

MEMORANDUM OF AGREEMENT

Between:

British Columbia Public School Employers' Association ("BCPSEA")

and

The British Columbia Ministry of Education ("Ministry of Education")

and

British Columbia Teachers' Federation ("BCTF")

(collectively referred to as "the Parties")

Re: LoU No. 17: Education Fund and Impact of the Court Cases – Priority Measures

WHEREAS the Parties have agreed that, while negotiations pursuant to Letter of Understanding No. 17 to the 2013-2019 BCPSEA-BCTF Provincial Collective Agreement and the necessary related analysis are taking place, priority measures will be implemented within British Columbia's public education system that are consistent with the principles of the BCPSEA-BCTF collective agreement provisions that were deleted by the *Public Education Flexibility and Choice Act* in 2002 and again in 2011 by the *Education Improvement Act* ("the restored collective agreement provisions"), and;

WHEREAS the priority measures outlined in this Memorandum of Agreement do not replace the intent of the Parties to work on a concentrated basis to reach final agreement regarding implementation of and/or changes to the restored collective agreement provisions.

THEREFORE the Parties agree that:

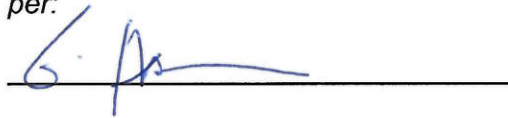
1. The Ministry of Education will provide \$50 million in net new funding (which is the monetary equivalent of approximately 1000—1100 teacher full time equivalents ("FTE") - depending on experience, qualifications and District-specific compensation variation) - for the balance of the 2016/17 school year for British Columbia's public education sector so that the following two priority measures can be implemented:
 - a. Additional enrolling teacher FTE will be added during the 2016/2017 school year in accordance with the collective agreement where it is feasible to do so given current timetable, physical space and labour supply limitations. Options for adding additional enrolling teacher FTE may include team-teaching assignments or other alternatives as determined by the district committee described in 3(c);
 - b. Additional non-enrolling teacher FTE will be added during the 2016/2017 school year in accordance with the collective agreement where it is feasible to do so. Non-enrolling teachers include, but are not limited to, teachers employed in the following capacities: Special Education Teachers, Speech Language Pathologists, Behaviour Intervention Specialists, School Psychologists, Aboriginal Support Teachers, School Counsellors (including support for mental health), ELL Teachers, Teacher Librarians;

2. Where it is not feasible to use the net new funding to add additional enrolling or non-enrolling teacher FTE during the 2016/2017 school year as set out in paragraphs 1(a) and (b), the net new funding may be used to fund other school district-level capacity building initiatives to support teachers, including, but not limited to, upgrading existing teacher qualifications during the 2016/2017 school year, teacher recruitment programs and teacher mentoring-programs.
3. The following principles will apply to the allocation of the net new funding set out in paragraph 1:
 - a. The Ministry of Education will allocate the net new funding to boards of education in accordance with the requirements of the *School Act*;
 - b. The Ministry of Education will provide the net new funding to boards of education on the condition that all expenditures shall only be made to implement the priority measures set out in paragraphs 1 and 2;
 - c. Recommendations regarding the allocation of the net new funding at the school district level will be jointly developed through a district committee established by the Superintendent and the local union president. The district committee will meet in early January 2017 and endeavour to reach agreement in January regarding the allocation of additional teacher FTE that will be filled as soon as practicable and any other priority measures that may be implemented. If the district committee is unable to agree, after making good faith efforts to do so, the matter will be referred to the main table (Ministry of Education/BCPSEA and the BCTF) for resolution;
4. The net new funding that is not spent implementing the priority measures set out in paragraphs 1 and 2 will be applied towards the final agreement regarding implementation and/or changes to the restored collective agreement provisions.
5. This Memorandum of Agreement, including the net new funding that is provided to implement the priority measures set out in paragraphs 1 and 2, is without prejudice to what may be included in a final agreement regarding implementation and/or changes to the restored collective agreement provisions.
6. This Memorandum of Agreement will terminate on June 30, 2017 unless the parties mutually agree to extend or renew it.

Dated at Vancouver, British Columbia this 5 day of January, 2017

British Columbia Teachers' Federation

per:



British Columbia Public School Employers' Association

per:



British Columbia Ministry of Education

per:

