

# **NSTU GUIDEBOOK**

## **2021–2022**

Constitution  
Policy



**Nova Scotia  
Teachers Union**



# NOVA SCOTIA TEACHERS UNION

# CODE OF ETHICS

## CODE OF ETHICS

This Code of Ethics is a guide to Members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

### **A. Member And Pupil/Parent/Guardian**

- I. The Member regards as confidential, and does not divulge other than through professional channels, any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- II. The Member should be just, equitable, and fair in all relationships with pupils/parents/guardians.
- III. The Member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- IV. The Member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- V. The Member should be as objective and respectful as possible in dealing with controversial matters.
- VI. The Member should not accept remuneration for tutoring their pupils except under compelling circumstances and with the approval of their supervisor or principal.

### **B. Member and Member/Colleague**

- I. The Member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another Member or colleague.
- II. The Member shall not make derogatory remarks about the professional competence of another Member or colleague.
- III. The Member shall not accept a position arising out of the unsettled dispute between Members, and their employers.
- IV. The Member shall not sexually, physically, or emotionally harass another Member or colleague.

# GUIDEBOOK



## Constitution Policy

Comments on this document are welcome:

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NOVA SCOTIA TEACHERS UNION

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# GUIDEBOOK



## MISSION

*As the unified voice for the advocacy and support of all its members,  
the NSTU promotes and advances the teaching profession and  
quality public education.*

# GUIDEBOOK



## BELIEFS

### We believe that

**The NSTU serves as the primary advocate of its members by**

- protecting and enhancing economic benefits
- improving working conditions
- supporting personal well-being
- keeping members informed
- promoting opportunities to participate

**The NSTU is committed to leadership in educational change by**

- maintaining and promoting excellence in teaching
- encouraging lifelong learning
- influencing educational trends through research and evaluation
- disseminating information

**The NSTU promotes and enhances public education for all students by**

- supporting a safe and healthy learning environment
- advancing the profession
- advocating social justice and unionism
- working with other organizations
- communicating our beliefs in order to affect public opinion and policy

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# NSTU CONSTITUTION

NOVEMBER 2021



## SECTION I

## CHAPTER 462

# AN ACT TO REVISE AND CONSOLIDATE THE ACTS RELATING TO THE NOVA SCOTIA TEACHERS UNION

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**SHORT TITLE**

1. This Act may be cited as the *Teaching Profession Act*. R.S., c. 462, s. 1.

**INTERPRETATION**

2. In this Act, unless the context otherwise requires,
  - (a) "Council" means the Council of the Union as established pursuant to the by-laws of the Union;
  - (aa) "education entity" means an education entity as defined in the Education Act;
  - (b) "Executive" means the Executive of the Council;
  - (c) "local" means a local organization of members of the Union formed pursuant to the by-laws of the Union;
  - (ca) "manager" means a manager as defined in the *Teachers' Collective Bargaining Act*;
  - (cb) "member" means a member of the Union;
  - (d) "Minister" means the Minister of Education and Early Childhood Development;
  - (e) "public school" means any school established or maintained pursuant to the *Education Act*;
  - (f) repealed 2018, c. 1, s. 42.
  - (g) "teacher" means a teacher as defined in the *Teachers' Collective Bargaining Act*;
  - (h) "Union" means the Nova Scotia Teachers' Union. R.S., c. 462, s. 2; 2018, c. 1, s. 42.

**UNION CONTINUED**

3. (1) The Nova Scotia Teachers' Union, as incorporated by Chapter 100 of the Acts of 1951, shall continue as a body corporate subject to the provisions of this Act.
- (2) The by-laws, members, Council, Executive, officers, committees, locals and local executives of the Union existing immediately prior to this Act shall continue in effect or in office until changed or replaced pursuant to this Act. R.S., c. 462, s. 3.

**CONSTITUTION**

4. The Constitution of the Union shall consist of
  - (a) this Act;
  - (b) the by-laws; and
  - (c) the standing orders of the Council. R.S., c. 462, s. 4.

**LIABILITY OF MEMBERS**

5. No member of the Union shall be liable for the debts or liabilities of the Union unless the member shall have made himself personally liable therefor. R.S., c. 462, s. 5.

**MEMBERSHIP**

6. The members of the Union shall consist of persons who are members pursuant to subsection 12(1) and, subject to subsection 12(1A), such other persons as the Council by by-law determines. R.S., c. 462, s. 6; 2018, c. 1, s. 43.

**OBJECTS**

7. The objects of the Union are to advance and promote the teaching profession and the cause of education in the Province. R.S., c. 462, s. 7.

**POWERS OF UNION**

8. The Union shall have power to do all things necessary or desirable for the attainment of the objects of the Union or incidental thereto, including, but not so as to restrict the generality of the foregoing, power for such purpose to
- (a) purchase, acquire, lease and hold real and personal property and sell, convey, lease, mortgage or transfer the same;
  - (b) borrow money from any person or corporation and give security for any money so borrowed on any of the real and personal property of the Union by way of mortgage or otherwise;
  - (c) accept all gifts, legacies or bequests which may be given to the Union;
  - (d) expend any money of the Union;
  - (e) fix membership fees and special assessments of members and collect such fees and assessments;
  - (f) subject to this Act, suspend, expel or otherwise discipline any member and to re-instate any member so suspended or expelled. R.S., c. 462, s. 8.

**EXERCISE OF POWERS**

9. Unless otherwise provided in this Act or by by-laws of the Union, the powers of the Union may be exercised by the Council. R.S., c. 462, s. 9.

**COUNCIL BY-LAWS**

10. (1) The Council may make by-laws not inconsistent with this Act dealing with or providing for
- (a) the management of the Union and its property;
  - (b) the constitution of the Union and of locals, including the basis of representation of locals on the Council;
  - (c) the officers, executive and committees of the Union and their respective powers and duties;
  - (d) the government, discipline and control of members;
  - (e) all other matters necessary or useful to carry out the objects and to exercise the powers of the Union.
- (2) Every by-law shall be passed by a vote of at least two thirds of the members of the Council present at a meeting thereof, notice of the intention to propose such by-law at such meeting having been given in writing by notice mailed postage prepaid at least thirty days before such meeting to each member of the Union at the members last recorded address.
- (3) In lieu of the notice provided for by subsection (2), notice of the intention to propose a by-law may be given by such notice being printed in an issue of a publication of the Union mailed to all schools in the Province at least thirty days before the meeting of the Council at which it is to be considered and a number of copies of the proposed resolution equal to at least ten per cent of the number of members of each local having been mailed to the respective secretary of each local at least thirty days before such meeting. R.S., c. 462, s. 10.

**PROFESSIONAL COMMITTEE**

11. (1) There shall be a Professional Committee of the Union, elected according to the by-laws.
- (2) The Professional Committee may, on the request of a local, the executive of a local or the Executive, inquire into any charge and determine if a teacher has been guilty of conduct unbecoming a member of the teaching profession.
- (3) When any such request is made by a local, a copy thereof shall be forwarded to the Executive at the time such request is made.

**CONSTITUTION****TPA**

## By-Laws

## Standing Orders

- (4) Any member so charged shall be given at least thirty days notice in writing of the charge and shall be given full opportunity to be heard by the Professional Committee and to be represented by counsel.
- (5) The Professional Committee shall dismiss the charge or reprimand, suspend or expel the member.
- (6) The Executive shall transmit the decision of the Professional Committee to the teacher by prepaid registered post to the last recorded address of the teacher.
- (7) The Executive shall transmit to the Minister such recommendations concerning the certification of the teacher as the Professional Committee may make. R.S., c. 462, s. 11.

**UNION MEMBERSHIP**

12. (1) Every teacher who has a permanent contract, a probationary contract or a term contract, within the meaning of the *Education Act*, with an education entity in a teaching, supervisory or other professional capacity relating to education shall be an active member of the Union unless the teacher is expelled therefrom or unless the teacher resigns by written notice addressed to the Union at its head office and mailed by prepaid registered post.
  - (1A) A manager is not a member of the Union and may not be determined to be a member of the Union by the Council pursuant to Section 6.
  - (1B) Any manager who, immediately before August 1, 2018, was a member of the Union ceases to be a member on that date.
    - (2) Subject to subsection (3), the resignation of a teacher from the Union shall take effect at the end of the school year in which the resignation is tendered and shall be effective for one year following such school year.
    - (3) When a teacher is first employed in a public school, a resignation by the teacher from the Union shall take effect immediately if
      - (a) it is given before the first day of October when the teachers employment began on the first day of the school year; or
      - (b) it is given within one month after the teachers employment began.
    - (4) A teacher whose resignation from the Union is in effect may continue not to be a member of the Union from year to year provided that during each school year following the teachers resignation the teacher gives written notice as provided in subsection (1) of intention not to be a member for the succeeding school year.
    - (5) A teacher who has resigned or has been expelled from the Union and who continues to be employed as a teacher shall pay to the Union through regular deductions, in the manner provided in Section 14, an amount equivalent to the regular fees for membership as are prescribed by the Union. R.S., c. 462, s. 12; 2018, c. 1, s. 44.

**REPORT ON MEMBERSHIP AND UNION FEES**

13. (1) Not later than the fifteenth day of August in every year, the Union shall send to the Minister
  - (a) a list of the names and addresses of the persons who have resigned as active members of the Union and whose resignations are effective for the current school year; and
  - (b) a scale of the fees payable to the Union by its active members for the then current school year.
- (2) Within ten days after the effective date of the resignation, other than a resignation that is effective at the end of a school year, of a member from active membership in the Union or the expulsion of a member or the readmission of a member, the Union shall send the name and address of the member to the Minister.
- (3) The Minister shall cause to be kept a list of the names and addresses of all persons who have resigned as active members of the Union or who have been expelled from the Union and who have not been readmitted to the Union as active members.

- (4) The Minister shall cause to be sent to each education entity
  - (a) on or about the fifteenth day of September in each year, a list of the names of the teachers employed by it whose resignations as active members of the Union became effective at the end of the preceding school year or who were expelled from the Union during the preceding school year; and
  - (b) the name of each member employed by it who has resigned, been expelled or been readmitted to the Union, within ten days after receiving notice of the resignation, expulsion or re-admission pursuant to subsection (2). R.S., c. 462, s. 13; 2018, c. 1, s. 45.

#### PAYMENT OF FEES

14. (1) Every member of the Union shall pay to the Union annually such fees as are prescribed by the Union and every teacher who has resigned or has been expelled from the Union and who continues to teach shall pay an amount equivalent to such fees.
- (2) On or about the fifteenth day of September in each year, the Minister shall cause to be sent to each education entity a copy of the scale of fees payable to the Union by its members as furnished to the Minister pursuant to Section 13.
- (3) Every education entity shall deduct from the salary of each member of the Union and each teacher employed by it who has resigned or has been expelled from the Union an amount equal to the fees payable by the person to the Union according to the scale furnished by the Minister, and shall make such deductions in twelve equal monthly instalments, or in such other number of equal monthly instalments as may be agreed upon by the board and the Union, beginning in the month of September or in the month following receipt of notice that the person has become or been readmitted as a member of the Union.
- (4) Every education entity shall remit each month to the Secretary-treasurer of the Union the amount of deductions made by it pursuant to subsection (3) within ten days after the end of the month in which the fees are deducted.
- (5) The Minister shall cause to be withheld, from the amount payable by the Minister under the Education Act to a [an] education entity in any year, an amount equal to the difference between the sum of the deductions made by the board pursuant to subsection (3) and the amount remitted by it to the Secretary treasurer of the Union pursuant to subsection (4).
- (6) The Minister shall cause all amounts withheld by the Minister pursuant to subsection (5) to be remitted to the Secretary-treasurer of the Union at such times and in such amounts as the Minister determines. R.S., c. 462, s. 14; 2018, c. 1, s. 46.

#### BENEFIT PLAN OR SERVICE

15. (1) In this Section, "benefit plan or service" has the meaning prescribed by the regulations.
- (2) Notwithstanding that managers are not members of the Union, the Union shall permit a manager to participate, on the same terms as a teacher, in any benefit plan or service established, sponsored or administered or otherwise provided by the Union for the benefit of teachers.
- (3) The Minister may, in accordance with the regulations, compensate the Union for the reasonable costs it incurs by allowing managers to participate in any benefit plan or service.
- (4) The Governor in Council may make regulations
  - (a) prescribing the meaning of "benefit plan or service";
  - (b) respecting the compensation of the Union for the reasonable costs it incurs by allowing managers to participate in the Union's benefit plans and services.
- (5) The exercise by the Governor in Council of the authority contained in subsection (4) is a regulation within the meaning of the *Regulations Act*. 2018, c. 1, s. 47.

