

NSTU Guidebook

2019 – 2020

Constitution
Policy



Nova Scotia
Teachers Union



NOVA SCOTIA TEACHERS UNION

CODE OF ETHICS

This Code of Ethics is a guide to members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

I. MEMBER AND PUPIL

- (a) The member regards as confidential, and does not divulge other than through professional channels any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- (b) The member should be just, equitable and fair in all relationships with pupils.
- (c) The member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- (d) The member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- (e) The member should be as objective and respectful as possible in dealing with controversial matters.

II. MEMBER AND MEMBER

- (a) The member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another member.
- (b) The member shall not make derogatory remarks about the professional competence of another member.
- (c) The member shall not accept a position arising out of the unsettled dispute between members, and their employers.
- (d) The member shall not sexually, physically or emotionally harass another member. Sexual harassment shall mean any unsolicited and unwanted sexual comments, suggestions or physical contact directed to a specific member which that member finds objectionable or offensive and which causes the member discomfort on the job. As defined in the *Canadian Human Rights Act* harassment is a form of discrimination. It involves any unwanted physical or verbal behaviour that offends or humiliates you. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment. Harassment occurs when someone:
 - makes unwelcome remarks or jokes about your race, religion, sex, age, disability or any other of the grounds of discrimination as defined by current language in the *Nova Scotia Human Rights Act*.
 - threatens or intimidates you.
 - makes unwelcome physical contact with you, such as touching, patting, pinching or punching, which can also be considered assault.

The accused member must be made aware of the nature of the objection prior to action being taken.

III. MEMBER AND INTERNAL ADMINISTRATION

- (a) The member should maintain a reasonable and professional level of support to internal administration of the school/educational site.
- (b) The member responsible for internal administration should maintain a reasonable and professional level of support to the members of the staff.
- (c) The member responsible for internal administration should not make any detrimental report, oral or written, on a member's performance without first discussing the matter with the member.

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Comments on this document are welcome:

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NOVA SCOTIA TEACHERS UNION

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GUIDEBOOK



MISSION

*As the unified voice for the advocacy and support of all its members,
the NSTU promotes and advances the teaching profession and
quality public education.*

GUIDEBOOK



BELIEFS

We believe that

The NSTU serves as the primary advocate of its members by

- protecting and enhancing economic benefits
- improving working conditions
- supporting personal well-being
- keeping members informed
- promoting opportunities to participate

The NSTU is committed to leadership in educational change by

- maintaining and promoting excellence in teaching
- encouraging lifelong learning
- influencing educational trends through research and evaluation
- disseminating information

The NSTU promotes and enhances public education for all students by

- supporting a safe and healthy learning environment
- advancing the profession
- advocating social justice and unionism
- working with other organizations
- communicating our beliefs in order to affect public opinion and policy

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SECTION I

CHAPTER 462

AN ACT TO REVISE AND CONSOLIDATE THE ACTS RELATING TO THE NOVA SCOTIA TEACHERS UNION

SHORT TITLE

1. This Act may be cited as the *Teaching Profession Act*. R.S., c. 462, s. 1.

INTERPRETATION

2. In this Act, unless the context otherwise requires,
 - (a) "Council" means the Council of the Union as established pursuant to the by-laws of the Union;
 - (aa) "education entity" means an education entity as defined in the Education Act;
 - (b) "Executive" means the Executive of the Council;
 - (c) "local" means a local organization of members of the Union formed pursuant to the by-laws of the Union;
 - (ca) "manager" means a manager as defined in the *Teachers' Collective Bargaining Act*;
 - (cb) "member" means a member of the Union;
 - (d) "Minister" means the Minister of Education and Early Childhood Development;
 - (e) "public school" means any school established or maintained pursuant to the *Education Act*;
 - (f) repealed 2018, c. 1, s. 42.
 - (g) "teacher" means a teacher as defined in the *Teachers' Collective Bargaining Act*;
 - (h) "Union" means the Nova Scotia Teachers' Union. R.S., c. 462, s. 2; 2018, c. 1, s. 42.

UNION CONTINUED

- 3
 - (1) The Nova Scotia Teachers' Union, as incorporated by Chapter 100 of the Acts of 1951, shall continue as a body corporate subject to the provisions of this Act.
 - (2) The by-laws, members, Council, Executive, officers, committees, locals and local executives of the Union existing immediately prior to this Act shall continue in effect or in office until changed or replaced pursuant to this Act. R.S., c. 462, s. 3.

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4. The Constitution of the Union shall consist of
 - (a) this Act;
 - (b) the by-laws; and
 - (c) the standing orders of the Council. R.S., c. 462, s. 4.

LIABILITY OF MEMBERS

5. No member of the Union shall be liable for the debts or liabilities of the Union unless the member shall have made himself personally liable therefor. R.S., c. 462, s. 5.

MEMBERSHIP

6. The members of the Union shall consist of persons who are members pursuant to subsection 12(1) and, subject to subsection 12(1A), such other persons as the Council by by-law determines. R.S., c. 462, s. 6; 2018, c. 1, s. 43.

OBJECTS

7. The objects of the Union are to advance and promote the teaching profession and the cause of education in the Province. R.S., c. 462, s. 7.

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POWERS OF UNION

8. The Union shall have power to do all things necessary or desirable for the attainment of the objects of the Union or incidental thereto, including, but not so as to restrict the generality of the foregoing, power for such purpose to
- purchase, acquire, lease and hold real and personal property and sell, convey, lease, mortgage or transfer the same;
 - borrow money from any person or corporation and give security for any money so borrowed on any of the real and personal property of the Union by way of mortgage or otherwise;
 - accept all gifts, legacies or bequests which may be given to the Union;
 - expend any money of the Union;
 - fix membership fees and special assessments of members and collect such fees and assessments;
 - subject to this Act, suspend, expel or otherwise discipline any member and to re-instate any member so suspended or expelled. R.S., c. 462, s. 8.

EXERCISE OF POWERS

9. Unless otherwise provided in this Act or by by-laws of the Union, the powers of the Union may be exercised by the Council. R.S., c. 462, s. 9.

COUNCIL BY-LAWS

10. (1) The Council may make by-laws not inconsistent with this Act dealing with or providing for
- the management of the Union and its property;
 - the constitution of the Union and of locals, including the basis of representation of locals on the Council;
 - the officers, executive and committees of the Union and their respective powers and duties;
 - the government, discipline and control of members;
 - all other matters necessary or useful to carry out the objects and to exercise the powers of the Union.
- (2) Every by-law shall be passed by a vote of at least two thirds of the members of the Council present at a meeting thereof, notice of the intention to propose such by-law at such meeting having been given in writing by notice mailed postage prepaid at least thirty days before such meeting to each member of the Union at the members last recorded address.
- (3) In lieu of the notice provided for by subsection (2), notice of the intention to propose a by-law may be given by such notice being printed in an issue of a publication of the Union mailed to all schools in the Province at least thirty days before the meeting of the Council at which it is to be considered and a number of copies of the proposed resolution equal to at least ten per cent of the number of members of each local having been mailed to the respective secretary of each local at least thirty days before such meeting. R.S., c. 462, s. 10.

PROFESSIONAL COMMITTEE

11. (1) There shall be a Professional Committee of the Union, elected according to the by-laws.
- (2) The Professional Committee may, on the request of a local, the executive of a local or the Executive, inquire into any charge and determine if a teacher has been guilty of conduct unbecoming a member of the teaching profession.
- (3) When any such request is made by a local, a copy thereof shall be forwarded to the Executive at the time such request is made.

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- (4) Any member so charged shall be given at least thirty days notice in writing of the charge and shall be given full opportunity to be heard by the Professional Committee and to be represented by counsel.
- (5) The Professional Committee shall dismiss the charge or reprimand, suspend or expel the member.
- (6) The Executive shall transmit the decision of the Professional Committee to the teacher by prepaid registered post to the last recorded address of the teacher.
- (7) The Executive shall transmit to the Minister such recommendations concerning the certification of the teacher as the Professional Committee may make. R.S., c. 462, s. 11.

UNION MEMBERSHIP

12. (1) Every teacher who has a permanent contract, a probationary contract or a term contract, within the meaning of the *Education Act*, with an education entity in a teaching, supervisory or other professional capacity relating to education shall be an active member of the Union unless the teacher is expelled therefrom or unless the teacher resigns by written notice addressed to the Union at its head office and mailed by prepaid registered post.
- (1A) A manager is not a member of the Union and may not be determined to be a member of the Union by the Council pursuant to Section 6.
- (1B) Any manager who, immediately before August 1, 2018, was a member of the Union ceases to be a member on that date.
- (2) Subject to subsection (3), the resignation of a teacher from the Union shall take effect at the end of the school year in which the resignation is tendered and shall be effective for one year following such school year.
- (3) When a teacher is first employed in a public school, a resignation by the teacher from the Union shall take effect immediately if
 - (a) it is given before the first day of October when the teachers employment began on the first day of the school year; or
 - (b) it is given within one month after the teachers employment began.
- (4) A teacher whose resignation from the Union is in effect may continue not to be a member of the Union from year to year provided that during each school year following the teachers resignation the teacher gives written notice as provided in subsection (1) of intention not to be a member for the succeeding school year.
- (5) A teacher who has resigned or has been expelled from the Union and who continues to be employed as a teacher shall pay to the Union through regular deductions, in the manner provided in Section 14, an amount equivalent to the regular fees for membership as are prescribed by the Union. R.S., c. 462, s. 12; 2018, c. 1, s. 44.

REPORT ON MEMBERSHIP AND UNION FEES

13. (1) Not later than the fifteenth day of August in every year, the Union shall send to the Minister
 - (a) a list of the names and addresses of the persons who have resigned as active members of the Union and whose resignations are effective for the current school year; and
 - (b) a scale of the fees payable to the Union by its active members for the then current school year.
- (2) Within ten days after the effective date of the resignation, other than a resignation that is effective at the end of a school year, of a member from active membership in the Union or the expulsion of a member or the readmission of a member, the Union shall send the name and address of the member to the Minister.
- (3) The Minister shall cause to be kept a list of the names and addresses of all persons who have resigned as active members of the Union or who have been expelled from the Union and who have not been readmitted to the Union as active members.

- (4) The Minister shall cause to be sent to each education entity
 - (a) on or about the fifteenth day of September in each year, a list of the names of the teachers employed by it whose resignations as active members of the Union became effective at the end of the preceding school year or who were expelled from the Union during the preceding school year; and
 - (b) the name of each member employed by it who has resigned, been expelled or been readmitted to the Union, within ten days after receiving notice of the resignation, expulsion or re-admission pursuant to subsection (2). R.S., c. 462, s. 13; 2018, c. 1, s. 45.

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PAYMENT OF FEES

- 14. (1) Every member of the Union shall pay to the Union annually such fees as are prescribed by the Union and every teacher who has resigned or has been expelled from the Union and who continues to teach shall pay an amount equivalent to such fees.
- (2) On or about the fifteenth day of September in each year, the Minister shall cause to be sent to each education entity a copy of the scale of fees payable to the Union by its members as furnished to the Minister pursuant to Section 13.
- (3) Every education entity shall deduct from the salary of each member of the Union and each teacher employed by it who has resigned or has been expelled from the Union an amount equal to the fees payable by the person to the Union according to the scale furnished by the Minister, and shall make such deductions in twelve equal monthly instalments, or in such other number of equal monthly instalments as may be agreed upon by the board and the Union, beginning in the month of September or in the month following receipt of notice that the person has become or been readmitted as a member of the Union.
- (4) Every education entity shall remit each month to the Secretary-treasurer of the Union the amount of deductions made by it pursuant to subsection (3) within ten days after the end of the month in which the fees are deducted.
- (5) The Minister shall cause to be withheld, from the amount payable by the Minister under the Education Act to a [an] education entity in any year, an amount equal to the difference between the sum of the deductions made by the board pursuant to subsection (3) and the amount remitted by it to the Secretary treasurer of the Union pursuant to subsection (4).
- (6) The Minister shall cause all amounts withheld by the Minister pursuant to subsection (5) to be remitted to the Secretary-treasurer of the Union at such times and in such amounts as the Minister determines. R.S., c. 462, s. 14; 2018, c. 1, s. 46.

BENEFIT PLAN OR SERVICE

- 15. (1) In this Section, “benefit plan or service” has the meaning prescribed by the regulations.
- (2) Notwithstanding that managers are not members of the Union, the Union shall permit a manager to participate, on the same terms as a teacher, in any benefit plan or service established, sponsored or administered or otherwise provided by the Union for the benefit of teachers.
- (3) The Minister may, in accordance with the regulations, compensate the Union for the reasonable costs it incurs by allowing managers to participate in any benefit plan or service.
- (4) The Governor in Council may make regulations
 - (a) prescribing the meaning of “benefit plan or service”;
 - (b) respecting the compensation of the Union for the reasonable costs it incurs by allowing managers to participate in the Union’s benefit plans and services.
- (5) The exercise by the Governor in Council of the authority contained in subsection (4) is a regulation within the meaning of the *Regulations Act*. 2018, c. 1, s. 47.

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BY-LAWS OF THE NOVA SCOTIA TEACHERS UNION

ARTICLE I — MEMBERSHIP

1. DEFINITIONS

Members of the Nova Scotia Teachers Union (hereinafter referred to as the “NSTU” or the “UNION”) shall consist of Active Members, Reserve Members, Retired Members, Associate Members, and Honourary Members.

2. ACTIVE MEMBER

- (a) An Active Member is a teacher:
 - (i) as described in Section 12 of the *Teaching Profession Act*; or,
 - (ii) employed by the Atlantic Provinces Special Education Authority (APSEA); and,
 - (iii) pays an annual Union Membership Fee as fixed from time-to-time by Council.
- (b) The rights of Active Membership shall include, but not necessarily be limited to the right to:
 - (i) benefits as provided through NSTU as bargaining agent;
 - (ii) request legal assistance in instances resulting from problems arising in the performance of duties;
 - (iii) professional counselling within education;
 - (iv) vote and hold office at the local and provincial level;
 - (v) attend Council as outlined in Article II of these By-Laws;
 - (vi) membership in Professional Associations, including the right to hold office;
 - (vii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
 - (viii) membership on NSTU committees, where elected or appointed;
 - (ix) access NSTU publications and materials, as assigned, on the NSTU website; and,
 - (x) an NSTU web mail account.
- (c) Failure to pay Union Membership Fees will not limit contractual rights as long as a contractual and legal relationship exists with the bargaining unit employer.

3. RESERVE MEMBER

- (a) A Reserve Member is a teacher or other qualified person engaged on a day-to-day basis to take the place of a person regularly employed as a teacher by an Education Entity as defined by the *Education Act*, who has been employed as such for not less than fifteen (15) days in the preceding and/or the current school year, and who:
 - (i) is employed on a day-to-day basis by an education entity as defined by the *Education Act* to take the place of a regularly employed teacher;
 - (ii) pays an annual Union Membership Fee as fixed from time-to-time by Council; and,
 - (iii) pays per diem Union Membership Fees as fixed from time-to-time by Council.

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- (b) The rights of Reserve Membership shall include, but not necessarily be limited to the right to:
 - (i) benefits as provided through NSTU as bargaining agent;
 - (ii) request legal assistance in instances resulting from problems arising in the performance of duties;
 - (iii) professional counselling within education;
 - (iv) vote at the local and provincial level;
 - (v) attend Council as outlined in Article II of these By-Laws;
 - (vi) membership in Professional Associations, except the right to hold office;
 - (vii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
 - (viii) membership on NSTU committees, where elected or appointed;
 - (ix) access NSTU publications and materials, as assigned, on the NSTU website; and,
 - (x) an NSTU web mail account.

4. RETIRED MEMBER

- (a) A Retired Member may be a person who has retired under a provision of the *Teachers' Pension Act*.
- (b) A person included in the Faculty and Professional Support Bargaining Units of the Nova Scotia Community College who retires under a provision of the *Teachers' Pension Act* on or before June 30, 2018 may be a Retired Member.
- (c) A manager as defined in the *Teachers' Collective Bargaining Act* who retires under a provision of the *Teachers' Pension Act* after August 1, 2018 may be a Retired Member while the Public School Administrators Association of Nova Scotia (PSAANS) remains affiliated with the NSTU.
- (d) A person included in the Faculty and Professional Support Bargaining Units of the Nova Scotia Community College who has retired under a provision of the Public Service Superannuation Plan on or before June 30, 2018 may be a Retired Member.
- (e) The rights of Retired Membership shall include, but not necessarily be limited to the right to:
 - (i) membership in the Retired Teachers Organization (RTO);
 - (ii) attend Council as outlined in Article II of these By-Laws;
 - (iii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
 - (iv) access NSTU publications and materials, as assigned, on the NSTU website; and,
 - (v) an NSTU web mail account.

5. ASSOCIATE MEMBER

- (a) An Associate Member may be:
 - (i) an Active Member on a leave of absence;
 - (ii) a member of the faculty of a provincial university; or,
 - (iii) an education student at a university; and,
 - (iv) who pays an annual Union Membership Fee as fixed from time-to-time by Council.
- (b) The rights of Associate Membership shall include, but not necessarily be limited to the right to:
 - (i) membership in Professional Associations, except the right to hold office;
 - (ii) attend Council as outlined in Article II of these By-Laws;
 - (iii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan; and,
 - (iv) access NSTU publications and materials, as assigned, on the NSTU website.

6. HONOURARY MEMBER

- (a) An Honourary Member is a person upon whom the honour has been conferred by a resolution of Council.
- (b) The rights of Honourary Membership shall include, but not necessarily be limited to the right to:
 - (i) attend Council as outlined in Article II of these By-Laws;
 - (ii) access NSTU publications and materials, as assigned, on the NSTU website; and,
 - (iii) an NSTU web mail account.

7. OTHER MEMBERS

- (a) A teacher or other qualified person who is employed on a day-to-day basis by an education entity as defined by the *Education Act* to take the place of a regularly employed teacher who is not a Reserve Member will be a Union Member on the day(s) they teach.
- (b) These Members pay a per diem Union Membership Fee as fixed from time-to-time by Council.

8. APPEAL OF MEMBERSHIP

Persons who are not automatically members of the Union as defined may make application for membership to the Executive Director. Such applications shall be forwarded to the Provincial Executive. The Provincial Executive may approve such applications.

9. MEMBERSHIP REGISTRY

- (a) The Executive Director shall, under the supervision of the Secretary-Treasurer, maintain a Membership Registry containing a record of the names and contact information for each Union Member.
- (b) This Registry shall be the official record of Union Membership and shall be used for such purposes as determining Annual Council Delegates and Local Rebates.
- (c) Amendments to the Registry are permitted up to the first Monday in December to determine Annual Council Delegates and up to the last Monday in March to determine Local Rebates.

ARTICLE II — THE COUNCIL**1. DEFINITIONS**

- (a) The Council as defined by the *Teaching Profession Act* is established pursuant to these By-Laws and shall be the supreme governing body of the Union.
- (b) The Executive of the Council as described in the *Teaching Profession Act* shall be the Provincial Executive.
- (c) Members of the Council as described in the *Teaching Profession Act* shall be the Voting Delegates of Council.

2. COUNCIL DELEGATES AND OBSERVERS

- (a) Voting Delegates of Council shall be:
 - (i) the Provincial Executive;
 - (ii) Local Presidents as one (1) of the Locals' allotment of Voting Delegates;
 - (iii) Local Voting Delegates as determined by individual Local constitutions;
 - (iv) Chairs of Regional Representative Councils;

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- (v) Chairs of Regional Economic Welfare Committees; and,
- (vi) Professional Association Voting Delegates from individual Professional Associations.
- (b) Pursuant to 2. (a) (ii) and (iii), each Local is entitled to one (1) Voting Delegate for every fifty (50) Members or major fraction thereof.
- (c) Notwithstanding 2. (b), each Local is entitled to a minimum of three (3) Voting Delegates.
- (d) Pursuant to 2. (a) (vi), each Professional Association is entitled to one (1) Voting Delegate.
- (e) Non-Voting Delegates of Council shall be:
 - (i) Local Alternate Delegates as determined by individual Local constitutions;
 - (ii) Chairs or designates of NSTU Standing Committees; and,
 - (iii) an invited Retired Teachers Organization representative as selected by the RTO.
- (f) Pursuant to 2. (e) (i), each Local is entitled to determine Alternate Delegates on the basis of a sliding scale where Locals entitled to:
 - (i) 3 to 10 Voting Delegates are entitled to 1 Alternate Delegate;
 - (ii) 11 to 21 Voting Delegates are entitled to 2 Alternate Delegates;
 - (iii) 22 to 31 Voting Delegates are entitled to 3 Alternate Delegates;
 - (iv) 32 to 41 Voting Delegates are entitled to 4 Alternate Delegates; and,
 - (v) 42 + Voting Delegates are entitled to 5 Alternate Delegates.
- (g) Non-Voting Delegates may address Council with the permission of the Chair, permission shall not be unreasonably withheld.
- (h) Non-Voting Delegates may not move, second, or vote on any resolutions or motions.
- (i) In the unavoidable absence of a Local Voting Delegate, Council may permit a Local Alternate Delegate to act as a replacement. The Local Alternate Delegate, when replacing the Local Voting Delegate, has all the rights and responsibilities of a Local Voting Delegate.
- (j) Observers of Council may be:
 - (i) Local Observers as selected by individual Locals; and,
 - (ii) Members.
- (k) Pursuant to 2. (j) (i), each Local is entitled to select one (1) Local Observer.
- (l) Local Alternate Delegates and Local Observers attend Council at the Local's expense or at the individual's expense.

3. GOVERNANCE OF COUNCIL

- (a) A majority of Voting Delegates shall constitute quorum of Council.
- (b) There shall be an Annual Meeting of Council at such time and place as determined by the Provincial Executive.
- (c) The President, with the consent of the Provincial Executive, may call a Special Meeting of Council for such time and place as determined by the Provincial Executive.
- (d) The President shall call a Special Meeting of Council when requested in writing by a majority of Locals.
- (e) When a Special Meeting of Council is called, delegates shall be restricted to the Voting Delegates of the Annual Meeting of Council immediately prior. A Voting Delegate unable to attend may be replaced by the affected Local, Regional Representative Council, or Professional Association.
- (f) Resolutions to Council amending By-Laws require a two-thirds (2/3) majority vote and at least thirty (30) days-notice.
- (g) Resolutions to Council amending Standing Orders require a majority vote provided thirty (30) days-notice has been given. In lieu of thirty days-notice, resolutions amending Standing Orders require a two-thirds (2/3) majority vote provided notice has been given at a preceding session of Council.

- (h) Resolutions to Council which have been costed at two percent (2%) or more of the budgeted expenditures require a two-thirds (2/3) majority vote.
- (i) Resolutions to Council which amend Policy or direct action require a majority vote.

4. COMMITTEES OF COUNCIL

Committees required for the efficient running of Council shall be appointed, constituted, and have their duties defined as the Council may from time-to-time provide through Standing Orders.

ARTICLE III — THE PROVINCIAL EXECUTIVE

1. COMPOSITION

- (a) The composition of the Provincial Executive shall be: the President, the First Vice-President, the Immediate Past-President, and twenty-one (21) Regional Members.
- (b) The number of Regional Members and the regions from which they shall be elected are as follows:

(i) Annapolis/Hants West/Kings	2 Members
(ii) Antigonish/Guysborough	1 Member
(iii) Atlantic Provinces Special Education Authority (APSEA)	1 Member
(iv) Cape Breton Industrial	2 Members
(v) Colchester/East Hants	1 Member
(vi) Conseil syndical acadien de la Nouvelle-Écosse (CSANE)	2 Members
(vii) Cumberland	1 Member
(viii) Dartmouth	1 Member
(ix) Digby/Shelburne/Yarmouth	2 Members
(x) Halifax City	2 Members
(xi) Halifax County	2 Members
(xii) Inverness/Richmond	1 Member
(xiii) Lunenburg County/Queens	1 Member
(xiv) Northside Victoria	1 Member
(xv) Pictou	1 Member
- (c) A Provincial Executive Member must be an Active Member of the NSTU.
- (d) A Provincial Executive Member shall not concurrently hold office at the Local, Regional, or Professional Association Level.

2. TABLE OFFICERS

- (a) The Table Officers of the Union shall be:
 - (i) the President,
 - (ii) the First Vice-President,
 - (iii) the Second Vice-President,
 - (iv) the Secretary-Treasurer, and
 - (v) the Immediate Past-President.
- (b) Table Officers are Members of the Provincial Executive.
- (c) The Second Vice-President and the Secretary-Treasurer remain Regional Members while serving as Table Officers.

3. GOVERNANCE

- (a) A majority of the Provincial Executive shall constitute quorum.

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- (b) There shall be at least six (6) regular meetings of the Provincial Executive each year.
- (c) The President may call a Special Meeting of the Provincial Executive.
- (d) The President shall call a Special Meeting of the Provincial Executive when requested in writing by a two-third (2/3) majority of the Provincial Executive.
- (e) The Provincial Executive may determine its own procedure as set out in Operational Procedures which shall not be inconsistent with these By-Laws, NSTU Standing Orders, or the *Teaching Profession Act*.
- (f) Resolutions and recommendations being forwarded to Annual Council by the Provincial Executive require a two-thirds (2/3) majority vote of the Provincial Executive.
- (g) Roll call votes are taken upon the approval of at least one-fifth (1/5) of the Members of the Provincial Executive.
- (h) The Executive Director shall be responsible for recording the minutes of Provincial Executive meetings. Minutes, once approved, shall be signed by the Secretary-Treasurer and President, shall be kept by the Executive Director as the official record of the Provincial Executives proceedings, and shall be posted to the NSTU website (NSTU web account log-in required).
- (i) Regular meetings of the Provincial Executive are open to Active and Reserve Members of the NSTU except for those portions of the meeting recommended by the Table Officers and confirmed by two-third (2/3) majority vote to be held in Closed Session.

4. ELECTIONS

- (a) The President shall be elected by a majority vote of the entire Active and Reserve Membership following the process outlined in Operational Procedures.
- (b) The First Vice-President shall be elected by a majority vote conducted at Annual Council following the process outlined in Operational Procedures.
- (c) The Second Vice-President and Secretary-Treasurer shall be elected by the Provincial Executive at a meeting prior to the commencement of the term of office from amongst the Regional Members who will be Members of the Provincial Executive on August 1st of that year. The election shall be by majority vote.
- (d) Regional Members shall be elected by a plurality vote of the entire Active and Reserve Membership of the regions defined in 1. (b), following the process outlined in Operational Procedures.

5. TERM OF OFFICE

- (a) The term of office for all Provincial Executive Members serving as Regional Members shall be two (2) years starting August 1st and ending July 31st.
- (b) No Provincial Executive Member serving as a Regional Member shall serve for more than two (2) consecutive terms as a Regional Member.
- (c) The term of office for the Provincial Executive Member serving as President or First Vice-President shall be two (2) years starting August 1st and ending July 31st.
- (d) No President shall serve for more than two (2) consecutive terms as the President.
- (e) No First Vice-President shall serve for more than two (2) consecutive terms as the First Vice-President.
- (f) The term of office for the Immediate Past-President shall be for one (1) year starting August 1st and ending July 31st of the year immediately following the presidency.
- (g) The term of office of the Second Vice-President as Second Vice-President shall be for one (1) year starting August 1st and ending July 31st. A Second Vice-President may have consecutive one (1) year terms as long as they are serving as a Regional Member.

- (h) The term of office of the Secretary-Treasurer as Secretary-Treasurer shall be for one (1) year starting August 1st and ending July 31st. A Secretary-Treasurer may have consecutive one (1) year terms as long as they are serving as a Regional Member.
- (i) Service by a Provincial Executive Member as a result of a by-election shall not be applied to the term of office when that same Member is elected through a regular election.
- (j) A Provincial Executive Member may resign; such resignation shall be effective once provided in a written letter to the President.

6. TEMPORARY ABSENCE

- (a) In the temporary absence of the President, the First Vice-President shall perform the duties of the President.
- (b) In the temporary absence of the First Vice-President, the Second Vice-President shall perform the duties of the First Vice-President.
- (c) In the temporary absence of the Second Vice-President or the Secretary-Treasurer, the duties will be performed by a fellow Table Officer.
- (d) In the temporary absence of a Regional Member the Provincial Executive may select a sitting Provincial Executive Member to perform the provincial duties of the absent Member.
- (e) A Provincial Executive member who becomes ill and is unable to attend regular meetings of the Provincial Executive shall be represented immediately by an alternate selected by the Local(s) involved, and the alternate member shall have all rights and privileges of the duly elected Provincial Executive member during the time of incapacity.

7. VACANCY

- (a) A vacancy shall occur in the event of removal, resignation, or death.
- (b) For a vacancy in the office of President the following shall apply:
 - (i) If the vacancy occurs within the first fifteen (15) months of the term:
 - a. The First Vice-President shall assume the office as Acting President until a by-election is held.
 - b. If the First Vice-President is unable or unwilling to assume the office as Acting President, the Provincial Executive shall elect one (1) of its Members as Acting President until a by-election is held. The election shall be by majority vote.
 - c. The Chief Electoral Officer shall call the by-election within thirty (30) days of the effective knowledge of the vacancy.
 - (ii) If the vacancy occurs after the first fifteen (15) months of the term:
 - a. The First Vice-President shall assume the office as President for the remainder of the term.
 - b. If the First Vice-President is unable or unwilling to assume the office as President, the Provincial Executive shall elect one (1) of its Members as President for the remainder of the term. The election shall be by majority vote.
- (c) For a vacancy in the office of First Vice-President the following shall apply:
 - (i) If the vacancy occurs within the first nine (9) months of the term:
 - a. The Second Vice-President shall assume the office as Acting First Vice-President until a by-election is held.
 - b. If the Second Vice-President is unable or unwilling to assume the office as Acting First Vice-President, the Provincial Executive shall elect one (1) of its Members as Acting First Vice-President until a by-election is held. The election shall be by majority vote.
 - c. A by-election shall be held at Annual Council to complete the term of office.

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- (ii) If the vacancy occurs after the first nine (9) months of the term:
 - a. The Second Vice-President shall assume the office as First Vice-President for the remainder of the term.
 - b. If the Second Vice-President is unable or unwilling to assume the office as First Vice-President, the Provincial Executive shall elect one (1) of its Members as First Vice-President for the remainder of the term. The election shall be by majority vote.
- (d) For a vacancy in the office of Second Vice-President or Secretary-Treasurer, the Provincial Executive shall elect one (1) of its Members to serve for the remainder of the term. The election shall be by majority vote.
- (e) When a Provincial Executive position becomes vacant in the event of removal, resignation, death or other permanent inability to act, the vacated position shall be filled by an alternate selected by the local(s) involved, and the alternate member shall have all the rights and privileges of the duly elected PE member until such time as a by-election is completed.

8. DUTIES

- (a) The President shall:
 - (i) preside over all meetings of the Council and of the Provincial Executive, and shall have general oversight of the affairs of these bodies;
 - (ii) be an ex officio member of all NSTU committees;
 - (iii) perform such other duties as delegated by the Council or the Provincial Executive; and,
 - (iv) convene a minimum of two conferences per year of NSTU Local Presidents and Regional Representative Council Chairs.
- (b) Notwithstanding 8. (a) (i), the Provincial Executive shall appoint an individual to serve as an Independent Chair for the business sessions of Annual Council.
- (c) The Provincial Executive functions in the name of Council between sessions; it shall perform its duties in a manner that is consistent with the will of Council as expressed through resolutions passed by Council. In addition, the Provincial Executive shall carry out duties imposed specifically by the *Teaching Profession Act*, these By-Laws, Standing Orders, and Operational Procedures. The Provincial Executive will have, but not necessarily be limited to, carrying out the following duties:
 - (i) appoint and dismiss an Executive Director and such other paid employees of the Union as it may deem necessary and determine their duties, remuneration, and terms of employment, including bonding;
 - (ii) provide suitable offices and equipment for carrying on the work of the NSTU;
 - (iii) direct and supervise the business, property, and affairs of the NSTU between Council meetings, and all decisions that are deemed policy by the Provincial Executive shall be forwarded to the upcoming Council as resolutions;
 - (iv) determine the place and date and make arrangements for workshops and special Council meetings;
 - (v) issue a post-Council press release;
 - (vi) provide assistance with organizing Locals, Regional Representative Councils, and Professional Associations;
 - (vii) shall ratify constitutions of Locals, Regional Representative Councils, and Professional Associations by following regulations outlined in the NSTU Operational Procedures;
 - (viii) determine the boundaries of the Locals;
 - (ix) publish a magazine or other official publications;
 - (x) cause the books and accounts of the Council to be audited annually by a chartered accountant and cause the report of the auditor to be submitted to Council;

- (xi) have the power to convene an emergency meeting of a Local or a meeting of the NSTU Members in a given area; and,
- (xii) is empowered to exercise on behalf of the Union, as the Provincial Executive deems advisable from time-to-time, the powers of the Union under the *Teachers' Pension Act* and report thereon to the Council at the next following meeting of the Council.

9. COMMITTEES OF THE PROVINCIAL EXECUTIVE

Committees required for the efficient running of the NSTU shall be appointed, constituted, and have their duties defined as provided in Standing Orders and Operational Procedures.

ARTICLE IV — LOCAL GOVERNANCE

1. NSTU LOCALS

- (a) Active Members may, with the consent of the Provincial Executive, form a Local.
- (b) Every Active and Reserve Member shall belong to a Local and no Member shall belong to more than one Local.

2. OFFICERS

- (a) A Local shall elect a President, First Vice-President, and such other officers as the Local may determine.
- (b) The elected Executive of the Local shall be the governing body thereof.

3. GOVERNANCE

- (a) A Local shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (b) A Local shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations.
- (c) A Local shall determine the dates of its meetings and shall designate one (1) meeting each school year as its Annual General Meeting.
- (d) A majority of Officers will constitute a quorum of the Local Executive.
- (e) A Local shall have the right to submit resolutions to Council following the Resolution Procedures outlined in the Standing Orders.

4. FINANCES

- (a) The Secretary-Treasurer shall, from annual Union Membership Fees received, pay to Locals a rebate in an amount as determined by Annual Council.
- (b) Rebates to Locals shall be made in two (2) installments. The first installment shall be made no later than November 30th in any given year, and the second installment shall be made no later than May 31st in any given year.
- (c) A Local shall submit to Central Office, by July 31st of each year, a budget for the ensuing school year.
- (d) A Local shall submit to Central Office, by October 31st of each year, the information required for its internal review, which will be conducted out of Central Office.
- (e) A Local may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

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ARTICLE V — REGIONAL GOVERNANCE**1. REGIONAL REPRESENTATIVE COUNCIL (RRC)**

- (a) There shall be seven (7) Regional Representative Councils (RRC) mirroring the seven (7) Regional Centres for Education (RCE) as follows:
 - (i) Annapolis Valley Regional Representative Council,
 - (ii) Cape Breton-Victoria Regional Representative Council,
 - (iii) Chignecto Regional Representative Council,
 - (iv) Halifax Regional Representative Council,
 - (v) South Shore Regional Representative Council,
 - (vi) Strait Regional Representative Council, and
 - (vii) Tri-County Regional Representative Council.
- (b) The mandate of the Regional Representative Council within the geographic boundaries of a Regional Centre for Education shall be to address NSTU Members' bargaining unit issues with their RCE.
- (c) The Regional Representative Council shall carry out the responsibilities as set out in the Teachers' Provincial Agreement, and applicable Regional Collective Agreement, between the RCE and the NSTU.

2. COMPOSITION AND OFFICERS

- (a) The Regional Representative Council Membership shall include the following from the Locals from within the RRC:
 - (i) Presidents of participating Locals;
 - (ii) First Vice-Presidents of participating Locals; and,
 - (iii) an equal number of additional Member(s) from each participating Local.
- (b) The Regional Representative Council Membership shall include the following Regional Members:
 - (i) Regional Representative Council Chair; and,
 - (ii) Provincial Executive Member(s) from the RRC.
- (c) The Regional Representative Council, from the RRC Membership in 2. (a) (i), (ii), and (iii), shall determine a Chair, Vice-Chair, Grievance Chair, Article 60 Chair, Regional Economic Welfare Committee (REWC) Chair, and a Treasurer and/or Secretary as set out in its constitution.

3. GOVERNANCE

- (a) A majority of the Regional Representative Council shall constitute a quorum.
- (b) All Members of the Regional Representative Council shall have voting privileges.
- (c) A Regional Representative Council shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (d) A Regional Representative Council shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations. However, it may deal directly with the Regional Centre for Education on behalf of the Union.
- (e) Subject to Article VIII of these By-Laws, the Chair of the Regional Representative Council shall be the spokesperson on regional matters for the NSTU.
- (f) A Regional Representative Council shall determine the dates of its meetings.
- (g) A Regional Representative Council shall have the right to submit resolutions to Council subject to the approval of the Provincial Executive.

4. FINANCES

- (a) The Regional Representative Council shall be funded on an equitable basis by the participating Locals in the region.
- (b) If at July 31st, the cash balance of an RRC exceeds an amount necessary to fund the activities of the RRC until the November Local Rebate, then the excess monies shall be returned to the participating Locals of the RRC.
- (c) The Regional Representative Council shall submit to Central Office, by July 31st of each year, a budget for the ensuing school year.
- (d) The Regional Representative Council shall submit to Central Office, by October 31st of each year, the information required for its internal review, which will be conducted out of Central Office.
- (e) The Regional Representative Council may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

5. REGIONAL REPRESENTATIVE COUNCIL COMMITTEES

- (a) The Regional Representative Council shall annually establish a Standing Committee called the Regional Economic Welfare Committee with Membership consisting of the First Vice-Presidents of participating Locals and other Members as determined by the Regional Representative Council to a maximum of ten (10) Members.
- (b) The Regional Representative Council shall annually appoint Members to committees as stipulated in Regional and Provincial collective agreements.

ARTICLE VI — PROFESSIONAL ASSOCIATION GOVERNANCE

1. PROFESSIONAL ASSOCIATION

- (a) Active Members may, following the procedure laid out in Operational Procedures and with the consent of the Provincial Executive, form a Professional Association.
- (b) The mandate of Professional Associations shall be to encourage and assist Members in professional development activities in their respective fields.
- (c) The objectives of Professional Associations are to:
 - (i) improve professional practice by increasing Members' knowledge and understanding;
 - (ii) disseminate ideas, trends, and new developments;
 - (iii) advocate interests of Professional Associations, consistent with NSTU Policy and practice; and,
 - (iv) advise the Provincial Executive and NSTU Committees on matters special to the Professional Associations.
- (d) Membership in a Professional Association is open to Active, Reserve, and Associate Members of the NSTU, is voluntary, and is conditional on paying a Professional Association Fee as set by the individual Associations at their Annual General Meetings.
- (e) The NSTU shall assist in the organization and promotion of Professional Associations, and give financial assistance where necessary, in order to provide opportunities for Member-initiated professional development.

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2. OFFICERS

- (a) A Professional Association shall elect a President, and such other officers as the Association may determine.
- (b) The elected Executive of the Professional Association shall be the governing body thereof.

3. GOVERNANCE

- (a) A Professional Association shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (b) A Professional Association shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations.
- (c) A Professional Association shall determine the dates of its meetings and shall designate one (1) meeting each school year as its Annual General Meeting.
- (d) A majority of Officers will constitute a quorum of the Professional Association Executive.
- (e) A Professional Association shall have the right to submit resolutions to Council through the Professional Association Coordinating Committee subject to the approval of the Provincial Executive.

4. FINANCES

- (a) A Professional Association shall submit to Central Office, by July 31st of each year, a budget for the ensuing school year.
- (b) A Professional Association shall submit to Central Office, by October 31st of each year, the information required for its internal review, which will be conducted out of Central Office.
- (c) A Professional Association may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

ARTICLE VII — PROFESSIONAL COMMITTEE**1. PROFESSIONAL COMMITTEE**

- (a) Pursuant to the *Teaching Profession Act*, Section 11 (1), there shall be a Professional Committee of the NSTU.
- (b) The mandate of the Committee is as described in the *Teaching Profession Act*.
- (c) The Professional Committee shall consist of six (6) Members elected by the Council.
- (d) Members of the Professional Committee shall serve a three (3) year term, with two (2) Members of the Committee retiring each year.
- (e) No Member of the Professional Committee shall concurrently be a Member of the Provincial Executive or a Committee of the Provincial Executive.
- (f) The Professional Committee shall meet at least once a year for professional development purposes and as required to consider complaints.

ARTICLE VIII — OFFICIAL SPOKESPERSON FOR THE UNION

The President is the official spokesperson for the NSTU and its negotiating team unless some other person has been specifically delegated with this authority.

ARTICLE IX — FINANCE

1. FISCAL YEAR

The fiscal year of the NSTU shall be August 1st to July 31st.

2. BALANCED BUDGET

- (a) The Finance and Property Committee shall provide to Delegates of Annual Council, in advance of Council, a balanced budget for the upcoming Fiscal Year.
- (b) Where the Finance and Property Committee recommends a balanced budget to Delegates of Annual Council which requires an increase in Union Membership Fees and/or a transfer from the Reserve Fund the Committee shall also prepare an alternate balanced budget which decreases expenditures instead of increasing Union Membership Fees and/or transferring funds from the Reserve Fund.

3. RESERVE FUND

- (a) The NSTU shall set up a Reserve Fund which shall be administered by the Provincial Executive subject to the ratification by Council and shall be maintained by amounts voted annually by Council.
- (b) Council may also approve use of an amount from the Reserve Fund for operational purposes. Council shall review any such amount annually. Following such reviews, Council may vary the amount. Council's authority to establish and/or vary the amount from the Reserve Fund shall be exercised by a majority vote of the Council.
- (c) The Fund may be used:
 - (i) when the NSTU incurs reasonable costs while engaged in a legal strike;
 - (ii) as a source for loans within the NSTU for purposes of expansion or development; or,
 - (iii) for expenditures or loans in cases of emergency; and,
 - (iv) the amount of the Reserve Fund to be used to balance the operating budget shall not exceed \$350,000 per year.
- (d) The Reserve Fund shall be invested by the Provincial Executive in accordance with the principles of safety, marketability, and return.

ARTICLE X — RULES OF ORDER

The most current edition of Robert's Rules of Order, Newly Revised, governs the NSTU in all parliamentary situations not provided for in Legislation, By-Laws, or Standing Orders.

ARTICLE XI — LEGAL ASSISTANCE

If legal action is being taken or threatened against any Member of the NSTU in matters arising out of the individual's professional duties or status, or if, in the opinion of the Provincial Executive, legal action should be taken by a Member in matters arising out of the individual's professional duties or status, then such Member may be granted such legal assistance as the Provincial Executive in its sole discretion may determine.

*Approved by the Lieutenant Governor of Nova Scotia in Council on the 3rd day of December 1968.
Gordon H. Davidson Deputy Clerk of the Executive Council Amended 1970 Council.
Amended at each succeeding Council 1971-2018.
Amended by substitution 2019-01.*

SECTION III

STANDING ORDERS

1. UNION MEMBERSHIP FEES

- (a) The Union Membership Fee for Active Members, as defined by By-Law Article I, Section 2, pursuant to Section 12 of the *Teaching Profession Act* shall be as fixed from time-to-time by Council.
 - (b) Notwithstanding 1. (a), the amount of the Union Membership Fee for Active Members employed under a term contract of less than an equivalent of sixty (60) days taught and claimed shall be determined on the basis of the number of days employed over a denominator of sixty (60) multiplied by eighty percent (80%) of the annual Union Membership Fee.
 - (c) The Union Membership Fee for Reserve Members, as defined by By-Law Article I, Section 3, shall be thirty two dollars per year (\$32/yr).
 - (d) A per diem Union Membership Fee in the amount of two dollars and eighty cents per teaching day (\$2.80/day) is applied to substitute teachers whether Reserve Members or not. This amount shall be deducted at source.
 - (e) The Union Membership Fee for Associate Members, as defined by By-Law Article I, Section 5, shall be ten dollars per year (\$10/yr).
 - (f) No teacher shall pay an annual Union Membership Fee greater than the current amount payable by a full time teacher in any one (1) school year.
-

2. ORDERS OF COUNCIL

- (a) On an annual basis, the Provincial Executive shall appoint an Independent Chair for the Council.
 - (i) The individual appointed shall:
 - a. have a demonstrated knowledge of parliamentary procedure;
 - b. not currently be holding elected office in the NSTU;
 - c. not currently be seeking elected office in the NSTU;
 - d. have no conflict of interest according to NSTU Standing Orders; and,
 - e. adhere to the principles outlined in the NSTU Code of Ethics.
 - (ii) In the event that the Independent Chair is unable to chair the meeting, the President will assume the chair.
- (b) The Executive Director shall be responsible for the recording of the minutes of the Council meetings.
- (c) The minutes of every meeting of the Council, when approved, shall be signed by the Secretary-Treasurer and by the President, and these shall be kept by the Executive Director as the official record of the Council proceedings.
- (d) All recommendations of the Provincial Executive of the NSTU and its committees which are to be presented to Annual Council for action, including resolutions to fix Union Membership Fees, shall be sent to the Locals at least thirty (30) days prior to the meeting of Council.
- (e) The Annual Council Workbook shall be available to all Council delegates at least fourteen (14) days prior to the Annual Meeting of Council.
- (f) The Treasurer's Report, including the proposed budget, shall be presented to the Council no later than the first business session of Council.

- (g) All resolutions that are identified by the Finance and Property Committee to have an effect on the proposed operating budget shall be dealt with prior to the presentation of the budget.
- (h) Economic Welfare resolutions shall be debated at Annual Council in Closed Session.
- (i) In the final business session of Council the budget shall be presented in closed session for its adoption.
- (j) The reports presented by committees to Annual Council shall be received and reviewed at a session prior to the consideration of resolutions arising from them.

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Standing Orders**3. RESOLUTIONS TO COUNCIL**

- (a) Resolutions submitted by NSTU Locals and the Provincial Executive shall be prepared into a document which is circulated to all Members prior to deliberations at Council.
- (b) Resolutions submitted by NSTU Locals and the Provincial Executive shall be available to Delegates in both official languages.
- (c) Resolutions submitted for consideration by Annual Council shall be accompanied by supporting briefs at the time of submission and be presented to the Membership in the same order as they are to be deliberated during Annual Council proceedings.
- (d) All resolutions submitted for consideration to Annual Council shall be studied beforehand by the appropriate committee and/or the Provincial Executive. The findings and recommendations, if any, from such study shall be available to the delegates at Annual Council.
- (e) Submitted resolutions categorized as Economic Welfare and Working Conditions which relate to Provincial Negotiations shall be automatically referred to staff for consideration by the Provincial Economic Welfare Committee.
- (f) A resolution adopted at Annual Council becomes effective immediately upon adoption unless the resolution itself specifies a particular time frame or unless the resolution affects the NSTU budget.
- (g) (i) A Local submitting a resolution identified by the Resolutions Committee as an NSTU Operational Procedure shall have that submission returned to the Local for redirection to the Provincial Executive for action.
- (ii) Should the Local not agree with the decision of the Provincial Executive concerning the issue, the affected Local is able to resubmit that same resolution to the next Annual Council. The brief accompanying the resolution shall contain information concerning the Operational Procedure status of the submission as well as the decision of the Provincial Executive concerning the issue.
- (h) All resolutions to Annual Council shall be designated constitutional, policy, or action.
- (i) Resolutions adopted at Council designated constitutional are recorded in the NSTU Constitution.
- (j) Resolutions adopted at Council designated policy are recorded in NSTU policy documents and are subject to the six-year (6-yr) cycle review.
- (k) Resolutions adopted at Council designated action are removed from NSTU documents when action has been taken.
- (l) A full report of the action taken on each resolution passed by Council shall be presented at the following Council in the Disposition of Resolutions Report.

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4. COMMITTEES OF COUNCIL**(a) STEERING COMMITTEE**

- (i) Before each Council meeting the Provincial Executive shall appoint from the elected Voting Delegates a Steering Committee consisting of three (3) people.
- (ii) The Steering Committee shall monitor the progress of Council and make recommendations to Council concerning the appropriateness of time in relation to the business agenda.

(b) THE ANNUAL COUNCIL ELECTIONS COMMITTEE

- (i) Before each Annual Council meeting the Provincial Executive shall appoint from the elected Voting Delegates an Annual Council Elections Committee consisting of four (4) people.
- (ii) The Annual Council Elections Committee shall:
 - a. Receive nominations for each vacancy on the following:
 - i. the First Vice-Presidential office;
 - ii. the delegation to the Canadian Teachers' Federation;
 - iii. the Professional Committee;
 - iv. the Discipline Committee; and,
 - v. the Resolutions Committee.
 - b. Obtain, in advance, the consent of each candidate nominated.
 - c. Submit each name to the Council on a prepared form containing a statement of the nominee's professional activities, teaching position, experience and qualifications, provided this information is given to the Annual Council Elections Committee at least one (1) hour prior to the time scheduled for commencement of the session in which the election is to be conducted.
 - d. Ensure nominations for Council, other than for First Vice-President, close with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chair of Council at the session in which the election is to be conducted.
 - e. Ensure that nominations for First Vice-President close in the opening session of Council with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chair of Council.
- (iii) Any Member of Council who is entitled to vote may nominate from the floor any eligible person to any office.
- (iv) Any Member elected to a committee at Annual Council shall be ineligible to serve consecutive terms of office on that same committee.
- (v) The election of the First Vice-President shall be determined by a majority vote of Voting Delegates at Annual Council. In all other elections held during Council, the successful candidate requires a plurality of the ballots cast.
- (vi) The Committee shall draw up a standardized report form to be issued to all candidates for the office of First Vice-President, which includes a list of contributions and on which non-monetary items are assessed at a dollar value.
- (vii) The Committee shall monitor Council election guidelines and report any suspected violations to the Chair of Council for consideration and possible action. The Chair of Council, after consultation with the Committee, shall attempt to resolve any concerns in an informal manner. If the matter cannot be resolved informally, the Chair of Council shall make a ruling and may announce the ruling at the next session of Council.
- (viii) The Committee shall submit a report with recommendations concerning the conduct of any Council election to the Provincial Executive within ninety (90) days from the conclusion of Annual Council.

(c) RESOLUTIONS COMMITTEE

- (i)
 - a. The Resolutions Committee shall consist of five (5) Members.
 - b. Annual Council shall elect four (4) Members from amongst the Voting Delegates. Elections shall be staggered from year-to-year to allow for continuity. All such Members elected shall serve a two (2) year term.
 - c. The Provincial Executive shall elect one (1) of its Members to serve as Chair of the Resolutions Committee. The Chair shall serve for a renewable one (1) year term.
- (ii) Members of the Resolutions Committee who are not Voting Delegates to Annual Council are empowered to move and second resolutions presented through the Resolutions Committee at Council; however, they are not permitted to vote.
- (iii) The Resolutions Committee shall:
 - a. Designate each resolution by topic (Governance, Curriculum, Economic Welfare and Working Conditions, Government, Professional Development, General); by category (Constitutional, Policy, Action); by intent (Amend, Rescind, New); and by eligibility (majority or two-third (2/3) majority Vote).
 - b. Ensure that resolutions affecting the NSTU's budget are costed by the Finance and Property Committee and make such costing information available at the time of deliberation.
 - c. Consult the sponsoring Local to clarify the costing specifics of any resolution classified as a costed resolution.
 - d. Combine resolutions of similar intent without altering the substantial intent of any resolution.
 - e. Consult with Local(s) on rewording of a submission.
 - f. Inform and report to the Local at least thirty (30) days prior to Council if a proposed resolution is out of order, and include suggestions on how to improve it so it could be submitted to Annual Council the following year.
 - g. Supply Local(s), upon request, a written summary of legal advice regarding submitted resolutions if available.
 - h. Determine the eligibility of submissions received during Council proceedings for consideration under New Business.
 - i. Coordinate compilation of Reports; the Disposition Report, which includes the URL of an electronic compilation of memos and letters regarding adopted resolutions, and Reports to Council.

