

NSTU

Guidebook

2018 – 2019

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:

1-800-565-6788

or nstu@nstu.ca

NOVA SCOTIA TEACHERS UNION

3106 Joseph Howe Drive, Halifax, NS B3L 4L7

www.nstu.ca

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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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NSTU CONSTITUTION

MAY 2018



SECTION I

CHAPTER 462

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

BE IT ENACTED by the Governor and Assembly as follows:

SHORT TITLE

1. This Act may be cited as the Teaching Profession Act. 1968, c.109, 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*;
 - (g) "teacher" means a teacher as defined in the *Teachers' Collective Bargaining Act*;
 - (h) "Union" means the Nova Scotia Teachers' Union. 1968, c.109, s.2; 1974, c.127, s.1.

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.

TRANSITION

- (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. 1968, c.109, 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. 1968, c.109, 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. 1968, c.109, s.5.

MEMBERSHIP

6. The members of the Union shall consist of persons who are members pursuant to Section 12(1) and, subject to subsection 12(1A), such other persons as the Council by by-law determines. 1968, c. 109, s.6.

OBJECTS

7. The Objects of the Union are to advance and promote the teaching profession and the cause of education in the Province. 1968, c. 109, s.7.

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
- (a) purchase, acquire, lease and hold real and personal property and sell, convey, lease, mortgage, or transfer the same;
 - (b) 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;
 - (c) accept all gifts, legacies or bequests which may be given to the Union;
 - (d) expend any money of the Union;
 - (e) fix membership fees and special assessments of members and collect such fees and assessments;
 - (f) subject to this Act, suspend, expel or otherwise discipline any member and to re-instate any member so suspended or expelled. 1968, c. 109, s.8; 1974, c.127, s.2.

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. 1968, c.109, s.9.

BY-LAWS OF COUNCIL

10. (1) The Council may make by-laws not inconsistent with this Act dealing with or providing for
- (a) the management of the Union and its property;
 - (b) the constitution of the Union and of locals, including the basis of representation of locals on the Council;
 - (c) the officers, executive and committees of the Union and their respective powers and duties;
 - (d) the government, discipline and control of members;
 - (e) all other matters necessary or useful to carry out the objects and to exercise the powers of the Union.

PROCEDURE FOR BY-LAWS

- (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 member's last recorded address.

NOTICE OF INTENTION

- (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. 1968, c.109, s.10; 1972, c.131, s.1; 1974, c.127, s.3; 1977, c.132, s.1.

PROFESSIONAL COMMITTEE

11. (1) There shall be a Professional Committee of the Union, elected according to the by-laws.

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INQUIRY ON REQUEST

- (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.

COPY OF REQUEST TO EXECUTIVE

- (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.

NOTICE TO MEMBER

- (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.

DISCIPLINE OF MEMBERS

- (5) The Professional Committee shall dismiss the charge or reprimand, suspend or expel the member.

DECISION TO TEACHER

- (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.

RECOMMENDATIONS TO MINISTER

- (7) The Executive shall transmit to the Minister such recommendations concerning the certification of the teacher as the Professional Committee may make. 1968 c.109, s.11; 1976, c. 91, s.1.

ACTIVE MEMBERS

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 determine 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.

RESIGNATION

- (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.

EFFECTIVE DATE OF RESIGNATION

- (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 teacher's employment began on the first day of the school year; or
- (b) it is given within one month after the teacher's employment began.

NOTICE REQUIRED

- (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 teacher's resignation the teacher gives written notice as provided in subsection (1) of intention not to be a member for the succeeding school year.

RAND FORMULA

- (5) A teacher who has resigned or has been expelled from the Union and who continues to be employed by an education entity 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. 1968, c.109, s.12; 1974, c.127, s.4; 1988, c.36, s.1.

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.

CHANGES

- (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.

MAINTENANCE OF LIST

- (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.

DUTY OF MINISTER

- (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 readmission pursuant to subsection (2). 1968, c.109, s.13.

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.

SCALE OF 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.

DEDUCTIONS BY SCHOOL BOARD

- (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

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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.

REMITTING DEDUCTIONS

- (4) Every education entity or other authority 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.

FAILURE TO REMIT

- (5) The Minister shall cause to be withheld, from the amount payable by the Minister under the *Education Act* to a 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).

PAYMENT TO THE UNION

- (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. 1968, c.109, s.14; 1972, c.131, s.2; 1974, c.127, s.5; 1988, c.36, s.2.

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*.

Chapter 100 of the Acts of 1951, the Nova Scotia Teachers Union Act, and Acts in amendment thereof are repealed.

Chapter 109 of the Acts of 1968

Amended by Chapter 131 of the Acts of 1972

Amended by Chapter 127 of the Acts of 1974

Amendments to Chapter 109 (Acts of 1968)

May 20, 1976

May 19, 1977

May 25, 1988

Amendments made as per the Education Reform (2018) Act* – Bill 72

***An Act to Reform the Administration of the Public Education System, March 9, 2018**

SECTION II

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, retired members, associate members, active reserve members, regular reserve members, and honorary members.

2. ACTIVE MEMBER

- (a) Those persons described by Section 12 of the *Teaching Profession Act*;
- (b) Those persons employed by way of regular, probationary and term contract included in a bargaining unit of employees and/or in the Faculty or Professional Support collective agreements of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.
- (c) Persons who are teachers within the meaning of the *Teaching Profession Act* who are employed by the Atlantic Provinces Special Education Authority.
- (d) Those members are eligible for active participation in Union affairs, including all voting, contingent upon the payment of NSTU fees, as set by Council. Notwithstanding limitations placed on participation in Union affairs through the failure to pay Union fees, contractual rights are maintained as long as a contractual and legal relationship exists with the bargaining unit employer. (2009-1)

3. ACTIVE RESERVE MEMBER

- (a) An Active 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 a school board, 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) pays an annual membership fee as fixed from time to time by Council;
 - (ii) pays Union fees on a per diem basis as fixed from time to time by Council; and,
 - (iii) has the rights of membership as outlined in Article I 10. (b), except that the right to vote in matters pertaining to contract applies only to collective agreements negotiated solely on their behalf pursuant to the *Teachers’ Collective Bargaining Act*.
- (b) A teacher having completed a term contract may use the days taught during the preceding or current year to satisfy the 15 day teaching requirement specified in (a) above, for Active Reserve Membership during the current year. (2013-8)
- (c) A person retiring from teaching in Nova Scotia may use the days taught during the year of retirement to satisfy the 15-day teaching requirement, specified in (a) above, for Active Reserve Membership during the year of retirement or the year following retirement. This provision may be used only once.

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- (d) An Active Reserve Member is a person employed in an auxiliary position in a bargaining unit of employees of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.

4. REGULAR RESERVE MEMBER

- (a) A Regular 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 a school board and who:
- (i) pays an annual membership fee as fixed from time to time by Council;
 - (ii) pays Union dues on a per diem basis as fixed from time to time by Council;
 - (iii) has all the rights of reserve members pursuant to Article I 10. (c); and
 - (iv) upon qualification, may become an Active Reserve Member.
- (b) A Regular Reserve Member is a person employed in an auxiliary position in a bargaining unit of employees of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.

5. RETIRED MEMBER

A Retired Member may be a person who has retired under a provision of the *Teachers' Pension Act*. A Retired Member may be 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.

6. ASSOCIATE MEMBER

- (a) an active member on leave of absence;
 - (b) a member of the faculty of a provincial university; or
 - (c) an education student at a university;
- (2009-2)

7. HONOURARY MEMBER

An Honourary Member is a person upon whom the honour has been conferred by a resolution of Council.

8. OTHER MEMBER

- (a) Persons who are not automatically members of the Union pursuant to Section 12 of the said Act and who are qualified to be active, retired, reserve or associate members as defined may make application for membership to the Executive Director who shall submit such applications to the Executive which may then accept such applications if it deems the qualifications have been met.
- (b) A person who is qualified to be an Active Reserve Member or a Regular Reserve Member, but who is not a member of the NSTU, is not entitled to any rights of membership in the NSTU. Such persons shall pay Union fees on a per diem basis as fixed from time to time by Council.

9. FEES

The amount of membership fees for active, retired, active reserve, regular reserve, and associate members shall be as fixed from time to time by Council.

10. MEMBERSHIP RIGHTS

The rights of membership shall include, but not necessarily be limited to the following:

(a) ACTIVE MEMBER

- (i) The right to benefits as provided through NSTU as bargaining agent.
- (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.
- (iii) The right to professional counselling within education.
- (iv) The right to vote and hold office at the local and/or provincial level.
- (v) The right to attend Council:
 - a. as a voting delegate, when nominated by a Local;
 - b. as an alternate delegate, when nominated by a Local;
 - c. as the Local Observer as nominated by the Local
 - d. as an observer.
- (vi) The right to membership in professional associations.
- (vii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (viii) The right to receive NSTU publications through web access on the NSTU website.
- (ix) The right to membership on NSTU committees.
- (x) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (xi) The right to an NSTU web mail account. *(2013-9, 2016-5)*

(b) ACTIVE RESERVE MEMBER

- (i) The right to benefits as provided through NSTU as bargaining agent.
- (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.
- (iii) The right to professional counselling within education.
- (iv) The right to vote at the local and/or provincial level.
- (v) The right to attend Council:
 - a. as a voting delegate, when nominated by a Local;
 - b. as an alternate delegate, when nominated by a Local;
 - c. as an observer.
- (vi) The right to membership in professional associations.
- (vii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (viii) The right to receive NSTU publications through web access on the NSTU website.
- (ix) The right to membership on NSTU committees.
- (x) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (xi) The right to an NSTU web mail account. *(2013-9)*

(c) REGULAR RESERVE

- (i) The right to benefits as provided through the NSTU as bargaining agent.
- (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.
- (iii) The right to attend meetings of a designated Local, as an observer.
- (iv) The right to membership in professional associations.
- (v) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (vi) The right to receive NSTU publications through web access on the NSTU website.
- (vii) The right to professional counselling within education.
- (viii) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (ix) The right to an NSTU web mail account. *(2012-1)*

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(d) RETIRED MEMBER

- (i) The right to membership in the Retired Teachers Organization.
- (ii) The right to attend Council
 - a. as an invited non-voting delegate, when nominated by the RTO,
 - or
 - b. as an observer.
- (iii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (iv) The right to receive NSTU publications through web access on the NSTU website.
- (v) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (vi) The right to an NSTU web mail account.

(e) ASSOCIATE MEMBER

- (i) The right to membership in professional associations, except the right to hold office.
- (ii) The right to attend Council as an observer.
- (iii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (iv) The right to receive NSTU publications through web access on the NSTU website.
- (v) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (vi) The right to an NSTU web mail account.