**CONSTITUTION**

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By-Laws

Standing Orders



## SECTION II

# BY-LAWS OF THE NOVA SCOTIA TEACHERS UNION

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## ARTICLE I — MEMBERSHIP

### 1. DEFINITIONS

Members of the Nova Scotia Teachers Union (hereinafter referred to as the “NSTU” or the “UNION”) shall consist of Active Members, Reserve Members, Retired Members, Associate Members, and Honourary Members.

### 2. ACTIVE MEMBER

- (a) An Active Member is a teacher:
  - (i) as described in Section 12 of the *Teaching Profession Act*; or,
  - (ii) employed by the Atlantic Provinces Special Education Authority (APSEA); and,
  - (iii) pays an annual Union Membership Fee as fixed from time-to-time by Council.
- (b) The rights of Active Membership shall include, but not necessarily be limited to the right to:
  - (i) benefits as provided through NSTU as bargaining agent;
  - (ii) request legal assistance in instances resulting from problems arising in the performance of duties;
  - (iii) professional counselling within education;
  - (iv) vote and hold office at the local and provincial level;
  - (v) attend Council as outlined in Article II of these By-Laws;
  - (vi) membership in Professional Associations, including the right to hold office;
  - (vii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
  - (viii) membership on NSTU committees, where elected or appointed;
  - (ix) access NSTU publications and materials, as assigned, on the NSTU website; and,
  - (x) an NSTU web mail account.
- (c) Failure to pay Union Membership Fees will not limit contractual rights as long as a contractual and legal relationship exists with the bargaining unit employer.

### 3. RESERVE MEMBER

- (a) A Reserve Member is a teacher or other qualified person engaged on a day-to-day basis to take the place of a person regularly employed as a teacher by an Education Entity as defined by the *Education Act*, who has been employed as such for not less than fifteen (15) days in the preceding and/or the current school year, and who:
  - (i) is employed on a day-to-day basis by an education entity as defined by the *Education Act* to take the place of a regularly employed teacher;
  - (ii) pays an annual Union Membership Fee as fixed from time-to-time by Council; and,
  - (iii) pays per diem Union Membership Fees as fixed from time-to-time by Council.

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Standing Orders

- (b) The rights of Reserve Membership shall include, but not necessarily be limited to the right to:
  - (i) benefits as provided through NSTU as bargaining agent;
  - (ii) request legal assistance in instances resulting from problems arising in the performance of duties;
  - (iii) professional counselling within education;
  - (iv) vote at the local and provincial level;
  - (v) attend Council as outlined in Article II of these By-Laws;
  - (vi) membership in Professional Associations, except the right to hold office;
  - (vii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
  - (viii) membership on NSTU committees, where elected or appointed;
  - (ix) access NSTU publications and materials, as assigned, on the NSTU website; and,
  - (x) an NSTU web mail account.

**4. RETIRED MEMBER**

- (a) A Retired Member may be a person who has retired under a provision of the *Teachers' Pension Act*.
- (b) A person included in the Faculty and Professional Support Bargaining Units of the Nova Scotia Community College who retires under a provision of the *Teachers' Pension Act* on or before June 30, 2018 may be a Retired Member.
- (c) A manager as defined in the *Teachers' Collective Bargaining Act* who retires under a provision of the *Teachers' Pension Act* after August 1, 2018 may be a Retired Member while the Public School Administrators Association of Nova Scotia (PSAANS) remains affiliated with the NSTU.
- (d) A person included in the Faculty and Professional Support Bargaining Units of the Nova Scotia Community College who has retired under a provision of the Public Service Superannuation Plan on or before June 30, 2018 may be a Retired Member.
- (e) The rights of Retired Membership shall include, but not necessarily be limited to the right to:
  - (i) membership in the Retired Teachers Organization (RTO);
  - (ii) attend Council as outlined in Article II of these By-Laws;
  - (iii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan;
  - (iv) access NSTU publications and materials, as assigned, on the NSTU website; and,
  - (v) an NSTU web mail account.

**5. ASSOCIATE MEMBER**

- (a) An Associate Member may be:
  - (i) an Active Member on a leave of absence;
  - (ii) a member of the faculty of a provincial university; or,
  - (iii) an education student at a university; and,
  - (iv) who pays an annual Union Membership Fee as fixed from time-to-time by Council.
- (b) The rights of Associate Membership shall include, but not necessarily be limited to the right to:
  - (i) membership in Professional Associations, except the right to hold office;
  - (ii) attend Council as outlined in Article II of these By-Laws;
  - (iii) membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan; and,
  - (iv) access NSTU publications and materials, as assigned, on the NSTU website.

**6. HONOURARY MEMBER**

- (a) An Honourary Member is a person upon whom the honour has been conferred by a resolution of Council.
- (b) The rights of Honourary Membership shall include, but not necessarily be limited to the right to:
  - (i) attend Council as outlined in Article II of these By-Laws;
  - (ii) access NSTU publications and materials, as assigned, on the NSTU website; and,
  - (iii) an NSTU web mail account.

**7. SUBSTITUTE TEACHER MEMBER**

- (a) A teacher or other qualified person who is employed on a day-to-day basis by an education entity as defined by the *Education Act* to take the place of a regularly employed teacher who is not a Reserve Member will be a Union Member as a Substitute Teacher Member on the day(s) they teach.
- (b) These Members pay a per diem Union Membership Fee as fixed from time-to-time by Council.
- (c) A Substitute Teacher Member, who can prove employment by an education entity to the satisfaction of the NSTU, shall have rights of Membership that include, but not necessarily be limited to the right to:
  - (i) benefits as provided through NSTU as bargaining agent;
  - (ii) request legal assistance in instances resulting from problems arising in the performance of duties;
  - (iii) access NSTU publications and materials, as assigned, on the NSTU website; and,
  - (iv) an NSTU web mail account.

**8. APPEAL OF MEMBERSHIP**

Persons who are not automatically members of the Union as defined may make application for membership to the Executive Director. Such applications shall be forwarded to the Provincial Executive. The Provincial Executive may approve such applications.

**9. MEMBERSHIP REGISTRY**

- (a) The Executive Director shall, under the supervision of the Secretary-Treasurer, maintain a Membership Registry containing a record of the names and contact information for each Union Member.
- (b) This Registry shall be the official record of Union Membership and shall be used for such purposes as determining Annual Council Delegates and Local Rebates.
- (c) Amendments to the Registry are permitted up to the first Monday in December to determine Annual Council Delegates and up to the last Monday in March to determine Local Rebates.

**ARTICLE II — THE COUNCIL****1. DEFINITIONS**

- (a) The Council as defined by the *Teaching Profession Act* is established pursuant to these By-Laws and shall be the supreme governing body of the Union.
- (b) The Executive of the Council as described in the *Teaching Profession Act* shall be the Provincial Executive.
- (c) Members of the Council as described in the *Teaching Profession Act* shall be the Voting Delegates of Council.

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**2. COUNCIL DELEGATES AND OBSERVERS**

- (a) Voting Delegates of Council shall be:
  - (i) the Provincial Executive;
  - (ii) Local Presidents as one (1) of the Locals' allotment of Voting Delegates;
  - (iii) Local Voting Delegates as determined by individual Local constitutions;
  - (iv) Chairs of Regional Representative Councils;
  - (v) Chairs of Regional Economic Welfare Committees; and,
  - (vi) Professional Association Voting Delegates from individual Professional Associations.
- (b) Pursuant to 2. (a) (ii) and (iii), each Local is entitled to one (1) Voting Delegate for every fifty (50) Members or major fraction thereof.
- (c) Notwithstanding 2. (b), each Local is entitled to a minimum of three (3) Voting Delegates.
- (d) Pursuant to 2. (a) (vi), each Professional Association is entitled to one (1) Voting Delegate.
- (e) Non-Voting Delegates of Council shall be:
  - (i) Local Alternate Delegates as determined by individual Local constitutions;
  - (ii) Chairs or designates of NSTU Standing Committees; and,
  - (iii) an invited Retired Teachers Organization representative as selected by the RTO.
- (f) Pursuant to 2. (e) (i), each Local is entitled to determine Alternate Delegates on the basis of a sliding scale where Locals entitled to:
  - (i) 3 to 10 Voting Delegates are entitled to 1 Alternate Delegate;
  - (ii) 11 to 21 Voting Delegates are entitled to 2 Alternate Delegates;
  - (iii) 22 to 31 Voting Delegates are entitled to 3 Alternate Delegates;
  - (iv) 32 to 41 Voting Delegates are entitled to 4 Alternate Delegates; and,
  - (v) 42 + Voting Delegates are entitled to 5 Alternate Delegates.
- (g) Non-Voting Delegates may address Council with the permission of the Chair, permission shall not be unreasonably withheld.
- (h) Non-Voting Delegates may not move, second, or vote on any resolutions or motions.
- (i) In the unavoidable absence of a Local Voting Delegate, Council may permit a Local Alternate Delegate to act as a replacement. The Local Alternate Delegate, when replacing the Local Voting Delegate, has all the rights and responsibilities of a Local Voting Delegate.
- (j) Observers of Council may be:
  - (i) Local Observers as selected by individual Locals; and,
  - (ii) Members.
- (k) Pursuant to 2. (j) (i), each Local is entitled to select one (1) Local Observer.
- (l) Local Alternate Delegates and Local Observers attend Council at the Local's expense or at the individual's expense.

**3. GOVERNANCE OF COUNCIL**

- (a) A majority of Voting Delegates shall constitute quorum of Council.
- (b) There shall be an Annual Meeting of Council at such time and place as determined by the Provincial Executive.
- (c) The President, with the consent of the Provincial Executive, may call a Special Meeting of Council for such time and place as determined by the Provincial Executive.
- (d) The President shall call a Special Meeting of Council when requested in writing by a majority of Locals.
- (e) When a Special Meeting of Council is called, delegates shall be restricted to the Voting Delegates of the Annual Meeting of Council immediately prior. A Voting Delegate unable to attend may be replaced by the affected Local, Regional Representative Council, or Professional Association.
- (f) Resolutions to Council amending By-Laws require a two-thirds (2/3) majority vote and at least thirty (30) days-notice.

- (g) Resolutions to Council amending Standing Orders require a majority vote provided thirty (30) days-notice has been given. In lieu of thirty days-notice, resolutions amending Standing Orders require a two-thirds (2/3) majority vote provided notice has been given at a preceding session of Council.
- (h) Resolutions to Council which have been costed at two percent (2%) or more of the budgeted expenditures require a two-thirds (2/3) majority vote.
- (i) Resolutions to Council which amend Policy or direct action require a majority vote.

#### 4. COMMITTEES OF COUNCIL

Committees required for the efficient running of Council shall be appointed, constituted, and have their duties defined as the Council may from time-to-time provide through Standing Orders.

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## ARTICLE III — THE PROVINCIAL EXECUTIVE

### 1. COMPOSITION

- (a) The composition of the Provincial Executive shall be: the President, the First Vice-President, the Immediate Past-President, and twenty-one (21) Regional Members.
- (b) The number of Regional Members and the regions from which they shall be elected are as follows:
 

(i) Annapolis/Hants West/Kings	2 Members
(ii) Antigonish/Guysborough	1 Member
(iii) Atlantic Provinces Special Education Authority (APSEA)	1 Member
(iv) Cape Breton Industrial	2 Members
(v) Colchester/East Hants	1 Member
(vi) Conseil syndical acadien de la Nouvelle-Écosse (CSANE)	2 Members
(vii) Cumberland	1 Member
(viii) Dartmouth	1 Member
(ix) Digby/Shelburne/Yarmouth	2 Members
(x) Halifax City	2 Members
(xi) Halifax County	2 Members
(xii) Inverness/Richmond	1 Member
(xiii) Lunenburg County/Queens	1 Member
(xiv) Northside Victoria	1 Member
(xv) Pictou	1 Member
- (c) A Provincial Executive Member must be an Active Member of the NSTU.
- (d) A Provincial Executive Member shall not concurrently hold office at the Local, Regional, or Professional Association Level.

### 2. TABLE OFFICERS

- (a) The Table Officers of the Union shall be:
  - (i) the President,
  - (ii) the First Vice-President,
  - (iii) the Second Vice-President,
  - (iv) the Secretary-Treasurer, and
  - (v) the Immediate Past-President.
- (b) Table Officers are Members of the Provincial Executive.
- (c) The Second Vice-President and the Secretary-Treasurer remain Regional Members while serving as Table Officers.

