

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: January-27-14 4:10 AM
To: Roberts, Mike X EDUC:EX; Zacharuk, Christina PSEC:EX
Cc: Draper, Kindree PSEC:EX
Subject: Comms Planning

Hi Christina and Mike. Yes, I woke up early and decided to get a jump on the day. 2 questions:

First, do you have time for a 15 minute coordinating call sometime this morning? If so I'll send out coordinates.
Second, have you had a chance to review the first draft of the messaging I sent last week? Only Rick responded with any comments, and those were only to the key message sheet, not the bigger comprehensive offer key messages.

Robert Pauliszyn, MPA

Communications Director
Intergovernmental Relations Secretariat and
Ministry of Education
(250) 213-5096 cell

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: January-27-14 9:58 AM
To: Mingay, Rob PSEC:EX; Roberts, Mike X EDUC:EX; 'renzod@bcpsea.bc.ca'; Draper, Kindree PSEC:EX; Zacharuk, Christina PSEC:EX
Cc: Wood, Rob EDUC:EX
Subject: Draft OP Ed Teacher Bargaining

First draft of an op ed for review and comments. At this point it is for back pocket, no specific date has been confirmed. Final version will need to be cut down by 1/3. Please feel free to call me with verbal feedback if that is easier.



Robert Pauliszyn, MPA

Communications Director
Intergovernmental Relations Secretariat and
Ministry of Education
(250) 213-5096 cell

Pages 3 through 10 redacted for the following reasons:

S13

S14

S14, S15, S17

Pauliszyn, Robert GCPE:EX

From: Sherri Moore-Arbour <SMooreArbour@BCSTA.ORG>
Sent: January-27-14 12:38 PM
To: Pauliszyn, Robert GCPE:EX; Draper, Kindree PSEC:EX; Sutherland, Scott GCPE:EX; Roberts, Mike X EDUC:EX
Cc: Stephen Hansen; Teresa Rezanoff
Subject: Messaging re: court decision.

Good afternoon-

BCSTA would like to arrange a brief conference call this afternoon to review external / media messages related to the court decision.

Please advise of your availability to attend via teleconference at 2:30pm.

S15, S17

My best-

Sherri Moore-Arbour
BC School Trustees Association
Director of Communication
Office 604.734.2721 X 108
Direct 604.235.2291
Mobile 604.842.1107

Twitter
@bc_sta

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: January-28-14 2:40 PM
To: Draper, Kindree PSEC:EX
Subject: OE_Teacher Bargaining Objectives_27 Jan 2014_DRAFT 2 RDN comments
Attachments: OE_Teacher Bargaining Objectives_27 Jan 2014_DRAFT 2 RDN comments.docx

Pages 13 through 16 redacted for the following reasons:

S13

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: January-29-14 9:51 AM
To: Mentzelopoulos, Athana GCPE:EX
Cc: Mills, Shane PREM:EX; Gleeson, Kelly T GCPE:EX; Stickney, Matthew EDUC:EX; Fraser, John Paul GCPE:EX; Sweeney, Neil PREM:EX
Subject: RE: DRAFT Messaging

S13

Pages 18 through 26 redacted for the following reasons:

S13

S13, S14

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: February-04-14 8:41 AM
To: Stickney, Matthew EDUC:EX; Delisle, Corrie EDUC:EX; Sauder, Kit EDUC:EX; Sweeney, Neil PREM:EX; Chin, Ben PREM:EX; Fraser, John Paul GCPE:EX; Mills, Shane PREM:EX; Mingay, Rob PSEC:EX; Roberts, Mike X EDUC:EX; Davis, Rick EDUC:EX; Wood, Rob EDUC:EX; Mentzelopoulos, Athana GCPE:EX; Zacharuk, Christina PSEC:EX; Allen, Roderick EDUC:EX
Cc: Draper, Kindree PSEC:EX; Silver, Matt GCPE:EX; Green, Ben GCPE:EX
Subject: Final set of materials.
Attachments: 2014EDUC0007-000128.docx; 2014EDUC0007-000128.pdf; QA_Appeal of Griffin Decision_03 Feb 2014_DRAFT 945 pm.docx; Source Messaging_Appeal of Griffin Decision_04 Feb 2014_Final.docx

Final statement and accompanying materials. Please delete previous versions.

