

## **Foundation Skills Assessment – Distribution of Union Materials to Parents**

It is our understanding that some local teachers' associations are sending home union materials to parents through students on the issue of the Foundation Skills Assessment (FSA).

It is recognized that respectful debate about the methods of student assessment is important. In that regard, judicial and arbitral jurisprudence has clarified that teachers have the right to engage in political discussion and the freedom to express their views to parents on such educational issues under Section 2(b) of the *Charter*. However, these rights are not without limit. Such limits must be justified by the employer under Section 1.

Accordingly, teachers' right to further the debate with parents must be valued, but it must also be balanced with society's interest in an effective and efficient school system which maintains the confidence of students, parents and the public.

### **Protocol Agreement not Renewed**

For the past two years, the BC Public School Employers' Association (BCPSEA) and the BC Teachers' Federation (BCTF) reached a protocol process and procedure agreement for the distribution of BCTF materials regarding the FSA. The BCTF has indicated that they will not renew this protocol agreement for this year's FSA.

### **Recommended Action**

The same legal principles and procedures will apply to FSA materials as with any other union materials going home to parents on an educational issue. These principles and procedures were described in [@issue No. 2011-15](#) dated September 6, 2011.

Prior to these documents being distributed, it is important that districts have the opportunity to review these documents and provide your local teachers' association with any Section 1 concerns. Distribution of these documents should not occur until these Section 1 concerns are addressed.

### **Questions**

Please contact your [labour relations liaison](#) for further information.