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**3. GOVERNANCE**

- (a) A majority of the Provincial Executive shall constitute quorum.
- (b) There shall be at least six (6) regular meetings of the Provincial Executive each year.
- (c) The President may call a Special Meeting of the Provincial Executive.
- (d) The President shall call a Special Meeting of the Provincial Executive when requested in writing by a two-third (2/3) majority of the Provincial Executive.
- (e) The Provincial Executive may determine its own procedure as set out in Operational Procedures which shall not be inconsistent with these By-Laws, NSTU Standing Orders, or the *Teaching Profession Act*.
- (f) Resolutions and recommendations being forwarded to Annual Council by the Provincial Executive require a two-thirds (2/3) majority vote of the Provincial Executive.
- (g) Roll call votes are taken upon the approval of at least one-fifth (1/5) of the Members of the Provincial Executive.
- (h) The Executive Director shall be responsible for recording the minutes of Provincial Executive meetings. Minutes, once approved, shall be signed by the Secretary-Treasurer and President, shall be kept by the Executive Director as the official record of the Provincial Executives proceedings, and shall be posted to the NSTU website (NSTU web account log-in required).
- (i) Regular meetings of the Provincial Executive are open to Active and Reserve Members of the NSTU except for those portions of the meeting recommended by the Table Officers and confirmed by two-third (2/3) majority vote to be held in Closed Session.

**4. ELECTIONS**

- (a) The President shall be elected by a majority vote of the entire Active and Reserve Membership following the process outlined in Operational Procedures.
- (b) The First Vice-President shall be elected by a majority vote conducted at Annual Council following the process outlined in Operational Procedures.
- (c) The Second Vice-President and Secretary-Treasurer shall be elected by the Provincial Executive at a meeting prior to the commencement of the term of office from amongst the Regional Members who will be Members of the Provincial Executive on August 1<sup>st</sup> of that year. The election shall be by majority vote.
- (d) Regional Members shall be elected by a plurality vote of the entire Active and Reserve Membership of the regions defined in 1. (b), following the process outlined in Operational Procedures.

**5. TERM OF OFFICE**

- (a) The term of office for all Provincial Executive Members serving as Regional Members shall be two (2) years starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.
- (b) No Provincial Executive Member serving as a Regional Member shall serve for more than two (2) consecutive terms as a Regional Member. A Regional Member may be re-elected as a Regional Member once absent from the Provincial Executive in this capacity for a full term of office.
- (c) The term of office for the Provincial Executive Member serving as President or First Vice-President shall be two (2) years starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.
- (d) No President shall serve for more than two (2) consecutive terms as the President. A President may be re-elected as President once absent from the Provincial Executive in this capacity for a full term of office.
- (e) No First Vice-President shall serve for more than two (2) consecutive terms as the First Vice-President. A First Vice-President may be re-elected as First

Vice-President once absent from the Provincial Executive in this capacity for a full term of office.

- (f) The term of office for the Immediate Past-President shall be for one (1) year starting August 1<sup>st</sup> and ending July 31<sup>st</sup> of the year immediately following the presidency.
- (g) The term of office of the Second Vice-President as Second Vice-President shall be for one (1) year starting August 1<sup>st</sup> and ending July 31<sup>st</sup>. A Second Vice-President may have consecutive one (1) year terms as long as they are serving as a Regional Member.
- (h) The term of office of the Secretary-Treasurer as Secretary-Treasurer shall be for one (1) year starting August 1<sup>st</sup> and ending July 31<sup>st</sup>. A Secretary-Treasurer may have consecutive one (1) year terms as long as they are serving as a Regional Member.
- (i) Service by a Provincial Executive Member as a result of a by-election shall not be applied to the term of office when that same Member is elected through a regular election.
- (j) A Provincial Executive Member may resign; such resignation shall be effective once provided in a written letter to the President.

## 6. TEMPORARY ABSENCE

- (a) In the temporary absence of the President, the First Vice-President shall perform the duties of the President.
- (b) In the temporary absence of the First Vice-President, the Second Vice-President shall perform the duties of the First Vice-President.
- (c) In the temporary absence of the Second Vice-President or the Secretary-Treasurer, the duties will be performed by a fellow Table Officer.
- (d) In the temporary absence of a Regional Member the Provincial Executive may select a sitting Provincial Executive Member to perform the provincial duties of the absent Member.
- (e) A Provincial Executive member who becomes ill and is unable to attend regular meetings of the Provincial Executive shall be represented immediately by an alternate selected by the Local(s) involved, and the alternate member shall have all rights and privileges of the duly elected Provincial Executive member during the time of incapacity.

## 7. VACANCY

- (a) A vacancy shall occur in the event of removal, resignation, or death.
- (b) For a vacancy in the office of President the following shall apply:
  - (i) If the vacancy occurs within the first fifteen (15) months of the term:
    - a. The First Vice-President shall assume the office as Acting President until a by-election is held.
    - b. If the First Vice-President is unable or unwilling to assume the office as Acting President, the Provincial Executive shall elect one (1) of its Members as Acting President until a by-election is held. The election shall be by majority vote.
    - c. The Chief Electoral Officer shall call the by-election within thirty (30) days of the effective knowledge of the vacancy.
  - (ii) If the vacancy occurs after the first fifteen (15) months of the term:
    - a. The First Vice-President shall assume the office as President for the remainder of the term.
    - b. If the First Vice-President is unable or unwilling to assume the office as President, the Provincial Executive shall elect one (1) of its Members as President for the remainder of the term. The election shall be by majority vote.
- (c) For a vacancy in the office of First Vice-President the following shall apply:
  - (i) If the vacancy occurs within the first nine (9) months of the term:

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- a. The Second Vice-President shall assume the office as Acting First Vice-President until a by-election is held.
- b. If the Second Vice-President is unable or unwilling to assume the office as Acting First Vice-President, the Provincial Executive shall elect one (1) of its Members as Acting First Vice-President until a by-election is held. The election shall be by majority vote.
- c. A by-election shall be held at Annual Council to complete the term of office.
  - (ii) If the vacancy occurs after the first nine (9) months of the term:
    - a. The Second Vice-President shall assume the office as First Vice-President for the remainder of the term.
    - b. If the Second Vice-President is unable or unwilling to assume the office as First Vice-President, the Provincial Executive shall elect one (1) of its Members as First Vice-President for the remainder of the term. The election shall be by majority vote.
- (d) For a vacancy in the office of Second Vice-President or Secretary-Treasurer, the Provincial Executive shall elect one (1) of its Members to serve for the remainder of the term. The election shall be by majority vote.
- (e) When a Provincial Executive position becomes vacant in the event of removal, resignation, death or other permanent inability to act, the vacated position shall be filled by an alternate selected by the local(s) involved, and the alternate member shall have all the rights and privileges of the duly elected PE member until such time as a by-election is completed.

**8. DUTIES**

- (a) The President shall:
  - (i) preside over all meetings of the Council and of the Provincial Executive, and shall have general oversight of the affairs of these bodies;
  - (ii) be an ex officio member of all NSTU committees;
  - (iii) perform such other duties as delegated by the Council or the Provincial Executive; and,
  - (iv) convene a minimum of two conferences per year of NSTU Local Presidents and Regional Representative Council Chairs.
- (b) Notwithstanding 8. (a) (i), the Provincial Executive shall appoint an individual to serve as an Independent Chair for the business sessions of Annual Council.
- (c) The Provincial Executive functions in the name of Council between sessions; it shall perform its duties in a manner that is consistent with the will of Council as expressed through resolutions passed by Council. In addition, the Provincial Executive shall carry out duties imposed specifically by the *Teaching Profession Act*, these By-Laws, Standing Orders, and Operational Procedures. The Provincial Executive will have, but not necessarily be limited to, carrying out the following duties:
  - (i) appoint and dismiss an Executive Director and such other paid employees of the Union as it may deem necessary and determine their duties, remuneration, and terms of employment, including bonding;
  - (ii) provide suitable offices and equipment for carrying on the work of the NSTU;
  - (iii) direct and supervise the business, property, and affairs of the NSTU between Council meetings, and all decisions that are deemed policy by the Provincial Executive shall be forwarded to the upcoming Council as resolutions;
  - (iv) determine the place and date and make arrangements for workshops and special Council meetings;
  - (v) issue a post-Council press release;



- (vi) provide assistance with organizing Locals, Regional Representative Councils, and Professional Associations;
- (vii) shall ratify constitutions of Locals, Regional Representative Councils, and Professional Associations by following regulations outlined in the NSTU Operational Procedures;
- (viii) determine the boundaries of the Locals;
- (ix) publish a magazine or other official publications;
- (x) cause the books and accounts of the Council to be audited annually by a chartered accountant and cause the report of the auditor to be submitted to Council;
- (xi) have the power to convene an emergency meeting of a Local or a meeting of the NSTU Members in a given area; and,
- (xii) is empowered to exercise on behalf of the Union, as the Provincial Executive deems advisable from time-to-time, the powers of the Union under the *Teachers' Pension Act* and report thereon to the Council at the next following meeting of the Council.

## 9. COMMITTEES OF THE PROVINCIAL EXECUTIVE

Committees required for the efficient running of the NSTU shall be appointed, constituted, and have their duties defined as provided in Standing Orders and Operational Procedures.

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# ARTICLE IV — LOCAL GOVERNANCE

## 1. NSTU LOCALS

- (a) Active Members may, with the consent of the Provincial Executive, form a Local.
- (b) Every Active and Reserve Member shall belong to a Local and no Member shall belong to more than one Local.

## 2. OFFICERS

- (a) A Local shall elect a President, First Vice-President, and such other officers as the Local may determine.
- (b) The elected Executive of the Local shall be the governing body thereof.

## 3. GOVERNANCE

- (a) A Local shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (b) A Local shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations.
- (c) A Local shall determine the dates of its meetings and shall designate one (1) meeting each school year as its Annual General Meeting.
- (d) A majority of Officers will constitute a quorum of the Local Executive.
- (e) A Local shall have the right to submit resolutions to Council following the Resolution Procedures outlined in the Standing Orders.

## 4. FINANCES

- (a) The Secretary-Treasurer shall, from annual Union Membership Fees received, pay to Locals a rebate in an amount as determined by Annual Council.

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- (b) Rebates to Locals shall be made in two (2) installments. The first installment shall be made no later than November 30<sup>th</sup> in any given year, and the second installment shall be made no later than May 31<sup>st</sup> in any given year.
- (c) A Local shall submit to Central Office, by July 31<sup>st</sup> of each year, a budget for the ensuing school year.
- (d) A Local shall submit to Central Office, by October 31<sup>st</sup> of each year, the information required for its internal review, which will be conducted out of Central Office.
- (e) A Local may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

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## ARTICLE V — REGIONAL GOVERNANCE

### 1. REGIONAL REPRESENTATIVE COUNCIL (RRC)

- (a) There shall be seven (7) Regional Representative Councils (RRC) mirroring the seven (7) Regional Centres for Education (RCE) as follows:
  - (i) Annapolis Valley Regional Representative Council,
  - (ii) Cape Breton-Victoria Regional Representative Council,
  - (iii) Chignecto Regional Representative Council,
  - (iv) Halifax Regional Representative Council,
  - (v) South Shore Regional Representative Council,
  - (vi) Strait Regional Representative Council, and
  - (vii) Tri-County Regional Representative Council.
- (b) The mandate of the Regional Representative Council within the geographic boundaries of a Regional Centre for Education shall be to address NSTU Members' bargaining unit issues with their RCE.
- (c) The Regional Representative Council shall carry out the responsibilities as set out in the Teachers' Provincial Agreement, and applicable Regional Collective Agreement, between the RCE and the NSTU.

### 2. COMPOSITION AND OFFICERS

- (a) The Regional Representative Council Membership shall include the following from the Locals from within the RRC:
  - (i) Presidents of participating Locals;
  - (ii) First Vice-Presidents of participating Locals; and,
  - (iii) an equal number of additional Member(s) from each participating Local.
- (b) The Regional Representative Council Membership shall include the following Regional Members:
  - (i) Regional Representative Council Chair; and,
  - (ii) Provincial Executive Member(s) from the RRC.
- (c) The Regional Representative Council, from the RRC Membership in 2. (a) (i), (ii), and (iii), shall determine a Chair, Vice-Chair, Grievance Chair, Article 60 Chair, Regional Economic Welfare Committee (REWC) Chair, and a Treasurer and/or Secretary as set out in its constitution.

### 3. GOVERNANCE

- (a) A majority of the Regional Representative Council shall constitute a quorum.
- (b) All Members of the Regional Representative Council shall have voting privileges.

- (c) A Regional Representative Council shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (d) A Regional Representative Council shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations. However, it may deal directly with the Regional Centre for Education on behalf of the Union.
- (e) Subject to Article VIII of these By-Laws, the Chair of the Regional Representative Council shall be the spokesperson on regional matters for the NSTU.
- (f) A Regional Representative Council shall determine the dates of its meetings.
- (g) A Regional Representative Council shall have the right to submit resolutions to Council following the Resolutions Procedures outlined in the Standing Orders.

