision will be made on an expedited basis.

As per the School Calendar Regulation, a Board must make public a proposed school calendar one month before submitting it to the Ministry prior to March 31. During the consultation period, a Board must provide parents and representatives of employees of the Board the opportunity to comment on the proposed calendar. Therefore, the Local School Calendar, which the Board approves, should be posted on the district website by early February in order to provide the required opportunity for employee, parent and public feedback.

PROPOSED 2020 – 2021 CALENDAR DETAILS:

The proposed Local School Calendar for 2020 – 2021 is the recommendation to the Board of Education after two meetings with the CTA and includes a 1-week Spring Break, which will go to an arbitrator for resolution as a result of the Settlement Agreement and/or Article D.22.1.

D.22.1 - The regular work year for teachers shall be the school calendar provision of the School Act and Regulations. If either party believes there is a conflict between the School Act and Regulations, and this Article, pursuant to Article A.9, the parties shall meet to negotiate a mutually acceptable alternative that is not in conflict with the School Act and Regulations.

	One Week SB			Two Week SB			Two Week SB plus one R & A day (D.22.2.c)		
	Elementary	Middle	Secondary	Elementary	Middle	Secondary	Elementary	Middle	Secondary
Ministry Required Hours of Instruction	878	952	952	878	952	952	878	952	952
Ministry Required Minutes of Instruction	52680	57120	57120	52680	57120	57120	52680	57120	57120
Days of Instruction	182	182	182	177	177	177	176	176	176
Req Minutes per day of Instruction	289.45	313.85	313.85	297.63	322.71	322.71	299.32	324.55	324.55
Rounded Up To Meet Hours	290	314	314	298	323	323	300	325	325
Daily Recess (15 Elementary and Middle)	15	15		15	15		15	15	
Secondary Breaks, Change Periods			12			12			12
Proposed 2020-2021 Teaching Minutes Per Day	305	329	326	313	338	335	315	340	337
Contractual Limits Per Teaching Minutes Per Day	300	330	330	300	330	330	300	330	330
Minues per day over contract	-5	1	4	-13	-8	-5	-15	-10	-7
2019-2020 Teaching Minutes Per Day	308	336	336	308	336	336	308	336	336

- ✓ The above table shows the calculation of teacher instructional minutes per day for a 1-week spring break; 2-week spring break; and a 2-week spring break with the inclusion of one “Reporting and Assessment Day” as per Article D.22.2.c.
- ✓ The table above has been the starting point for conversation between the District and the CTA Leadership team.
- ✓ Also attached please see the draft local school calendar for the 2020 – 2021 school year.
- ✓ The 2020 – 2021 School Year begins following the September Labour Day weekend on Tuesday, September 8, 2020. The school year ends on Thursday June 24, 2020 for students with an Administrative Day for staff on Friday, June 25, 2020.
- ✓ All three options do not include the 6th School Based Staff Development Pro-D day as there are not enough days in the school year. The 6th School Based Staff Development Pro-D day has been a long-standing practice in our school district.
- ✓ As per past practice, Middle Schools are included in the Secondary Hours of Instruction requirements, which provide flexibility for Middle School teachers with additional team time for collaboration. These hours of instruction for Middle Schools also provide for a 15 min. recess/day for students, which are not classified as instructional time by the Ministry but are included in the calculations for Hours of Work for Middle School teachers.

- ✓ All three options result in going beyond the Hours of Work for teachers as defined by the Collective Agreement, although in option 1 this only impacts elementary Hours of Work for teachers (over by 5 minutes per day).
- ✓ This can easily be remedied by reducing recess time at elementary schools by 5 minutes for the 2020-2021 school year.
- ✓ In the past years the district has lost 1500 minutes of instructional time for students with the addition of the extra week during spring break but recouped less minutes with the addition of time over the year.