

Consent Award: Protocol Processes and Procedures for Distribution of BCTF/Local Union Produced FSA Pamphlets (“What Parents Need to Know”; “Testing? You bet” and “What Parents Need to Know: Foundation Skills Assessment (FSA)”) by Teachers to Parents via Students or Directly to Parents on School Property

Courts and Arbitrators (and more specifically in our sector, Arbitrators Munroe, Kinzie and the BC Court of Appeal) have recognized that teachers have the right to engage in political discussion with parents on educational issues under Section 2(b) of the Charter of Rights and Freedoms (the Charter), and that any restrictions on expression by the employer have to be justified under Section 1 of the Charter.

It is the employer’s position that the following without precedent and without prejudice consent award (that is in effect for a 1 year trial period), which indicates that the employer will not oppose the distribution of three BCTF/Local Union produced FSA pamphlets by teachers to parents via students or directly to parents on school property, is in no way an acknowledgement, endorsement or agreement by the employer of the views, statements or content of the pamphlets.

The following consent award is an agreement of the employer to not oppose the distribution of three BCTF/Local Union produced FSA pamphlets to parents via students or directly to parents by teachers on school property: “What Parents Need to Know”; “Testing? You bet” and “What Parents Need to Know: Foundation Skills Assessment (FSA)” (attached) on the following terms and conditions:

1. This consent award is binding on BCPSEA, the BCTF, all 60 public school districts and teacher locals in British Columbia. This consent award only applies to issues specifically set out herein.
2. This consent award is without precedent and without prejudice to the positions of the parties regarding any other FSA materials/pamphlets or other type of communication other than FSA.
3. Subject to the terms and conditions of this consent award and the protocols described in paragraph 4 below being met, it is agreed that the employer will not oppose the distribution of the following three union FSA pamphlets (attached and with no modifications except as specifically described below):
 - a) One page pamphlet entitled “What Parents Need to Know” signed by Irene Lanzinger President of the BCTF. It is agreed that this pamphlet can be modified to replace the name of “Irene Lanzinger President” with that of the “BCTF Local President” or “Classroom teacher member of the local teachers’ union (insert name of local union)” or “Views of the BCTF/Local Union and Classroom Teacher” (insert name of local union). It is agreed that this pamphlet can be modified to replace the union identification with that of the BCTF Local.
 - b) Two page pamphlet entitled “Testing? You bet”, identified as coming from the BCTF (no modifications).

- c) Two page pamphlet entitled "What Parents Need to Know: Foundation Skills Assessment (FSA)" (no modifications).
4. Materials/pamphlets that are distributed to parents by teachers via students shall be in sealed envelopes, clearly identifying that they are union produced and distributed.
5. When a teacher intends to distribute one or more of the FSA pamphlets identified in clauses 3(a), 3(b) and 3(c) above, the following confirmation process shall occur prior to any distribution by teachers to parents:
- a) Each district and local teacher union shall designate a representative and alternate for this process.
 - b) The designated local teacher union representative will provide to the designated district representative:
 - A copy of the envelope and FSA materials/pamphlets planned for distribution
 - The names of the schools in which these materials/pamphlets are intended for distribution
 - c) Within 24 hours of receipt, the designated district representative will confirm and provide notification to the designated local teacher union representative whether:
 - The FSA materials/pamphlets/envelope presented to him/her are the same materials identified in clauses 3(a), 3(b) and 3(c) above.
 - The envelope and materials/pamphlet clearly identify the union responsible for the materials.
 - d) Subsequent to such notification in 5(c) distribution can occur.
 - e) The designated district representative will notify the principals of the affected schools.
6. It is agreed that this consent award shall be in full force and effect for a 1 year trial period commencing December 18, 2009 through until December 18, 2010. The consent award and its effect will expire on December 18, 2010 unless the parties mutually agree to extend the agreement.
7. It is agreed that this consent award in no way shall affect the advice by BCPSEA or the BCTF with respect to other BCTF/Local Union produced FSA pamphlets or other type of communication other than FSA.
8. It is agreed that this consent award represents full and final settlement to the following outstanding grievances related to the distribution of FSA materials: SD No. 68(Nanaimo-


Ladysmith) union file No. 68-002-2008, SD No. 58(Nicola-Similkameen) union file No. 31-001-2007, SD No. 5(Southeast Kootenay) union file No.02-04-2009, SD No. 08(Kootenay Lake) union file No. 861-01-2009, SD No. 59(Peace River South) union file No. 59-05-2009, SD No. 69(Qualicum) union file No. 69-03-2009, and SD 91(Nechako Lakes) no union file number (Local 55 Burns Lake grievance). The BCTF agrees to withdraw BCTF Policy Grievance union file No. 99-005-2008 for the period this protocol process is in effect.

