

Distribution of Foundation Skills Assessment (FSA) Results

On February 29, 2008, the BC Teachers' Federation (BCTF) issued the following *School Staff Alert*:

"Teachers across the province have done an amazing job of exposing the FSA tests as harmful to education, and a waste of education dollars. But the fight to get rid of these tests is not over. The next stage that teachers will be faced with is when the marking is completed and administrators arrange to send the booklets home to parents.

As with the marking of the tests, teachers need to refuse to participate in distributing the results which we have said are meaningless for individual schools and students.

The BCTF will provide teachers with a special pamphlet to give to parents with information outlining their concerns about the FSA and the proliferation of mandated testing. If administrators do distribute the booklets to parents, teachers can send these pamphlets explaining their position."

➤ BCTF Approach

The BCTF has advised its locals and members to refuse to distribute the FSA results and booklets to parents.

Response

As with other authorized materials from the district, the distribution of the FSA results and booklets to parents through students is within the duties of a teacher. As a result, should a district choose this method of distribution, teachers are expected and, if necessary should be directed, to distribute these authorized materials accordingly. Should a teacher or a group of teachers in your district continue to refuse, please contact your BCPSEA labour relations liaison.

➤ BCTF Approach

The BCTF has advised its locals and members to distribute "a special pamphlet to give to parents with information outlining their concerns about the FSA and the proliferation of mandated testing."

Response: Distribution of Union Materials to Parents through Students

A school district may direct its teachers that students are not to be used as the conduits or couriers for communication of union materials or any materials not approved by the school for distribution through it. A school board is within its lawful right to direct teachers not to use students as the means for conveying union views (whether in a sealed envelope or not) concerning the FSA tests to parents. Neither the collective agreement nor any applicable legislation gives teachers the right to use students in this manner and to do so can be harmful to public confidence in the public education system.

Response: Distribution of Union Materials to Parents Directly

While it is never appropriate to use students as the conduits or couriers for unauthorized union materials, teachers are permitted to distribute certain union materials directly to parents. However, these rights and freedoms are not without restrictions and reasonable limits. Reasonable limits to distributing such materials directly to parents in the capacity or perceived capacity of a teacher would include:

- The information is accurate
- The information is distributed in a professional manner and its content does not undermine public confidence in the public education system
- The information does not frustrate the district's ability to effectively carry out its legally mandated obligations in respect of the FSA.

Whether on or off of school property, when acting in the capacity of a teacher or being seen by the community in this regard, the above noted reasonable limits and restrictions would apply. Should this occur off of school property, each circumstance would have to be evaluated (such as the proximity to the school and venue in which the information is being provided by the teacher) as this would influence whether it would be reasonably perceived as coming from a teacher in his/her capacity.

We have asked the BCTF to provide us with a copy of the "special pamphlet" referred to in their *School Staff Alert*. Once we obtain a copy, further information will be provided.

Response: Posting Union Materials on School Property

A school principal is responsible to ensure that the school environment is appropriate for student learning and should, in consultation with school district administration, determine whether any posted material is inaccurate or inflammatory such that it would negatively affect the learning environment or public confidence in the school system. In such circumstances a principal may request such material be removed or may remove it him/herself.

If the union or employee wishes to post FSA material that could not be characterized in this way, the posting of this material can be limited to appropriate locations in the school such as bulletin board space allocated to the union in accordance with your collective agreement and school/district policies on posting such materials.

Response: Use of School Mailing Lists

Teachers may not use a school/classroom mailing list or a parent directory to obtain mailing addresses for parents of students in their class for the purpose of communicating or mailing out BCTF material. The home addresses of students and parents provided to a school or district are the personal information of the students and parents and can only be used for the purpose for which they were collected; i.e., for school-related purposes, not for the purposes of communicating BCTF views.

Questions

If you have any questions or encounter any of the situations described in this bulletin or any other issue pertaining to the FSA, please contact your BCPSEA labour relations liaison.