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5. COMMITTEES OF THE PROVINCIAL EXECUTIVE

- (a) At a meeting following Annual Council the Provincial Executive shall appoint such committees of the NSTU as it from time-to-time is authorized to do so by Council and such other committees as it may find useful or necessary to carry out the NSTU program. All such committees shall report to the Provincial Executive.
- (b) Committees of the NSTU are advisory bodies to the Provincial Executive and responsible to the Provincial Executive for their programs. Committees of the NSTU are not program-administering committees except as specifically authorized by the Provincial Executive. Committees are not authorized to spend money or to commit the NSTU to the expenditure of monies, acts, or engagements except as authorized by the Provincial Executive.
- (c) The Provincial Executive shall establish terms of reference for committees appointed by the Provincial Executive and shall make these terms of reference available to all Active and Reserve Members.

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- (d) All committees appointed by the Provincial Executive shall serve from August 1st to July 31st of any school year unless otherwise directed by the Provincial Executive.
- (e) Voting privileges on NSTU committees shall be confined to Active and Reserve Members of the NSTU, others to act only in advisory or consultative capacity.

6. DISCIPLINE COMMITTEE

- (a) Pursuant to the *Teaching Profession Act*, Section 10 (1) (d), there shall be a Discipline Committee of the NSTU.
- (b) The mandate of the Committee is to consider complaints regarding Member action(s) inimical to the interests of the NSTU, which would not come before the Professional Committee.
- (c) The Discipline Committee shall consist of five (5) Members elected by Council.
- (d) Members of the Discipline Committee shall serve a three (3) year term.
- (e) No Member of the Discipline Committee shall concurrently be a Member of the Provincial Executive or a Committee of the Provincial Executive.
- (f) The Discipline Committee shall meet at least once a year for professional development purposes and as required to consider complaints.

7. CAMPAIGN GUIDELINES

- (a) These guidelines apply to any election campaign within the NSTU.
- (b) Active campaigning within Council Chambers is prohibited except for the normal address to Delegates by Presidential and First Vice-Presidential Candidates. Passive campaigning within Council Chambers is permitted.
- (c) Active or passive campaigning for elections or activities not related to the structure or operations of the NSTU are prohibited within Council Chambers.
- (d) Active campaigning shall be considered any display or action that involves the presentation of partisan information in a manner that is difficult for a group of Delegates to avoid. Examples of such active campaigning include, but is not limited to, the display of campaign posters, the shouting of campaign slogans, shouting out in support of a candidate other than during the normal address to delegates, distributing materials throughout Council Chambers including the placing of campaign materials anywhere within Council Chambers prior to, during, or following a Council session, and demonstrations in support of a given candidate.
- (e) Passive campaigning shall be considered any display or action that is observable only by people in the immediate vicinity of the campaign material and involves no explicit action to promote or advance those materials at the time at which the material is seen or heard. Examples of such passive campaigning include the use of written materials containing references to a candidate, the wearing of campaign clothing, buttons, or ornaments, and the presence of a single copy of a candidate's campaign literature at delegates' seats and table spots.
- (f) A candidate or representative of the candidate is permitted to place up to one (1) item per delegate per session at the tables in Council Chambers prior to the start of the session. This would replace campaign material distribution at other times. A candidate would still be permitted to greet delegates as they enter Council Chambers.
- (g) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.

- (h) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU Delegates, Alternate Delegates, official Observers, and guests once Delegates have been accommodated. Distribution of campaign materials to rooms shall be limited to those rooms so identified. Such identification shall not allow the name of the occupant of the room to be determined.
- (i) The number of campaign posters/banners on display in the hotel(s) at Annual Council may be controlled by the hotel(s). If the hotel(s) do limit the number of posters/banners candidates will be informed of such limitations the week prior to the start of Council. A campaign poster shall include any poster, banner or sign posted by or for a Member running for an elected position that makes a reference to the candidate and/or the position being sought.

8. CONFLICT OF INTEREST

Individuals in an elected or appointed leadership role of the NSTU, its employees, and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and to ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.

9. DIRECTIVES OF THE PROVINCIAL EXECUTIVE

When the Provincial Executive enacts changes during the year which impact in a negative way on Local/Regional Representative Council finances, the Provincial Executive will also direct additional funds to Locals/Regional Representative Councils to carry out these changes.

10. EXECUTIVE STAFF

- (a) The Executive Director and Executive Staff of the NSTU must be eligible to hold valid Nova Scotia teacher professional numbers.
- (b) The number of full-time Executive or similar positions shall be increased only with the prior consent of Annual Council.

11. PRIVACY – MEMBER DATA

- (a) The NSTU fully respects the rights of its Members to security and privacy with respect to the data supplied to it by its Members. To that end, the following guidelines shall apply:
 - (i) all data collected by the NSTU shall be used solely for Union business;
 - (ii) no individual Member data will be released to anyone, other than for legitimate use unless individually and explicitly authorized by the Member;
 - (iii) data may be released to affiliate organizations or academic institutions in aggregate form for research approved by the Provincial Executive;
 - (iv) aggregate Member data may be released to news media only with prior approval of the Provincial Executive; and,
 - (v) no Member data will be released to commercial interests.

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- (a) The Provincial Executive may from time-to-time recognize outstanding contributions of Members by the means and under the conditions, which follow:
- (b) Life Membership Award which shall be:
 - (i) a certificate, a pin, and paid Membership in the Retired Teachers Organization;
 - (ii) awarded only to Members retiring from the profession;
 - (iii) awarded for displaying consistently high qualities of leadership, performance and service to education, the teaching profession or to the Nova Scotia Teachers Union; and,
 - (iv) awarded at the sole discretion of the Provincial Executive.
- (c) Special Award which shall be:
 - (i) a certificate and gift;
 - (ii) awarded only to Active Members;
 - (iii) awarded only for a particular outstanding service to education, the teaching profession, or the Nova Scotia Teachers Union; and,
 - (iv) awarded at the sole discretion of the Provincial Executive.
- (d) Local Service Award which shall be:
 - (i) a certificate and special pin;
 - (ii) awarded for displaying at the Local level a consistent and continuing involvement in Local leadership, professional development or long term service to education or the teaching profession;
 - (iii) awarded for a particular outstanding service to the Local, to education or to the teaching profession;
 - (iv) awarded to Active Members and newly Retired Members (i.e. within two years following retirement); and,
 - (v) awarded by the Provincial Executive only on the recommendation of a Local Executive.

13. CHIEF ELECTORAL OFFICER

- (a) There shall be a Chief Electoral Officer of the Union who shall be the Solicitor of the Union.
- (b) The duties of the Chief Electoral Officer shall be:
 - (i) to advise on the conducting of any election described in the Constitution of the Union;
 - (ii) to decide the meaning of the Constitution in respect of elections; and,
 - (iii) to decide matters of complaint concerning elections presented by interested parties.

14. DELEGATES TO CANADIAN TEACHERS' FEDERATION

Delegates to the Canadian Teachers' Federation Annual General Meeting shall be: the President, or another CTF Director as chosen by the Provincial Executive from the Members of the Provincial Executive; the Executive Director as a member of the CTF Board; and a number of other delegates defined by the Canadian Teachers' Federation who shall be elected by the Council. The First Vice-President or, in the absence of the First Vice-President the Second Vice-President, shall attend as an alternate.

During a presidential election year, the NSTU President-elect will be included in the delegation to CTF as an observer at the AGM. The costs incurred will be covered by the NSTU as per CTF guidelines.

15. DELEGATES TO NOVA SCOTIA FEDERATION OF LABOUR

Delegates to the Nova Scotia Federation of Labour Biennial General Meeting shall be a number of delegates as defined by the Nova Scotia Federation of Labour who shall be selected by the Provincial Executive through a nomination process.

16. NSTU PROVINCE-WIDE VOTING

The results of all NSTU province-wide voting shall be published in *The Teacher* or another equivalent publication on a Local-by-Local basis within fifty (50) days of such voting.

17. CONSTITUTION

The Provincial Executive shall ensure that the Constitution of the Nova Scotia Teachers Union is available to each Member of the NSTU.

Approved 1967 Council.

Amended at each succeeding Council 1968-2018.

Amended by substitution 2019-02.

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Standing Orders

NSTU POLICY

MAY 2019



Introduction

NSTU policy provides the context for effective decision-making and action on issues. The Provincial Executive has established the following operational principles for the development, implementation, and evaluation of the organizations policy.

NSTU POLICY SHALL BE:

- the Unions official position on issues of significant weight to the membership
- formulated with input from the membership
- determined as a result of an Annual Council resolution
- stated in clear and concise language
- recorded as a resolution in the official minutes of an Annual Council
- published and updated as necessary
- supplemented with position papers where appropriate
- reviewed in a six year cycle rotation

NSTU POLICY IS CLASSIFIED AND REVIEWED ACCORDING TO THE FOLLOWING SCHEDULE:

2020	Professional Development
2021	General
2022	NSTU Governance
2023	Curriculum
2024	Economic Welfare & Working Conditions
2025	Government

SECTION I

GOVERNANCE

POLICY

Governance

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General

1. CODE OF ETHICS

This Code of Ethics is a guide to members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

A. MEMBER AND PUPIL

- I. The member regards as confidential, and does not divulge other than through professional channels any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- II. The member should be just, equitable, and fair in all relationships with pupils.
- III. The member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- IV. The member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- V. The member should be as objective and respectful as possible in dealing with controversial matters.

B. MEMBER AND MEMBER

- I. The member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another member.
- II. The member shall not make derogatory remarks about the professional competence of another member.
- III. The member shall not accept a position arising out of the unsettled dispute between members, and their employers.
- IV. The member shall not sexually, physically or emotionally harass another member. Sexual harassment shall mean any unsolicited and unwanted sexual comments, suggestions, or physical contact directed to a specific member which that member finds objectionable or offensive and which causes the member discomfort on the job. As defined in the *Canadian Human Rights Act* harassment is a form of discrimination. It involves any unwanted physical or verbal behaviour that offends or humiliates you. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment.

Harassment occurs when someone:

- a. makes unwelcome remarks or jokes about your race, religion, sex, age, disability or any other of the grounds of discrimination as defined by current language in the *Nova Scotia Human Rights Act*;
- b. threatens or intimidates you; or,
- c. makes unwelcome physical contact with you, such as touching, patting, pinching, or punching, which can also be considered assault.

The accused member must be made aware of the nature of the objection prior to action being taken.

C. MEMBER AND INTERNAL ADMINISTRATION

- I. The member should maintain a reasonable and professional level of support to internal administration of the school/educational site.

- II. The member responsible for internal administration should maintain a reasonable and professional level of support to the members of the staff.
- III. The member responsible for internal administration should not make any detrimental report, oral or written, on a member's performance without first discussing the matter with the member.

D. MEMBER AND EXTERNAL ADMINISTRATION

- I. The member should adhere to a contract until the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated. A verbal agreement is a contract.
- II. The member should not accept a salary below that which they would receive according to the scale negotiated between the NSTU and the employer.
- III. The member should not accept a salary above that which they would receive according to the scale negotiated between the NSTU and the employer, without notifying the NSTU.

E. MEMBER AND PROFESSIONAL ORGANIZATION

- I. The member should be a member of and participate in the Nova Scotia Teachers Union.
- II. The member who in their professional capacity is a member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- III. The member, or group of members, should not take any individual action in matters which should be dealt with by their Local or by the NSTU.
- IV. The Local should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

F. MEMBER AND PROFESSION

- I. The member should maintain their professional learning by professional development, or study, by travel, or by other means which will keep them abreast of the trends in education and the world in which we live.
- II. The member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with students, associates, and the community.
- III. The member should not accept remuneration for tutoring their pupils except under unusual circumstances and with the approval of their supervisor or principal.

G. MEMBER AND COMMUNITY

- I. The member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.

Reference: Amended 2009-6; 2009-7; 2009-8; 2009-9; 2009-10; 2009-11; 2009-12; 2009-13; 2010-9; 2016-15

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2. COLLEGIAL RELATIONSHIP AMONGST EDUCATIONAL SITE STAFF

The NSTU recognizes the key role of public school administrators as educational leaders. The NSTU believes in the value of the collegial relationship between administrators and teachers. The collegial approach removes barriers to teachers who aspire to become instructional leaders assuming administrative roles. The NSTU believes that the classification of administrators as managers fundamentally changes the nature of the administrator – teacher relationship,

and is a barrier to the collegial relationship. Further, the NSTU believes that the collegial relationship is strengthened by having administrators who are:

- A. full, active members of the NSTU;
- B. able to access NSTU Professional Development;
- C. modeling life-long-learning;
- D. exemplary and compassionate teachers with a deep understanding of instructional practice; and,
- E. focusing on their primary role as lead teachers as opposed to being managers.

Reference: Resolution 99-48

Reference: Resolution 2001-25, 2000-4; Reaffirmed 2002-25; 2005-29; Amended 2010-22; 2016-21; 2019-4

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3. DISCRIMINATION

- A. The NSTU, in recognition of its support for the *Nova Scotia Human Rights Act*, lends full support to members who face discrimination with respect to their employment as defined in the Act – Section 5, Subsection (1).
- B. The NSTU, in its structure and delivery of professional services, is unbiased towards its members.

Reference: Resolution 99-40; Reaffirmed 2002-19; 2005-19; 2010-11; 2016-16

4. DIVERSE REPRESENTATION

- A. The NSTU supports organizations and programs that are working to encourage more students from under-represented groups to consider teaching as a career choice.
- B. The NSTU recognizes the need to undertake steps to expedite the process of increasing numbers, throughout the province, of teachers, administrators, and board personnel from designated groups identified under the Nova Scotia Affirmative Action Policy. The NSTU will work to remove barriers that inhibit peoples who have been traditionally marginalized.

Reference: Resolution 99-145, 99-146, 99-163; Reaffirmed 2002-109; 2005-52; Title changed 2008-51, Reaffirmed November, 2013

5. EQUITY AND AFFIRMATIVE ACTION

The NSTU is committed to the promotion of equity and affirmative action. This promotion must take place in the context of all contractual obligations between members, their employer(s), and within the NSTU organization.

Reference: Resolution 2000-3; Reaffirmed 2002-20; 2005-20; Amended Resolution 2006-D
Equity for under-represented groups, in compliance with current language in the *Nova Scotia Human Rights Act*.

Reference: Resolution 2006-E; Amended 2007-47; 2010-12; 2016-17

6. GENDER IDENTITY, GENDER EXPRESSION, AND SEXUAL ORIENTATION DISCRIMINATION

We strive for a safe, welcoming, and inclusive education system that addresses the realities of gender and sexual minorities. As such, the NSTU will promote, support, and protect the rights of students, families, and members to:

- A. be treated with respect and acceptance, free from discrimination and hegemony;
- B. freely and collectively express their gender identity and sexual orientation;
- C. be provided safe, welcoming, and inclusive learning content, spaces, and facilities;
- D. have diversity and inclusion in the NSTU, in schools, and within system priorities and programs; and,

- E. affirm and deliver sexual orientation, gender identity, and gender expression education.

Reference: Resolution 2004-NB1, Amended 2009-NB1; 2011-11, Amended 2014-50; 2019-59

7. INCLUSIVE LANGUAGE

All communications be inclusive in the use of images, expressions, and language to positively reflect and include the diversity of the membership in compliance with current language in the *Nova Scotia Human Rights Act*.

When a communication is unable to adhere to the inclusive language policy, the following disclaimer clause should appear:

This document is listed as an exemption to the NSTU Inclusive Language Policy.

Reference: Resolution 2009-15; 2010-15; 2016-19

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8. SUBSTITUTE TEACHER INFORMATION MEETINGS

The Nova Scotia Teachers Union encourages Locals to hold at least one meeting early in the school year to inform substitutes of information available regarding their rights and privileges; their duties and responsibilities; benefits of Reserve Membership; and, their obligation to supply their Regional Centre for Education/School Board with accurate information for pay purposes.

Reference: Resolution 2002-15; Reaffirmed 2005-32; 2010-23, Reaffirmed January 2016

SECTION II

CURRICULUM

1. ASSESSMENT POLICY

The Nova Scotia Teachers Union believes that teacher-developed and teacher-administered in-house evaluation instruments are the most effective and accurate means of assessment of student achievement. The NSTU supports the position of the Canadian Teachers' Federation that the primary purpose of student assessment is to support student learning and that classroom teachers have the primary responsibility for assessing and evaluating student achievement. The NSTU firmly believes that provincial and regional/board standardized tests are not intended, nor should they be used, for the purpose of teacher, administrator, or school evaluations.

While the NSTU does not support the administration of standardized tests; the organization recognizes the authority of the Department of Education and Early Childhood Development to implement assessment measures.

- A. The Department of Education and Early Childhood Development and Regional Centres for Education/School Board must use standardized assessments exclusively as a tool to inform instruction and support student learning.
- B. The NSTU believes classroom teachers from across the province must be involved in a primary way with the design, implementation, and marking of all provincial assessments.
- C. The Department of Education and Early Childhood Development must report exam marks only on a provincial and regional/board basis. The compilation of scores on a school-by-school or student-by-student basis must not be permitted.

- D. The Department of Education and Early Childhood Development must define, adopt, and clearly communicate a curriculum implementation model. Such a model must clarify the components such as pilots, field tests and their necessary evaluation.
- E. The administration and marking of the student's exam must remain the prerogative of the classroom teacher who has taught the course to the students.
- F. The Nova Scotia Teachers Union accepts the Policy on Assessment and Evaluation authored by the Canadian Teachers' Federation.

Reference: Resolution 2001-B; Reaffirmed 2004-97; 2011-16; 2017-20

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2. CENSORSHIP

The NSTU believes:

- A. students have the right of free access to different types of learning materials.
- B. Regional Centres for Education/School Board should recognize the right of members, librarians, and administrators to select books and other learning materials in accordance with current trends in education and to make them available in the schools. The NSTU further recognizes that there should be a procedure for reconsideration of materials in accordance with Regional Centres for Education/School Board policy.
- C. members have the right to use for instruction any books or other learning materials prescribed by the Department of Education and Early Childhood Development is fully supported.