#### 4. FINANCES

- (a) The Regional Representative Council shall be funded on an equitable basis by the participating Locals in the region.
- (b) If at July 31<sup>st</sup>, the cash balance of an RRC exceeds an amount necessary to fund the activities of the RRC until the November Local Rebate, then the excess monies shall be returned to the participating Locals of the RRC.
- (c) The Regional Representative Council shall submit to Central Office, by July 31<sup>st</sup> of each year, a budget for the ensuing school year.
- (d) The Regional Representative Council shall submit to Central Office, by October 31<sup>st</sup> of each year, the information required for its internal review, which will be conducted out of Central Office.
- (e) The Regional Representative Council may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

#### 5. REGIONAL REPRESENTATIVE COUNCIL COMMITTEES

- (a) The Regional Representative Council shall annually establish a Standing Committee called the Regional Economic Welfare Committee with Membership consisting of the First Vice-Presidents of participating Locals and other Members as determined by the Regional Representative Council to a maximum of ten (10) Members.
- (b) The Regional Representative Council shall annually appoint Members to committees as stipulated in Regional and Provincial collective agreements.

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## ARTICLE VI — PROFESSIONAL ASSOCIATION GOVERNANCE

### 1. PROFESSIONAL ASSOCIATION

- (a) Active Members may, following the procedure laid out in Operational Procedures and with the consent of the Provincial Executive, form a Professional Association.
- (b) The mandate of Professional Associations shall be to encourage and assist Members in professional development activities in their respective fields.
- (c) The objectives of Professional Associations are to:

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- (i) improve professional practice by increasing Members' knowledge and understanding;
  - (ii) disseminate ideas, trends, and new developments;
  - (iii) advocate interests of Professional Associations, consistent with NSTU Policy and practice; and,
  - (iv) advise the Provincial Executive and NSTU Committees on matters special to the Professional Associations.
- (d) Membership in a Professional Association is open to Active, Reserve, and Associate Members of the NSTU, is voluntary, and is conditional on paying a Professional Association Fee as set by the individual Associations at their Annual General Meetings.
- (e) The NSTU shall assist in the organization and promotion of Professional Associations, and give financial assistance where necessary, in order to provide opportunities for Member-initiated professional development.

**2. OFFICERS**

- (a) A Professional Association shall elect a President, and such other officers as the Association may determine.
- (b) The elected Executive of the Professional Association shall be the governing body thereof.

**3. GOVERNANCE**

- (a) A Professional Association shall be a committee of the NSTU, and shall be under the control of the Council and its Executive, subject to the *Teaching Profession Act*, these By-Laws, and NSTU Standing Orders.
- (b) A Professional Association shall not deal directly in matters of policy with the Provincial Government, government departments, or other provincial organizations.
- (c) A Professional Association shall determine the dates of its meetings and shall designate one (1) meeting each school year as its Annual General Meeting.
- (d) A majority of Officers will constitute a quorum of the Professional Association Executive.
- (e) A Professional Association shall have the right to submit resolutions to Council following the Resolutions Procedures outlined in the Standing Orders.

**4. FINANCES**

- (a) A Professional Association shall submit to Central Office, by December 1<sup>st</sup> of each year, a budget for the current school year.
- (b) A Professional Association shall submit to Central Office, by December 1<sup>st</sup> of each year, the information required for its internal review, which will be conducted out of Central Office.
- (c) A Professional Association may not permit the use of any part of its funds for the purpose of conducting a campaign in respect to any election whether within the Union or outside of the Union.

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**ARTICLE VII — PROFESSIONAL COMMITTEE****1. PROFESSIONAL COMMITTEE**

- (a) Pursuant to the *Teaching Profession Act*, Section 11 (1), there shall be a Professional Committee of the NSTU.

- (b) The mandate of the Committee is as described in the *Teaching Profession Act*.
- (c) The Professional Committee shall consist of six (6) Members elected by the Council.
- (d) Members of the Professional Committee shall serve a three (3) year term, with two (2) Members of the Committee retiring each year.
- (e) No Member of the Professional Committee shall concurrently be a Member of the Provincial Executive or a Committee of the Provincial Executive.
- (f) The Professional Committee shall meet at least once a year for professional development purposes and as required to consider complaints.

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## ARTICLE VIII — OFFICIAL SPOKESPERSON FOR THE UNION

The President is the official spokesperson for the NSTU and its negotiating team unless some other person has been specifically delegated with this authority.

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## ARTICLE IX — FINANCE

### 1. FISCAL YEAR

The fiscal year of the NSTU shall be August 1st to July 31st.

### 2. BALANCED BUDGET

- (a) The Finance and Property Committee shall provide to Delegates of Annual Council, in advance of Council, a balanced budget for the upcoming Fiscal Year.
- (b) Where the Finance and Property Committee recommends a balanced budget to Delegates of Annual Council which requires an increase in Union Membership Fees and/or a transfer from the Reserve Fund the Committee shall also prepare an alternate balanced budget which decreases expenditures instead of increasing Union Membership Fees and/or transferring funds from the Reserve Fund.

### 3. RESERVE FUND

- (a) The NSTU shall set up a Reserve Fund which shall be administered by the Provincial Executive subject to the ratification by Council and shall be maintained by amounts voted annually by Council.
  - (b) Council may also approve use of an amount from the Reserve Fund for operational purposes. Council shall review any such amount annually. Following such reviews, Council may vary the amount. Council's authority to establish and/or vary the amount from the Reserve Fund shall be exercised by a majority vote of the Council.
  - (c) The Fund may be used:
    - (i) when the NSTU incurs reasonable costs while engaged in a legal strike;
    - (ii) as a source for loans within the NSTU for purposes of expansion or development; or,
    - (iii) for expenditures or loans in cases of emergency; and,
    - (iv) the amount of the Reserve Fund to be used to balance the operating budget shall not exceed \$350,000 per year.
  - (d) The Reserve Fund shall be invested by the Provincial Executive in accordance with the principles of safety, marketability, and return.
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## ARTICLE X — RULES OF ORDER

The most current edition of Robert’s Rules of Order, Newly Revised, governs the NSTU in all parliamentary situations not provided for in Legislation, By-Laws, or Standing Orders.

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## ARTICLE XI — LEGAL ASSISTANCE

If legal action is being taken or threatened against any Member of the NSTU in matters arising out of the individual’s professional duties or status, or if, in the opinion of the Provincial Executive, legal action should be taken by a Member in matters arising out of the individual’s professional duties or status, then such Member may be granted such legal assistance as the Provincial Executive in its sole discretion may determine.

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*Approved by the Lieutenant Governor of Nova Scotia in Council on the 3rd day of December 1968.*

*Gordon H. Davidson Deputy Clerk of the Executive Council Amended 1970 Council.*

*Amended at each succeeding Council 1971-2018.*

*Amended by substitution 2019-01.*

*Amended at each succeeding Council 2021-*

**SECTION III****STANDING ORDERS**

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**1. UNION MEMBERSHIP FEES**

- (a) The Union Membership Fee for Active Members, as defined by By-Law Article I, Section 2, pursuant to Section 12 of the *Teaching Profession Act* shall be as fixed from time-to-time by Council.
  - (b) Notwithstanding 1. (a), the amount of the Union Membership Fee for Active Members employed under a term contract of less than an equivalent of sixty (60) days taught and claimed shall be determined on the basis of the number of days employed over a denominator of sixty (60) multiplied by eighty percent (80%) of the annual Union Membership Fee.
  - (c) The Union Membership Fee for Reserve Members, as defined by By-Law Article I, Section 3, shall be thirty two dollars per year (\$32/yr).
  - (d) A per diem Union Membership Fee in the amount of two dollars and eighty cents per teaching day (\$2.80/day) is applied to substitute teachers whether Reserve Members or not. This amount shall be deducted at source.
  - (e) The Union Membership Fee for Associate Members, as defined by By-Law Article I, Section 5, shall be ten dollars per year (\$10/yr).
  - (f) No teacher shall pay an annual Union Membership Fee greater than the current amount payable by a full time teacher in any one (1) school year.
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**2. ORDERS OF COUNCIL**

- (a) On an annual basis, the Provincial Executive shall appoint an Independent Chair for the Council.
  - (i) The individual appointed shall:
    - a. have a demonstrated knowledge of parliamentary procedure;
    - b. not currently be holding elected office in the NSTU;
    - c. not currently be seeking elected office in the NSTU;
    - d. have no conflict of interest according to NSTU Standing Orders; and,
    - e. adhere to the principles outlined in the NSTU Code of Ethics.
  - (ii) In the event that the Independent Chair is unable to chair the meeting, the President will assume the chair.
- (b) The Executive Director shall be responsible for the recording of the minutes of the Council meetings.
- (c) The minutes of every meeting of the Council, when approved, shall be signed by the Secretary-Treasurer and by the President, and these shall be kept by the Executive Director as the official record of the Council proceedings.
- (d) All recommendations of the Provincial Executive of the NSTU and its committees which are to be presented to Annual Council for action, including resolutions to fix Union Membership Fees, shall be sent to the Locals at least thirty (30) days prior to the meeting of Council.
- (e) The Annual Council Workbook shall be available to all Council delegates at least fourteen (14) days prior to the Annual Meeting of Council.
- (f) The Treasurer's Report, including the proposed budget, shall be presented to the Council no later than the first business session of Council.

**CONSTITUTION**

TPA

By-Laws

**Standing Orders**

- (g) All resolutions that are identified by the Finance and Property Committee to have an effect on the proposed operating budget shall be dealt with prior to the presentation of the budget.
- (h) Economic Welfare resolutions shall be debated at Annual Council in Closed Session.
- (i) In the final business session of Council the budget shall be presented in closed session for its adoption.
- (j) The reports presented by committees to Annual Council shall be received and reviewed at a session prior to the consideration of resolutions arising from them.

**3. RESOLUTIONS TO COUNCIL**

- (a) Resolution submissions shall be prepared into a document which is circulated to all Members prior to deliberations at Council.
- (b) Resolution submissions shall be available to Delegates in both official languages.
- (c) Resolution submissions shall be accompanied by supporting briefs at the time of submission and be presented to the Membership in the same order as they are to be deliberated during Annual Council proceedings.
- (d) All resolutions submitted for consideration to Annual Council shall be studied beforehand by the appropriate committee and/or the Provincial Executive. The findings and recommendations, if any, from such study shall be available to the delegates at Annual Council.
- (e) Submitted resolutions categorized as Economic Welfare and Working Conditions which relate to Provincial Negotiations shall be automatically referred to staff for consideration by the Provincial Economic Welfare Committee.
- (f) A resolution adopted at Annual Council becomes effective immediately upon adoption unless the resolution itself specifies a particular time frame or unless the resolution affects the NSTU budget.
- (g) (i) Resolution submissions identified by the Resolutions Committee as an NSTU Operational Procedure shall have that submission returned to the Local, RRC or Professional Association for redirection to the Provincial Executive for action.
- (ii) Should the Local, RRC, or Professional Association not agree with the decision of the Provincial Executive concerning the issue, the affected Local, RRC, or Professional Association is able to resubmit that same resolution to the next Annual Council. The brief accompanying the resolution shall contain information concerning the Operational Procedure status of the submission as well as the decision of the Provincial Executive concerning the issue.
- (h) All resolutions to Annual Council shall be designated constitutional, policy, or action.
- (i) Resolutions adopted at Council designated constitutional are recorded in the NSTU Constitution.
- (j) Resolutions adopted at Council designated policy are recorded in NSTU policy documents and are subject to the six-year (6-yr) cycle review.
- (k) Resolutions adopted at Council designated action are removed from NSTU documents when action has been taken.
- (l) A full report of the action taken on each resolution passed by Council shall be presented at the following Council in the Disposition of Resolutions Report.



## 4. COMMITTEES OF COUNCIL

### (a) STEERING COMMITTEE

- (i) Before each Council meeting the Provincial Executive shall appoint from the elected Voting Delegates a Steering Committee consisting of three (3) people.
- (ii) The Steering Committee shall monitor the progress of Council and make recommendations to Council concerning the appropriateness of time in relation to the business agenda.