Robert Pauliszyn, Communications Director
IGRS & EDUC (250) 213-5096

STATEMENT
For Immediate Release
2014EDUC0007-000128
Feb. 4, 2014
Ministry of Education

Minister of Education's statement on decision to appeal

VICTORIA - Minister of Education Peter Fassbender has issued the following statement on the government's relations with the BC Teachers' Federation:

"On Jan. 27, B.C. Supreme Court released its decision on whether the Education Improvement Act, 2012, and the consultation process that preceded it, was an adequate response to a previous court ruling that the government had infringed the freedom of association of BCTF members when it legislated specific provisions out of the teachers' contract back in 2002.

"The case focused on public-sector union bargaining rights and Justice Griffin's interpretation of how these rights limit the ability of elected governments to set education policy. The judgment centred on the union's interests, not students' needs.

"It is the BCTF's job to defend its members' interests and has done so with passion and vigor. But it is government's responsibility to balance those interests against the best interests of students, their families, and the 4.6 million British Columbians who already invest nearly \$5 billion into the K-12 education every year.

"That is what our government has always done and will continue to do -- and that is why we will appeal Justice Griffin's decision.

"From a legal perspective, government has a different interpretation of prior Supreme Court of Canada decisions related to freedom of association than was outlined in the judgment. The government acknowledges that all individuals in Canada have a protected freedom to associate, but we do not agree this gives the BCTF the ability to override government's duty to make fiscal and policy decisions in the public interest.

"In practical terms, the judgment is completely unaffordable for taxpayers. It would create huge disruptions in our schools and, most importantly, it will prevent districts from providing the right mix of supports that our students actually need.

"We are proud of our track record in education and we intend to build on it.

"Over the past 13 years, we've increased annual funding by \$1 billion, even while student enrolment has declined by an unprecedented 9.4 per cent. Student success rates have increased and on major international assessments, British Columbia students rank among the very best in the world.

"We've increased supports for students with special needs, including a 36 per cent increase in the number of full-time education assistants. Average class sizes are near historical lows of 19.3 students for kindergarten, 21.5 for grades 1 to 3, 25.7 for grades 4 to 7, and 23.0 for grades 8 to 12. To put that in perspective, in 1970 the average class size was 42.

"Over the past eight years, the number of classes with more than 30 students has dropped by 88 per cent. Less than two per cent of classrooms have more than 30 students, and of these, the vast majority are in subjects like band, drama and gym where larger numbers are beneficial and intentional.

"In fact, at 18 to one, the full-time equivalent student-teacher ratio is exactly the same today as it was before the disputed changes to the collective agreement were made in 2002. It is just that we use our teachers far more effectively today.

"The union, however, is seeking to further reduce teacher workload and manage classrooms through rigid and costly formulas and ratios that have no material bearing on the actual needs of students in the classroom.

"No other jurisdictions in Canada face these types of restrictions on school organization. Most importantly, if the real goal is to benefit students, decades of academic research has shown that blanket reductions in class size are of little benefit. Instead, our priorities must remain focused on complex classes where student supports are truly needed, expanding innovative learning opportunities across the board, and working to enhance teacher quality.

"Class composition must be carefully managed each and every year. But it requires informed professional judgment and discretion. Instead of rigid formulas and ratios, the most effective solution is to provide classroom teachers and school administrators with a stronger voice in allocating resources based on the unique needs of every classroom.

"That is why we must build on successful approaches like the \$210 million Learning Improvement Fund. Last year, in consultation with teachers, the fund was used to support teachers with additional professional development, and to hire an estimated 500 new teachers, 400 new special education assistants and increase the hours for 7,400 special education assistants.

"Class size and composition are on the bargaining table, and that is where the discussion needs to occur. Negotiations with the BCTF will continue and our goal remains a 10-year agreement that creates labour stability for students, parents, teachers and communities.