9. Nothing in this agreement will prevent the BCTF or its locals from grieving board resolutions, policies or procedures that in the view of the BCTF violate collective agreement provisions and/or breach the Charter of Rights and Freedoms and/or violate provisions of the Labour Relations Code.
10. The parties agree that the terms of this consent award, the agreement to not oppose the three BCTF/union produced pamphlets described in paragraph 3(a), 3(b) and 3(c) for a one year trial period and the settlement of outstanding grievances are on a without precedent and prejudice basis to their respective positions on the legal issues in dispute.
11. Arbitrator Hall will remain seized of implementation and compliance to this consent award for the period that it is in effect.

Signed: December 18, 2009



BCPSEA



BCTF

Examining the myths

Sometimes the proponents of increased standardized testing, data collection, and ranking imply that teachers are afraid of assessment, want to control the system, and actually create the test anxiety in students.

In fact, teachers rely on assessment—authentic assessment—to support student learning. We have always understood the need to work in partnership with parents, trustees, administration, the ministry, and others to do the very best for our students. We know that when teachers' voices are left out of the education dialogue, critical information is missing and poor decisions are more likely. Daily, in myriad ways, we bring out the best in our students. We understand that creating anxiety is counter-productive and we do our very best to encourage our students and help them engage in learning.

No longer just a tool for program review or curriculum evaluation, test scores are increasingly used to create competition in education by publicly ranking schools according to test results. Testing is also a multi-million dollar industry with spin-offs in all directions.

Marita Moll, education researcher, author,
*Passing the Test: The False Promises
of Standardized Testing*



Supporting your child's learning


- ✓ Take time to talk to parents and others about teaching, learning, and the importance of assessment that helps students succeed.
- ✓ Talk to your child about what they have learned. Use questions that avoid "yes, no or nothing" answers. Instead, start your question with "tell me about ____," "what is the same or different between ____," "how would you explain ____."
- ✓ Check to make sure that your child is prepared for school, with homework and assignments completed.
- ✓ Take time to talk to your child's teacher about the teaching, learning, and assessment used in the classroom.
- ✓ Consider making an appointment to talk about how your child is doing.
- ✓ Ask yourself, who or what will give me the best information as to how my child is doing.

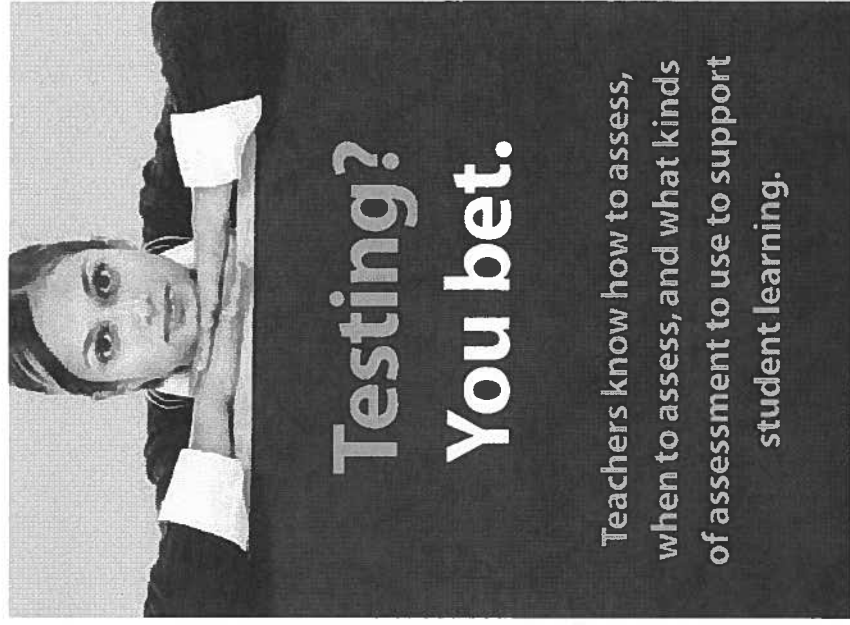
More ideas on supporting your child's learning are available at www.bctf.ca/parents.