Reference: Resolution 2001-41; Reaffirmed 2004-99; Amended 2011-18; 2017-21

3. COMPREHENSIVE MATERIALS FOR FRENCH MEMBERS

All members, including French Core, French Immersion, or French First Language should have access to comprehensive materials, including texts and library resources.

Reference: Resolution 99-59; Amended 2004-100; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

4. CURRICULUM POLICY

- A. The NSTU believes that the Department should:
 - I. provide clear outcomes for all grade levels;
 - II. provide suitable materials that allow schools to provide programs suited to the student's level of development;
 - III. provide adequate staff, facilities, and equipment in schools;
 - IV. provide specialized programming for such areas as Guidance, Art, Music, Technology Education, Family Studies, Teacher-Librarians, Physical Education, French, and other areas as appropriate;
 - V. provide that all school grades become a true continuum from elementary through to high school; and,
 - VI. provide a minimum of a one-day in-service to all teachers when introducing a new report card.
- B. The NSTU believes that adequate financial support for program changes must be assured before any introduction and implementation of such changes.
- C. The NSTU believes that prior to implementation of any new program, or change to present programs, the teacher must receive:
 - I. sufficient professional development; and,
 - II. materials, resources and support.

- D. Decisions regarding choices of materials that support the curriculum should be made by licensed teachers.
- E. Teachers of combined classes should receive the necessary resources/ support for all grade levels in order to implement the program appropriately.
- F. The NSTU believes that the credit system should not be introduced in the grade nine level.

Reference: Resolution 2001-44, 2002-41, 2002-43, 2003-30; Amended 2004-101; 2011-20; 2013-65; 2017-23

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5. CURRICULUM STANDARDS AND GUIDELINES

- A. Although the establishment of curriculum standards and guidelines is the responsibility of the Department of Education and Early Childhood Development, teachers should have direct input through NSTU nomination of committee members.
- B. It is the responsibility of each individual member to be fully aware of and conversant with the particular sets of guidelines and other Departmental publications that are of direct concern to the individual's teaching situation.
- C. Guidelines established by the Department of Education and Early Childhood Development should be as specific as the diversity of the Nova Scotia school population will permit.
- D. Members should, as part of their professional responsibility, bring to the attention of the Department any concerns they have with Department publications or guidelines.

Reference: Resolution 2001-54; Reaffirmed 2004-102; Amended 2011-21; Reaffirmed Provincial Executive, March 2017

6. DISTANCE EDUCATION

Quality public distance education programs must be carefully designed, planned, implemented by NSTU members, and adequately funded. Successful implementation of public distance education requires that:

- A. adequate resources and inservicing are available for public distance education teachers;
- B. the NSTU support teachers engaged in providing public distance education;
- C. NSTU members holding valid teacher certification exclusively are engaged in providing public P-12 distance education;
- D. there be support for a network of public distance education teachers so as to provide for discussion, exchange of ideas, and mutual support;
- E. the NSTU inform the public of issues regarding public distance education; and,
- F. the NSTU monitor the growth of public distance education in the province.

Reference: Resolution 2001-42; Reaffirmed 2004-103; Amended 2011-22; Reaffirmed Provincial Executive, March 2017

7. GLOBAL EDUCATION

- A. Global education is a perspective that underlies and shapes the teaching and learning processes in schools.
- B. Through global education, learners develop critical understandings of global issues, as well as the skills to enable them to address those issues.
- C. Through global education, learners acquire values that give priority to ecological sustainability, global interdependence, social justice for all the world's people, peace, human rights, and globally beneficial process of economic, social, and cultural development.
- D. Through global education, learners are enabled to develop the will and ability to act as mature, responsible citizens with a commitment to create positive futures for themselves, their communities, and the world.

- E. The NSTU believes members should be supported by all partners in education in their continuous efforts to bring a global perspective to Nova Scotia classrooms.

Reference: Resolution 2001-45; Reaffirmed 2004-104; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

8. INTELLECTUAL PROPERTY

The NSTU believes that intellectual property created by the member must remain the property of the member.

Reference: Resolution 2002-76; Reaffirmed 2004-106; Reaffirmed Provincial Executive, February, 2011; Reaffirmed Provincial Executive, March 2017

9. A. LABOUR HISTORY

The teaching of the Labour History of Canada shall be encouraged in the junior high school's social studies curriculum.

B. HISTORY, CANADIAN

The NSTU supports the inclusion of Canadian history in the public school system.

Reference: Resolution 2001-35, 2002-48; Reaffirmed 2004-107; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

10. LANGUAGE OF INSTRUCTION AND STUDY

The NSTU supports Article 23 of the *Canadian Charter of Rights and Freedoms*.

Reference: Resolution 2001-47; Amended 2004-108; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

11. LEARNING RESOURCES

- A. Learning resources should support and be consistent with the general educational goals of the Province and the Regional Centre for Education/ School Board, as well as with the aims and objectives of individual schools and specific courses.
- B. Learning resources should meet high standards of quality in factual content and presentation.
- C. Learning resources should be appropriate for emotional development, ability level, learning style, and social development of students.
- D. Learning resources should help students gain an awareness and understanding of our pluralistic society and the contributions of its members.
- E. Learning resources should motivate students to examine their own attitudes and behaviours and to comprehend their own duties, responsibilities, rights, and privileges as participating citizens in our society.
- F. The NSTU opposes any arbitrary or unilateral addition or removal of learning materials or units of study.

Reference: Resolution 2001-48; Amended 2004-109; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

12. MULTICULTURALISM

Schools of Nova Scotia reflect a pluralistic, multi-ethnic society, which influences the teaching/learning styles represented in our schools. The values and behaviour patterns present and presented in our schools differ among cultural groups. Citizens in a democratic society need ethnic and cultural literacy (adequate understanding of ethnic groups, ethnicity and culture).

Members, because of their role in society, have a major responsibility to contribute to the development of ethnic and cultural understanding.

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A. THE CURRICULUM SHOULD:

- I. provide students with continuous opportunities to develop positive self-identities;
- II. recognize the ethnic and cultural diversity of students within the school community;
- III. describe the development of Nova Scotia and Canada as a multi-faceted society; and,
- IV. explore and clarify ethnic and cultural alternatives and options within Nova Scotian and Canadian society and make maximum use of local community resources.

B. THE EMPLOYER SHOULD:

- I. set policies and procedures that foster positive multi-ethnic interactions and understandings among students, teachers, administrative, and other support staff; and,
- II. provide information to members about the implications of multiculturalism in Nova Scotia and about services, programs, materials, and developments relating to multiculturalism.

C. THE NSTU SHOULD:

- I. foster and stimulate a higher level of member awareness and a deeper understanding of the relationships between social behaviour, learning styles, and cultural differences and their implications;
- II. encourage and promote the cooperation of members with organizations, groups, and individuals involved with multiculturalism;
- III. encourage the development of a curriculum that reflects the ethno-cultural similarities and differences within the province; and,
- IV. promote an anti-homophobic, anti-heterosexist, anti-sexist and anti-racist approach to educational strategies, materials and attitudes within the provincial schools.

D. EDUCATORS SHOULD:

- I. accept their responsibility to educate themselves and to reflect upon their own attitudes and behaviours in modeling respect, understanding, and affirmation of diversity.

Reference: Resolution 2001-46; Amended 2004-110; 2011-24; 2017-24

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13. NEW CURRICULUM — PROFESSIONAL DEVELOPMENT

The NSTU supports the principle of professional development for members prior to and during the implementation of new curriculum.

Reference: Resolution 2003-36; Amended 2004-111; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

14. NON-CORE PROGRAMS — DEPARTMENT OF EDUCATION AND EARLY CHILDHOOD DEVELOPMENT STANDARDS BE ESTABLISHED

The NSTU shall seek to ensure that a Department of Education and Early Childhood Development standard be established and maintained regarding non-core programs at all levels. This must include the provision for instruction by qualified professionals who are NSTU members.

Reference: Resolution 99-56; Reaffirmed 2004-112; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

15. OUTCOMES-BASED RESOURCES

The NSTU urges the Department of Education and Early Childhood Development and Regional Centres for Education/School Board to ensure the development and implementation of outcomes-based resources across the curriculum.

Reference: Resolution 99-60, 2000-25; Amended: 2004-113; 2011-25; Reaffirmed Provincial Executive, March 2017

16. PEACE EDUCATION

- A. Peace is not merely the absence of war.
- B. The pursuit and attainment of peace is initially the responsibility of each individual person and is a special responsibility of members.
- C. The pursuit of peace is inextricably bound to the issues of human rights, a more equitable international economic order, preservation of the environment, individual and collective security, and disarmament.
- D. To be genuine and lasting, peace must be shared equally by all the peoples of the world.
- E. Violence and the abuse of power are never to be used to solve conflicts.
- F. Children have the right to live, grow, and develop in a world free of war and the threat of nuclear destruction.
- G. The NSTU endorses the principle of worldwide nuclear disarmament and the reduction of other armaments.
- H. World peace and individual freedom are both rational premises and viable objectives for education.
- I. Educators should provide leadership in supporting the concept of global understanding and peace.
- J. Justice, mutual respect, and a respect for differences can be taught and learned.
- K. Students must be assisted in acquiring skills to make choices related to world concerns.
- L. Peace education must concern itself with teaching cooperation at all levels.
- M. A most urgent task of public education is to provide our young people with the knowledge, understandings, attitudes, skills, and powers to transform our earth into a world beyond war and to live fully and authentically in this world of peace, democracy, and justice.
- N. Funds must be made available from public sources for the school system to undertake changes in structure and curricula, to educate the youth of our country, to believe they have a right to live in peace and to give them the skills to achieve this end.
- O. Rules, decision-making procedures, interpersonal relationships, discipline, and other institutional features of the school should foster cooperation, non-violent conflict resolutions, and responsibility for the school environment.
- P. In planning peace education activities in schools, members and other persons responsible for peace education should consider, among other things, the following matters:
 - I. inclusion of studies of nuclear weapons, the arms race and its connection to world hunger and poverty, the history of international disarmament negotiations, broad social and political studies including multiculturalism and racism, and protection of the environment as aspects of peace education;
 - II. developing skills of mediation and other forms of non-violent conflict resolution; and,
 - III. finding a balance between special peace studies and integrating education for and about peace within the regular curriculum.

Reference: Resolution 2001-49; Amended 2004-114; Reaffirmed Provincial Executive, February 2011; Reaffirmed Provincial Executive, March 2017

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17. QUALITY EDUCATION

A. PRINCIPLES

- I. *Learning Culture*: There exists a responsible, reflective, and interactive learning environment: a combination of beliefs, attitudes, and practices, which recognizes the intrinsic value of learning and is shared by members of the community.
- II. *Equity*: All students have fair and just access to a full range of quality programs and services needed to succeed in life.
- III. *Range of Voices*: Recognizing the pluralism of our world, public education provides programs and activities that reflect the diversity of all students as well as the distinctiveness of each student.
- IV. *Relevance*: Public education offers a spectrum of relevant, meaningful programs and activities, which respect individual values and reflect Canadian society.
- V. *Entrepreneurship and Artistry*: Creativity, imagination, ingenuity, and risk-taking are valued and encouraged.
- VI. *Quality Relationships*: A caring and nurturing approach to education ensures that all participants are treated with respect and dignity.

B. PROGRAM

- I. *Breadth of Curriculum*: All students have access to a multi-dimensional curriculum.
Curriculum includes program supports such as library, guidance, and other services including those for students with special needs.
As well, curriculum is sufficiently flexible to support interdisciplinary linkages.
- II. *Global Perspective*: Curriculum has a global perspective that recognizes interdependency, sustainability, tolerance, and understanding as crucial to the development of our world. Curriculum fosters culturally, economically, environmentally, politically, and socially responsible citizens.
- III. *Language of Delivery*: Curriculum is available in either official language and addresses the needs of First Nation peoples and linguistic minorities where numbers warrant.
- IV. *Variety of Resources*: Curriculum is delivered using an appropriate selection of human, physical, and technological resources.
- V. *Life Preparation*: Curriculum has exploration opportunities that allow the student to evaluate and choose an effective life path.

C. PARTICIPANTS

- I. *The Student*: All students making an effort are assured of some success every day. Students who are unable or unwilling to take responsibility for their learning receive support and intervention. Public education provides each student the opportunity for the following:
 - a. Intellectual Development – The student is able to develop the knowledge, skills, and attitudes necessary for lifelong learning;
 - b. Personal/Social Development – The student is able to develop the self-confidence to learn from success and failure, have respect for and understanding of others, and take responsibility for personal actions; and,
 - c. Lifework Planning – The student is able to develop an understanding of the relationship between an ongoing education and economic and personal well-being.
- II. *The Educator*: Educators are integral components of the learning culture, have a sound philosophical base, and participate in ongoing professional development. Educators are designated as the following:
 - a. Professionals – Educators are informed individuals who consistently improve their teaching within an atmosphere of collegiality. Educators adhere to their professional code of ethics

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and, as individuals, are principled, open-minded, and reflective practitioners. Educators are enthusiastic lifelong learners committed to personal and professional growth. Educators value teaching and the student; and,

- b. **Managers of Learning Environment** – Using appropriate technology and methodology, the educator is the primary manager of the learning environment. Program planning and implementation occur in collaborative, cooperative settings.

- III. *The Parent/Guardian*: The student's home environment is critically important. Parents/guardians are responsible for providing a healthy environment supportive of teaching and learning.
- IV. *The Community*: Educators, students, board members, and representatives of government agencies, business, labour, and the general public value and support education and work together to assure the continual improvement of public education. Open dialogue ensures that the community is involved in and responsive to educational goals.

D. PARAMETERS

- I. *Environment*: Educational sites are safe, healthy, and pleasing environments conducive to learning and teaching.
- II. *Time and Place*: Educational sites are flexible with respect to time and place in order to capitalize on a variety of teaching and learning opportunities.
- III. *Leadership*: Leadership reflects the principles of sound vision, shared decision making, and public accountability with a commitment to continuous improvement and ongoing professional development.
- IV. *Funding*: Education programs in Nova Scotia are free to students in levels Primary to Twelve and publicly funded. Affordable fees shall apply to students enrolled in the Nova Scotia Community College.
- V. *Our Beliefs*
It is the belief of the Nova Scotia Teachers Union that each individual has the capacity to learn. Learning is a personal, lifelong process vital to both the individual and social well-being of every citizen.
The NSTU believes that educators recognize and value the richness and complexity of each learner's abilities. Educators nourish the desire to learn and provide opportunity for each student to realize their learning potential.
The NSTU further believes that public education is a community-shared responsibility. Appropriately supported, public education through its diversity provides the optimal learning environment.
- VI. *Our Mission*
Public education cultivates in the learner the knowledge, skills, and attitudes necessary to be an effective citizen; to participate in the workplace; to be a lifelong learner; and to have a fulfilling life.
- VII. *Our Vision*
Public education values the multiple intelligences and complexity of each member of society. The NSTU's perspective of public education is defined in terms of principles, program, participants, and parameters.

Reference: Resolution 2001-52; Reaffirmed 2004-115; 2009-114; Amended 2011-26; Reaffirmed Provincial Executive, March 2017

18. SCHOOL BOOK BUREAU FUNDING ALLOCATION

The NSTU believes that the School Book Bureau allotment should be flexible enough to allow schools to use up to 25% of their allotment for purchasing teachers resources outside of the School Book Bureau offerings.

Reference: Resolution 2001-53; Amended: 2004-119; 2011-27; Reaffirmed Provincial Executive, March 2017

19. TECHNOLOGY INTEGRATION PRINCIPLES

The following are principles for technology integration in public schools:

- A. While technology tools can enhance the ability of members to deliver educational programs and enrich the educational environment for students when applied in a pedagogically sound manner, people are the most important resource in the teaching/learning process.
- B. Technology should be used as a tool to improve the quality of student-teacher relationships and not to replace members.
- C. Technology must be integrated into the education system with consideration for equity of opportunity for students and NSTU members.
- D. All Regional Centres for Education/School Board should articulate a vision statement and long-range plan for the integration of technology into the curriculum.
- E. Members require access to appropriate, comprehensive, flexible, and ongoing professional development opportunities in the effective integration of technology.
- F. Developing and maintaining a technology-integrated education environment requires an increase in member preparation time.
- G. Members own what they create and are entitled to the protection of Canadian Copyright Laws.
- H. In order to effectively integrate technology into the curriculum, every member requires access to technology and the internet both in the workplace and at home. This access is primarily the responsibility of the employer.
- I. Technology infrastructure (resources, technical support, professional development) must be in place prior to implementation of technology initiatives in order to achieve the intended curriculum/information technology outcomes.
- J. Technology requires ongoing budget support for technicians, upgrading of hardware and software, and consumable supplies in order to be effective.
- K. Technology maintenance and network administration are primarily the responsibility of Regional Centre for Education/School Board technicians and not members.
- L. The Nova Scotia education system must be protected from inappropriate corporate intrusion resulting from pressure to place technology in educational sites.
- M. Audio and/or video recording or photography of members must be authorized by the member(s).
- N. Any use, publication, posting, and/or distribution of any audio or video recording or still image must be authorized by the member(s) in the audio or video recording or still image.
- O. Developing a supportive educational environment requires a focus of teaching and learning on appropriate online cyber conduct.