### (b) THE ANNUAL COUNCIL ELECTIONS COMMITTEE

- (i) Before each Annual Council meeting the Provincial Executive shall appoint from the elected Voting Delegates an Annual Council Elections Committee consisting of four (4) people.
- (ii) The Annual Council Elections Committee shall:
  - (a) Receive nominations for each vacancy on the following:
    - i. the First Vice-Presidential office;
    - ii. the delegation to the Canadian Teachers' Federation;
    - iii. the Professional Committee;
    - iv. the Discipline Committee; and,
    - v. the Resolutions Committee.
  - (b) Obtain, in advance, the consent of each candidate nominated.
  - (c) Submit each name to the Council on a prepared form containing a statement of the nominee's professional activities, teaching position, experience and qualifications, provided this information is given to the Annual Council Elections Committee at least one (1) hour prior to the time scheduled for commencement of the session in which the election is to be conducted.
  - (d) Ensure nominations for Council, other than for First Vice-President, close with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chair of Council at the session in which the election is to be conducted.
  - (e) Ensure that nominations for First Vice-President close in the opening session of Council with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chair of Council.
- (iii) Any Member of Council who is entitled to vote may nominate from the floor any eligible person to any office.
- (iv) Any Member elected to a committee at Annual Council shall be ineligible to serve consecutive terms of office on that same committee.
- (v) The election of the First Vice-President shall be determined by a majority vote of Voting Delegates at Annual Council. In all other elections held during Council, the successful candidate requires a plurality of the ballots cast.
- (vi) The Committee shall draw up a standardized report form to be issued to all candidates for the office of First Vice-President, which includes a list of contributions and on which non-monetary items are assessed at a dollar value.
- (vii) The Committee shall monitor Council election guidelines and report any suspected violations to the Chair of Council for consideration and possible action. The Chair of Council, after consultation with the Committee, shall attempt to resolve any concerns in an informal manner. If the matter cannot be resolved informally, the Chair of Council shall make a ruling and may announce the ruling at the next session of Council.
- (viii) The Committee shall submit a report with recommendations concerning the conduct of any Council election to the Provincial Executive within ninety (90) days from the conclusion of Annual Council.

**CONSTITUTION**

TPA

By-Laws

**Standing Orders****(c) RESOLUTIONS COMMITTEE**

- (i)
  - a. The Resolutions Committee shall consist of five (5) Members.
  - b. Annual Council shall elect four (4) Members from amongst the Voting Delegates. Elections shall be staggered from year-to-year to allow for continuity. All such Members elected shall serve a two (2) year term.
  - c. The Provincial Executive shall elect one (1) of its Members to serve as Chair of the Resolutions Committee. The Chair shall serve for a renewable one (1) year term.
- (ii) Members of the Resolutions Committee who are not Voting Delegates to Annual Council are empowered to move and second resolutions presented through the Resolutions Committee at Council; however, they are not permitted to vote.
- (iii) The Resolutions Committee shall:
  - a. Designate each resolution by topic (Governance, Curriculum, Economic Welfare and Working Conditions, Government, Professional Development, General); by category (Constitutional, Policy, Action); by intent (Amend, Rescind, New); and by eligibility (majority or two-third (2/3) majority Vote).
  - b. Ensure that resolutions affecting the NSTU's budget are costed by the Finance and Property Committee and make such costing information available at the time of deliberation.
  - c. Consult the sponsor of a resolution to clarify the costing specifics of any resolution classified as a costed resolution.
  - d. Combine resolutions of similar intent without altering the substantial intent of any resolution.
  - e. Consult the sponsor of a resolution on rewording of a submission.
  - f. Inform and report to the sponsor of a resolution at least thirty (30) days prior to Council if a proposed resolution is out of order, and include suggestions on how to improve it so it could be submitted to Annual Council the following year.
  - g. Supply the sponsor of a resolution, upon request, a written summary of legal advice regarding submitted resolutions if available.
  - h. Determine the eligibility of submissions received during Council proceedings for consideration under New Business.
  - i. Coordinate compilation of Reports; the Disposition Report, which includes the URL of an electronic compilation of memos and letters regarding adopted resolutions, and Reports to Council.

**5. COMMITTEES OF THE PROVINCIAL EXECUTIVE**

- (a) At a meeting following Annual Council the Provincial Executive shall appoint such committees of the NSTU as it from time-to-time is authorized to do so by Council and such other committees as it may find useful or necessary to carry out the NSTU program. All such committees shall report to the Provincial Executive.
- (b) Committees of the NSTU are advisory bodies to the Provincial Executive and responsible to the Provincial Executive for their programs. Committees of the NSTU are not program-administering committees except as specifically authorized by the Provincial Executive. Committees are not authorized to spend money or to commit the NSTU to the expenditure of monies, acts, or engagements except as authorized by the Provincial Executive.

- (c) The Provincial Executive shall establish terms of reference for committees appointed by the Provincial Executive and shall make these terms of reference available to all Active and Reserve Members.
- (d) All committees appointed by the Provincial Executive shall serve from August 1<sup>st</sup> to July 31<sup>st</sup> of any school year unless otherwise directed by the Provincial Executive.
- (e) Voting privileges on NSTU committees shall be confined to Active and Reserve Members of the NSTU, others to act only in advisory or consultative capacity.

## 6. DISCIPLINE COMMITTEE

- (a) Pursuant to the *Teaching Profession Act*, Section 10 (1) (d), there shall be a Discipline Committee of the NSTU.
- (b) The mandate of the Committee is to consider complaints regarding Member action(s) inimical to the interests of the NSTU, which would not come before the Professional Committee.
- (c) The Discipline Committee shall consist of five (5) Members elected by Council.
- (d) Members of the Discipline Committee shall serve a three (3) year term.
- (e) No Member of the Discipline Committee shall concurrently be a Member of the Provincial Executive or a Committee of the Provincial Executive.
- (f) The Discipline Committee shall meet at least once a year for professional development purposes and as required to consider complaints.

## 7. CAMPAIGN GUIDELINES

- (a) These guidelines apply to any election campaign within the NSTU.
- (b) Active campaigning within Council Chambers is prohibited except for the normal address to Delegates by Presidential and First Vice-Presidential Candidates. Passive campaigning within Council Chambers is permitted.
- (c) Active or passive campaigning for elections or activities not related to the structure or operations of the NSTU are prohibited within Council Chambers.
- (d) Active campaigning shall be considered any display or action that involves the presentation of partisan information in a manner that is difficult for a group of Delegates to avoid. Examples of such active campaigning include, but is not limited to, the display of campaign posters, the shouting of campaign slogans, shouting out in support of a candidate other than during the normal address to delegates, distributing materials throughout Council Chambers including the placing of campaign materials anywhere within Council Chambers prior to, during, or following a Council session, and demonstrations in support of a given candidate.
- (e) Passive campaigning shall be considered any display or action that is observable only by people in the immediate vicinity of the campaign material and involves no explicit action to promote or advance those materials at the time at which the material is seen or heard. Examples of such passive campaigning include the use of written materials containing references to a candidate, the wearing of campaign clothing, buttons, or ornaments, and the presence of a single copy of a candidate's campaign literature at delegates' seats and table spots.
- (f) A candidate or representative of the candidate is permitted to place up to one (1) item per delegate per session at the tables in Council Chambers prior to the start of the session. This would replace campaign material distribution at other times. A candidate would still be permitted to greet delegates as they enter Council Chambers.

**CONSTITUTION**

TPA

By-Laws

**Standing Orders**

- (g) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
  - (h) The use of employer email is prohibited for campaigning purposes.
  - (i) The use of the Membership Registry is prohibited for campaigning purposes by individual candidates.
  - (j) The number of campaign posters/banners on display in the hotel(s) at Annual Council may be controlled by the hotel(s). If the hotel(s) do limit the number of posters/banners candidates will be informed of such limitations the week prior to the start of Council. A campaign poster shall include any poster, banner or sign posted by or for a Member running for an elected position that makes a reference to the candidate and/or the position being sought.
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**8. CONFLICT OF INTEREST**

Individuals in an elected or appointed leadership role of the NSTU, its employees, and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and to ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.

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**9. DIRECTIVES OF THE PROVINCIAL EXECUTIVE**

When the Provincial Executive enacts changes during the year which impact in a negative way on Local/Regional Representative Council finances, the Provincial Executive will also direct additional funds to Locals/Regional Representative Councils to carry out these changes.

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**10. EXECUTIVE STAFF**

- (a) The Executive Director and Executive Staff of the NSTU must be eligible to hold valid Nova Scotia teacher professional numbers.
  - (b) The number of full-time Executive or similar positions shall be increased only with the prior consent of Annual Council.
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**11. PRIVACY – MEMBER DATA**

- (a) The NSTU fully respects the rights of its Members to security and privacy with respect to the data supplied to it by its Members. To that end, the following guidelines shall apply:
    - (i) all data collected by the NSTU shall be used solely for Union business;
    - (ii) no individual Member data will be released to anyone, other than for legitimate use unless individually and explicitly authorized by the Member;
    - (iii) data may be released to affiliate organizations or academic institutions in aggregate form for research approved by the Provincial Executive;
    - (iv) aggregate Member data may be released to news media only with prior approval of the Provincial Executive; and,
    - (v) no Member data will be released to commercial interests.
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## 12. AWARDS

- (a) The Provincial Executive may from time-to-time recognize outstanding contributions of Members by the means and under the conditions, which follow:
- (b) Life Membership Award which shall be:
  - (i) a certificate, a pin, and paid Membership in the Retired Teachers Organization;
  - (ii) awarded only to Members retiring from the profession;
  - (iii) awarded for displaying consistently high qualities of leadership, performance and service to education, the teaching profession or to the Nova Scotia Teachers Union; and,
  - (iv) awarded at the sole discretion of the Provincial Executive.
- (c) Special Award which shall be:
  - (i) a certificate and gift;
  - (ii) awarded only to Active Members;
  - (iii) awarded only for a particular outstanding service to education, the teaching profession, or the Nova Scotia Teachers Union; and,
  - (iv) awarded at the sole discretion of the Provincial Executive.
- (d) Local Service Award which shall be:
  - (i) a certificate and special pin;
  - (ii) awarded for displaying at the Local level a consistent and continuing involvement in Local leadership, professional development or long term service to education or the teaching profession;
  - (iii) awarded for a particular outstanding service to the Local, to education or to the teaching profession;
  - (iv) awarded to Active Members and newly Retired Members (i.e. within two years following retirement); and,
  - (v) awarded by the Provincial Executive only on the recommendation of a Local Executive.

## 13. CHIEF ELECTORAL OFFICER

- (a) There shall be a Chief Electoral Officer of the Union who shall be the Solicitor of the Union.
- (b) The duties of the Chief Electoral Officer shall be:
  - (i) to advise on the conducting of any election described in the Constitution of the Union;
  - (ii) to decide the meaning of the Constitution in respect of elections; and,
  - (iii) to decide matters of complaint concerning elections presented by interested parties.

## 14. DELEGATES TO CANADIAN TEACHERS' FEDERATION

Delegates to the Canadian Teachers' Federation Annual General Meeting shall be: the President, or another CTF Director as chosen by the Provincial Executive from the Members of the Provincial Executive; the Executive Director as a member of the CTF Board; and a number of other delegates defined by the Canadian Teachers' Federation who shall be elected by the Council. The First Vice-President or, in the absence of the First Vice-President the Second Vice-President, shall attend as an alternate.

During a presidential election year, the NSTU President-elect will be included in the delegation to CTF as an observer at the AGM. The costs incurred will be covered by the NSTU as per CTF guidelines.

CONSTITUTION

TPA

By-Laws

Standing Orders

**15. DELEGATES TO NOVA SCOTIA FEDERATION OF LABOUR**

Delegates to the Nova Scotia Federation of Labour Biennial General Meeting shall be a number of delegates as defined by the Nova Scotia Federation of Labour who shall be selected by the Provincial Executive through a nomination process.

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**16. NSTU PROVINCE-WIDE VOTING**

The results of all NSTU province-wide voting shall be published in *The Teacher* or another equivalent publication on a Local-by-Local basis within fifty (50) days of such voting.

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**17. CONSTITUTION**

The Provincial Executive shall ensure that the Constitution of the Nova Scotia Teachers Union is available to each Member of the NSTU.

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*Approved 1967 Council.*

*Amended at each succeeding Council 1968-2018.*

*Amended by substitution 2019-02.*

*Amended at each succeeding Council 2021-*

# NSTU POLICY

OCTOBER 2021



## Introduction

NSTU policy provides the context for effective decision-making and action on issues. The Provincial Executive has established the following operational principles for the development, implementation, and evaluation of the organization's policy.

### **NSTU POLICY SHALL BE:**

- the Unions official position on issues of significant weight to the Membership,
- formulated with input from the Membership,
- set by an Annual Council Resolution,
- stated in clear and concise language,
- recorded as a Resolution in the official minutes of an Annual Council,
- published and updated as necessary,
- supplemented with position papers where appropriate, and
- reviewed in a six-year cycle rotation.

### **NSTU POLICY IS CLASSIFIED AND REVIEWED ACCORDING TO THE FOLLOWING SCHEDULE:**

- 2022 NSTU Governance
- 2023 Curriculum
- 2024 Economic Welfare & Working Conditions
- 2025 Government
- 2026 Professional Development
- 2027 General

### **REFERENCES TO POLICY STATEMENTS:**

References to Policy Statements are as accurate as could be cited back to Council 1997. Many Policy Statements pre-date 1997, references have not been tracked to earlier Resolutions. References cite Resolutions that create, reaffirm, or amend Policy and Provincial Executive Meeting dates where Policy was reaffirmed.