"Parents and students want this issue resolved. And that's what government wants as well.

"But a successful outcome will require the BCTF to work with government to do what every other public-sector union has been able to do, which is to work with employers to make the workplace better and operations more efficient.

"B.C.'s students are doing well because they have great teachers. Imagine how much better they could be doing if we were to achieve true collaboration at the bargaining table."

Media Contact:

Government Communications and Public Engagement Ministry of Education

250 356-5963

Connect with the Province of B.C. at: www.gov.bc.ca/connect

STATEMENT

For Immediate Release
2014EDUC0007-000128
Feb. 4, 2014

Ministry of Education

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Media Contact: Government Communications and Public Engagement
Ministry of Education
250 356-5963

Connect with the Province of B.C. at: www.gov.bc.ca/connect

Q – Why is government appealing the decision?

From a legal perspective, government has a different interpretation of prior Supreme Court of Canada decisions related freedom of association than was outlined in the judgement. The government acknowledges that all individuals in Canada have a protected freedom to associate but we do not agree this gives BCTF members the ability to override government's duty to make fiscal and policy decisions in the public interest.

In practical terms, the judgement is completely unaffordable for taxpayers, it would create huge disruptions in our schools and, most importantly, it will prevent districts from providing the right mix of supports that our students actually need.

The notice to appeal the decision is expected to be filed today. Government's comprehensive legal arguments will be set out in its factum, which in accordance with the Court of Appeal timelines must be filed within 90 days of the notice of appeal.

Q – What about the court's finding that government tried to provoke a strike?

We don't agree with the court's characterization. Let's look at what actually happened. The government worked to negotiate an end to the BCTF's disruptive job action that had dragged on for nearly an entire school year. We appointed Dr. Charles Jago as a mediator to help resolve the impasse at the bargaining table and with his help, the parties were able to reach a negotiated agreement.

Q -- Will you release the cabinet documents?

We are pursuing an appeal and any decisions on documents will be made in close consultation with our legal advisors. We are not going to make a decision on that today.

Canadian courts recognize that cabinet confidentiality, while not absolute, is an important convention that needs to be balanced against public disclosure.

Q -- Will you release them after the 31 day stay the court granted?

The court granted the government a 31 day stay so that government had an opportunity to consider its options with respect to the public release of final arguments in this case. The government is taking that opportunity for consideration.

Q – What did the NDP do in 1998?

Through the 1980s and early 1990s, many boards of education had to contend with the proliferation of teacher workload rules in local agreements. Those districts with the most union rules became more expensive to run while at the same time they failed to deliver better results for students.

So when the K-12 sector moved to province-wide bargaining in the mid-1990s, trustees firmly resisted the BCTF's efforts to entrench these local provisions in the provincial contract. In 1998, having failed to convince trustees that even more rules and ratios would actually benefit students, the BCTF left the bargaining table and appealed directly to the Glen Clark government.

Despite the overwhelming opposition of trustees, even prompting a formal complaint to the Labour Relations Board that the BCTF had bargained in bad faith, the NDP government gave the union what they wanted.

The expensive and inflexible contract provisions at the centre of the current legal dispute were imposed on school districts by the Glen Clark government through legislation.

Q -- What did the government do in 2002?

In 2001, the citizens of British Columbia elected a different government. The new government listened to concerns of trustees and passed legislation in 2002 to reverse the effects of the NDP legislation and bring the K-12 system back in line with how class size and composition are generally managed elsewhere across Canada.

To this day, no other province in Canada has ever allowed their schools and classrooms to be managed through inflexible, factory-style collective agreements. It was the wrong approach decades ago, it remains the wrong approach today, and our government will not go backwards.

Most importantly, if the real goal is to benefit students, decades of academic research shows that blanket reductions in class size are of little benefit. Instead, our priorities must remain focussed on complex classes where student supports are truly needed, expanding innovative learning opportunities across the board, and working to enhance teacher quality.