Reference: Resolution 2002-50; Reaffirmed 2004-120; Amended 2011-28; Amended 2015-32; 2017-27

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SECTION III

ECONOMIC WELFARE & WORKING CONDITIONS

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1. ABUSE, BULLYING, INTIMIDATION, AND HARASSMENT

Optimal learning and teaching occurs in safe environments; therefore, the NSTU believes:

- A. Employers are responsible for protecting members and ensuring a safe workplace, free from abuse/harassment. Abuse and harassment include, but are not limited to:
 - I. physical, verbal, emotional, and mental abuse;
 - II. sexual harassment;
 - III. bullying, including cyberbullying; and,
 - IV. intimidation.
- B. The employer shall recognize that members may experience abuse/harassment by students, parents/guardians, or staff.
- C. Members subjected to abuse/harassment shall receive full support from the employer and the NSTU.
- D. The employer, in accordance with the *Nova Scotia Human Rights Act* and in consultation with the NSTU, shall establish policies and procedures to ensure incidents of abuse/harassment are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

Reference: Resolution 2000-30; Reaffirmed 2003-42; Amended 2004-21, 2006-67; Amended 2012-76; 2019-26

2. CLASS SIZE AND COMPOSITION

- A. It is the policy of the NSTU that class size and composition be considered primary components in organizing for effective instruction.
- B. To foster effective instruction, class sizes should not normally exceed the following maxima:

I. Secondary	25 Students
II. Elementary	20 Students
III. Primary	15 Students
IV. Special	10 Students
V. Combined Elementary Classes/ Multi-Age Elementary Classes	15 Students
- C. The NSTU believes that all those involved with determining class size and member workload should recognize the additional demands entailed by the students with special needs integrated within a classroom:
 - I. class size should decrease; and,
 - II. personnel supports should be allocated to support class composition.
- D. The NSTU believes that designated human support(s) allocated to a classroom due to exceeded class caps should be directed to that classroom.

Reference: Resolution 2000-57; Amended 2003-43; 2006-68; 2012-77; 2013-51; Amended 2015-20, 2015-21; 2018-37

3. COLLECTIVE BARGAINING

- A. The NSTU believes in and is firmly committed to the principle of full collective bargaining rights for all bargaining units within its jurisdiction.

Full collective bargaining rights means the absence of any government legislation restricting wages and benefits, the right to strike, or legislation designed to intimidate or threaten the Union for the purposes of achieving a favourable bargaining result.

Reference: Resolution 2000-47

- B. The NSTU is committed to the integrity of its membership and will vehemently oppose any attempt to remove any portion of the membership from the NSTU.
- C. The NSTU believes that all courses for which students receive academic credit, including pilot courses, must be taught by members who are members of the NSTU. The Union will continue to oppose the contracting out of duties performed by professional and support staff and any attempt to replace an NSTU certified teaching position with a non-NSTU position.

Reference: Resolution 99-64, 99-31, 99-69, 2000-37, 2000-38

- D. All negotiated contracts for consideration be released regionally on the same day.

Reference: Resolution 2001-10, 2001-9; Reaffirmed 2003-44; 2006-69; 2013-20; 2018-12; 2018-13, 2019-27.

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4. FUNERAL ATTENDANCE

Any staff member of a school who wishes to attend the funeral of a staff member should receive permission to do so.

Reference: Resolution 99-80; Reaffirmed 2003-45; 2006-70; Amended 2012-78; 2018-14.

5. INDIVIDUAL PROGRAM PLANS

Members teaching students with programming needs be given a minimum of one-half day per month to plan for, set up, and assess each Individual Program Plan and complete documentation.

Reference: Resolution 2002-60; Reaffirmed 2003-46; 2006-71; Amended 2012-79; 2018-23

6. JOB-SHARING

- A. Job-sharing in the teaching profession is a viable and effective staffing option. Implementation of this option is encouraged by the NSTU.
- B. A shared position is that which requires the services of a member full time, which is then divided among two or more persons who share the performance and the discharge of the responsibilities of that position on a part-time basis.
- C. Salary is prorated and benefits are either full or prorated.
- D. Job-sharing involves working on a part-time basis, but is to be distinguished from part-time members who are not job-sharers.
- E. The teaching schedule of each sharing member shall be arranged in consultation with the school principal.
- F. Appropriate job-sharing patterns are:
 - I. a.m./p.m.;
 - II. alternate day;
 - III. specific day;
 - IV. alternate time periods;
 - V. partial service as a part of the pupils' regular daily program; or,
 - VI. half year split.
- G. It is necessary that teaching strategies and compatibility of partners be established between or among those participating in job-sharing agreements. The process of selection must involve all participants (members, principal, and supervisor).

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- H. The impact of job-sharing on pupil, parent, and member relationships is one that must be considered and planned for by the job-sharers.
- I. Job-sharing must ensure consistency in approach and communication.
- J. Job-sharing demands special planning and preparation, as these relationships are central to the positive operation of the classroom program.
- K. Each job-shared position shall be represented at inservices, parent visitations, and staff meetings.
- L. The articulation and coordination of a shared teaching position is not confined to the delivery of instruction. Institutional demands must be addressed. The areas to be considered are: time tabling, preparation time, extracurricular, pupil evaluation, accessibility to pupils and parents, program development and continuity, and professional development.
- M. The matter of relationships is to be dealt with during the selection process.
- N. The relationship between the job-sharing members shall be set out in written agreements prior to beginning shared teaching.
- O. The relationship between the job-sharing members and the Regional Centre for Education/School Board should be set out in written agreements among the parties prior to beginning the shared teaching.
- P. Regions are encouraged to negotiate an article on job-sharing with provisions that are in keeping with NSTU policy.

Reference: Resolution 2000-44; Reaffirmed 2003-47; 2006-72; Amended 2012-80; Reaffirmed March 2018

7. MEDIA BLACKOUTS ON NEGOTIATIONS

All NSTU members will maintain media blackouts on contract negotiations until after the first regional briefing meeting has been held.

Reference: Resolution 98-23; Amended Resolution 2003-49; 2006-73

8. MEMBER ABSENCES

A. PROCEDURES FOR FULFILLING DUTIES OF ABSENT STAFF MEMBERS

When a member is requested to fulfill the duties of an absent staff member, the following practices shall be adhered to:

- I. requests to fulfill the duties of the absent staff member(s) shall be made on an equitable basis;
- II. an official record of such requests shall be compiled and maintained by the school administration on a continuing basis and be made available to the member(s) upon request; and,
- III. the member referred to in (I) and (II) shall accumulate time to be used for the purpose of marking and preparation when a substitute is available for hire to fulfill the duties of this member.

Reference: Resolution 2004-C; Reaffirmed 2006-79

B. REGIONAL CENTRE FOR EDUCATION/SCHOOL BOARD PROCEDURES FOR SUBSTITUTE TEACHING ASSIGNMENTS

The Nova Scotia Teachers Union expects Regional Centres for Education/School Board to comply with the following practices on addressing substitute teaching assignments:

- I. hire permanent substitute teachers under term contract status; and,
- II. utilize the Early Retirement Incentive Plan to bolster a roster of substitute teachers.

Reference: Resolution 2004-D; Reaffirmed 2006-79

C. EVALUATION OF PERMITS TO TEACH

The monitoring and evaluation of Permits-To-Teach as substitutes, which are strategically employed by employers to address the substitute teacher shortage, should be ongoing by the organization.

Reference: Resolution 2004-E; Reaffirmed 2006-79

D. WAGES OF SUBSTITUTE TEACHERS

The NSTU believes that substitute teachers' wages should be based on the salary grid.

Reference: Resolution 2004-F; Reaffirmed 2006-79; 2018-40

9. MEMBER ACCESS TO COMPUTER TECHNOLOGY

- A. Each member requires direct access to a computer with an Internet connection with appropriate software in order to do the necessary planning, preparation, and evaluation required as part of the job. The NSTU therefore believes that it is the responsibility of the government to provide these tools for each member and that the computers should be updated every two years.
- B. Members require access to appropriate, comprehensive professional development in the use of technology, web-based applications and social media.
 - I. Implemented and mandated technological initiatives require appropriate professional development opportunities.
 - II. Responsibility for professional development shall rest at the appropriate Department level. Consideration must be given to members' technological competence and additional professional development be provided when required.
- C. Such professional development opportunities should be available both formally and informally, in ways which provide members with flexibility and choice and which encourage members to become comfortable with the use of the new technology. These opportunities should be conducted during the regular instructional day and should be consistent province-wide.

Reference: Resolution 98-65, 2000-93; Reaffirmed 2002-116; Amended 2005-59; 2008-58; 2014-68

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10. MENTAL HEALTH IN THE WORKPLACE

The NSTU believes:

- A. Alleviating psychological hazards in the workplace is an extension of the Employer's responsibility to ensure teachers have a safe place to work.
- B. The Employer, in accordance with the *Occupational Health and Safety Act* and in consultation with the NSTU, shall establish policies, procedures, and practices which:
 - I. demonstrates the Employer's willingness to champion mental wellness;
 - II. allows teachers access to internal health and wellness programs and resources;
 - III. creates a culture of respect and trust;
 - IV. alleviates the stigmatism regarding mental illness; and,
 - V. mitigates psychological harm.
- C. The factors which must be addressed to improve mental health in the workplace include, but are not limited to:
 - I. work overload;
 - II. challenges with work-life balance;
 - III. lack of trust and transparency; and,
 - IV. access to tools and resources regarding health.

Reference: 2019-28

11. MERIT PAY

The NSTU vehemently opposes "merit pay" for teachers.

Reference: Resolution 2010-NB1; Reaffirmed January 2015

12. OCCUPATIONAL HEALTH AND SAFETY

Optimal learning and teaching occurs in safe environments; therefore, the NSTU believes:

- A. Health and safety in the workplace is a shared responsibility.
- B. Employers are responsible for protecting members and ensuring a safe workplace, free from occupational health and safety hazards.
- C. Members are responsible to work safely and to report hazardous conditions to their supervisor.
- D. Occupational hazards include, but are not limited to:
 - I. situations which may cause an immediate illness or injury;
 - II. situations where prolonged exposure may cause illness or injury; and,
 - III. environments which may aggravate existing ailments.
- E. A Member who becomes ill or is injured due to occupational hazards in the workplace shall receive full support from the employer and the NSTU.
- F. The employer, in accordance with the *Occupational Health and Safety Act* and in consultation with the NSTU, shall establish policies and procedures to ensure incidents of workplace injury and illness are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

Reference: Resolution 2009-14; 2009-88; Reaffirmed 2015, Resolution 2018-51B; 2019-29

13. A. PART-TIME MEMBERS

- I. The NSTU recognizes part-time employment as a staffing option. A part-time member works:
 - a. for the full school year on a part-time basis; or,
 - b. for one-half of a year in a job-sharing situation.
- II. Part-time members shall be entitled to time free from teaching, on a pro-rated basis, for the purpose of marking and preparation.
- III. The working hours of part-time members shall be scheduled consecutively and mutually agreed upon.
- IV. Part-time members, if requested and with reasonable notice, are expected to attend parent-teacher meetings and staff meetings.
- V. Part-time members shall receive salary pro-rated to scale.
- VI. Part-time members are encouraged to attend in-service sessions and special events like open houses. A schedule of days to be taught shall be negotiated with the employer before the commencement of service in each school year.

B. CIRCUIT MEMBERS

- I. The NSTU recognizes circuit positions as a staffing option. A circuit member works on a full-time or part-time basis in more than one educational site.
- II. Circuit members shall be allowed ample time for travel from site to site. Such time shall be exclusive of the lunch and noon hour break and of time allowed for marking and preparation.
- III. Circuit members shall be guaranteed a lunch period of not less than thirty (30) minutes, excluding travel time between sites.

Reference: Resolution 2000-45, 99-68; Amended 2003-50; Reaffirmed 2006-74; Amended 2012-81; 2018-30.

14. PENSIONABLE EARNINGS

Pension benefits paid under the Nova Scotia Teachers' Pension Plan shall be based on salary scales negotiated by the NSTU or by other employers covered under the Nova Scotia Teachers' Pension Plan.

Reference: Resolution 2002-71; Reaffirmed Resolution 2003-51; Reaffirmed 2006-75 (defeat of resolution to rescind); Reaffirmed March 2018

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15. REPORTING OF MEMBER EARNINGS

The NSTU requires that any member receiving salary in excess of negotiated scales shall report such to the NSTU.

Reference: Resolution 2003-B; Reaffirmed 2006-78; Reaffirmed March 2018

16. SCHOOL COUNSELLORS

It is the position of the NSTU that school counsellors are essential to the Public School System and the delivery of the Comprehensive Guidance Program in Nova Scotia. Specifically, the NSTU believes:

- A. school counsellors are teachers first, and that the duties of a school counsellor must be delivered by an NSTU member;
- B. there should be a minimum of one full-time school counsellor in every public school in Nova Scotia;
- C. the responsibilities for a school counsellor should not exceed a ratio of one (1) counsellor to two hundred fifty (250) students;
- D. counselling programs should be delivered by qualified teachers who have graduated from a minimum one-year university level program in counselling; and,
- E. in order to successfully do their job, school counsellors require an onsite private office with resources including, but not limited to: a telephone, locking filing cabinets, and a secure computer.

Reference: Resolution 2006-37; 2019-42

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17. SENIORITY — TEACHING ASSIGNMENTS

Teaching assignments in individual sites shall take into consideration and respect the seniority of members.

Reference: Resolution 2006-44; Reaffirmed March 2018

18. SITE RENOVATIONS AND/OR NEW SITE OPENINGS

- A. When a site is undergoing renovations, each affected member shall be given one day minimum, without students, to move and/or set-up.
- B. When opening a new site or during unique site changes each affected member shall be given two days minimum, without students, to move and/or set up.

Reference: Resolution 2009-44; 2018-49

19. TEACHER ASSISTANTS

- A. The Nova Scotia Teachers Union believes that professional teachers should be free to teach and that non-professional tasks may be performed by other personnel. Teacher assistants should be assigned to a school under the direction of a teacher/principal to work with a child(ren) identified as having individual special needs which necessitate the use of additional services and supports. The NSTU maintains that only teachers can be responsible for programs and program delivery. The teacher's responsibility for students and for educational decision-making is not changed by the addition of teacher assistants. Teacher assistants can assist but should not be assigned to the program; rather, they should be assigned to a student(s) or to a teacher.
- B. A teacher assistant is defined as an individual who is employed to assist the teacher/teachers who work with a child/children who is/are identified as having individual special needs. Teacher assistants should possess training in a course in child care, personal/health care, child development, or experience in related work or an equivalent combination of training and experience.

- C. The specific duties of a teacher assistant are varied, from assisting students requiring medication administration, attending to basic physical needs (toiletry, feeding, etc.), giving assistance under the teacher's direction, shadowing students and performing classroom clerical duties. It must be stressed that whatever the teacher assistant is assigned to do, it is always under the supervision of a competent educational professional. The tasks that might be performed by a teacher assistant shall be those as set out in The Report for Teachers on Teacher Assistants.

Reference: Resolution 2000-17; Amended 2003-53; Reaffirmed 2006-80; Amended 2012-84

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20. TEACHER-INITIATED INSERVICE

The NSTU promotes the concept, through negotiation and lobbying, that each teacher be allowed to attend one or more inservice day each school year that the teacher has personally designed, organized, or selected based upon the teacher's professional needs, but not to fall on the Provincial Conference Day in October.

Reference: Resolution 2000-32; Amended 2003-54; Reaffirmed 2006-81; Reaffirmed March 2018

SECTION IV

GOVERNMENT

1. ACCOUNTABILITY PRINCIPLES

The NSTU believes in the accountability of public education. Any accountability model must adhere to the following principles:

- A. An effective accountability model:
 - I. recognizes that each partner (government, regional centre for education, school board, teachers and administrators, parents/guardians and students) has a responsibility to be accountable for those aspects of education over which it has control and jurisdiction. They also have a responsibility for working collaboratively so that the system as a whole operates well.
 - II. acknowledges that the public has a right to know how well the education system is meeting its goals. Parents/guardians have a right to comprehensive information about their child's progress.
 - III. fosters trust in the education system and promotes improvement.
 - IV. acknowledges that there is a standard of practice for both conduct and competence.
 - V. respects the autonomy of professionals to establish and uphold professional standards of conduct and competence.
 - VI. accepts the central role of quality classroom-based assessment using a broad range of indicators to demonstrate student learning.
- B. Within this model of educational accountability, teachers are responsible for knowledge, decisions, working collaboratively, maintaining currency, and engaging in ongoing professional learning.
- C. Within this model of educational accountability teacher organizations are responsible for developing programs to assist teachers in pursuing their professional learning, establishing and promoting standards of professional practice, and responding to concerns relating to teacher competency.

- D. Within this model of educational accountability, in partnership with the Nova Scotia Teachers Union, the Government and Regional Centres for Education/School Boards are responsible for developing programs to assist teachers in pursuing their professional learning, establishing and promoting standards of professional practice and responding to concerns relating to teacher competency.