(f) HONOURARY

- (i) The right to attend Council as an observer.
- (ii) The right to receive NSTU publications through web access on the NSTU website.
- (iii) The right to access materials, as assigned, on the NSTU website. *(2017-2)*
- (iv) The right to an NSTU web mail account.

11. MEMBERSHIP LIST

The Executive Director shall, under the supervision of the Secretary-Treasurer, maintain a record of the names and addresses of all members.

12. LOCAL REBATE

The Secretary-Treasurer shall, from annual membership fees received, pay to Local Unions a rebate in an amount as determined by each Council and not later than the date set out in By-Law, Article II, 4. *(2012-27) (2014-6)*

ARTICLE II — LOCAL UNIONS**1. DEFINITION**

- (a) Any number of teachers who are members of the Union may, with the consent of the Provincial Executive, group together for geographical convenience or on an employer basis and form a Local Union (referred to as a "Local") and elect a President, Vice-President, and such other officers and executive members as the Local may determine.
- (b) Every NSTU member shall belong to a Local and no member shall belong to more than one Local.

2. LOCAL EXECUTIVE

The elected Executive of the Local shall be the governing body thereof.

3. MEMBERSHIP REGISTRY

- (a) A membership registry shall be conducted on an annual basis in the month of September. Amendments to the registry are permitted monthly up to the first Monday in December to determine Council representation and up to the first Monday in March for Local rebate purposes. This registry shall be the official record of membership and shall be used for such purposes as Annual Council representation and Local rebates. *(2014-5)*
- (b) The membership of the Community College Local coincides with the bargaining unit. Therefore, the membership registry for the Community College Local will be determined from the employer's records of those employees who have paid Union dues.

4. REBATE TO LOCAL

Rebates to Locals shall be made in two installments. The first installment shall be made no later than November 30 in any given year, and the second installment shall be made no later than May 31 in any given year.

5. GOVERNANCE

- (a) A Local shall be a committee of the NSTU for purposes within the area of such Local, and when acting as such shall be under the control of the Council, subject to the said Act and these By-Laws.
- (b) A Local shall not deal directly in matters of policy with the Provincial Government, the Department of Education, or other provincial organizations.
- (c) A Local shall determine the dates of its Local meetings and shall define a quorum for Local meetings and for meetings of its Local Executive. The Local shall designate one meeting during the school year as its annual meeting at which officers for the ensuing year shall be elected.
- (d) A Local may send its full allotment of delegates to Council and shall receive a full report of proceedings.
- (e) A Local shall submit, by October 31 of each year, the information required for its internal review, which will be conducted out of Central Office and a budget for the ensuing year.
(2011-2, 2011-1)

ARTICLE III — THE COUNCIL**1. DEFINITION**

- (a) The Council shall be the supreme governing body of the Union.
- (b) The Council of the NSTU shall be composed of the Executive and members of Local Unions elected by Locals to be members of the Council, on the basis of one representative for a membership of from twenty-five to fifty active members, and one representative for every additional fifty members of the Local or major fraction thereof. Notwithstanding the number of voting delegates permitted herein, each Local shall be entitled to at least three voting delegates at Council.
- (c) Elected Chairpersons of the Regional Representative Council shall be voting delegates at Annual Council.
- (d) Elected Regional Economic Welfare Committee Chairpersons shall be voting delegates if they do not hold Local Office.
- (e) Each Professional Association shall be entitled to one delegate with voting status at the Annual Council.
- (f) The Chairperson or designate of a NSTU Provincial Executive Standing Committee is eligible to attend Council as a non-voting delegate.
(2009-A, 2009-B)

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2. GOVERNANCE

- (a) A majority of members of the Council shall constitute a quorum. The President with the consent of the Executive may call a meeting of the Council for such time and at such place as he/she may determine and shall call a meeting of the Council when requested in writing by a majority of the Locals.
- (b) There shall be an Annual Meeting of the Council to be held at such time and place as the Executive may determine.
- (c)
 - (i) A Local may elect alternate delegates who may attend the Council meetings at the expense of the Local or at their own expense, the number of which shall be based on a sliding scale 3 to 10 inclusive = 1 Alternate; 11 to 21 = 2 Alternates; 22 to 31 = 3 Alternates; 32 to 41 = 4 Alternates; and 42 + = 5 alternates, to a maximum of five (5) alternates per Local. Notwithstanding the number of alternate delegates permitted, each Local shall be entitled to at least one alternate delegate at Council. *(2013-14)*
 - (ii) Alternate delegates may address the Council with the permission of the chair but they may not move or second resolutions or vote on any resolution. Permission to speak shall not be unreasonably withheld. In the unavoidable absence of a delegate, the Council may permit an alternate delegate from the Local to act as a delegate in his/her place.
 - (iii) Alternate delegates will be permitted to be seated with the voting delegates of their Local.
 - (iv) A non-voting delegate wishing to address Council shall request permission to speak. This request shall not be unreasonably withheld by the Council Chairperson.
 - (v) Local Observers attending Annual Council shall be seated with their locals. *(2016-6)*
- (d) Members of the Council entitled to form a quorum and vote are:
 - (i) members of the Executive;
 - (ii) duly elected delegates, or alternate delegates replacing delegates under section (c) of this Article.
- (e) When a meeting of Council, other than the Annual Meeting of the Council is called, delegates shall be restricted to the voting delegates who attended the Annual Council immediately prior to the special meeting of the Council. A voting delegate unable to attend this special meeting of Council shall be represented by a designate chosen by the Local, Regional Representative Council, or Professional Association Executive.
- (f)
 - (i) Council shall not pass any motion involving a major change in policy or recommending a change in the Act unless notice of the intention to deal with the same and a copy of every proposed amendment, variation or repeal shall have first been included in an issue of the NSTU newsletter at least thirty (30) days before such Council meeting. This clause does not apply to motions amending By-Laws, notice of which must be given to members pursuant to Section 10(2) of the Act. *(2013-1)*
 - (ii) Resolutions in the Council recommending changes in the basis of membership in the NSTU, the duties and powers of the Executive and its officers must be approved by a two-thirds majority vote of the members present at such meeting.
- (g) Vacancies
 - (i) The Council may remove the President from office during his/her term by a vote of at least two-thirds of the members of the Council personally present and voting, provided that notice of intention to move such motion has been previously given as provided in subsection (f) (i) of this section.

- (ii) If the President has been removed in accordance with subsection (g) (i), then Article III (2) subsection (g)(iii)(iv)(v)(vi)(vii) shall apply.
- (iii) When the office of President becomes vacant in the event of removal, resignation, illness, death or other inability to act within the first 15 months of the term, the First Vice-President shall assume the office of President until a by-election is held.
- (iv) If the First Vice-President is unable or unwilling to assume the office of the President within the first 15 months the Chief Electoral Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until a by-election is held.
- (v) If the vacancy occurs after the first 15 months of the term the first Vice-President shall assume the office of President for the remainder of the term.
- (vi) If the First Vice-President is unable or unwilling to assume the office of the President after the first 15 months the Chief Electoral Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until the term is complete.
- (vii) The Chief Electoral Officer shall call a by-election for the office of President within 30 days if the vacancy occurs within the first 15 months of the term.
- (h) Rules of Order
The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.
(2009-C; 2009-D; 2013-2; 2018-1)

ARTICLE IV — THE PROVINCIAL EXECUTIVE

1. DEFINITION

There shall be an Executive of the Council, to be composed of the President, the immediate Past-President (one year position only), the First Vice-President, twenty-two members elected on a regional basis at the local level, including one member elected by all the members of the CSANE Local, one member elected by all the members of the APSEA Local, and two members elected by all the members of the Community College Local. A majority of the members of the Executive shall constitute a quorum.

(2010-3, 2015-16)

2. GOVERNANCE

- (a) A member of the Provincial Executive shall not concurrently hold office at the Local or Regional level.
Notwithstanding 2. (a) above, a member of a Local Executive, the chair of a Regional Representative Council or the Chair of a Regional Economic Welfare Committee who is elected as a member of the Provincial Executive may complete his or her term of office at the Local or Regional level up to the end of July of the year in which the member was elected to the Provincial Executive. (2012-A)
- (b) A member of the Provincial Executive shall be an active member of the NSTU.
- (c) When the office of First Vice-President becomes vacant in the event of removal, resignation, illness, death or other inability to act, the position shall be filled by the Provincial Executive from among its members by majority vote, subject to ratification at the next Council.

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- (d) The office of any member of the Executive, who absents himself/herself from two consecutive meetings of the Executive without reasons satisfactory to the Executive, shall be declared vacant by the Executive.
 - (e) Any member of the Executive may resign his/her office by notice in writing to the President of the NSTU.
 - (f) A vacancy in the office of Second Vice-President or Secretary-Treasurer shall be filled by majority vote of the Provincial Executive.
 - (g) 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.
 - (h) 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.
- (2016-4)

3. DUTIES

The Executive functions in the name of the Council between sessions. It shall perform its duties in a manner that is consistent with the will of the Council as expressed through resolutions passed by the Council. In addition, the Executive shall carry out duties imposed specifically by the *Teaching Profession Act* and:

- (a) 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;
- (b) provide suitable offices and equipment for carrying on the work of the NSTU;
- (c) direct and supervise the business, property and affairs of the NSTU between Council meetings, and all decisions that are deemed policy by the Executive shall be forwarded to the upcoming Council as resolutions;
- (d) determine the place and date and make arrangements for workshops and special Council meetings;
- (e) issue a post-Council press release;
- (f) provide assistance with organizing Locals and Regional Representative Councils and Professional Associations;
- (g) shall ratify constitutions of Locals, Regional Representative Councils and Professional Associations by following regulations outlined in the NSTU Guidebook;
- (h) determine the boundaries of the Locals;
- (i) publish a magazine or other official publications;
- (j) 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;
- (k) have the power to convene an emergency meeting of a Local or a meeting of the NSTU members in a given area; and
- (l) is empowered to exercise on behalf of the Union, as the 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.

4. MEETINGS

There shall be at least six regular meetings of the Executive each year, the first of which shall be held within sixty days of the election of the Executive.

5. TERM OF OFFICE

- (a) The term of office for Provincial Executive members elected on a regional basis shall be two (2) years starting August 1st and ending July 31st.
(2011-A, 2013-30)

6. REGIONAL REPRESENTATION

- (a) The members of the Executive who are elected on a regional basis at the Local level (referred to as “regional members”) shall serve for a two year term with one-half of such members (or as close to one-half as is possible) to be elected each year as described from time to time in the Standing Orders.
- (b) No regional members shall serve for more than two consecutive terms. A regional member may be re-elected following a term in which he/she is absent from the Executive.
- (c) The regional members shall be elected before the Annual Meeting of the Council by election at the Local level as described from time to time in the Standing Orders.
- (d) 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.