Pages 35 through 41 redacted for the following reasons:

S13

S14

S14, S15, S17

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: February-06-14 8:40 AM
To: Fraser, John Paul GCPE:EX
Subject: OE_Teacher Bargaining Objectives_29 Jan 2014_DRAFT
Attachments: OE_Teacher Bargaining Objectives_29 Jan 2014_DRAFT.docx

This is a draft, pre-Griffin decision

Pages 43 through 45 redacted for the following reasons:

S13

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: February-12-14 6:45 AM
To: Cameron, Peter; Davis, Rick EDUC:EX; Dawson, Ken PSEC:EX; Doney, Lee; Draper, Kindree PSEC:EX; Foweraker, Jonathan PSEC:EX; Fraser, John Paul GCPE:EX; Ho, Karlic EDUC:EX; Jah, Tim PSEC:EX; Lebrun, Michael EDUC:EX; Mingay, Rob PSEC:EX; Zacharuk, Christina PSEC:EX
Subject: RE: Draft OP ED and KMs for Stay
Attachments: KM_Request for Stay of Decision_12 Feb 2014_DRAFT.docx; OE_Request for Stay of Decision_12 Feb 2014_DRAFT.docx

This time with attachments.

From: Pauliszyn, Robert GCPE:EX
Sent: Wednesday, February 12, 2014 6:44 AM
To: Cameron, Peter; Davis, Rick EDUC:EX; Dawson, Ken PSEC:EX; Doney, Lee; Draper, Kindree PSEC:EX; Foweraker, Jonathan PSEC:EX; Fraser, John Paul GCPE:EX; Ho, Karlic EDUC:EX; Jah, Tim PSEC:EX; Lebrun, Michael EDUC:EX; Mingay, Rob PSEC:EX; Pauliszyn, Robert GCPE:EX; Zacharuk, Christina PSEC:EX
Subject: Draft OP ED and KMs for Stay

S13

Pages 47 through 50 redacted for the following reasons:

S13

Pauliszyn, Robert GCPE:EX

From: Pauliszyn, Robert GCPE:EX
Sent: February-12-14 11:04 AM
To: Cameron, Peter; Davis, Rick EDUC:EX; Dawson, Ken PSEC:EX; Doney, Lee; Draper, Kindree PSEC:EX; Foweraker, Jonathan PSEC:EX; Fraser, John Paul GCPE:EX; Henderson, Kim N PREM:EX; Ho, Karlic EDUC:EX; Jah, Tim PSEC:EX; Lebrun, Michael EDUC:EX; Mentzelopoulos, Athana GCPE:EX; Mingay, Rob PSEC:EX; Pauliszyn, Robert GCPE:EX; Sweeney, Neil PREM:EX; Wood, Rob EDUC:EX; Zacharuk, Christina PSEC:EX
Subject: Approved KMs -- 140206 Workload
Attachments: 140206 Workload.docx

Approved Key Messages:

- Our goal is to put students first and we're proud to have one of best education systems in the world. Working together, I'm confident we can make it even better.
- Class size and composition are on the bargaining table and that's where the discussion needs to occur.
- Our government has always been very clear and consistent in our view that managing classrooms through rigid ratios and formulas is bad for students and schools. We intend to move forwards, not backwards.
- We manage our classroom and learning supports very differently today than was the case in the 1990s. Over the past 13 years school districts have develop far more effective strategies and approaches and the results speak for themselves.
- Student achievement is up, graduation rates are up -- especially for First Nations students -- and B.C. students rank among the best in the world.
- We agree that class composition needs careful management each and every year. But putting the needs of students first means we must rely on the professional judgment and discretion of teachers and principals, not rigid contract rules.
- Our proposed solution is to build on successful approaches like the \$210 million Learning Improvement Fund.
- We are determined to negotiate a flexible approach, one that provide classroom teachers with a stronger voice in allocating resources based on the unique needs of every classroom.
- The world has changed, work places have changed, and so has our understanding of how students learn and succeed. Innovative learning strategies will continue to evolve and our education system must constantly adapt and keep up.

Draft February 4, 2014

Workload Provisions

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A. Class Size and Workload

Pages 53 through 55 redacted for the following reasons:

S13