

## Foundation Skills Assessment: BCTF Opposition Campaign

### Background

The Tuesday, January 22 headline in the *Vancouver Sun* — “Teachers step up battle over skills testing” — succinctly captures the BCTF position on the Foundation Skills Assessment (FSA). The BCTF have used a variety of media and tactics to attempt to frustrate the preparation for and delivery of the FSA. This included a newspaper advertisement from 11 lower mainland teacher locals that identified the reasons for the BCTF opposition to the FSA:

- These tests do not count towards students’ marks in any way
- FSA tests do not help teachers teach your child
- They can have a negative effect on students’ motivation and learning
- These tests take valuable time away from teaching and learning
- These tests are expensive and take money away from other priorities
- FSA results are also used by the Fraser Institute to create a one-dimensional ranking of schools.

With the FSA tests set to commence February 4, 2008, the BCTF campaign now appears to be moving to the issue of scoring of the FSA, with heightened focus on encouraging parents to withdraw their children from the testing through personal appeals, parent-focused communications, and BCTF/local union community meetings.

### Scoring FSAs

The BCTF has taken the position that the activity of “marking” is not the work of teachers. They have indicated to their members that the scoring of the FSA is a voluntary activity — “not our work.” The BCTF have advised teachers (including TOCs and retired teachers) not to volunteer to score FSA tests.

The BCTF have also issued the following instructions to their local presidents:

“We have serious objections to many aspects of the FSA, therefore, we have undertaken a concerted, collective effort to oppose FSAs and are asking our members not to mark. Of course, our members need to know if they defy a direct order they may be disciplined. However, this is a matter of conscience and there is strength in numbers. Marking is voluntary and we should be standing firm in our refusal to mark the FSA exams.”

Attached is the full copy of this BCTF strategy document.

Under Section 17 of the *School Act*, a teacher has the duty to assess and evaluate individual students and groups of students. Section 4 of the *School Regulation* indicates that teachers are to provide teaching and other educational services as required or assigned by the board or the minister.

Further support is contained in the *Student Learning Assessment Order*, which stipulates that teachers designated by the board are to ensure that the assessments are administered and completed in accordance with the protocols and instructions sent to the board by the minister. The FSA administration instructions for 2008 indicate that the scoring shall be done “consistent with the scoring arrangements at your school or within your school district.” As a result, a school or school district has a variety of options to consider, including that of utilizing teachers to score the assessments.

Consistent with past methods used by districts, it is our understanding that districts are planning on utilizing a variety of methods in this regard, including:

- Requesting teachers
- Professional development opportunity for teachers in the area of assessment
- TOCs
- Retired teachers
- Retired administrators
- Administrators jointly with teachers
- Providing release time
- Providing honorariums
- Providing a day in lieu, etc.

Rather than confining their opposition to FSA to a healthy debate based on accurate information, the BCTF strategy appears to be designed to raise the profile of the issue by attempting to create confrontational situations between a district and its teachers and parents (teacher’s refusal to score/parents request to withdraw students). This is not healthy for students, parents, or teachers. For scoring, we recommend that districts attempt to work with their teachers through a healthy dialogue in a mature professional manner.

Once the FSA tests have been written, should a district find itself in the position where they are unable to have the FSAs scored without providing direction, please contact your BCPSEA liaison.

### **Incorrect Information: Encouraging Parents to Withdraw their Children**

The BCTF continue to provide inaccurate or misleading information to encourage parents to withdraw their children from participating in the writing of the FSA which has, in certain circumstances, the consequence of frustrating the district’s ability to effectively carry out its legally mandated obligations. Teachers, as well as their unions, are conveying this message to parents by taking out newspaper advertisements, distributing pamphlets on and off school property, writing DPAC and PAC members, and speaking at public meetings.

#### **▪ Teachers — On or Off School Property**

There have now been situations where teachers are proposing to distribute pamphlets off school property; i.e., at the gate of the school, local supermarket, etc. These pamphlets are the same pamphlets that the employer had deemed to contain inaccurate information for distribution at the school and which have the potential to undermine public confidence in the public school system and interfere with a school’s operation.

Whether on or off of school property, when acting in the capacity of a teacher or being seen by the community in this regard, the same principles apply. Discussion or distribution of material on FSA must be conducted with accurate information in a professional manner that does not undermine public confidence in the public education system or frustrate the district's ability to effectively carry out its legally mandated obligations in respect of the FSA. Thus, one important factor to be considered is whether the parent would reasonably perceive this information to be coming from the teacher in his/her role as a teacher. Each circumstance would have to be evaluated (such as the proximity to the school and venue in which the information is being provided by the teacher), as this would influence whether it would be reasonably perceived as coming from a teacher in his/her role as a teacher.

#### ▪ **Posting Pamphlets on School Property**

There have been occasions where some teachers or their local union have posted what has been characterized in many instances as inflammatory or inaccurate union FSA information on school property; i.e., bulletin boards, walls, doors, entrances, etc., not normally used for such purposes. Neither the union nor a teacher has an unfettered right to post material advancing their political agenda throughout a school where, for example, that material inaccurately leads parents or students to believe they need not take the FSA, or where it undermines or seeks to undermine the effective operation of a legally mandated program.

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

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

#### ▪ **Use of Students and Mailing Lists**

There have been reports in a few districts that teachers have planned to provide students with unmarked envelopes containing union materials on FSA to take home to their parents. Whether in unmarked envelopes or not, students should not be used by teachers as couriers to distribute union materials. There are currently two arbitrations proceeding on this issue.

Further, teachers/unions may not use school/classroom mailing lists or parent directories to obtain mailing addresses for distribution of union materials.

#### ▪ **Local Union Newspaper Advertisement and Public Meeting by Local Unions**

Through newspaper advertisements and/or public meetings, some local unions and BCTF representatives are distributing inaccurate information to encourage parents to withdraw their children from participating in the writing of the FSA. In order to correct and provide more balanced information, districts may consider providing parents with the district's perspective on FSA through letters to parents and public meetings.

### **A Final Word**

The reality is that whatever personal opinions trustees, staff, the BCTF, and teachers may hold with respect to the FSA (or any other educational initiative for that matter), the FSA is an initiative of the Ministry of Education and is grounded in the *School Act* and Regulations. As public school employers we are obliged to ensure that the FSA proceeds as intended without disruption to the workplace. We will continue to work with school districts to manage the employment implications of the BCTF opposition campaign to FSA.

## Questions

Each district is dealing with the FSA and related matters in a unique local circumstance. That unique local circumstance is influenced by provincial initiatives and reactions. Your BCPSEA liaison will be contacting you directly over the coming days and weeks to keep you apprised of how this complex environment may affect your district. If you have any particular questions or issues unique to your district, please contact your BCPSEA liaison.

## Other Resources

- BCSTA President's message and backgrounder on FSA, January 8, 2008  
[http://www.bcsta.org:8080/docushare/dsweb/Get/Document-30217/FSA\\_letter\\_2008.pdf](http://www.bcsta.org:8080/docushare/dsweb/Get/Document-30217/FSA_letter_2008.pdf)

Attachment