7. PROVINCIAL EXECUTIVE COMMITTEES

The Executive at a meeting following Annual Council shall appoint such committees of the NSTU as it from time to time is authorized to do by the Council and such other committees as it may find useful or necessary. All such committees shall report to the Executive.
(2015-2)

8. PROVINCIAL EXECUTIVE PROCEDURES

The Executive shall from time to time determine its own procedure as to notice of meetings, quorum, maintenance of minutes and other matters relating to its internal operations.

ARTICLE V — OFFICERS**1. DEFINITION**

The officers of the Union shall consist of a President, two Vice-Presidents, a Secretary-Treasurer and the immediate Past-President.

2. ELECTIONS

- (a) (i) The President shall be elected by a vote of the entire membership.
(ii) The term of office of the President shall begin August 1st and end July 31st.
(iii) The President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years.
(iv) No President shall serve for more than two consecutive terms.
- (b) (i) The election of the First Vice-President shall be conducted during Council and be determined by majority vote.
(ii) The First Vice-President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years. (2011-B) (2014-15)
(iii) The term of office for First Vice-President shall be two (2) years beginning on August 1st and ending on July 31st. (2013-23, 2016-7)

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- (iv) No First Vice-President shall serve for more than two consecutive terms. *(2014-16)*
- (c) (i) The Second Vice-President and Secretary-Treasurer shall be elected by the Provincial Executive at a meeting following Annual Council from amongst those individuals who will be or will continue to be members of the Provincial Executive on August 1st of that year. *(2015-5)*
- (ii) The election of the Secretary-Treasurer and Second Vice-President shall be determined by a majority vote (i.e. 50% plus one) of the Provincial Executive.
- (d) The Second Vice-President and Secretary-Treasurer shall take office effective August 1st of the year of their election. *(2015-6)*
(2011-B; 2007-10)

3. DUTIES

- (a) (i) The President shall be responsible for presiding at all meetings of the Council and of the Executive, and shall have general oversight of the affairs of these bodies.
- (ii) He/she shall be ex officio a member of all committees.
- (iii) He/she shall perform such other duties as are delegated to him/her by the Council or the Executive.
- (b) The President of the NSTU shall convene a minimum of two conferences per year of NSTU Local Presidents and Regional Representative Council Chairpersons.
- (c) In the absence of the President, the First Vice-President shall perform the duty of the President. If he/she is also absent, the meeting shall be chaired by the Second Vice-President.

ARTICLE VI — COMMITTEES OF THE COUNCIL**1. DEFINITION**

Committees of Council required for meetings of Council shall be appointed and constituted and shall have their duties defined as the Council may from time to time provide through Standing Orders. Such committees may include an Annual Council Elections Committee, a Resolutions Committee, and a Steering Committee.
(2007-11)

2. PROFESSIONAL COMMITTEE

- (a) The Professional Committee shall consist of six members elected by the Council.
- (b) Members of the Professional Committee shall be elected for a term of three years, with two members of the committee retiring each year.
- (c) No member of the Professional Committee shall be at the same time a member of the Executive or a Committee of the Executive.
- (d) The Professional Committee shall meet at least once a year for professional development opportunities.

3. DISCIPLINE COMMITTEE

Pursuant to the Teaching Profession Act, Section 10(1) (d), there shall be a committee of the Council to be called the Discipline Committee.

- (a) The Discipline Committee shall consist of five (5) members selected by the delegates voting at an Annual Council, and no member shall be at the same time a member of the Executive or a Committee of the Executive.

- (b) The Discipline Committee may adjudicate conduct of Union members which is inimical to the interests of the Union.
- (c) A complaint against the conduct of a member of the type referred to in Section (b), may be made by the Executive of a Local, a Local, or by the Provincial Executive of the Union.
- (d) A member whose conduct is a matter of complaint by the parties referred to in Section (c), shall be notified by the Discipline Committee of a charge at least thirty (30) days prior to the date on which the charge is to be heard.
- (e) The Committee, after fairly hearing the charge, and finding it sustainable, may:
 - (i) suspend the member from the benefits and privileges of membership;
 - (ii) expel the member from the Union;
 - (iii) reprimand the member.
- (f) The members of the Committee shall be elected for terms of three (3) years.
- (g) The Discipline Committee shall meet at least once a year for professional development opportunities.

ARTICLE VII — OFFICIAL SPOKESPERSON FOR THE UNION

1. 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 VIII — GENERAL

1. LEGAL ASSISTANCE

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

2. RESERVE FUND

- (a) The NSTU shall set up a Reserve Fund which shall be administered by the 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 whole Council.
- (c) The Fund may be used:
 - (i) when the NSTU incurs reasonable costs in prosecuting a legal strike;
 - (ii) as a source for loans within the NSTU for purposes of expansion or development;
 - (iii) for expenditures or loans in cases of emergency.
- (d) The amount of the Reserve Fund to be used to balance the operating budget shall not exceed \$350,000 per year.

3. FISCAL YEAR

The fiscal year of the Nova Scotia Teachers Union shall be August 1st to July 31st.
(2010-2)

CONSTITUTION

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ARTICLE IX — REGIONAL GOVERNANCE

1. There shall be 7 local regions representing the membership of the following Locals:

Annapolis Valley Region

Annapolis Local
Hants West Local
Kings Local

Cape Breton-Victoria Region

Cape Breton District Local
Northside-Victoria Local

Chignecto Region

Pictou Local
Colchester-East Hants Local
Cumberland Local

Halifax Region

Halifax City Local
Dartmouth Local
Halifax County Local

South Shore Region

Lunenburg County Local
Queens Local

Strait Region

Antigonish Local
Guysborough County Local
Inverness Local
Richmond Local

Tri-County Region

Digby Local
Shelburne County Local (2014-4)
Yarmouth Local

2. Mandate
 - (a) The mandate of the Regional Representative Council within the geographic boundaries of a school board shall be to address bargaining unit issues for NSTU members employed with that school board.
 - (b) To follow the policies of the Council of the Union and the directives of the Provincial Executive of the Union.
3. (a) For each region there shall be a Regional Representative Council which shall be a committee of the NSTU, and shall be accountable to the NSTU Provincial Executive.
 - (b) Each Regional Representative Council have the duty to draft by-laws that govern the operation in their region.
 - (c) Membership of the Regional Representative Council shall include:

Local Representation

Local membership shall be determined with equal representation by participating Locals and shall include:

 - Local Presidents
 - Local First Vice-Presidents
 - Additional Local Member(s)

From the Local Representation, the RRC shall select a Secretary and/or Treasurer and the Chair of the REWC.

Regional Representation

 - Chairperson
 - Provincial Executive Member(s)
 - (d) All members of the Regional Representative Council shall have voting privileges.
4. (a) The Chairperson of the Regional Representative Council shall be elected by secret ballot from and by the members of the Regional Representative Council. The election of the Chairperson shall be the first item of business at the June Meeting. The election shall be conducted by a Provincial Executive member.
 - (b) The Chairperson of the Regional Representative Council shall serve a two (2) year term of office commencing August 1st.
 - (c) The Chairperson of the Regional Representative Council shall serve a maximum of two (2) consecutive terms.

- (d) The Secretary and/or Treasurer of the Regional Representative Council shall be appointed by the Regional Representative Council following a selection process determined by the Regional Representative Council.
 - (e) The Provincial Executive Member(s) shall be a member of the Regional Representative Council for their term of office.
 - (f) A Regional Representative Council shall not deal directly in matters of policy with the Provincial Government, the Department of Education, or other provincial organizations. It may, however, on behalf of the Union, deal directly with the regional school board in its region. Subject to Article VII 1, the Chairperson of the Regional Representative Council shall be the spokesperson on local matters for NSTU members employed by the regional school board in the region.
 - (g) Regional Representative Councils shall be funded on an equitable basis by Locals in the region.
5. (a) The Regional Representative Council shall establish a Standing Committee called the Regional Economic Welfare Committee with membership consisting of Local First Vice-Presidents from each Local and other members as determined by the Regional Representative Council to a maximum of ten(10) members.
 - (b) Membership on the Regional Economic Welfare Committee shall be established annually.
 - (c) The Chairperson of the Regional Economic Welfare Committee shall be elected by secret ballot by the members of the Regional Economic Welfare Committee on an annual basis. The election of the Chairperson shall be the first item of business at that meeting. The election shall be conducted by the Chairperson of the Regional Representative Council.
 6. The Regional Representative Council shall appoint members to committees as stipulated in Regional and Provincial collective agreements and establish other committees as required.
 7. The successor Chair for the RRC shall be chosen from a Local other than the Local which had been represented by the outgoing RRC Chair; and the successor Chair of the REWC shall be chosen from a Local other than the Local which had been represented by the outgoing REWC Chair.
 8. NSTU members employed by the Conseil scolaire acadien provincial (hereinafter referred to as "CSAP") shall belong to the Conseil syndical acadien de la Nouvelle-Ecosse (hereinafter referred to as "CSANE").
 9. The Regional Representative Council shall carry out the responsibilities as set out in the Teachers' Provincial Agreement and Regional Collective Agreement between the employing school board and the NSTU.
 10. A Regional Representative Council shall have the right to submit resolutions to Council by way of the Provincial Executive.
 11. Locals wishing to reconfigure their RRC or REWC structure may make application to the Provincial Executive.

(2007-25; 2007-24; 2007-22; 2007-21; 2007-20; 2007-19; 2007-18; 2007-18; 2007-16; 2007-15; 2007-14; 2007-13; 2007-12; 2009-3; 2009-4; 2011-4; 2011-3)

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 1971-2014

SECTION III

STANDING ORDERS

1. MEMBERSHIP FEES

- (a) The fee for Voluntary Active Members, as defined in the By-Laws, Article I, Section 2, shall be the same as the fee for Active members as defined in Article I, pursuant to Section 12 of the *Teaching Profession Act*.
- (b) Notwithstanding 1(a), the amount of 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 membership fee as fixed from time to time by Council.
- (c) No teacher shall pay an annual fee greater than the current amount payable by a full time teacher in any one school year.
- (d) The fee for Active Reserve Members, as defined in the By-Laws, Article I, Section 3 shall be \$32.00 per year and the fee for Regular Reserve Members, as defined in the By-Laws, Article I, Section 4 shall be \$10.00 per year.
- (e) An additional service fee in the amount of \$2.40 per teaching day is applied to a Reserve Member who is a substitute teacher. This amount shall be deducted at source. If the amount deducted exceeds the full service fee for an Active Member, a refund shall be granted.
- (f) The fee for Retired Members, as defined in the By-Laws, Article I, Section 5, shall be a fee set by the Retired Teachers Organization.
- (g) The fee for Associate Members, as defined in the By-Laws, Article I, Section 6, shall be \$10.00 per year.