School principals around the world believe that many current student testing policies and related accountability practices contain flaws that detract from what should be our primary goal of improving learning. Instead, many jurisdictions appear to be more concerned with providing comparative statistics on a narrow range of student abilities resulting in an incomplete and misleading picture presented to the general public.

Canadian Association of Principals,
"Valid Uses of Student Testing as part of Authentic, Comprehensive Student Assessment"

A Statement of Concern
from Canada's School Principals

 CCD09-0233
November 2009



Testing? You bet.

Teachers know how to assess, when to assess, and what kinds of assessment to use to support student learning.

*Not everything that counts
can be counted and not
everything that can be
counted counts.*

Albert Einstein



British Columbia Teachers' Federation
www.bctf.ca

Valuing and supporting students

Teachers are very proud of the first-class public education system in BC. We welcome all students in public schools. We believe that every student needs support and encouragement. As professionals, we know that learning is a complex process and that students learn in different ways and at different rates. We understand that children and youth need time to create, experience, learn, and grow.

When they assess for learning, teachers use the classroom assessment process and the continuous flow of information about student achievement that it provides in order to advance, not merely check on, student learning.

Canadian Association of Principals,
"Valid Uses of Student Testing as part of Authentic, Comprehensive
Student Assessment"

A Statement of Concern
from Canada's School Principals



Educational reform in Canada should not just be about narrowing numerical gaps in easily measurable outcomes, but about striving to benefit and enrich the learning of all students and all aspects of every student in an inspired and inclusive social and educational vision of what the country still stands for today and must aspire to become tomorrow.

Andy Hargreaves, Thomas More Brennan
Chair in Education, Boston College,
The Long and Short of Educational Change

Using assessment for learning

BC teachers are highly qualified, caring professionals. We work with students in classrooms every day and we put our students' needs first. We know that testing is an important part of the learning cycle. We believe that assessment must support learning.

We are knowledgeable and trained to know the purpose and appropriate

uses of tests. Because no single test or assessment strategy is completely reliable, teachers use a wide variety of assessment tools and strategies such as projects, presentations, goal setting, quizzes, classroom tests, writing samples, and much more.



Best practice

We continually examine our practice, collaborate with colleagues, and stay current in our knowledge of the very best ways to help students learn. We have seen many trends come and go in teaching and we strive to make professional choices based on what will best meet our students' needs. We know that standardized tests are often overused, misused, and not useful for student learning. We believe the proliferation of testing moves education backwards while doing nothing to help our students learn.



Supporting teaching and learning

Establishing needs is easy—finding the resources to meet those needs is the hard part and the very thing that the public system struggles with daily due to funding priorities that do not reflect community needs.

Eden Haythornthwaite,
school trustee, Cowichan Valley
Board of Education

It's easy for politicians and bureaucrats to focus on test results and data collection in order to deflect from the resources they should be providing to schools. But teachers understand the importance of quality teaching and learning conditions. As professionals, we are accountable to our students and for speaking out on their behalf.

If testing was deployed to find schools or children in need, then we would be seeing the progressive increase in funding for those schools.

Eden Haythornthwaite,
school trustee, Cowichan Valley
Board of Education

We expect the government and boards of education to be accountable, too. Teachers must be given the teaching and learning conditions, resources, and time to help all students succeed. When teaching and learning is undermined, everyone loses. The most recent StatsCan report (1998-2005) revealed that, while other provinces reduced the pupil teacher ratio, it was actually increased in BC. We believe that our province can afford to fund and maintain the quality public education system our students need.



What Parents Need to Know



British Columbia Teachers' Federation • www.bctf.ca

The students of our province need more time learning and less time wasted on unnecessary, bureaucratic testing

Foundation Skills Assessment (FSA)

What teachers believe: Teachers believe that the purpose of assessment is to support and promote learning.

- Teachers know that it is important to use a variety of methods to effectively assess student progress and meet student needs. Ongoing classroom assessment allows students to demonstrate what they are learning in a variety of ways and provides information to inform teaching and learning.
- An assessment that provides information to a teacher about what an individual student needs to develop understanding of a subject or topic is different from an assessment of how an education system is performing according to general goals for education.
- Large-scale random assessments of student performance could be appropriate in the evaluation of provincially prescribed educational programs. The results then could be used only to inform curriculum development, in-service activities, and learning resource development.

What the research says: Research says that it is effective classroom assessment that can help a student learn, not large-scale assessment. This is why researchers have started referring to classroom assessment as “assessment for learning” and large-scale assessment as “assessment of learning.”