## SECTION I

## NSTU GOVERNANCE

## POLICY

## Governance

## Curriculum

Economic Welfare &  
Working Conditions

## Government

Professional  
Development

## General

## 1. CODE OF ETHICS

This Code of Ethics is a guide to Members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

**A. MEMBER AND PUPIL/PARENT/GUARDIAN**

- I. The Member regards as confidential, and does not divulge other than through professional channels, any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- II. The Member should be just, equitable, and fair in all relationships with pupils/parents/guardians.
- III. The Member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- IV. The Member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- V. The Member should be as objective and respectful as possible in dealing with controversial matters.
- VI. The Member should not accept remuneration for tutoring their pupils except under compelling circumstances and with the approval of their supervisor or principal.

**B. MEMBER AND MEMBER/COLLEAGUE**

- I. The Member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another Member or colleague.
- II. The Member shall not make derogatory remarks about the professional competence of another Member or colleague.
- III. The Member shall not accept a position arising out of the unsettled dispute between Members, and their employers.
- IV. The Member shall not sexually, physically, or emotionally harass another Member or colleague.

**C. MEMBER AND ADMINISTRATION**

- I. The Member should maintain a reasonable and professional level of support to internal administration of the school/educational site and regional office.

**D. MEMBER AND PROFESSIONAL ORGANIZATION**

- I. The Member who in their professional capacity is a Member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- II. The Member, or group of Members, should not take any individual action in matters which should be dealt with by their Local, Regional Representative Council, or by the NSTU.
- III. The Local or Regional Representative Council should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

**E. MEMBER AND PROFESSION**

- I. The Member's conduct should advance and promote the teaching profession and the cause of education in the province.



- II. The Member should maintain their professional learning which will keep them abreast of the trends in education.
- III. The Member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with pupils, colleagues, and the community.

**F. MEMBER AND COMMUNITY**

- I. The Member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.

*Reference: Amended 2009-6, 2009-7, 2009-8, 2009-9, 2009-10, 2009-11, 2009-12, 2009-13, 2010-9, 2016-15, 2021-01*

**POLICY**

**Governance**

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**2. COLLEGIAL RELATIONSHIP AMONGST EDUCATIONAL SITE STAFF**

The NSTU recognizes the key role of public school administrators as educational leaders. The NSTU believes in the value of the collegial relationship between administrators and teachers. The collegial approach removes barriers to teachers who aspire to become instructional leaders assuming administrative roles. The NSTU believes that the classification of administrators as managers fundamentally changes the nature of the administrator-teacher relationship, and is a barrier to the collegial relationship. Further, the NSTU believes that the collegial relationship is strengthened by having administrators who are:

- A. full, Active Members of the NSTU;
- B. able to access NSTU Professional Development;
- C. modeling life-long-learning;
- D. exemplary and compassionate teachers with a deep understanding of instructional practice; and,
- E. focusing on their primary role as lead teachers as opposed to being managers.

*Reference: Resolution 1998-4, Reaffirmed 1999-48, Amended 2000-4, Reaffirmed 2002-25, 2005-29, Amended 2010-22, 2016-21, 2019-4*

**3. DIVERSE REPRESENTATION**

- A. The NSTU supports organizations and programs that are working to encourage more students from under-represented groups to consider teaching as a career choice.
- B. The NSTU recognizes the need to undertake steps to expedite the process of increasing numbers, throughout the province, of teachers, administrators, and board personnel from designated groups identified under the Nova Scotia Affirmative Action Policy. The NSTU will work to remove barriers that inhibit peoples who have been traditionally marginalized.

*Reference: Resolution 1999-145, 1999-146, 1999-163, Reaffirmed 2002-109, 2005-52, Amended 2008-51, Reaffirmed November 2013*

**4. EQUITY AND AFFIRMATIVE ACTION**

- A. The NSTU is committed to the promotion of equity and affirmative action. This promotion must take place in the context of all contractual obligations between Members, their employer(s), and within the NSTU organization.
- B. Equity for under-represented groups, in compliance with current language in the *Nova Scotia Human Rights Act*, must be considered in the hiring of staff, secondments, the formation of committees, and the Internship Program.

*Reference: Resolution 2000-3, Reaffirmed 2002-20, 2005-20, Amended 2006-D, 2006-E, 2007-47, 2010-12, 2016-17*

## 5. GENDER IDENTITY, GENDER EXPRESSION, AND SEXUAL ORIENTATION DISCRIMINATION

We strive for a safe, welcoming, and inclusive education system that addresses the realities of gender and sexual minorities. As such, the NSTU will promote, support, and protect the rights of students, families, and Members to:

- A. be treated with respect and acceptance, free from discrimination and hegemony;
- B. freely and collectively express their gender identity and sexual orientation;
- C. be provided safe, welcoming, and inclusive learning content, spaces, and facilities;
- D. have diversity and inclusion in the NSTU, in schools, and within system priorities and programs; and,
- E. affirm and deliver sexual orientation, gender identity, and gender expression education.

*Reference: Resolution 2004-NB1, Amended 2009-NB1, 2011-11, 2014-50, 2019-59*

## 6. HUMAN RIGHTS

The Membership of the Nova Scotia Teachers Union reflects the diversity of our province. We rejoice in this diversity and believe that we are all entitled to work in an environment free from discrimination.

- A. The NSTU, in recognition of its support for the *Nova Scotia Human Rights Act*, lends full support to its Members who face discrimination or harassment with respect to their employment as defined in the *Act*.
- B. The NSTU, in its structure and delivery of professional services, is unbiased towards its Members.
- C. The NSTU, endorses the Canadian Teachers' Federation's Human Rights Statement, and is committed to:
  - I. providing a respectful environment that is free from harassment at all Union activities;
  - II. fostering the goodwill and trust necessary to protect the rights of all individuals;
  - III. neither tolerating nor condoning behaviour that undermines the dignity or self-esteem of individuals or the integrity of relationships;
  - IV. promoting mutual respect, understanding, and cooperation as the basis of interaction among all its Members; and,
  - V. supporting a Member's right to fully express their democratic privilege to vote free of harassment and intimidation.

*Reference: Reaffirmed 1999-40, 2002-19, 2005-19, Amended 2010-11, 2016-16, 2021-13*

## 7. INCLUSIVE LANGUAGE

- A. All communications be inclusive in the use of images, expressions, and language to positively reflect and include the diversity of the Membership in compliance with current language in the *Nova Scotia Human Rights Act*.
- B. When a communication is unable to adhere to the inclusive language policy, the following disclaimer clause should appear: *This document is listed as an exemption to the NSTU Inclusive Language Policy.*

*Reference: Resolution 2009-15, Amended 2010-15, 2016-19*

## 8. SUBSTITUTE TEACHER INFORMATION MEETINGS

The Nova Scotia Teachers Union encourages Locals to hold at least one meeting early in the school year to inform substitutes of information available regarding their rights and privileges; their duties and responsibilities; benefits of Reserve Membership; and their obligation to supply their Regional Centre for Education/ School Board with accurate information for pay purposes.

*Reference: Resolution 2002-15, Reaffirmed 2005-32, 2010-23, January 2016*

### POLICY

#### Governance

#### Curriculum

#### Economic Welfare & Working Conditions

#### Government

#### Professional Development

#### General

## SECTION II

## CURRICULUM

## 1. ASSESSMENT POLICY

The Nova Scotia Teachers Union believes that teacher-developed and teacher-administered in-house evaluation instruments are the most effective and accurate means of assessment of student achievement. The NSTU supports the position of the Canadian Teachers' Federation that the primary purpose of student assessment is to support student learning and that classroom teachers have the primary responsibility for assessing and evaluating student achievement.

The NSTU firmly believes that provincial and regional/board standardized tests are not intended, nor should they be used, for the purpose of teacher, administrator, or school evaluations.

While the NSTU does not support the administration of standardized tests; the organization recognizes the authority of the Department of Education and Early Childhood Development to implement assessment measures.

- A. The Department of Education and Early Childhood Development and Regional Centres for Education/School Board must use standardized assessments exclusively as a tool to inform instruction and support student learning.
- B. The NSTU believes classroom teachers from across the province must be involved in a primary way with the design, implementation, and marking of all provincial assessments.
- C. The Department of Education and Early Childhood Development must report exam marks only on a provincial and regional/board basis. The compilation of scores on a school-by-school or student-by-student basis must not be permitted.
- D. The Department of Education and Early Childhood Development must define, adopt, and clearly communicate a curriculum implementation model. Such a model must clarify the components such as pilots, field tests and their necessary evaluation.
- E. The administration and marking of the student's exam must remain the prerogative of the classroom teacher who has taught the course to the students.
- F. The Nova Scotia Teachers Union accepts the Policy on Assessment and Evaluation authored by the Canadian Teachers' Federation.

*Reference: Resolution 2001-B, Reaffirmed 2004-97, Amended 2011-16, 2017-20*

## 2. CENSORSHIP

The NSTU believes:

- A. Students have the right of free access to different types of learning materials.
- B. Regional Centres for Education/School Board should recognize the right of Members, librarians, and administrators to select books and other learning materials in accordance with current trends in education and to make them available in the schools. The NSTU further recognizes that there should be a procedure for reconsideration of materials in accordance with Regional Centres for Education/School Board policy.
- C. Members have the right to use for instruction any books or other learning materials prescribed by the Department of Education and Early Childhood Development is fully supported.

*Reference: Resolution 2001-41, Reaffirmed 2004-99, Amended 2011-18, 2017-21*

## POLICY

Governance

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Economic Welfare &amp; Working Conditions

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### 3. COMPREHENSIVE MATERIALS FOR FRENCH MEMBERS

All Members, including French Core, French Immersion, or French First Language should have access to comprehensive materials, including texts and library resources.

*Reference: Reaffirmed 1999-59, Amended 2004-100, Reaffirmed February 2011, March 2017*

### 4. CURRICULUM POLICY

- A. The NSTU believes that the Department should:
  - I. provide clear outcomes for all grade levels;
  - II. provide suitable materials that allow schools to provide programs suited to the student's level of development;
  - III. provide adequate staff, facilities, and equipment in schools;
  - IV. provide specialized programming for such areas as Guidance, Art, Music, Technology Education, Family Studies, Teacher-Librarians, Physical Education, French, and other areas as appropriate;
  - V. provide that all school grades become a true continuum from elementary through to high school; and,
  - VI. provide a minimum of a one-day inservice to all teachers when introducing a new report card.
- B. The NSTU believes that adequate financial support for program changes must be assured before any introduction and implementation of such changes.
- C. The NSTU believes that prior to implementation of any new program, or change to present programs, the teacher must receive:
  - I. sufficient professional development; and,
  - II. materials, resources, and support.
- D. Decisions regarding choices of materials that support the curriculum should be made by licensed teachers.
- E. Teachers of combined classes should receive the necessary resources/ support for all grade levels in order to implement the program appropriately.
- F. The NSTU believes that the credit system should not be introduced in the grade nine level.

*Reference: Reaffirmed 2001-44, Amended 2002-41, 2002-43, 2003-30, 2004-101, 2011-20, 2013-65, 2017-23*

### 5. CURRICULUM STANDARDS AND GUIDELINES

- A. Although the establishment of curriculum standards and guidelines is the responsibility of the Department of Education and Early Childhood Development, teachers should have direct input through NSTU nomination of committee members.
- B. It is the responsibility of each individual Member to be fully aware of and conversant with the particular sets of guidelines and other Departmental publications that are of direct concern to the individual's teaching situation.
- C. Guidelines established by the Department of Education and Early Childhood Development should be as specific as the diversity of the Nova Scotia school population will permit.
- D. Members should, as part of their professional responsibility, bring to the attention of the Department any concerns they have with Department publications or guidelines.

*Reference: Reaffirmed 2001-54, 2004-102, Amended 2011-21, Reaffirmed March 2017*

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## 6. DISTANCE EDUCATION

Quality public distance education programs must be carefully designed, planned, implemented by NSTU Members, and adequately funded. Successful implementation of public distance education requires that:

- A. adequate resources and inservicing are available for public distance education teachers;
- B. the NSTU support teachers engaged in providing public distance education;
- C. NSTU Members holding valid teacher certification exclusively are engaged in providing public P-12 distance education;
- D. there be support for a network of public distance education teachers so as to provide for discussion, exchange of ideas, and mutual support;
- E. the NSTU inform the public of issues regarding public distance education; and,
- F. the NSTU monitor the growth of public distance education in the province.

