

Section:	Human Resources
Title:	Distribution of Union/Political Information on Educational Matters on School Property to Parents or through Students

Procedures for distributing union/political information on educational matters to parents must be considered within the established legal framework

It is recognized that respectful debate about educational issues 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 of Rights and Freedoms* (the Charter). Any restrictions on expression have to be justified under Section 1 of the Charter.

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.

Mission Public Schools will establish the following procedures:

- The Board of Education requires teachers to obtain prior approval from their principal when distributing union/political information on education matters on school property to parents or through students.
- District administration will review the information for its accuracy and relevance to educational matters. Further, the review undertaken will determine the appropriateness of sending the information from the school to parents, taking into account the "pressing and substantial" objectives of the public school system. Teachers must contact their principal for review and approval prior to distribution.
- In determining the appropriateness of the materials for distribution, there must be a consideration of the balancing of rights and measures that may be taken to minimally impair the teacher's right of free speech while at the same time achieving the objectives of the school district.
- Should a union/political communication on an educational matter not be approved for any reason, the employer will raise the matter with the local union.
- With respect to the accuracy, the content of the information must be accurate so that the expression is not misleading, such that confusion and/or conflict are not created. If the content or a portion of the communication is inaccurate/misleading, the employer will identify and request that the employee/union amend the inaccurate/misleading information. If the

employee/union refuses to remove or amend the inaccurate/misleading portions as identified, the employer would then ban the entire distribution of the communication.

- Any approved communication by the school district must be placed in a sealed envelope and clearly marked/addressed to the parent/guardian. Further, in order to ensure there is no confusion regarding from whom this communication is coming, the document itself should clearly indicate the authorship.

Date Adopted: January 11, 2010 (formerly AP 5.10.1, #406)

*Cross Reference: BCPSEA/BCTF Consent Award, December 18, 2009, Expires: December 18, 2010
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*