Effective assessment for learning can improve student achievement substantially, and that improved classroom assessment helps low achievers the most. (Black and William, 1998, U.K. Assessment Reform Group.)

Research has shown that costly, large-scale testing can have negative effects on student motivation and learning, and that those effects are greatest for low-achieving students, the ones who most need support.

Common negative effects of testing include:

- narrowing of instruction and instructional methods
- less successful students concluding they are unable to succeed, and therefore reducing effort
- students inappropriately focusing on short-term performance goals: “What’s on the test?”
- students experiencing test anxiety
- students, parents, and others inappropriately generalizing test results to overall “value” or “intelligence.”

(Wynne Harlen and Ruth Deakin Crick (2002). Review: What is the evidence of the impact of summative assessment and tests on students' motivation for learning? Presentation, International Conference, Assessment Reform Group, March 5, 2002.)

What teachers are concerned about: FSA tests undermine classroom assessment and have a negative impact on student motivation and learning.

Teachers do not simply assess students' learning so they have marks to put on report cards. The main purpose of classroom assessment is to support student learning, not simply to measure it. Constantly assessing the learning of students in their classroom allows teachers to monitor progress and adjust their teaching accordingly

The misuse of FSA testing results is leading to narrow and misleading assumptions about how well schools are doing. Under pressure to find improvement, some districts and schools may be eager to report increases that are not statistically significant. Often the increases are a result of practising FSA-type tests several times a year or simply a result of exempting low-achieving students from the test. The most blatant misuse of FSA results has been the ranking of schools by the Fraser Institute and then reported by the media. Unfortunately, it misrepresents the efforts of teachers and trustees to serve their communities.

What teachers are doing:

- Teachers remain opposed to the FSA not only because it interferes with instruction but it is costly and ineffective in improving achievement.
- Teachers are asking parents to consider requesting principals to withdraw their children, according to ministry guidelines concerning exemptions, from the participation in the Grade 4 and Grade 7 FSA assessments.
- Teachers are urging the BC Ministry of Education to adopt a two-year moratorium on all standardized tests, including the Foundation Skills Assessment.
- Teachers are calling on the government to establish a Testing and Assessment Task Force to explore the issues, review the research on student assessment, and make recommendations before the end of the moratorium.
- Teachers will continue to use a range of assessment tools in their classrooms to support student learning.
- Teachers are actively speaking out and working with parents and others in the education community to effect positive change by moving to another structure for assessment—a random sample.

What you can do:

- Write a letter to the minister of education opposing the FSA.
- Encourage parents to consider asking principals to withdraw their children from the FSA assessments, according to ministry guidelines concerning exemptions.
- Talk to teachers about the range of assessment tools they use to support learning.
- Urge your board or PAC to support a two-year moratorium on all standardized tests, including the Foundation Skills Assessment.

For further information: www.bctf.ca

What Parents Need to Know



British Columbia Teachers' Federation

100-550 West 6th Avenue, Vancouver, BC V5Z 4P2



Choose the best answer:
 a. test
 b. teach

Dear Parents,

The Foundation Skills Assessment (FSA) is a set of annual provincial tests given to Grade 4 and 7 students in reading comprehension, writing, and numeracy. These tests do not count toward your child's marks nor do the results actively support your child's learning.

- FSA tests are expensive to develop and administer.
- FSA tests do not help students learn, or teachers teach.
- FSA tests take valuable time away from richer and more meaningful learning.
- FSA tests take valuable resources away from the classroom.
- Results are misused to rank schools and promote privatization.
- FSA data does not provide real help to students, parents, or schools.

For all of these reasons, we are recommending that you write a letter to the principal or detach the following letter, requesting that your child be exempted from the FSA. While teachers are being directed to administer it, we cannot in all good conscience recommend that any parent support the administration of the FSA to their child.

Continue to talk with teachers about assessment that works for your child. bctf.ca/parents.aspx?id=72

Sincerely,

Irene Lanzinger
President

Please detach and use the letter to request that your Grade 4 or 7 child be withdrawn from the January and February 2010 FSA testing.



Dear Principal,

I understand that parents may request the principal to excuse a student in the event of a family emergency, lengthy illness, or other extenuating circumstances.

Please excuse my child, _____, from all three Foundation Skills Assessment (FSA) tests for the following reason:

- family emergency
- lengthy illness
- other extenuating circumstances

Thank you for your co-operation.

Sincerely,

Parent/guardian signature