Reference: Resolution 2004-121; Reaffirmed Provincial Executive, February 2011, Resolution 2017-19

2. CLOSURE (OR RESTRUCTURE) OF EDUCATIONAL SITES

- A. The Nova Scotia Teachers Union recognizes that the closure or restructure of a school within a community is a matter of such consequence to that community that the closest cooperation between school authorities and the community is necessary. Alternatively, the Nova Scotia Teachers Union recognizes that the reorganization of school districts is necessary to promote the efficient instruction of pupils.
- B. The Nova Scotia Teachers Union recommends the following principles to be considered when an educational site(s) is considered for closure (or restructure).
- I. The school is an essential part of the identity of a community.
 - II. The sense of belonging to a local community is an important part of the quality of life in the province of Nova Scotia.
 - III. Schools should not be declared surplus solely on the basis of declining enrollment.
 - IV. It should be recognized that excess capacity may be temporary, given that changes in school enrollment patterns can be anticipated in the future.
 - V. The utilization of surplus schools for additional educational purposes should be given serious consideration.
 - VI. Schools with excess capacity could be modified to accommodate appropriate community needs and purposes.
 - VII. Modification of excess educational facilities should be temporary in design to allow for ready reconversion to school purposes.
 - VIII. Municipal authorities and the Department of Education and Early Childhood Development should actively cooperate with other government departments such as the Department of Health and Wellness and the Department of Business for the conversion of excess school capacity.
 - IX. When the closing of a school is being considered, public notice of the projected closing should be given at least two years in advance.
 - X. Both past and projected enrolment patterns should be examined.
 - XI. Provide necessary support to the school and its programs during the period of review.
 - XII. Consider the effects of closure (or restructure) on programs.
 - XIII. Consider the effects of closure (or restructure) on the distance students must travel to get to school.
 - XIV. Regular communication should be made with all stakeholders throughout the school review process.
 - XV. Teachers should be provided with adequate time and support to transition from a closing school to a receiving school.

Reference: Resolution 2001-100; Amended 2004-75; 2009-82; Amended 2015-59

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3. EARLY CHILDHOOD DEVELOPMENT

The NSTU believes early childhood development is an essential component of the social services that should be provided to all Nova Scotians. Effective Early Childhood programming improves the life chances of children in the areas of health, wellness, education, and economic outcomes. Further, well-designed Early Childhood Development services promotes health, advances women's equality, addresses child and family poverty, deepens social inclusion, and grows the economy. Early Childhood Development services should be:

- A. publicly funded, high-quality, equitable, universal, inclusive, and accessible;
- B. inclusive of the time from a child's birth to school entry;
- C. inclusive of prenatal counselling for families;
- D. play-based, discovery-based, experiential, and interactive;
- E. delivered by qualified professionals in early childhood development; and,
- F. appropriately funded to allow for early diagnosis and treatment of physical, behavioural, and learning disabilities.

Reference: Resolution 2009-NB2; Reaffirmed with editorial amendments January 2015; 2018-63

4. EARLY CHILDHOOD EDUCATION

The NSTU believes that early childhood education is a vital component of a quality, universal, public education system. Well-designed early childhood education programs enrich young children's lives and create a foundation for their growth and development throughout their education. Early Childhood Education programs should:

- A. be part of a high-quality, equitable, universal, inclusive, and accessible public education system from pre-primary (four-year old as of December 31 of the school year) to grade 12 and returning graduates;
- B. fall under the jurisdiction of Regional Centres for Education/School Board;
- C. be appropriate developmentally in terms of:
 - I. following well-developed play-based, discovery-based, experiential, and interactive curricula,
 - II. meeting the children's needs academically, socially, emotionally, and behaviourally,
 - III. responding to a range of individual developmental needs and learning styles, and
 - IV. responding to cultural diversity;
- D. be appropriately funded to provide for:
 - I. early diagnosis and treatment of physical, behavioural, and learning disabilities,
 - II. teacher education programs for early years at both the preservice and inservice levels,
 - III. program supports such as library, guidance, and other student services,
 - IV. adequate physical resources to ensure a safe and healthy learning and teaching environment, and
 - V. appropriate staffing to accommodate all of the students' health and wellness requirements; and
- E. be delivered by qualified teachers.

Reference: Resolution 2018-64

5. EDUCATION POLICY — TEACHER INPUT

The NSTU believes that teachers' professional voice is an essential component in the formation of meaningful educational policy created by Regional Centres for Education/Boards, governmental departments, and government.

Reference: Resolution 2000-84; Amended 2003-82; 2007-95; 2019-40

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6. FINANCIAL STATEMENTS OF SCHOOLS — PUBLIC RECORD

The NSTU believes that Regional Centres for Education/School Board should require all schools to prepare financial statements according to generally accepted accounting principles and make them available to the public.

Reference: Resolution 99-157; Amended 2004-80; 2009-87; Reaffirmed January 2015

7. FUNDING OF PUBLIC EDUCATION

It is the position of the NSTU that fully funded public education is a fundamental right of every Nova Scotian; moreover, funding should be program-based, founded on quality educational principles and universal accessibility. To this end, the NSTU believes that our public school system should be fully funded by the Nova Scotia Government to:

- A. supply necessary resources, materials, infrastructure, and equipment (including technology) equitably throughout the province; and,
- B. allow for appropriate and timely in-servicing during the implementation of new programs, assessment tools, reporting practices, or curricula.

Further, the NSTU believes that no public funds or tax incentives should be used to help finance charter or private schools, or in student-voucher schemes.

Reference: 2019-41

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8. FUNDING OF INSERVICING

The cost of inservicing members necessitated by the introduction of new programs should be borne by the provincial government and the Regional Centres for Education/School Board and not through Professional Development Fund clauses in the *Teachers' Provincial Agreement*.

Reference: Resolution 99-128; Amended 2003-83; Reaffirmed 2007-96; Reaffirmed March 2019

9. INTEGRATION AND INCLUSION

- A. A caring society provides education for all children who are able to benefit from education services.
- B. Children with special physical, intellectual, or emotional needs benefit from learning in the most enabling environment, characterized by flexibility, responsiveness, and support.
- C. While regular classroom placement may best serve many exceptional children's needs, it is recognized that self-contained classrooms and other environments may be the most appropriate short and long-term placement options for some children.
- D. Ongoing, specially-designated and substantial funding should support the integration of exceptional children. Each Regional Centre for Education/School Board should be accountable both to the Department of Education and Early Childhood Development, which has responsibility for providing the funds, and to the public it serves. Sharing of human and material resources among school districts should be encouraged.
- E. Funding should be based on actual audited costs, be long-term in its scope, and, most importantly, adequate to the challenge of successful integration.
- F. To allow for maximum success for teachers working with integrated, exceptional children, teachers should receive the support services they deem necessary to provide a positive learning environment.
- G. Successful integration is achieved when a child's educational program and environment further the child's cognitive, physical, and affective development. The process of integration should ensure the rights of all children to an appropriate education and an equitable distribution of resources among all students.

- H. Programs for students with special needs require allocated funds and teachers for “life skills” curriculum.
- I. The NSTU endorses the Council of Atlantic Provinces and Territory Teachers’ Organizations (CAPTTO) Policy on Inclusion.

Reference: Resolution 2001-43; 2002-45; Amended 2004-105; 2011-23; Reaffirmed Provincial Executive, March 2017

10. PROFESSIONAL SUPPORT

The NSTU supports the principle of having appropriate professional staff support at all school levels.

Reference; Resolution 2003-35; Amended 2004-116; Reaffirmed Provincial Executive, February 2011; 2017-25

11. PUBLIC PRIVATE PARTNERSHIPS (P3)

The NSTU believes that P3 schools must:

- A. remain subject to the policies of Regional Centres of Education/School Board, the Department of Education and Early Childhood Development, and all applicable legislation;
- B. have educational services delivered by certified teachers as defined by the *Education Act*;
- C. respect all collective agreements and the legislation on which they are founded;
- D. ensure the use of school facilities is under the sole jurisdiction of the school’s administration;
- E. respect the collegial atmosphere of the school; and,
- F. limit the interests of the private partner to construction and/or maintenance functions.

Further, the NSTU believes a fair and transparent process exists only if public disclosure includes, but is not limited to:

- G. justification that the P3 model is preferred in a particular instance;
- H. clear roles and responsibilities of all partners;
- I. clear definition and assignment of risk including guarantees such as performance bonds;
- J. public involvement on the site selection committee;
- K. transparency in choosing a private partner or consortium; and,
- L. signing leases before construction begins.

Reference: Resolution 2000-77; Reaffirmed 2003-84; Amended 2007-97; 2013-80, 2019-44

12. SCENT-SENSITIVE SCHOOLS/EDUCATIONAL SITES

Nova Scotia public schools/educational sites must be scent-sensitive places of learning and working.

Reference: Resolution 98-62; Reaffirmed 2003-86; 2007-99; 2013-81, Reaffirmed: January 2019

13. SCHOOL ADVISORY COUNCILS

Because the development of school advisory councils has had and will continue to have a significant impact on the management of schools and teachers’ working conditions, the NSTU believes that:

- A. School Advisory Councils should be advisory in nature in accordance with the *Education Act*;
- B. the NSTU should continue to keep its members thoroughly informed on issues relating to school advisory councils. Professional development activities must be created, and tailored to respond to needs arising from the implementation of school advisory councils;

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- C. the NSTU must continue to monitor the impact of school advisory councils on contractual issues and teachers' working conditions; and,
- D. the NSTU should continue to work with other recognized partners in education including the Department of Education and Early Childhood Development, the Nova Scotia Federation of Home and School Associations Inc., the Association of Nova Scotia Educational Administrators, the NSTU's Professional Associations, and other community organizations to ensure the efficient, effective, and supportive implementation of school advisory councils.

Reference: Resolution 2001-113; Reaffirmed 2004-90; Amended 2009-96; Reaffirmed with editorial changes January 2015

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14. SCHOOL/EDUCATIONAL SITE CONSTRUCTION OR MAJOR RENOVATIONS

It is the position of the NSTU that when Regional Centres for Education/School Board are constructing new schools or implementing major renovations of existing schools, NSTU members must be involved in the development and design of such projects.

Reference: Resolution 99-138; Amended 2003-85; 2007-98; 2019-46

15. STAFFING OF SMALL HIGH SCHOOLS

- A. Staffing in small schools should not be based on the number of students but rather on the courses that must be offered for high school graduation.

Reference: Resolution 2007-55; 2009-100

- B. The NSTU believes in the following principle: all schools should be able to offer a program sufficient to ensure specific student outcomes under all categories of the PSP Essential Graduation Learnings (i.e., Aesthetic Expression, Citizenship, Communication, Personal Development, Problem-solving, and Technological Competence).
- C. The NSTU believes the following three areas must be respected in staffing small high schools: Program Integrity, Expectations and Support for Members.
 - I. **Program Integrity**
 - a. Small high schools need to be staffed adequately to provide all the essential programs and services as per the PSP.
 - b. Special consideration must be given to combined schools (e.g., P-9, 7-12) because of the large number of cross-over members and less flexible scheduling.
 - c. Schools must provide a balance of advanced, academic, and graduation credits, including required courses and adequate options for all students (e.g., university-preparatory, college-preparatory, work-bound, special needs).
 - d. Schedules should be developed to allow students to complete more than the minimum 18 credits required to graduate.
 - e. Academic or advanced courses to meet the needs of gifted and talented students should be provided (Challenge for Excellence, DoEECD).
 - f. Multiple options for compulsory credits should be provided (e.g., choice of Fine Arts and Canadian History courses).
 - g. Schools should offer a range and balance of courses to include the humanities and the arts, as well as science, math, and technology.
 - h. Students should have access to technology, labs, and equipment that are essential for particular programs.
 - i. Single-section courses should be scheduled separately.
 - j. Schools should avoid multi-grade and/or multi-course classrooms.

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II. Expectations for Members

- a. The demands of multi-grade and/or multi-course classrooms and the range of student abilities should be recognized in determining teaching assignments.
- b. Members should be scheduled with appropriate preparation time during both semesters.
- c. Additional prep time should be given:
 - i. if multi-grade classrooms have been necessitated;
 - ii. for IPP and program planning; and,
 - iii. to coordinate, monitor, and mentor students through their correspondence, distance, and independent studies.
- d. Actual class size and climate, as opposed to only FTE student teacher ratios, should be considered in scheduling teaching assignments.
- e. Members teaching outside their specialty areas should have access to appropriate resources and professional development.

III. Support for Members

All small high schools should have:

- a. one full-time non-teaching principal to provide educational leadership and support to members;
- b. one full-time guidance counsellor as per Comprehensive Guidance and Counselling Program recommendations;
- c. appropriate and equitable computer technology, maintenance, and technical services;
- d. appropriate and equitable library, secretarial, and custodial services;
- e. recognition of fixed costs within operating budgets;
- f. policies, procedures, and professional development to guide the planning for, and delivery of, instruction in classrooms which are multi-graded due to PSP requirements and/or small enrolment in particular courses; and,
- g. appropriate and equitable resource and special education services.

Reference: Resolution 2005-63; 2009-99; Amended 2015-65

16. STUDENT ATTENDANCE

School attendance is critically important for student success, as such the NSTU believes:

- A. Regional Centres for Education/School Board shall have student attendance policies which:
 - I. delineate procedures for data entry, identification, intervention and follow-up;
 - II. consider a spectrum of educational programs to serve as interventions;
 - III. deals with chronic absenteeism by specialized regional personnel; and,
 - IV. consider the use of community-based teams (e.g. academic, social service, medical, legal, ethnic) to address student attendance issues.
- B. Individual schools shall have practices which provide for:
 - I. consistent and accurate monitoring of student attendance;
 - II. the immediate attention by site-based administrators where a pattern of absenteeism is noticed; and,
 - III. ongoing discussions among school staff, parent groups, and community agencies which allow for cooperative approaches for addressing student attendance problems.

Reference: Resolution 2000-82; Amended 2003-81; 2007-94; 2019-47

17. TEACHER-LIBRARIANS

- A. The Department of Education and Early Childhood Development has recognized the importance of lifelong learning.
- B. The Essential Graduation Learnings identify the knowledge, skills, and attitudes that graduates will acquire in the course of their education.
- C. Technological Competence is one of these learnings. The outcomes identified place an emphasis on a graduate's ability to locate, evaluate, adapt, create, and share information using a variety of sources and technologies. Through the other learnings it is clear that graduates must be able to acquire, process and interpret information critically to make informed decisions.
- D. The Department of Education and Early Childhood Development has also engaged in many initiatives as part of the funding allocated for the Information Technology Initiatives.
- E. Taking into consideration the importance accorded to literacy and technological competency in the public school programs, it is our belief that the library should become a site for the acquisition of these skills. Librarians, in the past, have demonstrated and continued to provide leadership in these areas.
- F. Our recognition of the important role that librarians play in our information technology society leads us to articulate the following principle:
 - I. The NSTU believes the library is a specialized classroom and must be staffed with a teacher-librarian who possesses appropriate teaching certification and the necessary professional training, up to and including, a Master of Library Science.

Reference: Resolution 2000-39, 2001-39; Reaffirmed 2003-55, 2006-82; 2018-50

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SECTION V

PROFESSIONAL DEVELOPMENT

1. LITERACY EDUCATION

Education programs and professional development sessions should influence members to recognize and accept the need to develop language and literacy skills actively engage students in language and literacy as an inherent part of public school education and a particular responsibility of every member.

Reference: Resolution 2000-92; Reaffirmed 2002-108; 2005-51; 2008-50; Reaffirmed November, 2013

2. MEMBER PROFESSIONAL RESOURCES

Professional resources offered through such avenues, but not limited to, Teacher Centres, virtual libraries, Moodle, and other web-based resources provide valuable supports for the curriculum, pedagogical, and professional development needs of members.

Reference: Resolution 2000-98; Reaffirmed 2002-117; 2005-60; 2008-59; 2014-73

3. NSTU REPRESENTATION

The NSTU shall be adequately represented in the directing and coordinating process in teacher education. The NSTU shall be represented on all committees

at the Provincial Government level, the university level, and other significant groups involved in the planning and design of teacher education programs.

Reference: Provincial Executive, April, 1999; Reaffirmed Resolution 2002-110; 2005-53; 2008-52; 2014-69

4. PROFESSIONAL DEVELOPMENT AND COLLECTIVE BARGAINING

- A. The NSTU believes that members, as represented by their Locals, have the right to input in the planning process, the allocation of funds, and the time available for professional development activities.
- B. Funds paid under Article 60 for NSTU Professional Associations Provincial Conference Day must be solely to teachers attending any of the NSTU Professional Associations' conferences.

Reference: Provincial Executive, April, 1999; Reaffirmed 2002-112; 2005-54

Reference: Resolution 2006-46; 2008-53; Reaffirmed November, 2013

5. RE-CERTIFICATION

The NSTU is opposed to any attempt to require members to undergo mandatory periodic re-certification.

Reference: Resolution 99-142; Reaffirmed 2002-113; 2005-55; 2008-54; Reaffirmed November, 2013

6. ROLE OF PROFESSIONAL DEVELOPMENT

- A. The Nova Scotia Teachers Union is a body of members organized for and devoted to improvement in the status of the teaching profession and the cause of education. The NSTU acts in an advocacy role with those agencies involved in the provision of programs for the professional development of members.
- B. As an organization established fundamentally to foster and address the needs of its members, a principle focus of interest and concern to the NSTU is professional development. To the extent that inservicing is directed at school, system, or province-wide problems or needs, inservicing is primarily the concern of Regional Centres for Education/School Board and at the Department level.
- C. The NSTU on an ongoing basis identifies strategies, initiatives, and programs required to promote effective professional development practices by and for the membership.
- D. The continual renewal of knowledge and expertise through a variety of experiences is central to the concept of professionalism. Professional development requires a lifelong commitment and meaningful growth requires the provision of adequate resources.
- E. Members are central to student learning; all members of learning communities are partners in the learning process.
- F. The NSTU supports four levels of professional development activity: provincial, local, school, and individual. The NSTU recognizes that the effectiveness of professional development is influenced significantly by format and that different objectives are achieved at each level.
- G. The Nova Scotia Teachers Union accepts the following strategies in the continuing development of members:
 - I. encourage positive attitudes toward the pursuit of continuing professional development;
 - II. establish a provincial standing committee, the Professional Development Committee, not to exceed seven members who are appointed by and provide advice to the Provincial Executive on matters relating to professional development and inservice education;

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- III. work with our partners in education to provide the organizational framework for the continuing professional development of members;
- IV. encourage NSTU Locals to be agencies that foster the professional growth of the membership.
- V. input into one's own professional development is crucial; teacher professional development and professional growth plans should be self-directed and job embedded.