2. LOCAL UNION REBATE

No Local may permit the use of any part of the funds it derives from rebate of fees for the purpose of conducting a campaign in respect of any election described by the Constitution of the Union.

3. PROFESSIONAL ASSOCIATIONS

- (a) The NSTU shall organize, promote and give financial assistance to Professional Associations in order to provide opportunities for member-initiated professional development.
- (b) Each Professional Association of the Nova Scotia Teachers Union shall submit annually the information required for its internal review, and shall submit a budget for the ensuing year.
(2012-2; 2012-4)

4. COUNCIL PROCEDURES

- (a) On an annual basis, the Provincial Executive shall appoint an Independent Chairperson for the Council.
 - [i] The individual appointed shall meet the following criteria.
 - a. Be an individual with demonstrated knowledge of parliamentary procedure.
 - b. Be an individual who is not currently holding elected office in the NSTU.
 - c. Be an individual who is not currently seeking elected office in the NSTU.

- d. Be an individual with no conflict of interest according to NSTU policy.
 - e. Be an individual who adheres to the principles outlined in the NSTU Code of Ethics.
- [ii] In the event that the Independent Chairperson is unable to chair the meeting, the President will assume the duties of the Chairperson.
- (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, or the minutes as corrected, when approved, shall be signed by the Secretary-Treasurer and by the President, or in his/her absence by the chair of the meeting at which they are approved, and these shall be kept by the Executive Director of the NSTU as the official record of Council proceedings.
 - (d) All recommendations of the Executive of the NSTU and its Committees which are to be presented to Annual Council for action, including resolutions to fix 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 days prior to the Annual Meeting of Council. *(2015-8)*
 - (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) In the final business session of Council the budget shall be presented for discussion and questions to the Committee of the Whole meeting to amend and/or accept the budget.
 - (i) 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.
 - (j) Standing Orders may be changed by a majority vote of Council provided notice has been given thirty (30) days previously or by a two-thirds vote of Council, notice having been given at a preceding session of Council.
 - (k) Costed resolutions to Annual Council which cost more than 2% of the budget require a 2/3 majority to be adopted. *(2017-1)*

5. RESOLUTIONS PROCEDURES

- (a) 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.
- (b) All resolutions submitted for consideration by 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. *(2011-6)*
- (c) Economic Welfare resolutions shall be debated at Annual Council in Closed Session.
Resolutions categorized as Economic Welfare and Working Conditions which relate to Provincial and/or Community College Negotiations and which are adopted at Annual Council shall be automatically referred to staff for consideration by the Provincial Economic Welfare Committee or the Community College Economic Welfare Committee.
- (d) 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.

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- (e) (i) A Local submitting a resolution classified 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 resolutions shall contain information concerning the Operational Procedure status of the submission as well as the decision of the Provincial Executive concerning the issue.
- (f) All resolutions to Annual Council shall be designated policy or action. Resolutions designated policy are recorded in NSTU policy documents and are subject to the six-year cycle review.
- (g) Resolutions designated action are removed from NSTU documents when action has been taken.
- (h) 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.

6. COMMITTEES OF COUNCIL

(a) STEERING COMMITTEE

- (i) Before each Council meeting the Executive shall appoint from the elected delegates a Steering Committee.
- (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 (2011-5)

- (i) Prior to the first session of the Council, the Executive shall appoint from among Council delegates, a Committee of four persons to be called the Annual Council Elections Committee.
- (ii) The Annual Council Elections Committee shall:
 - a. receive nominations for each vacancy on the following:
 - i. the Provincial Executive (first vice-presidential office);
 - ii. the Nova Scotia Teachers' Pension Appeals Committee;
 - iii. the delegation to the Canadian Teachers' Federation, and state the number of years each candidate will serve, if elected;
 - iv. the Professional Committee;
 - v. the Discipline Committee, and
 - vi. 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 hour prior to the time scheduled for commencement of the session in which the election is to be conducted.
 - d. 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 Chairperson 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 Chairperson of Council.

- (iii) Ensure that 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, except the Pension Appeals Committee 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 the delegates voting at 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 or Council, after consultation with the Committee, shall attempt to resolve any concerns in an informal manner. If he/she is unable to resolve the matter informally, the Chair of Council shall make a ruling and may announce the ruling at the next session of Council.
(2011-7)
- (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 members.
 - b. Each Council shall select from the floor two members to the Resolutions Committee. All members elected shall serve a two (2) year term.
 - c. The Provincial Executive shall elect one of its members to serve as Chairperson of the Resolutions Committee for a one (1) year term.
- (ii) Members of the Resolutions Committee who are not delegates or alternate delegates to Annual Council are empowered to move and second resolutions presented through the Resolutions Committee at Council; they are not permitted to vote.
- (iii) The Resolutions Committee shall:
 - a. Prepare a document of resolutions submitted by NSTU Locals and the Provincial Executive that is circulated to all members prior to deliberations on Council floor.
 - b. Ensure that resolutions are available to members and to delegates to Annual Council in both official languages. (2011-14)
 - c. Designate each resolution by topic (Governance, Curriculum, Economic Welfare and Working Conditions, Government, Professional Development, General); by category (Policy, Action); by intent (Amend, Rescind, New); and by eligibility (2/3s Vote).
 - d. Ensure that resolutions affecting the organization's budget are costed by the NSTU Finance and Property Committee and make such costing information available at the time of discussion.
 - e. Consult the sponsoring Local to clarify the costing specifics of any resolution classified as a costed resolution.
 - f. Direct submissions from Locals that reaffirm current policy to the Provincial Executive for action.
 - g. Direct submissions from Locals that are current Operational Procedures to the Provincial Executive for action.

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- h. Combine resolutions of similar intent without altering the substantial intent of any resolution.
- i. Consult with Local(s) on rewording of a submission.
- j. Inform and report to the Local at least thirty (30) days prior to Council if a proposed resolution is out of order.
- k. When legal advice has been requested, a written summary of such advice is made available on request to the Local.
- l. Determine the eligibility of submissions received during Council proceedings for consideration under New Business.
- m. Subject all decisions of the Resolutions Committee to a ruling of Council.
- n.
 - i. Assign adopted resolutions to the appropriate Union committee for action;
 - ii. coordinate compilation of Reports; the Disposition Report, that includes the URL of an electronic compilation of memos and letters regarding adopted resolutions, and Reports to Council; and,
 - iii. manage the Policy Review. (2013-3)
(2011-15)

7. VICE-PRESIDENTIAL CAMPAIGN GUIDELINES

In respect of Vice-Presidential campaigns, the following guidelines shall apply:

- (a) Active campaigning within the Council Chambers other than the normal address to delegates is prohibited. Passive campaign activity within Council Chambers is permitted.
- (b) Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council). (2013-4)
- (c) Campaign spending, excluding travel, by or on behalf of each candidate may not exceed \$1,500.00. Such expenses are the sole responsibility of the candidate. All promotional items including prizes sponsored by the candidate shall be included in the determination of the amount spent and shall be supported by receipts or assessed at fair market value. (2011-8)
- (d) All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures;
- (e) The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review. These financial statements will be published in *The Teacher*.
- (f) Publicity:
Each candidate is permitted to insert in an issue of *The Teacher* prior to Council:
 - (i) one head and shoulder photograph of himself/herself;
 - (ii) biography of personal, educational, and career achievements, of no more than 150 words;
 - (iii) a personally prepared platform of objectives, no more than 600 words in length.
- (g) Items in (f) must be sent to *The Teacher* fifteen (15) working days before publication and these will appear in alphabetical order.
 - (i) Each candidate will be given a second opportunity to publish a statement subject to the provisions of paragraph (f), which statement shall not be more than 750 words in length.

- (ii) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
- (iii) The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). 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.
- (h) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, 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.

8. COMMITTEE CAMPAIGN GUIDELINES

In respect of electoral campaigns for committees elected at Council, the following guidelines shall apply:

- (a) Active campaigning within the Council Chambers is prohibited. Passive campaign activity within the Council Chambers is permitted;
- (b) Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council). (2013-4)
- (c) Campaign spending by or on behalf of each candidate may not exceed \$100. Such expenses are the sole responsibility of the candidate.
- (d) All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures;
- (e) The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review. These financial statements will be published in *The Teacher*.
- (f) Publicity:
Each candidate is permitted to insert in an issue of *The Teacher* prior to Council:
 - (a) One head and shoulder photograph of himself/herself;
 - (b) Biography of personal, educational and career achievements, of no more than 150 words;
 - (c) A personally prepared platform of objectives, no more than 300 words in length.
- (g) Items must be sent to *The Teacher* fifteen (15) working days before publication and these will appear in alphabetical order.
- (h) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
- (i) The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). 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. (2011-9)

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- (j) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, 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.

9. GENERAL CAMPAIGN GUIDELINES – ACTIVE AND PASSIVE CAMPAIGNING

With respect to all elections, the following definitions shall apply:

- (a) 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 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. *(2011-13)*
- (b) 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 writing 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 the delegate's seat and table spot. *(2011-12)*
- (c) 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. *(2011-10)*
- (d) In the event that campaigning for any other NSTU election takes place during Council, the guidelines for the Council Committee election campaigns applicable to the conduct of the campaign during Council, shall apply.
- (e) Active campaigning for election to a position not related to the structure of the NSTU is prohibited.

10. COMPOSITION OF THE PROVINCIAL EXECUTIVE

- (a) Members of the NSTU in the following regions shall elect twenty-two members to the Executive subject to the following conditions: *(2015-9)*
- (i) elections shall be held fifteen (15) days or more prior to the first meeting of the Council;
- (ii) the regions and the numbers to be elected from each region shall be as follows:

Annapolis-Hants West-Kings	2 members
Antigonish-Guysborough	1 member
APSEA	1 member
Cape Breton Industrial	2 members
Colchester-East Hants	1 member
Community College	2 members
Conseil syndical acadien de la Nouvelle-Écosse	1 member
Cumberland	1 member
Dartmouth	1 member
Digby-Shelburne-Yarmouth	2 members

Halifax City	2 members
Halifax County	2 members
Inverness-Richmond	1 member
Lunenburg County-Queens	1 member
Northside-Victoria	1 member
Pictou	1 member
<i>(2014-14) (2015-17)</i>	

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11. REGIONAL ELECTIONS FOR PROVINCIAL EXECUTIVE

- (a) The Local or Locals in each region shall, at least sixty (60) days prior to the Annual Meeting of Council, name a Nominating Committee representing such Local or Locals, such committee to consist of such persons as may be determined by the Local, as may be agreed upon by the Presidents of such Locals, or failing such agreement, as may be determined by the Provincial Executive. The Nominating Committee shall name its own Chair.
 - (i) The Nominating Committee shall receive nominations to the Provincial Executive up to thirty (30) days prior to the date set for the regional elections.
 - (ii) If a single name is received by the Nominating Committee, the Nominating Committee shall declare the individual so nominated elected by acclamation.
 - (iii) If no names are placed in nomination for a vacant regional Executive member position, the Provincial Executive shall convene another meeting of the Regional Nominating Committee at a later date. In the interim, the Provincial Executive would appoint a member from the Local(s) affected to hold the Provincial Executive position until such time as an election has been held. *(2013-5)*
- (b) The Regional Nominating Committee shall obtain consent of the nominees and shall publish the names and curriculum vitae of the nominees through a Local letter distributed before the regional election to schools in the region in sufficient numbers to cover all members and shall forward the names of such nominees to the Central Office.
- (c) At least thirty (30) days prior to the Annual Meeting of Council, the date of each regional election for members of the Provincial Executive shall be set by the President (or by agreement of the Presidents of Locals, if more than one Local) of the Local in each region, and the date shall be forwarded to the Provincial Executive for ratification. If no such date is fixed for any region within the time limit, the Provincial Executive may fix the date of the regional election.
- (d) The regional election shall be conducted in such manner as the Local may determine or, if there is more than one, as their Presidents may agree, or, failing such agreement, as may be determined by the Provincial Executive. The Regional Nominating Committee shall promptly inform the Locals and the Central Office of the persons elected.

12. RECORDING OF PROVINCIAL EXECUTIVE MEETING MINUTES

- (a) The Executive Director shall be responsible for recording the minutes of the Executive meetings.
- (b) The minutes of every meeting of the Executive or the minutes as corrected, when approved, shall be signed by the Secretary-Treasurer and by the President, or in his/her absence by the Chair of the meeting at which they are approved and shall be kept by the Executive Director as the official record of the Executive proceedings and posted to the NSTU website (NSTU web account log-in required). *(2015-10)*

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13. COUNCIL VOTING PROCEDURES FOR PROVINCIAL EXECUTIVE

- (a) Every Executive recommendation to the Annual Council requires a two-thirds (2/3) vote of the Executive members present and voting at an Executive meeting.

14. AWARDS

- (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 suitable 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;
 - (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;
 - (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; *(2012-8)*)
 - (v) awarded by the Provincial Executive only on the recommendation of a Local Executive.

15. COMMITTEES OF THE PROVINCIAL EXECUTIVE

- (a) At a meeting following Annual Council the Executive shall appoint such committees as it deems necessary to carry out the NSTU program.
- (b) The Executive shall establish terms of reference for committees appointed by the Executive and shall forward the terms of reference to the Locals.
- (c) All committees appointed by the Provincial Executive shall serve from August 1 to July 31 of any school year unless otherwise directed by the Executive.
- (d) Voting privileges on NSTU committees shall be confined to members of the NSTU, others to act only in advisory or consultative capacity.
(2015-3)

16. 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;
 - (iii) to decide matters of complaint concerning elections presented to him/her by interested parties.

17. RESERVE FUND

The fund designated as the Reserve Fund in the annual budget as approved by Council, shall be invested by the Executive in accordance with the principles of safety, marketability and return.

18. 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

19. PROVINCE-WIDE VOTING

- (a) The results of all 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.
- (b) All public political pronouncements must cease twenty-four (24) hours prior to a province-wide vote.

20. CONSTITUTION

The Executive shall assure that the Constitution of the Nova Scotia Teachers Union is available to each member of the organization. (2013-6)

Approved 1967 Council

Amended at each succeeding Council 1968-present

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NSTU POLICY

MAY 2018



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:

2019	Government
2020	Professional Development
2021	General
2022	NSTU Governance
2023	Curriculum
2024	Economic Welfare & Working Conditions

SECTION I

GOVERNANCE

POLICY

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

1. BUDGET REQUIREMENTS

- (a) The Finance & Property Committee shall provide to each Annual Council delegate, in advance of Council, a balanced budget. This balanced budget should not involve either a transfer of funds from the Reserve Fund or an increase in membership fees. A budget is deemed to be balanced when the revenue is projected to be equal to or exceeds the expenditures for the proposed fiscal year.
- (b) In the event that the proposed budget requires an increase in membership fees or a transfer from the Reserve Fund an alternate budget will be given that will decrease expenditures without a fee increase or a transfer from the Reserve Fund.

Reference: Resolution 99-35; Reaffirmed 2002-16; 2005-16; 2010-7; 2016-14

2. CIVIL ACTIONS — LEGAL PROTECTION

The money budgeted for legal cases may be used at the discretion of the Provincial Executive if a Union member in good standing is involved in legal difficulties arising from the proper pursuit of professional duties.

Reference: Resolution 2000-56; Reaffirmed 2002-17; 2005-17; 2010-8, Reaffirmed January 2016

3. 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.

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.

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- (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.

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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.

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

4. 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.

Reference: Resolution 99-19; Reaffirmed 2002-18; 2005-18; 2010-10, Reaffirmed January 2016

5. 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

6. 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

7. EXECUTIVE DIRECTOR AND EXECUTIVE STAFF QUALIFICATIONS

The Executive Director and Executive Staff of the Nova Scotia Teachers Union shall be eligible to hold valid Nova Scotia teacher professional numbers and/or be members of the NSTU in the employ of the Nova Scotia Community College.

Reference: Resolution 99-44; 2002-21; Amended 2003-1; Reaffirmed 2005-21; Amended 2010-13, Reaffirmed January 2016

8. EXECUTIVE STAFF ADDITIONS

The number of full-time NSTU Executive Staff positions shall be increased only with the prior consent of Annual Council.

Reference: Resolution 99-43; Reaffirmed 2002-22; 2005-22; 2010-14; 2016-18

9. 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

10. MERCHANDISE — FAIR TRADE PURCHASING

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

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

Reference: 2007-40

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

Reference: Resolution 2010-16

Reference: Reaffirmed January 2016

11. PRIVACY — MEMBER DATA

The Nova Scotia Teachers Union 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 principles shall apply:

- (a) All data collected by the NSTU shall be used solely for Union business.
- (b) No individual member data will be released to anyone, other than for legitimate internal use unless individually and explicitly authorized by the member.
- (c) Data may be released to affiliate organizations or academic institutions in aggregate form for research approved by the Provincial Executive.
- (d) Aggregate member data may be released to news media only with prior approval by the Provincial Executive.
- (e) No member data will be released to commercial interests.

Reference: Resolution 2003-18; Reaffirmed 2005-26; 2010-17, Reaffirmed January 2016

12. PROFESSIONAL ASSOCIATIONS

(a) MANDATE

Professional Associations assume major responsibility for encouraging and assisting in professional development activities in their respective fields.

(b) OBJECTIVES OF ASSOCIATIONS ARE:

- (i) To improve professional practice by increasing members' knowledge and understanding;
- (ii) To disseminate ideas, trends and new developments;
- (iii) To advocate interests of Professional Associations, consistent with NSTU policy and practice;
- (iv) To furnish recommendations and advise the Provincial Executive and NSTU committees on matters special to the Professional Association.

(c) MEMBERSHIP

- (i) Open to all active, active reserve, regular reserve and associate members of the NSTU.

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- (ii) Voluntary.
- (iii) Fee paying as established at the Annual General Meeting of the Professional Associations.

Reference: Resolution 2012-3, 2012-5; 2016-20

(d) COMMUNICATION

Representations by professional associations external to NSTU are made only with the prior approval of the NSTU President.

Reference: Resolution 2016-20

(e) FINANCES

Financial grants are budgeted each year for Professional Associations.

Reference: Resolution 99-42; Reaffirmed 2002-26 ; 2005-30

(f) PROVINCIAL PROFESSIONAL DEVELOPMENT DAY INFORMATION

Each NSTU member shall have access to the Provincial Professional Development Day Program Offering Information.

Reference: Resolution 2006-20; Amended 2010-18; 2016-20

(g) PROVINCIAL PROFESSIONAL DEVELOPMENT DAY WORKSHOPS

Each Professional Association, in the planning for their Provincial Professional Development Day shall make an effort to include a number of workshop sessions that are specifically focused on professional development for early career teachers and on diversity issues in education. These workshops will be clearly designated as such in the conference descriptions as provided.

Reference: Resolution 2008-60; Amended 2010-18; 2016-20

13. PROVINCIAL EXECUTIVE COMMITTEES

(a) AUTHORITY FOR COMMITTEES

Authority to establish committees is granted to the Provincial Executive under Article IV 7. NSTU By-Laws.

(b) CATEGORIES OF COMMITTEES

(i) STANDING COMMITTEES

- a. Committees should be selected using the following criteria:
 - i. regional representation;
 - ii. experience in Union activities;
 - iii. curriculum/grade level/college program representation;
 - iv. Local size;
 - v. gender balance; and diversity.
- b. Members other than the President and/or Provincial Executive members may concurrently serve on only one (1) provincial standing committee.
- c. Any member applying to serve on an NSTU committee of 3-5 years be given the opportunity to apply and leave any committee on which they may currently serve.

Reference: Resolution 2016-9

(ii) Ad Hoc COMMITTEES

Ad hoc committees are established by the Provincial Executive for a specific time and specific purpose. Ad hoc committees cease to exist on the completion of the task assigned.

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(iii) TASK FORCES

Task Forces are search and solve committees. A question or problem requires investigation usually through hearings, and a set of recommendations is prepared for consideration by the Provincial Executive.

(iv) COORDINATION COMMITTEES

These committees are formed to enhance the functioning of the NSTU by providing a formal mechanism for networking, advising and communicating. Coordination Committees are composed of elected officials representing various interest groups.

(c) MANDATE OF COMMITTEES

- (i) Committees of the NSTU are advisory bodies to the Provincial Executive and responsible to the Provincial Executive for their programs.
- (ii) Committees of the NSTU are not program-administering committees except as specifically authorized by the Provincial Executive.

(d) NOMINATING COMMITTEE APPOINTMENTS**(i) NOMINATING COMMITTEE OF THE NSTU**

At a meeting of the Provincial Executive following Annual Council, a Nominating Committee of five (5) Executive members is to be appointed to prepare a slate of members to serve on various committees of the NSTU.

- (ii) The Provincial Executive shall designate the chairpersons of all Standing Committees.

Reference: Resolution 99-36; 2001-12, 2001-20; 2002-11; 2002-27

Reference: Resolution 99-34; Reaffirmed 2002-288

Reference: Resolution 99-38, Reaffirmed 2002-29; Deleted 2005-27; Structure Review Report #42 – Council 2005; Amended 2007-48; 2007-46; 2010-19; Amended 2011-C; Amended 2012-9; Amended 2015-4, Reaffirmed January 2016

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14. PROVINCIAL EXECUTIVE DIRECTIVES

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.

Reference: Resolution 2007-43; Resolution 2007-44, Amended 2010-20, Reaffirmed January 2016

15. PROVINCIAL EXECUTIVE MEETINGS

Regular NSTU Provincial Executive meetings are considered open for attendance by any NSTU member, except for those portions of the meeting dealing with matters recommended by the Table Officers and confirmed by 2/3 majority of the Provincial Executive.

Reference: Resolution 2000-8; Reaffirmed 2002-24; 2005-28; 2010-21, Reaffirmed January 2016

16. SCHOOL/EDUCATIONAL SITE ADMINISTRATORS

The NSTU recognizes the key role of public school administrators as educational leaders and believes that school/educational site administrators should remain

active members of the Nova Scotia Teachers Union and continue to foster the existing collegial relationship.

Reference: Resolution 99-48

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

17. 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 school board with accurate information for pay purposes.

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

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SECTION II

CURRICULUM

18. 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, school boards, 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 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

19. ANTI-HOMOPHOBIA, ANTI-TRANSPHOBIA AND ANTI-HETEROSEXISM

- (a) The NSTU advocates for an educational system that is safe, welcoming, inclusive and affirming for people of all sexual orientations and gender identities/expressions.
- (b) The NSTU believes:
 - (i) That the role of educators is critical in creating positive societal change to address the realities of sexual minority issues for students, families and members;
 - (ii) That an assumption of heterosexuality as being the only sexual orientation throughout the school system denies sexual minority students and same-gender parented families affirmation and accommodation;
 - (iii) That sexual minority and Transgender students, staff and same-gender-parented families have the right to:
 - a. Be free from harassment, discrimination and violence;
 - b. Be treated fairly, equitably and with dignity;
 - c. Self identification and freedom of expression;
 - d. Have their cultures and communities valued and affirmed.
 - (iv) That efforts must be made to ensure that education prepares young people to develop open, pluralistic and democratic societies, free of discrimination or aggression based on sexual orientation and gender identity/expression.
- (c) For anti-homophobia, anti-transphobia and anti-heterosexism education to become effective:
 - (i) Educators must accept their responsibility to educate themselves and to reflect upon their own attitudes and behaviours in modeling respect, understanding and affirmation of diversity.
 - (ii) Educators have a responsibility for the elimination of homophobia, transphobia and heterosexism in the working and learning environment.
 - (iii) Curriculum must include positive images and accurate information about history and culture which reflects the accomplishments and contributions of sexual minority and transgender people.
 - (iv) Educators must take actions to make educational sites safe for sexual minority and transgender staff, students and parents, and those who are perceived to be so by:
 - a. Treating everyone with respect and acceptance;
 - b. Using language that affirms all sexual orientations gender identities/expressions and not using disparaging remarks or language that implies one sexual orientation or gender identity is superior to another;
 - c. Challenging staff, students and parents who continue to display prejudice on the basis of sexual orientation or gender identity/expression;
 - d. Developing an action plan to use in the event of an incident of discrimination or harassment and/or violence;
 - e. Never making assumptions in the matter of sexual orientation and gender identity expression;
 - f. Making a commitment to confidentiality in the event of a disclosure of sexual orientation or gender identity/expression;
 - g. Not assuming the superiority of heterosexuality or CIS-gender experience.
 - (v) Schools and school systems must adopt anti-homophobia, anti-transphobia and anti-heterosexism policies and recognize that homophobia plays an integral role in bullying and harassment in school.

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- (vi) Sexual minority and transgender students must have the right to counselling that is supportive, affirming and free from efforts on the part of counsellors to change their sexual orientation and/or gender/ expression identity through the use of or the referral to aversion, reparative, or conversion therapies.
- (vii) Member preparation programs must include:
 - a. Knowledge, awareness and affirmation of those who identify as transgender or belonging to a sexual minority;
 - b. Strategies, lesson plans and curriculum that assist members in addressing sexual minority or transgender issues in classrooms and schools.
- (viii) Educators must have access to professional development programs, which provide assistance in addressing sexual minority and transgender issues in classrooms and schools;
- (ix) Educators must be made aware of sexual minority and transgender policy at the Union, provincial, and school board level.
- (d) The NSTU declares itself to be an anti-homophobia, anti-transphobia and anti-heterosexism organization which:
 - (i) promotes equity and inclusiveness for all individuals in the workplace;
 - (ii) recognizes student and member diversity and the goals of anti-homophobia, anti-transphobia and anti-heterosexism in the selection of its priorities and programs; and
 - (iii) promotes anti-homophobia, anti-transphobia and anti-heterosexism education.
 - (iv) develops and supports regular professional development opportunities for all of its members;
 - (v) supports the development of Gay-Straight Alliance as positive forces in schools; and
 - (vi) actively supports the development of inclusive policy by other educational stakeholders;
 - (vii) protects its members who, by reason of active involvement in sexual minority and transgender educational issues, become vulnerable to institutional backlash.
- (e) The NSTU believes that all educators and students of all gender identities and gender expressions have a right to a safe work/school environment. To that end the NSTU believes that:
 - (i) All staff and students have the right to safe restroom facilities that they are comfortable using and correspond to their gender identify.
 - (ii) Transgender and gender non-conforming staff and students have the right to be addressed by a name and pronoun corresponding to their gender identity.
 - (iii) All staff and students have a right to privacy, that the transgender status of transgender and gender non-conforming staff and students is considered confidential, and that transgender and non-conforming students and staff have the right to share, discuss, and express their gender identity and gender expression as well as the right to decide when, with whom, and how much private and personal Information to share.
 - (iv) All staff and student dress codes should be flexible and gender-neutral and that staff and students should not have to choose between 'male' and 'female' clothing.
 - (v) All staff have the right to be addressed without having gender prefixes assigned to their names.

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

20. 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 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 school boards 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 board-by-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

21. CENSORSHIP

The NSTU believes:

- (a) students have the right of free access to different types of learning materials.
- (b) school boards 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 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

22. 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

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23. COUNSELLORS

(a) TEACHING POSITION

The position of school counsellor, or the equivalent duties, is a teaching position and, as such, those duties must be performed by a member. This position should be included in the site FTE ratio.

Reference: Resolution 2000-18; Reaffirmed 2004-117; 2017-22

(b) FULL-TIME GUIDANCE

There should be a minimum of one full-time Guidance Counsellor in every school in the P-12 public education system in Nova Scotia

Reference: Resolution 2006-33; Amended 2011-19; 2017-22

(c) RATIO

A guidance counsellor's responsibility should not exceed a ratio of 1 counsellor to 400 students.

Reference: Resolution 2006-36, Amended 2012-6

(d) PROGRAM DELIVERY

Guidance Programs should be delivered by trained Guidance Counsellors.

Reference: Resolution 2006-37

24. 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;
- (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:

- sufficient professional development
- 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

25. 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.

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- (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 his/her 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*

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26. 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.
- (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*

27. 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

28. 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 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 his or her 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 Teacher Organizations (CAPTO) Policy on Inclusion.
Reference: Resolution 2001-43; 2002-45; Amended 2004-105; 2011-23; Reaffirmed Provincial Executive, March 2017

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29. 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

30. (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

31. 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

32. LEARNING RESOURCES

- (a) Learning resources should support and be consistent with the general educational goals of the Province and the 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

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33. 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.

The curriculum should:

- (a) provide students with continuous opportunities to develop positive self-identities.
- (b) recognize the ethnic and cultural diversity of students within the school community.
- (c) describe the development of Nova Scotia and Canada as a multi-faceted society.
- (d) explore and clarify ethnic and cultural alternatives and options within Nova Scotian and Canadian society and make maximum use of local community resources.

The Employer should:

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

The NSTU should:

- (g) 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.
- (h) encourage and promote the cooperation of members with organizations, groups and individuals involved with multiculturalism.
- (i) encourage the development of a curriculum that reflects the ethno-cultural similarities and differences within the province.
- (j) promote an anti-homophobic, anti-heterosexist, anti-sexist and anti-racist approach to educational strategies, materials and attitudes within the provincial schools.

Educators should:

- (k) 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

34. 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

35. 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

36. OUTCOMES-BASED RESOURCES

The NSTU urges the Department of Education and Early Childhood Development and school boards 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

37. 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

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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;
 - (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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38. QUALITY EDUCATION

Principles

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.

Equity: All students have fair and just access to a full range of quality programs and services needed to succeed in life.

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.

Relevance: Public education offers a spectrum of relevant, meaningful programs and activities which respect individual values and reflect Canadian society.

Entrepreneurship and Artistry: Creativity, imagination, ingenuity, and risk-taking are valued and encouraged.

Quality Relationships: A caring and nurturing approach to education ensures that all participants are treated with respect and dignity.

Program

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.

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.

Language of Delivery: Curriculum is available in either official language and addresses the needs of First Nation peoples and linguistic minorities where numbers warrant.

Variety of Resources: Curriculum is delivered using an appropriate selection of human, physical, and technological resources.

Life Preparation: Curriculum has exploration opportunities that allow the student to evaluate and choose an effective life path.

Participants

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.

- Intellectual Development – The student is able to develop the knowledge, skills, and attitudes necessary for lifelong learning.
- 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.
- Lifework Planning – The student is able to develop an understanding of the relationship between an ongoing education and economic and personal well-being.

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.

- Professionals – Educators are informed individuals who consistently improve their teaching within an atmosphere of collegiality. Educators adhere to their professional code of ethics 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.
- 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.

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.

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.

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Parameters

Environment: Educational sites are safe, healthy and pleasing environments conducive to learning and teaching.

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.

Leadership: Leadership reflects the principles of sound vision, shared decision making, and public accountability with a commitment to continuous improvement and ongoing professional development.

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.

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.

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.