*Reference: Reaffirmed 2001-42, 2004-103, Amended 2011-22, Reaffirmed March 2017*

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## 7. GLOBAL EDUCATION

- A. Global education is a perspective that underlies and shapes the teaching and learning processes in schools.
- B. Through global education, learners develop critical understandings of global issues, as well as the skills to enable them to address those issues.
- C. Through global education, learners acquire values that give priority to ecological sustainability, global interdependence, social justice for all the world's people, peace, human rights, and globally beneficial process of economic, social, and cultural development.
- D. Through global education, learners are enabled to develop the will and ability to act as mature, responsible citizens with a commitment to create positive futures for themselves, their communities, and the world.
- E. The NSTU believes Members should be supported by all partners in education in their continuous efforts to bring a global perspective to Nova Scotia classrooms.

*Reference: Reaffirmed 2001-45, 2004-104, February 2011, March 2017*

## 8. HISTORY EDUCATION

### A. LABOUR HISTORY

The teaching of the Labour History of Canada shall be encouraged in the junior high school's social studies curriculum.

### B. CANADIAN HISTORY

The NSTU supports the inclusion of Canadian history in the public school system.

*Reference: Reaffirmed 2001-35, Amended 2002-48, Reaffirmed 2004-107, February 2011, March 2017*

## 9. INTELLECTUAL PROPERTY

The NSTU believes that intellectual property created by the Member must remain the property of the Member.

*Reference: Resolution 2002-76, Reaffirmed 2004-106, February 2011, March 2017*

## 10. LANGUAGE OF INSTRUCTION AND STUDY

The NSTU supports Article 23 of the *Canadian Charter of Rights and Freedoms*.

*Reference: Reaffirmed 2001-47, Amended 2004-108, Reaffirmed February 2011, March 2017*

## 11. LEARNING RESOURCES

- A. Learning resources should support and be consistent with the general educational goals of the Province and the Regional Centre for Education/ School Board, as well as with the aims and objectives of individual schools and specific courses.
- B. Learning resources should meet high standards of quality in factual content and presentation.
- C. Learning resources should be appropriate for emotional development, ability level, learning style, and social development of students.
- D. Learning resources should help students gain an awareness and understanding of our pluralistic society and the contributions of its members.
- E. Learning resources should motivate students to examine their own attitudes and behaviours and to comprehend their own duties, responsibilities, rights, and privileges as participating citizens in our society.
- F. The NSTU opposes any arbitrary or unilateral addition or removal of learning materials or units of study.

*Reference: Reaffirmed 2001-48, Amended 2004-109, Reaffirmed February 2011, March 2017*

## 12. MULTICULTURALISM

Schools of Nova Scotia reflect a pluralistic, multi-ethnic society, which influences the teaching/learning styles represented in our schools. The values and behaviour patterns present and presented in our schools differ among cultural groups. Citizens in a democratic society need ethnic and cultural literacy (adequate understanding of ethnic groups, ethnicity, and culture). Members, because of their role in society, have a major responsibility to contribute to the development of ethnic and cultural understanding.

### A. THE CURRICULUM SHOULD:

- I. provide students with continuous opportunities to develop positive self-identities;
- II. recognize the ethnic and cultural diversity of students within the school community;
- III. describe the development of Nova Scotia and Canada as a multi-faceted society; and,
- IV. explore and clarify ethnic and cultural alternatives and options within Nova Scotian and Canadian society and make maximum use of local community resources.

### B. THE EMPLOYER SHOULD:

- I. set policies and procedures that foster positive multi-ethnic interactions and understandings among students, teachers, administrative, and other support staff; and,
- II. provide information to Members about the implications of multiculturalism in Nova Scotia and about services, programs, materials, and developments relating to multiculturalism.

### C. THE NSTU SHOULD:

- I. foster and stimulate a higher level of Member awareness and a deeper understanding of the relationships between social behaviour, learning styles, and cultural differences and their implications;
- II. encourage and promote the cooperation of Members with organizations, groups, and individuals involved with multiculturalism;
- III. encourage the development of a curriculum that reflects the ethno-cultural similarities and differences within the province; and,
- IV. promote an anti-homophobic, anti-heterosexist, anti-sexist and anti-racist approach to educational strategies, materials, and attitudes within the provincial schools.

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**D. EDUCATORS SHOULD:**

- I. accept their responsibility to educate themselves and to reflect upon their own attitudes and behaviours in modeling respect, understanding, and affirmation of diversity.

*Reference: Reaffirmed 2001-46, Amended 2004-110, 2011-24, 2017-24*

### 13. NEW CURRICULUM – PROFESSIONAL DEVELOPMENT

The NSTU supports the principle of professional development for Members prior to and during the implementation of new curriculum.

*Reference: Resolution 2003-36, Amended 2004-111, Reaffirmed February 2011, March 2017*

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### 14. NON-CORE PROGRAMS — DEPARTMENT OF EDUCATION AND EARLY CHILDHOOD DEVELOPMENT STANDARDS BE ESTABLISHED

The NSTU shall seek to ensure that a Department of Education and Early Childhood Development standard be established and maintained regarding non-core programs at all levels. This must include the provision for instruction by qualified professionals who are NSTU Members.

*Reference: Resolution 1999-56, Reaffirmed 2004-112, February 2011, March 2017*

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### 15. OUTCOMES-BASED RESOURCES

The NSTU urges the Department of Education and Early Childhood Development and Regional Centres for Education/School Board to ensure the development and implementation of outcomes-based resources across the curriculum.

*Reference: Reaffirmed 1999-60, Amended 2000-25, 2004-113, 2011-25, Reaffirmed March 2017*

### 16. PEACE EDUCATION

- A. Peace is not merely the absence of war.
- B. The pursuit and attainment of peace is initially the responsibility of each individual person and is a special responsibility of Members.
- C. The pursuit of peace is inextricably bound to the issues of human rights, a more equitable international economic order, preservation of the environment, individual and collective security, and disarmament.
- D. To be genuine and lasting, peace must be shared equally by all the peoples of the world.
- E. Violence and the abuse of power are never to be used to solve conflicts.
- F. Children have the right to live, grow, and develop in a world free of war and the threat of nuclear destruction.
- G. The NSTU endorses the principle of worldwide nuclear disarmament and the reduction of other armaments.
- H. World peace and individual freedom are both rational premises and viable objectives for education.
- I. Educators should provide leadership in supporting the concept of global understanding and peace.
- J. Justice, mutual respect, and a respect for differences can be taught and learned.
- K. Students must be assisted in acquiring skills to make choices related to world concerns.
- L. Peace education must concern itself with teaching cooperation at all levels.

- M. A most urgent task of public education is to provide our young people with the knowledge, understandings, attitudes, skills, and powers to transform our earth into a world beyond war and to live fully and authentically in this world of peace, democracy, and justice.
- N. Funds must be made available from public sources for the school system to undertake changes in structure and curricula, to educate the youth of our country, to believe they have a right to live in peace and to give them the skills to achieve this end.
- O. Rules, decision-making procedures, interpersonal relationships, discipline, and other institutional features of the school should foster cooperation, non-violent conflict resolutions, and responsibility for the school environment.
- P. In planning peace education activities in schools, Members and other persons responsible for peace education should consider, among other things, the following matters:
  - I. inclusion of studies of nuclear weapons, the arms race and its connection to world hunger and poverty, the history of international disarmament negotiations, broad social and political studies including multiculturalism and racism, and protection of the environment as aspects of peace education;
  - II. developing skills of mediation and other forms of non-violent conflict resolution; and,
  - III. finding a balance between special peace studies and integrating education for and about peace within the regular curriculum.

*Reference: Resolution 2001-49, Amended 2004-114, Reaffirmed February 2011, March 2017*

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## 17. QUALITY EDUCATION

### A. PRINCIPLES

- I. *Learning Culture*: There exists a responsible, reflective, and interactive learning environment: a combination of beliefs, attitudes, and practices, which recognizes the intrinsic value of learning and is shared by members of the community.
- II. *Equity*: All students have fair and just access to a full range of quality programs and services needed to succeed in life.
- III. *Range of Voices*: Recognizing the pluralism of our world, public education provides programs and activities that reflect the diversity of all students as well as the distinctiveness of each student.
- IV. *Relevance*: Public education offers a spectrum of relevant, meaningful programs and activities, which respect individual values and reflect Canadian society.
- V. *Entrepreneurship and Artistry*: Creativity, imagination, ingenuity, and risk-taking are valued and encouraged.
- VI. *Quality Relationships*: A caring and nurturing approach to education ensures that all participants are treated with respect and dignity.

### B. PROGRAM

- I. *Breadth of Curriculum*: All students have access to a multi-dimensional curriculum. Curriculum includes program supports such as library, guidance, and other services including those for students with special needs. As well, curriculum is sufficiently flexible to support interdisciplinary linkages.
- II. *Global Perspective*: Curriculum has a global perspective that recognizes interdependency, sustainability, tolerance, and understanding as crucial to the development of our world. Curriculum fosters culturally, economically, environmentally, politically, and socially responsible citizens.
- III. *Language of Delivery*: Curriculum is available in either official language and addresses the needs of First Nation peoples and linguistic minorities where numbers warrant.



- IV. *Variety of Resources*: Curriculum is delivered using an appropriate selection of human, physical, and technological resources.
- V. *Life Preparation*: Curriculum has exploration opportunities that allow the student to evaluate and choose an effective life path.

### C. PARTICIPANTS

- I. *The Student*: All students making an effort are assured of some success every day. Students who are unable or unwilling to take responsibility for their learning receive support and intervention. Public education provides each student the opportunity for the following:
  - a. Intellectual Development – The student is able to develop the knowledge, skills, and attitudes necessary for lifelong learning;
  - b. Personal/Social Development – The student is able to develop the self-confidence to learn from success and failure, have respect for and understanding of others, and take responsibility for personal actions; and,
  - c. Lifework Planning – The student is able to develop an understanding of the relationship between an ongoing education and economic and personal well-being.
- II. *The Educator*: Educators are integral components of the learning culture, have a sound philosophical base, and participate in ongoing professional development. Educators are designated as the following:
  - a. Professionals – Educators are informed individuals who consistently improve their teaching within an atmosphere of collegiality. Educators adhere to their professional code of ethics and, as individuals, are principled, open-minded, and reflective practitioners. Educators are enthusiastic lifelong learners committed to personal and professional growth. Educators value teaching and the student; and,
  - b. Managers of Learning Environment – Using appropriate technology and methodology, the educator is the primary manager of the learning environment. Program planning and implementation occur in collaborative, cooperative settings.
- III. *The Parent/Guardian*: The student's home environment is critically important. Parents/guardians are responsible for providing a healthy environment supportive of teaching and learning.
- IV. *The Community*: Educators, students, and representatives of government agencies, business, labour, and the general public value and support education and work together to assure the continual improvement of public education. Open dialogue ensures that the community is involved in and responsive to educational goals.

### D. PARAMETERS

- I. *Environment*: Educational sites are safe, healthy, and pleasing environments conducive to learning and teaching.
- II. *Time and Place*: Educational sites are flexible with respect to time and place in order to capitalize on a variety of teaching and learning opportunities.
- III. *Leadership*: Leadership reflects the principles of sound vision, shared decision making, and public accountability with a commitment to continuous improvement and ongoing professional development.
- IV. *Funding*: Education programs in Nova Scotia are free to students in levels Primary to Twelve and publicly funded. Affordable fees shall apply to students enrolled in the Nova Scotia Community College.
- V. *Our Beliefs*: It is the belief of the Nova Scotia Teachers Union that each individual has the capacity to learn. Learning is a personal, lifelong process vital to both the individual and social well-being of every citizen.

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The NSTU believes that educators recognize and value the richness and complexity of each learner's abilities. Educators nourish the desire to learn and provide opportunity for each student to realize their learning potential.

The NSTU further believes that public education is a community-shared responsibility. Appropriately supported, public education through its diversity provides the optimal learning environment.

- VI. *Our Mission:* Public education cultivates in the learner the knowledge, skills, and attitudes necessary to be an effective citizen; to participate in the workplace; to be a lifelong learner; and to have a fulfilling life.
- VII. *Our Vision:* Public education values the multiple intelligences and complexity of each member of society. The NSTU's perspective of public education is defined in terms of principles, program, participants, and parameters.

*Reference: Resolution 2001-52, Reaffirmed 2004-115, Amended 2009-114, 2011-26, Reaffirmed March 2017*

## 18. SCHOOL BOOK BUREAU FUNDING ALLOCATION

The NSTU believes that the School Book Bureau allotment should be flexible enough to allow schools to use up to 25% of their allotment for purchasing teachers resources outside of the School Book Bureau offerings.