Reference: Resolution 2000-97; Reaffirmed 2002-114; 2005-56; 2008-55; 2014-70

7. SCHEDULING — MEMBER PROFESSIONAL DEVELOPMENT

The NSTU endorses the principle that obligatory professional development for NSTU members be conducted during the normal instructional day, and be job embedded.

Reference: Resolution 2003-97; Reaffirmed 2005-57; 2008-56; 2014-71

8. SCHOOL-BASED STAFF DEVELOPMENT

The NSTU recognizes the school as an integral unit for effective professional development and promotes the concept of school-based staff development with its membership and other educational agencies.

- A. Professional development initiatives have the greatest impact when supported by strong leadership and collaboration.
- B. Professional learning communities play a key role in maximizing and sustaining benefits of professional development.
- C. Collaboration of all education partners in professional development plays an essential role in all professional development initiatives.
- D. Professional Learning Communities are an important framework encompassing member led Collaborative Teams which are supported by school and Central Office administration.
- E. Collaborative Learning Teams should be job embedded, engaging members in ongoing reflection and action within a professional learning community culture.
- F. The framework for Professional Learning Communities comprised of Collaborative Learning Teams within the Continuous School Improvement should be consistent throughout all Regions.

Reference: Resolution 2000-91; Reaffirmed 2002-115; 2005-58; 2008-57; 2014-72; Amended 2015-55

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SECTION VI

GENERAL

1. APPROPRIATE ONLINE CYBERCONDUCT

Electronic communication and on-line activity are prevalent in our education system and the community-at-large. As such, the NSTU holds the following beliefs in regards to cyberconduct:

- A. Appropriate cyberconduct is the ethical, legal, and positive manner in which we conduct ourselves on-line and is part of ensuring a safe learning and working environment for our educational sites.
- B. Inappropriate cyberconduct should be discouraged and acted upon swiftly and decisively.

- C. Education is an essential part of promoting appropriate cyberconduct.
- D. Ensuring appropriate cyberconduct is a shared responsibility between educational stakeholders, government departments and agencies, and the community-at-large.

Reference: Resolution 2008-NB1; Reaffirmed 2009-104; Editorial & Title revised January 2015; 2015-66; Resolution 2018-73 (and Provincial Executive June 1-2, 2018)

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2. CHARITABLE DONATIONS, GIFTS, AND COMMUNITY INVOLVEMENT

- A. The NSTU believes that involvement with the community or cultural organizations is beneficial if:
 - I. they are of benefit to members and families;
 - II. they are consistent with the general goals of education;
 - III. they provide opportunities for building a sense of commitment in schools and students;
 - IV. they are a provincially mandated campaign;
 - V. they deal with issues not controversial in nature.
- B. The Nova Scotia Teachers Union does not normally provide direct financial support to charities or fundraising efforts, but encourages members to give on an individual basis to the charities of their particular choice.

Reference: Resolution 2001-103; Amended 2002-34; Reaffirmed: 2004-74; 2009-81; Reaffirmed January 2015

3. COMMERCIALISM IN SCHOOLS

The NSTU believes that, in all but the most limited cases, Public Schools should be free of commercial enterprises, including but not limited to advertising, franchising, and for-profit businesses. As such, the NSTU believes:

- A. access to students must only occur with proof of sound educational objectives;
- B. commercial advertising aimed at children should be banned on Public School properties and school buses;
- C. commercial enterprise must not exploit students as a captive audience;
- D. sponsorship agreements must be consistent with sound educational values;
- E. sponsorship acknowledgement should only be made in appropriate ways; and,
- F. commercially sponsored classroom and curricular materials should be clearly marked as such.

Reference: 2019-45

4. COMMUNICABLE DISEASES

- A. Members who identify the existence of a communicable disease in the course of a cursory inspection should report the matter to the principal of the school.
- B. The principal should give notice to the parent(s) or guardian(s) and require that the child receive appropriate medical attention.
- C. The school should report to Public Health Services any communicable disease that is outlined in the *Health Protection Act and Notifiable Diseases and Conditions Regulations* as being required to be reported by law.
- D. When upon cursory inspection there is evidence of spread of a communicable disease from one child to another the principal shall notify the parent(s) or guardian(s) and shall forthwith notify the public health authorities and seek assistance.

Reference: Resolution 2001-101; Reaffirmed: 2004-76; 2009-83; Amended 2015-60

5. COMMUNITY-BASED EDUCATIONAL SITES

- A. The NSTU supports the integrity of small community schools.
- B. Many communities in rural Nova Scotia support the continued operation of small schools. This is evident in the groundswell of public opinion that accompanies many Regional Centres for Education/School Board initiatives toward school closures and further consolidation.
- C. People living in small rural communities are generally supportive of their schools because they can see quality relationships between members and children. Members in small community schools creatively meet the special challenges that these educational environments provide. Their efforts allow for the survival of a key social institution in which all children of the community come together for at least part of their early educational experience.

Reference: Resolution 2001-102; Reaffirmed: 2004-77; Amended 2009-84; Reaffirmed January 2015

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6. CTF — LEAVE FOR ELECTED OFFICERS

Members elected as officers of the Canadian Teachers' Federation shall not be unreasonably denied leave to carry out the duties of their offices.

Reference: Resolution 2000-100; Reaffirmed: 2004-73; 2009-80; Reaffirmed January 2015

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Development**7. DESIGNATION OF STAFF ROOMS**

The NSTU supports the policy that educational site staff rooms be designated for use of staff, according to the wishes of the educational site staff.

Reference: Resolution 2001-111; Reaffirmed 2004-89; 2009-85; Reaffirmed with editorial amendments January 2015

General**8. HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)**

- A. The NSTU commends and encourages Regional Centres for Education/School Board in their efforts to adopt specific policies that respect and protect the human rights of students and members who are living with HIV/AIDS. Specifically, the NSTU re-affirms the member's and the student's rights of privacy, confidentiality, and continued employment/education.
- B. Students living with HIV/AIDS have the right to attend regular classes and other school-related activities and programs. The privacy and identity of a student with HIV/AIDS will be respected and protected. Where the physical condition or behaviour of a student living with HIV/AIDS poses a risk to the student or others (see part D for more information), alternative instruction will be provided. Decisions regarding alternative instruction should be made on a case-by-case basis.
- C. The privacy and identity of a member living with HIV/AIDS will be respected and protected. Members living with HIV/AIDS have the right to continue their employment. Accommodation will be carried out in accordance with human rights and established employment practices with the employer. Where a member with HIV or an AIDS-related illness becomes too sick to work, full access to sick leave, long-term disability, and medical benefits will be ensured.
- D. In situations where there are concerns that the health and/or behaviour of a student/member with HIV/AIDS poses a risk to others within the school community and/or the public, a determination of risk would be made in consultation with provincial public health officials.

- E. Information on HIV/AIDS and other sexually transmitted and/or blood-borne infections (STBBIs) will be provided as part of the health education curriculum. Inservice education will be made available to members concerning HIV and AIDS and other potentially communicable diseases, including other STBBIs.

Reference: Resolution 2001-114; Reaffirmed: 2004-72; 2009-79; 2016-59

9. INTERNAL TO THE NSTU OCCUPATIONAL HEALTH AND SAFETY

- A. Health and safety in the workplace is a shared responsibility.
- B. The NSTU, as an employer, is responsible for protecting its employees by ensuring a safe workplace, free from occupational health and safety hazards.
- C. Employees are responsible to work safely and to report hazardous conditions to their supervisor.
- D. Occupational hazards include, but are not limited to:
 - I. situations which may cause an immediate acute illness or injury;
 - II. situations where prolonged exposure may cause a progressive illness or injury; and,
 - III. environments which may aggravate existing ailments.
- E. Employees who become ill or are injured due to occupational hazards in the workplace shall receive the full support of the NSTU.
- F. The NSTU, shall establish and maintain procedures in keeping with the *Occupational Health and Safety Act* to ensure incidents of workplace injury and illness are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

Reference: 2010-42; Reaffirmed January 2015; 2019-61

10. INTERNAL TO THE NSTU – RESPECTFUL WORKPLACE

- A. The NSTU, as an employer as well as a Member organization, has a responsibility to ensure a safe work environment free from abuse/harassment. Abuse and harassment include, but are not limited to:
 - I. physical, verbal, emotional, and mental abuse;
 - II. sexual harassment;
 - III. bullying, including cyberbullying; and,
 - IV. intimidation.
- B. The NSTU shall recognize that employees and/or members may experience abuse/harassment by fellow staff and/or members.
- C. NSTU employees or Members subjected to abuse/harassment shall receive the full support of the NSTU.
- D. The NSTU, in accordance with the *Nova Scotia Human Rights Act*, shall establish and maintain procedures to ensure incidents of abuse/harassment are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

Reference: Resolution 2001-108; Amended 2004-92; 2009-98; Reaffirmed January 2015; 2019-62

11. MEDICARE

The NSTU believes that health care is a fundamental right of every human being without distinction (race, gender, age, religion, sexual orientation, political belief, economic, or social condition). Organizations representing millions of Canadians will mobilize to defend this right and to ensure that the following principles shape the future direction of the health care system.

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- A. The recognition of the highest attainment of health as a fundamental right throughout life and the necessity of preserving public health through active measures of promotion, prevention, and protection including such determinants as housing, food safety, income, education, environment, employment, and peace.
- B. The recognition of health care as a public good in which the few must not profit at the expense of the many. We affirm the need for a system of public health care, which is organized on the basis of public administration, public insurance, and the delivery of services on a public, not-for-profit basis.
- C. Opposition to any commercialization and privatization of health. Therefore, the federal government must negotiate a general exclusion of health services and health insurance from all trade agreements.
- D. The need for the federal government to fully assume its responsibilities in respect to health, particularly by restoring and increasing federal transfers to levels sufficient to secure the integrity and enforcement of the *Canada Health Act, 1984*.
- E. The reaffirmation of the original vision of a truly comprehensive public health care system for Canadians providing a continuum of services. The next steps are the expansion of the public system to include a universal system of home and long-term care services and pharmacare.
- F. The need to move away from a fee-for-service model towards a community-based, multidisciplinary approach to the management, organization, and delivery of services and care. Levels of services must be sufficient so that the burden of care does not fall on families.
- G. An accountable health care system through democratic participation and governance at all levels.
- H. The recognition that health care workers are critical to the effective operation of the health care system and that decent wages, working conditions, and training opportunities are essential to high quality care and the retention of health care workers.
- I. The NSTU publicly states its support for the preservation of Medicare and that there be a strong recommendation against practices that involve a direct charge to the user.

Reference: Resolution 99-70, 2002-122; Reaffirmed 2004-82; Amended 2009-89; Amended 2015-61

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12. MERCHANDISE — FAIR TRADE PURCHASING

- A. The NSTU encourages, stimulates, and practices "fair trade" and "environmentally friendly" purchasing whenever and wherever reasonably possible.

Reference: Resolution 2002-119; Amended 2004-79; 2010-16

- B. The NSTU make every effort to acquire merchandise from local and/or unionized businesses.

Reference: 2007-40

- C. The NSTU encourages members to purchase Nova Scotia produced products and services.

Reference: Resolution 2010-16

Reference: Reaffirmed January 2016

- D. The NSTU make reasonable efforts to reduce the purchasing and consumption of single-use plastic items (including: water bottles, cutlery, bags, etc....) at NSTU meetings and events.

Reference: Resolution 2019-8

13. NATIONAL UNITY

The NSTU supports the concept of national unity.

Reference: Resolution 2001-109; Reaffirmed 2004-83; 2009-90; Reaffirmed January 2015

14. NETWORKING WITH FRANCOPHONE TEACHERS ASSOCIATIONS/ORGANIZATIONS

The NSTU seeks to maintain and improve communication with other Canadian Francophone teachers' associations as well as the Francophone Services division of the Canadian Teachers' Federation.

Reference: Resolution 2001-107; Amended 2004-91; changed title 2009-97 and January 2015

15. PERSONS WITH DISABILITIES

For the purposes of this policy, persons with disabilities refers to disabilities of a physical, cognitive, emotional, or other nature.

A. The NSTU believes:

- I. it is incumbent upon all members to have and to teach attitudes which improve awareness with respect to the abilities of persons with disabilities and to treat and to teach their children to treat persons with disabilities within the same value context that they treat other persons;
- II. the right of every child should be recognized to receive education within the child's own peer group and that it is incumbent upon school authorities to make every effort to provide for the general and particular needs of persons with disabilities within the regular school organization;
- III. it is incumbent upon all educators to take every opportunity to emphasize safety learning; and,
- IV. every effort should be made in school construction and renovation to accommodate the particular needs of persons with disabilities.

B. The NSTU believes that schools shall be barrier-free schools.

Reference: Resolution 2001-104; Amended 2004-84; 2009-91; Reaffirmed January 2015

16. PHYSICAL NECESSITIES BE MADE AVAILABLE

There are certain minimal physical necessities which all members must have available in their workplaces i.e. staff and gender-neutral washrooms.

Reference: Resolution 2000-101; Reaffirmed 2004-85; 2009-92; Amended 2015-62

17. PORNOGRAPHY

A. The NSTU is opposed to the downloading, importation, manufacture, distribution, sale, broadcast, or public display of child pornography, in any form.

B. NSTU members should not access pornographic material, in any form at any time:

- I. using employer provided technology or access; or,
- II. at work sites.

Reference: Resolution 2001-110; Amended 2004-86; Amended 2009-93; Amended 2015-63

18. REPRESENTATION BY NSTU

A member, acting as a parent, who brings a complaint against another member, shall not be represented by a staff officer of the NSTU.

Reference: Resolution 2000-99; Reaffirmed: 2004-78; 2009-86; Reaffirmed January 2015 – title change

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19. RETIRED TEACHERS' POLITICAL INVOLVEMENT

The NSTU believes that it is important for members to maintain their involvement with the NSTU and with education after they have left active teaching. To this end, the NSTU, through the Retired Teachers Organization, encourages and supports retired members in becoming politically involved. This involvement could include, but is not limited to, service on school boards.

Reference: Resolution 99-161; Reaffirmed 2004-88; 2009-95; Reaffirmed January 2015

20. STRIKE BY SUPPORT PERSONNEL

- A. Members of the Nova Scotia Teachers Union will continue to enter the education site and work as usual.
- B. Members of the NSTU will not cross picket lines surrounding buses in loading zones and/or the garage area. Members will not use their own cars to transport students.
- C. Members will not perform or request students to perform work previously done by striking employees.
- D. When members are prevented by force or threat of force during a strike from entering a building, they should immediately report this to their superintendent or supervisor.
- E. Members will not perform unusual duties or procedures that are inaugurated during a strike.
- F. The NSTU supports the Nova Scotia Federation of Labour in advocating legislation forbidding the use of replacement workers as substitutes for workers on legal strike in the Province of Nova Scotia. (*Reference: Resolution 2001-106; Reaffirmed 2004-87; 2009-94*)

Reference: Resolution 2001-112; Reaffirmed 2004-93; Amended 2009-101; Reaffirmed with editorial changes January 2015; Amended 2015-64

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Development**General****21. STUDENT/TEACHER RATIO DATA CIRCULATION**

Numbers in NSTU advertorials and public relations materials should accurately reflect the true student/teacher ratio in the classrooms and, where possible, respond to misleading statistics quoted in the press.

Reference: Resolution 2002-120; Amended 2004-94; 2009-102; Reaffirmed January 2015

22. UNCEDED TERRITORY RECOGNITION

The NSTU recognizes that we live and work on unceded Mi'kmaq territory, that we are privileged to be together in Mi'kma'ki, that we are all treaty people, and that we wish to acknowledge this relationship.

Reference: Resolution 2017-55

23. USE OF EDUCATIONAL SITE FACILITIES

The NSTU strongly opposes the use of educational site facilities for the commercial display or sale of firearms.

Reference: Resolution 2002-123; Amended 2004-95; 2009-103; Reaffirmed January 2015

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CODE OF ETHICS

IV. MEMBER AND EXTERNAL ADMINISTRATION

- (a) The member should adhere to a contract until the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated. A verbal agreement is a contract.
- (b) The member should not accept a salary below that which they would receive according to the scale negotiated between the NSTU and the employer.
- (c) The member should not accept a salary above that which they would receive according to the scale negotiated between the NSTU and the employer, without notifying the NSTU.

V. MEMBER AND PROFESSIONAL ORGANIZATION

- (a) The member should be a member of and participate in the Nova Scotia Teachers Union.
- (b) The member who in their professional capacity is a member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- (c) The member, or group of members, should not take any individual action in matters which should be dealt with by their Local or by the NSTU.
- (d) The Local should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

VI. MEMBER AND PROFESSION

- (a) The member should maintain their professional learning by professional development, or study, by travel or by other means which will keep them abreast of the trends in education and the world in which we live.
- (b) The member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with students, associates, and the community.
- (c) The member should not accept remuneration for tutoring their pupils except under unusual circumstances and with the approval of their supervisor or principal.

VII. MEMBER AND COMMUNITY

- (a) The member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.



In the event of any discrepancy between this document and the original, the original shall prevail.

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