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

39. 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

40. 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

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41. TECHNOLOGY INTEGRATION PRINCIPLES

The following are principles for technology integration in public schools and the Community College:

- (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 school boards and the Community College 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 board/ school 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

42. ABUSE AND BULLYING

Maximum learning and teaching conditions are achievable only in a safe school environment. Therefore it is the policy of the NSTU that:

- (a) The employer be responsible for providing and ensuring a safe and secure workplace free from fear of either physical and/or verbal abuse of members (including substitute teachers and student teachers) by students, parents/guardians or staff.
- (b) The employer be responsible for providing and ensuring a safe and secure workplace for members (including substitute teachers and student teachers) free from bullying which includes cyberbullying by students, parents/guardians, or staff.
- (c) The employer be responsible for providing and ensuring a safe and secure workplace for members (including substitute teachers and student teachers) free from bullying by students, parents/guardians or staff by way of Web pages and email, social media and other forms of electronic communication.
- (d) Members subjected to physical and/or verbal abuse and/or bullying receive full support of the employer and NSTU services, if required, in pursuing medical, legal and other necessary remedies.
- (e) The employer, in consultation with the local/regional bargaining unit, shall establish policies and procedures to ensure that incidents of physical and/or verbal abuse and/or bullying are reported, documented and dealt with effectively. Such procedures must be reflected in any discipline policy established by the board and should include but not be limited to the following:
 - (i) Notwithstanding Section 26 of the *Education Act*, the member at all times reserves the right to request denial of entry to the classroom to any student who has demonstrated and who continues to demonstrate the capacity to be physically or verbally abusive to said member.
 - (ii) The abusive student shall be removed immediately from the classroom and should be referred to the appropriate administrative personnel for remedy up to and including suspension for the remainder of the year.
 - (iii) Prior to a suspended student's re-admittance to school the original classroom or any other classroom, appropriate rehabilitative measures must have been taken by the student and be seen to have been taken by both the abused member and any member receiving the student as a result of re-admittance. Such measures exist on a continuum from an apology acceptable to the member to anger-management training.
 - (iv) The principal shall immediately reassign the student out of the class of the abused member, if so requested by the member. At the request of said member, where possible, this reassignment shall be permanent. In addition to the classroom, depending on availability, reassignment can mean home study, special behaviour class or alternate school placement.
 - (v) The employer shall be required to inform all receiving members of any and all information regarding students who may be a potential threat to the classroom environment and said member(s) involved.

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- (vi) The employer shall grant necessary time away from professional duties without loss of pay, benefits and/or accumulated sick time to members unable to work as a result of physical or verbal abuse and/or bullying suffered.
- (vii) The employer shall make every effort to protect the member from further abuse and/or bullying by the abusive student, parent/guardian or staff member.
- (viii) The employer shall be responsible for providing conflict resolution and/or crisis intervention training for professional employees. Release time should be provided by the employer.

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

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43. 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
 - (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

44. 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) When the Provincial Executive requests a ratification vote by the membership on any tentative agreement.
- (e) 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.

45. FUNERAL ATTENDANCE

Any staff member of a school/campus 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.

46. 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

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47. 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) AM PM
 - (ii) Alternate Day
 - (iii) Specific Day
 - (iv) Alternate Time Periods
 - (v) Partial service as a part of the pupils' regular daily program.
 - (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 agreement. The process of selection must involve all participants (members, principal and supervisor).
- (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 in-services, 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 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.

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

48. 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

49. 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.
- (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) SCHOOL BOARD PROCEDURES FOR SUBSTITUTE TEACHING ASSIGNMENTS

The Nova Scotia Teachers Union expects school boards to comply with the following practices on addressing substitute teaching assignments:

- (i) hire permanent substitute teachers under term contract status;
- (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 school boards 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

50. (a) PART-TIME MEMBERS

(a) The NSTU recognizes part-time employment as staffing option. A part-time member works:

- (i) for the full school year on a part-time basis, or
- (ii) for one-half of a year in a job-sharing situation.

(b) Part-time members shall be entitled to time free from teaching, on a pro-rated basis, for the purpose of marking and preparation.

(c) The working hours of part-time members shall be scheduled consecutively and mutually agreed upon.

(d) Part-time members, if requested and with reasonable notice, are expected to attend parent-teacher meetings and staff meetings.

(e) Part-time members shall receive salary pro-rated to scale.

(f) 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.

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(b) CIRCUIT MEMBERS

- (a) 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.
- (b) 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.
- (c) 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.

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51. 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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52. 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

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53. 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

54. 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/children 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/students 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

55. TEACHER-INITIATED IN-SERVICE

The NSTU promotes the concept, through negotiation and lobbying, that each teacher be allowed to attend one or more in-service 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

56. 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

57. 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

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58. EDUCATION POLICY — TEACHER/FACULTY INPUT

The NSTU shall work to ensure that the professional voice of the teacher/faculty member is an essential component in board and government policy decisions of an educational nature.

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

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59. FUNDING OF PUBLIC EDUCATION

The cost of inservicing members necessitated by the introduction of new programs should be borne by the provincial government and the regional school boards and not through Professional Development Fund clauses in the *Teachers' Provincial Agreement*.

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

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60. GUIDANCE COUNSELLORS

Teachers who have graduated from a minimum one-year university level program in counselling shall meet the standard of qualifications as set out by the Department of Education and Early Childhood Development to implement the comprehensive guidance program in Nova Scotia public schools.

Reference: 2007-87

61. PUBLIC — PRIVATE PARTNERSHIPS

(a) PREAMBLE

- (i) The Nova Scotia government's initiatives to enter into partnerships with the private sector have created its own set of issues for education. In its Public Schools Program document, the Department of Education and Early Childhood Development presents the following goals for public education:

... to help all students develop to their full potential, cognitively, effectively, physically and socially; and to help all students acquire the knowledge, attitudes and skills necessary for them to continue as thinking, learning, physically active, valued members of society.

(b) PRINCIPLES

The NSTU believes that the following principles must be respected in order to ensure that the ideals and goals of public education are maintained throughout this province.

(i) ETHICAL PRINCIPLES

a. CONTROL

- i. Schools must remain in the public domain.
- ii. Public Private Partnership schools must be subject to the public school policies of school boards and the Department of Education and Early Childhood Development and all acts of the Legislature that are pertinent.

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- iii. Administration of the school and the delivery of educational services must be the responsibility of duly certified teachers as defined in the Education Act.
- iv. Public Private Partnership schools must respect all duly negotiated collective agreements and the legislation on which the agreements are based.
- v. The legitimate interest of the private partner should be limited to construction, and/or maintenance of the facility.
- vi. As public funds are used to pay the lease, all use of school space and facilities should be solely under the jurisdiction of the school board and the educational administration of the school.
- vii. Partnerships (lease agreements) must respect the collegial atmosphere of the school and this should be reflected in lease agreements.

b. TRANSPARENCY OF PROCESS

The public has a right to:

- i. A fair and transparent process that instills confidence and protects the integrity of public education which would include public participation in decisions affecting site, design and leases
 - A. Full public disclosure of the arrangements around Public Private Partnership (P3) schools to allow for monitoring and evaluation
 - B. A justification of why the Public Private Partnership (P3) model is the preferred model in this particular instance
 - C. A clear definition of roles and responsibilities of all partners
 - D. A definition and assignment of risk including long term guarantees such as performance bonds.
- ii. Public need, as determined by the site selection committee, must be respected in site selection.
- iii. Social and ethical behaviour must be an important consideration when a school, a school board and/or the Department of Education and Early Childhood Development, choose a sponsor, partner or consortium.
- iv. Leases must be signed before construction begins.

c. EQUITY

The Province, through consultation with the Nova Scotia Teachers Union and the public, must develop standards for equitable construction, renovations, upgrading, and the provision of resources for all schools. An action plan to implement the standards must be developed and communicated to the public.

(ii) OPERATIONAL PRINCIPLES

- a. The safety, security, health, well-being and privacy of staff and students must be priorities in all decisions relating to Public Private Partnership (P3) schools.
- b. Leases must contain guarantees of:
 - i. standards of construction
 - ii. levels of services
 - iii. quality of furnishings & equipment
 - iv. sustainability throughout the duration of the leases.
- c. Due penalties must be imposed if the conditions described in the leases are not met.

(iii) EDUCATIONAL PRINCIPLES**a. EXPERTISE**

- i. Public Private Partnerships must not place limitations on the academic freedom of the school community.
- ii. Public private partners and agreements must respect the right of professional educators to make all educational decisions.
- iii. Public private partners and agreements must recognize that professional educators are in the best position to make decisions concerning school resources, program, methodologies and other pedagogical issues.

b. ACCESS TO STUDENTS

The educational environment of students must be protected. Access to students must be dependent upon a positive evaluation by educators in relation to educational objectives.

c. ADVERTISING

- i. Schools should be free of commercial enterprise, including such things as advertising, franchising and other forms of business for profit.
- ii. Schools should generally be advertisement free zones.
- iii. Commercial enterprise in schools must be consistent with educational values.
- iv. Commercial enterprise must not exploit students as a captive audience.
- v. Commercial enterprise must not infringe on the individual's freedom of choice, freedom of expression or the academic freedom of the school community.

d. CURRICULUM MATERIALS

- i. The Nova Scotia Teachers Union supports the position of the Canadian Teachers' Federation, which states:
"...materials intended for classroom use should be subjected to rigorous evaluation. Particular attention should be paid to:
 - *accuracy and completeness*
 - *objectivity*
 - *commercialism*
 - *bias and stereotyping"*
- ii. The names of sponsors of curricular supplements should be stated clearly on all packaging and teacher-directed materials.
- iii. Skills should be enhanced among school system officials, administrators, teachers, parents and students to assist them in a critical analysis of curricular materials.

e. SPONSORSHIP

- i. Sponsorship agreements must be consistent with educational values. Acknowledgment should be made only in appropriate ways.
- ii. The Department of Education and Early Childhood Development and regional school boards, in co-operation with the Nova Scotia Teachers Union, must develop policies providing guidance for sponsorships and their acknowledgements.

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f. DISCIPLINE

Discipline and codes of conduct in Public Private Partnership (P3) schools must be in accordance with school and school board policies.
Reference: Resolution 2000-77; Reaffirmed 2003-84; Amended 2007-97; 2013-80

62. SCHOOL/EDUCATIONAL SITE CONSTRUCTION OR MAJOR RENOVATIONS

When regional school boards are proceeding with the construction or major renovations of schools, the NSTU will seek to ensure its membership is involved in the development and design of such schools.

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

63. SCENT-SENSITIVE SCHOOLS/EDUCATIONAL SITES

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

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

64. STUDENT ATTENDANCE

- (a) School boards shall have written student attendance policies with delineated procedures for identification, intervention and follow-up.
- (b) School boards shall consider a spectrum of educational programs to serve as interventions for students with attendance problems.
- (c) Initial efforts to deal with student absenteeism shall occur at the local school level with specialized regional level personnel involvement when cases are classified as chronic.
- (d) Schools shall have a consistent, accurate procedure for monitoring student attendance and providing for immediate attention to student absences.
- (e) Ongoing discussions shall occur among school staffs, parent groups and community agencies for the purpose of developing and implementing cooperative approaches to student attendance problems.
- (f) Each school board should establish a team representative of the community (e.g. academic social service, medical, legal, ethnic) to address student attendance issues.

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

SECTION V

PROFESSIONAL DEVELOPMENT

65. 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

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66. 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

67. 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 his or her 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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68. 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

69. NSTU REPRESENTATION

The NSTU shall be adequately represented in the directing and coordinating process in teacher, faculty and professional support 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, faculty and professional support education programs.

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

70. PROFESSIONAL DEVELOPMENT AND COLLECTIVE BARGAINING

- (i) 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.

- (ii) 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*

71. 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

72. 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/campus, system or province-wide problems or needs, inservicing is primarily the concern of school boards 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/campus 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 in-service education;
 - (iii) work with our partners in education to provide the organizational framework for the continuing professional development of members; and,
 - (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, faculty and professional support 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

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73. 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

74. SCHOOL-BASED STAFF DEVELOPMENT

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

- (i) Professional development initiatives have the greatest impact when supported by strong leadership and collaboration.
- (ii) Professional learning communities play a key role in maximizing and sustaining benefits of professional development.
- (iii) Collaboration of all education partners in professional development plays an essential role in all professional development initiatives.
- (iv) Professional Learning Communities are an important framework encompassing member led Collaborative Teams which are supported by school and Board administration.
- (v) Collaborative Learning Teams should be job embedded, engaging members in ongoing reflection and action within a professional learning community culture.
- (vi) The framework for Professional Learning Communities comprised of Collaborative Learning Teams within the Continuous School Improvement should be consistent throughout all Boards.

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

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SECTION VI

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75. APPROPRIATE ONLINE CYBERCONDUCT

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

1. 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.
2. Inappropriate cyberconduct should be discouraged and acted upon swiftly and decisively.
3. Education is an essential part of promoting appropriate cyberconduct.
4. 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)

76. 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

77. CHARITABLE DONATIONS, GIFTS & 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

78. 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.

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- (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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- (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

80. 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 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

81. 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

82. 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:

- Publicly funded, high-quality, equitable, universal, inclusive, and accessible.
- Inclusive of the time from a child's birth to school entry.
- Inclusive of prenatal counselling for families.
- Play-based, discovery-based, experiential, and interactive.
- Delivered by qualified professionals in early childhood development.
- 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

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83. 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:

- Be part of a high-quality, equitable, universal, inclusive, and accessible public education system from pre-primary (four year olds as of December 31 of the school year) to grade 12 and returning graduates.
- Fall under the jurisdiction of regional school boards.
- Be appropriate developmentally in terms of:
 - o following well-developed play-based, discovery-based, experiential, and interactive curricula;
 - o meeting the children's needs academically, socially, emotionally, and behaviourally;
 - o responding to a range of individual developmental needs and learning styles; and
 - o responding to cultural diversity.
- Be appropriately funded to provide for:
 - o early diagnosis and treatment of physical, behavioural, and learning disabilities;
 - o teacher education programs for early years at both the pre-service and in-service levels;
 - o program supports such as library, guidance, and other student services;
 - o adequate physical resources to ensure a safe and healthy learning and teaching environment; and
 - o appropriate staffing to accommodate all of the students' health and wellness requirements.
- Be delivered by qualified teachers.

Reference: Resolution 2018-64

84. FINANCIAL STATEMENTS OF SCHOOLS — PUBLIC RECORD

The NSTU believes that regional boards 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

85. HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

- (a) The NSTU commends and encourages school boards 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. In-service 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

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86. 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.

- (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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87. MERIT PAY

The NSTU vehemently opposes “merit pay” for teachers.
Reference: Resolution 2010-NB1; Reaffirmed January 2015

88. NATIONAL UNITY

The NSTU supports the concept of national unity.
Reference: Resolution 2001-109; Reaffirmed 2004-83; 2009-90; Reaffirmed January 2015

89. 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

90. OCCUPATIONAL/WORKPLACE HEALTH AND SAFETY

- (a) The NSTU makes the health of the province’s schools, and the people who must use them, a high priority.
- (b) The Nova Scotia Teachers Union is committed to providing a healthy and safe work environment and preventing occupational illness and injury. This commitment is demonstrated through the publication of the booklet “Workplace Health and Safety: Know Your Rights”. This document serves to clarify for members relevant sections of the *Occupational Health and Safety Act*.
Reference: Resolution 99-150, 2001-105; Reaffirmed: 2004-81; Reaffirmed with editorial amendments January 2015
- (c) The NSTU makes workplace concerns such as, but not limited to, scents, cleaning products, off-gassing and environmentally safe renovations/new construction in educational sites in Nova Scotia a priority as a method of assisting its members.
Reference: Resolution 2005-76; Amended 2009-88; Reaffirmed January 2015
- (d) The NSTU requests that NSTU members refrain from wearing scented products at all NSTU sponsored functions and places of work.
- (e) The NSTU believes that teacher hearing damage should be identified as a work related issue instead of an aspect of the aging process.
Reference: Resolution 2009-14; 2009-88; Reaffirmed 2015; Resolution 2018-51B

91. 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 his or her education with his or her 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

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Development**92. 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

General**93. 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
- (ii) at work sites

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

94. 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

95. 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

96. SAFE WORKPLACE AND MEMBER CONDUCT

Statement of Principle

1. The NSTU is committed to:
 - a. providing a safe, secure and respectful environment that is free from harassment at NSTU premises and at all provincially-sponsored events. NSTU premises are considered as the provincial office and such other premises as may be used for provincially-sponsored events. Provincially-sponsored events are considered to include all conferences, seminars, workshops, meetings or activities;
 - b. fostering the goodwill and trust necessary to protect the rights of all individuals;
 - c. neither tolerating nor condoning behaviour that undermines the dignity or self-esteem of individuals or the integrity of relationships; and
 - d. promoting mutual respect, understanding and cooperation as the basis of interaction among all who are employed by the NSTU, and who are members of the NSTU.
2. The NSTU will not tolerate any violence, threats, harassment, or intimidation at NSTU premises or at provincially-sponsored events.
3. This policy shall not abrogate the rights of any employee or member under the statutes of the province of Nova Scotia and shall not abrogate the rights of any NSTU employee under the collective agreement between the NSTU and the employees.

Application of the Policy

1. This policy applies to all members of the NSTU and all employees of the NSTU. It applies to interactions between and among NSTU employees and all NSTU members at NSTU premises and provincially-sponsored events.
2. This policy applies in respect of personal harassment that is not covered by the *Nova Scotia Human Rights Act*.
3. Each Local, Regional Representative Council and Professional Association is encouraged to develop a Safe Workplace and Member Conduct Policy following this document as a model. In the absence of such document, members are expected to follow the principles set out in this policy and complainants report violations to the NSTU Executive Director, or designate, who will follow the procedures set out in this policy.

Definitions

1. Harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.
2. Personal harassment includes objectionable conduct, comment, action or gestures directed towards a specific person or persons, which has the effect of creating an intimidating, humiliating, hostile or poisoned environment.
3. While harassment often involves repeated conduct or communication, or persistent patterns of behaviour, in some circumstances a single act or incident, which has a harmful effect, may also constitute harassment.
4. Some examples of harassment include:
 - unwelcome remarks, slurs, taunts or derogatory comments about a person;
 - written or verbal abuse or threats;
 - physical assault;
 - bullying;
 - intimidation;
 - physical or mental maltreatment;
 - jokes that embarrass or insult a person;
 - humiliating a person in front of his or her co-workers or peers;

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- abuse of authority that undermines a person's work performance; or
 - a departure from reasonable conduct.
5. The normal exercise of supervisory responsibilities include training, direction, instruction, appropriate performance reviews, counselling and/or discipline does not constitute harassment.
 6. To the extent that conduct alleged to be harassment may also attract liability and/or responsibilities under other statutes, including the *Nova Scotia Human Rights Act*, the *Occupational Health and Safety Act* or the *Criminal Code of Canada*, the existence of this policy does not preclude the enforcement or exercise of rights under those statutes.
 7. Protocol Officer(s) are those persons appointed at all and any provincially-sponsored events to deal with issues that arise at those events, including the receipt and investigation of complaints arising from this policy. Ordinarily, the Protocol Officer shall be the NSTU Executive Staff Officer in charge of the event.
 8. In this policy, the term "complainant" refers to a person who makes a complaint under this policy. The term "respondent" refers to a person who, in a complaint, is alleged to have engaged in conduct in breach of this policy.

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1. All complaints received will be taken seriously and will be handled promptly according to the procedures outlined in the NSTU Guidebook, Section III – Operational Procedures.
2. No adverse action, including retaliation, shall be taken or tolerated against anyone who, in good faith and on the basis of reasonable belief, makes a complaint or participates as a witness during an investigation of a complaint.

Reference: 2010-42; Reaffirmed January 2015

97. 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;
- (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 Nova Scotia School Boards Association, 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*

98. SEXUAL HARASSMENT

- (a) The NSTU believes that, according to the policy guidelines as established by the Nova Scotia Human Rights Commission, an employer is responsible for its acts and those of its agents or supervisory employees with respect

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to sexual harassment regardless of whether the specific acts complained of were known of, authorized or even forbidden by the employer.

- (b) The NSTU believes that an equitable environment for work and study is to be promoted and maintained. It recognizes that sexual harassment is a criminal offence and that it should actively seek to prevent and condemn such action. As with other forms of discrimination prohibited by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Act*, the NSTU is heartily opposed to sexual harassment in the workplace and believes that prevention is the best practice to eliminate sexual harassment.
- (c) The NSTU believes it should:
 - (i) develop an awareness in members of the Nova Scotia Teachers Union policy about sexual harassment and procedures for dealing with harassing situations;
 - (ii) encourage Local Executives to discuss this policy and related issues with its local school board;
 - (iii) encourage the Department of Education and Early Childhood Development to implement curriculum changes which could facilitate discussion of these issues and cease to perpetuate perceptions of inequality between classes, sexes, sexual orientations and races;
 - (iv) provide advice and assistance to the complainant, including information regarding the formal complaint, investigation and disciplinary processes of the Nova Scotia Teachers Union;
 - (v) provide information regarding other formal and legal means of redress, including referral, if appropriate, to the Nova Scotia Human Rights Commission; and,
 - (vi) provide a brochure outlining personal strategies to follow when dealing with sexual harassment situations.

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

99. 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, DOE).
- 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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- 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-graded classrooms have been necessitated
 - ii. for IPP and program planning
 - 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
- g. appropriate and equitable resource and special education services

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

100. 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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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

102. 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'kmak'i, that we are all treaty people, and that we wish to acknowledge this relationship.

Reference: Resolution 2017-55

103. 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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Nova Scotia
 Teachers
 Union

Guidebook
 2018-2019



NOVA SCOTIA TEACHERS UNION

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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