*Reference: Resolution 2001-53, Amended 2004-119, 2011-27, Reaffirmed March 2017*

## 19. TECHNOLOGY INTEGRATION PRINCIPLES

The following are principles for technology integration in public schools:

- A. While technology tools can enhance the ability of Members to deliver educational programs and enrich the educational environment for students when applied in a pedagogically sound manner, people are the most important resource in the teaching/learning process.
- B. Technology should be used as a tool to improve the quality of student-teacher relationships and not to replace Members.
- C. Technology must be integrated into the education system with consideration for equity of opportunity for students and NSTU Members.
- D. All Regional Centres for Education/School Board should articulate a vision statement and long-range plan for the integration of technology into the curriculum.
- E. Members require access to appropriate, comprehensive, flexible, and ongoing professional development opportunities in the effective integration of technology.
- F. Developing and maintaining a technology-integrated education environment requires an increase in Member preparation time.
- G. Members own what they create and are entitled to the protection of Canadian Copyright Laws.
- H. In order to effectively integrate technology into the curriculum, every Member requires access to technology and the internet both in the workplace and at home. This access is primarily the responsibility of the employer.
- I. Technology infrastructure (resources, technical support, professional development) must be in place prior to implementation of technology initiatives in order to achieve the intended curriculum/information technology outcomes.
- J. Technology requires ongoing budget support for technicians, upgrading of hardware and software, and consumable supplies in order to be effective.
- K. Technology maintenance and network administration are primarily the responsibility of Regional Centre for Education/School Board technicians and not Members.

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- L. The Nova Scotia education system must be protected from inappropriate corporate intrusion resulting from pressure to place technology in educational sites.
- M. Audio and/or video recording or photography of Members must be authorized by the Member(s).
- N. Any use, publication, posting, and/or distribution of any audio or video recording or still image must be authorized by the Member(s) in the audio or video recording or still image.
- O. Developing a supportive educational environment requires a focus of teaching and learning on appropriate online cyber conduct.

*Reference: Resolution 2002-50, Reaffirmed 2004-120, Amended 2011-28, 2015-32, 2017-27*

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## SECTION III

# ECONOMIC WELFARE & WORKING CONDITIONS

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## 1. ABUSE, BULLYING, INTIMIDATION, AND HARASSMENT

Optimal learning and teaching occurs in safe environments; therefore, the NSTU believes:

- A. Employers are responsible for protecting Members and ensuring a safe workplace, free from abuse/harassment. Abuse and harassment include, but are not limited to:
  - I. physical, verbal, emotional, and mental abuse;
  - II. sexual harassment;
  - III. bullying, including cyberbullying; and,
  - IV. intimidation.
- B. The employer shall recognize that Members may experience abuse/harassment by students, parents/guardians, or staff.
- C. Members subjected to abuse/harassment shall receive full support from the employer and the NSTU.
- D. The employer, in accordance with the *Nova Scotia Human Rights Act* and in consultation with the NSTU, shall establish policies and procedures to ensure incidents of abuse/harassment are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

*Reference: Resolution 2000-30, Reaffirmed 2003-42, Amended 2004-21, 2006-67, 2012-76, 2019-26*

## 2. ASSOCIATE TEACHER

The NSTU recognizes and supports the important role our Members play as Associate Teachers in mentoring Student Teachers (Teacher Candidates); however, also recognizes the additional workload inherent in participation. Specifically, the NSTU believes that:

- A. Participation as an Associate Teacher be voluntary;
- B. Associate Teachers should hold a permanent contract;
- C. the selection process for Associate Teacher be developed in consultation with teachers;
- D. Associate Teachers be granted release time for participation;

- E. planning, supervising, and conferencing time be provided to the Associate Teacher during the instructional day;
- F. professional learning, evaluation procedures, and curriculum be provided to the Associate Teacher during the instructional day; and,
- G. placements be limited to one (1) Teacher Candidate per practicum with a maximum of two (2) placements per year.

*Reference: Resolution 2021-23*

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### 3. CLASS SIZE AND COMPOSITION

- A. It is the policy of the NSTU that class size and composition be considered primary components in organizing for effective instruction.
- B. To foster effective instruction, class sizes should not normally exceed the following maxima:
  - I. Secondary 25 Students
  - II. Elementary 20 Students
  - III. Primary 15 Students
  - IV. Special 10 Students
  - V. Combined Elementary Classes/  
Multi-Age Elementary Classes 15 Students
- C. The NSTU believes that all those involved with determining class size and Member workload should recognize the additional demands entailed by the students with special needs integrated within a classroom:
  - I. class size should decrease; and,
  - II. personnel supports should be allocated to support class composition.
- D. The NSTU believes that designated human support(s) allocated to a classroom due to exceeded class caps should be directed to that classroom.

*Reference: Resolution 2000-57, Amended 2003-43, 2006-68, 2012-77, 2013-51, 2015-20, 2015-21, 2018-37*

### 4. COLLECTIVE BARGAINING

- A. The NSTU believes in and is firmly committed to the principle of full collective bargaining rights for all bargaining units within its jurisdiction. Full collective bargaining rights means the absence of any government legislation restricting wages and benefits, the right to strike, or legislation designed to intimidate or threaten the Union for the purposes of achieving a favourable bargaining result.
- B. The NSTU is committed to the integrity of its Membership and will vehemently oppose any attempt to remove any portion of the Membership from the NSTU.
- C. The NSTU believes that all courses for which students receive academic credit, including pilot courses, must be taught by teachers who are Members of the NSTU. The Union will continue to oppose the contracting out of duties performed by professional and support staff and any attempt to replace an NSTU certified teaching position with a non-NSTU position.
- D. All negotiated contracts for consideration be released regionally on the same day.

*Reference: Reaffirmed 1999-31, 1999-69, Amended 1999-64, 2000-37, 2000-38, 2000-47, 2001-9, 2001-10, Reaffirmed 2003-44, 2006-69, 2013-20, Amended 2018-12, 2018-13, 2019-27*

### 5. FUNERAL ATTENDANCE

Any staff member of a school who wishes to attend the funeral of a staff member should receive permission to do so.

*Reference: Reaffirmed 1999-80, Amended 2003-45, Reaffirmed 2006-70, Amended 2012-78, 2018-14*

## 6. INDIVIDUAL PROGRAM PLANS

Members teaching students with programming needs be given a minimum of one-half day per month to plan for, set up, and assess each Individual Program Plan and complete documentation.

*Reference: Resolution 2002-60, Reaffirmed 2003-46, 2006-71, Amended 2012-79, 2018-23*

## 7. JOB-SHARING

- A. Job-sharing in the teaching profession is a viable and effective staffing option. Implementation of this option is encouraged by the NSTU.
- B. A shared position is that which requires the services of a member full time, which is then divided among two or more persons who share the performance and the discharge of the responsibilities of that position on a part-time basis.
- C. Salary is prorated, and benefits are either full or prorated.
- D. Job-sharing involves working on a part-time basis but is to be distinguished from part-time members who are not job-sharers.
- E. The teaching schedule of each sharing member shall be arranged in consultation with the school principal.
- F. Appropriate job-sharing patterns are:
  - I. a.m./p.m.;
  - II. alternate day;
  - III. specific day;
  - IV. alternate time periods;
  - V. partial service as a part of the pupils' regular daily program; or,
  - VI. half year split.
- G. It is necessary that teaching strategies and compatibility of partners be established between or among those participating in job-sharing agreements. The process of selection must involve all participants (members, principal, and supervisor).
- H. The impact of job-sharing on pupil, parent, and member relationships is one that must be considered and planned for by the job-sharers.
- I. Job-sharing must ensure consistency in approach and communication.
- J. Job-sharing demands special planning and preparation, as these relationships are central to the positive operation of the classroom program.
- K. Each job-shared position shall be represented at inservices, parent visitations, and staff meetings.
- L. The articulation and coordination of a shared teaching position is not confined to the delivery of instruction. Institutional demands must be addressed. The areas to be considered are: time tabling, preparation time, extracurricular, pupil evaluation, accessibility to pupils and parents, program development and continuity, and professional development.
- M. The matter of relationships is to be dealt with during the selection process.
- N. The relationship between the job-sharing members shall be set out in written agreements prior to beginning shared teaching.
- O. The relationship between the job-sharing members and the Regional Centre for Education/School Board should be set out in written agreements among the parties prior to beginning the shared teaching.
- P. Regions are encouraged to negotiate an article on job-sharing with provisions that are in keeping with NSTU policy.

*Reference: Resolution 2000-44, Reaffirmed 2003-47, 2006-72, Amended 2012-80, Reaffirmed March 2018*

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**8. MEDIA BLACKOUT ON NEGOTIATIONS**

The NSTU supports fair collective bargaining; therefore, the NSTU believes:

- A. the Union and employer should agree to a media blackout from the time negotiations open until a tentative agreement is ratified; and,
- B. during negotiations, items negotiated or to be negotiated, should not be discussed in public by either the Union or the employer.

*Reference: Reaffirmed 1998-23, Amended 2003-49, 2006-73, 2021-24*

**9. MEMBER ABSENCES****A. PROCEDURES FOR FULFILLING DUTIES OF ABSENT STAFF MEMBERS**

When a Member is requested to fulfill the duties of an absent staff Member, the following practices shall be adhered to:

- I. requests to fulfill the duties of the absent staff Member(s) shall be made on an equitable basis;
- II. an official record of such requests shall be compiled and maintained by the school administration on a continuing basis and be made available to the Member(s) upon request; and,
- III. the Member referred to in I and II shall accumulate time to be used for the purpose of marking and preparation when a substitute is available for hire to fulfill the duties of this Member.

**B. REGIONAL CENTRE FOR EDUCATION/SCHOOL BOARD PROCEDURES FOR SUBSTITUTE TEACHING ASSIGNMENTS**

The Nova Scotia Teachers Union expects Regional Centres for Education/ School Board to comply with the following practices on addressing substitute teaching assignments:

- I. hire permanent substitute teachers under term contract status; and,
- II. utilize the Early Retirement Incentive Plan to bolster a roster of substitute teachers.

**C. EVALUATION OF PERMITS TO TEACH**

The monitoring and evaluation of Permits-To-Teach as substitutes, which are strategically employed by employers to address the substitute teacher shortage, should be ongoing by the organization.

**D. WAGES OF SUBSTITUTE TEACHERS**

The NSTU believes that substitute teachers' wages should be based on the salary grid.

*Reference: Resolution 2004-C, 2004-D, 2004-E, 2004-F; Reaffirmed 2006-79, Amended 2018-40*

**10. MEMBER ACCESS TO COMPUTER TECHNOLOGY**

- A. Each Member requires direct access to a computer with an Internet connection with appropriate software in order to do the necessary planning, preparation, and evaluation required as part of the job. The NSTU therefore believes that it is the responsibility of the government to provide these tools for each Member and that the computers should be updated every two years.
- B. Members require access to appropriate, comprehensive professional development in the use of technology, web-based applications, and social media.
  - I. Implemented and mandated technological initiatives require appropriate professional development opportunities.
  - II. Responsibility for professional development shall rest at the appropriate Department level. Consideration must be given to Members' technological competence and additional professional development be provided when required.
- C. Such professional development opportunities should be available both formally and informally, in ways which provide Members with flexibility and

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choice and which encourage Members to become comfortable with the use of the new technology. These opportunities should be conducted during the regular instructional day and should be consistent province-wide.

*Reference: Resolution 1998-65, Amended 2000-93, 2002-116, 2005-59, 2008-58, 2014-68*

## 11. MENTAL HEALTH IN THE WORKPLACE

The NSTU believes:

- A. Alleviating psychological hazards in the workplace is an extension of the Employer's responsibility to ensure teachers have a safe place to work.
- B. The Employer, in accordance with the *Occupational Health and Safety Act* and in consultation with the NSTU, shall establish policies, procedures, and practices which:
  - I. demonstrates the Employer's willingness to champion mental wellness;
  - II. allows teachers access to internal health and wellness programs and resources;
  - III. creates a culture of respect and trust;
  - IV. alleviates the stigmatism regarding mental illness; and,
  - V. mitigates psychological harm.
- C. The factors which must be addressed to improve mental health in the workplace include, but are not limited to:
  - I. work overload;
  - II. challenges with work-life balance;
  - III. lack of trust and transparency; and,
  - IV. access to tools and resources regarding health.

*Reference: Resolution 2019-28*

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## 12. MERIT PAY

The NSTU vehemently opposes "merit pay" for teachers.

*Reference: Resolution 2010-NB1, Reaffirmed January 2015*

## 13. OCCUPATIONAL HEALTH AND SAFETY

Optimal learning and teaching occurs in safe environments; therefore, the NSTU believes:

- A. Health and safety in the workplace is a shared responsibility.
- B. Employers are responsible for protecting Members and ensuring a safe workplace, free from occupational health and safety hazards.
- C. Members are responsible to work safely and to report hazardous conditions to their supervisor.
- D. Occupational hazards include, but are not limited to:
  - I. situations which may cause an immediate illness or injury;
  - II. situations where prolonged exposure may cause illness or injury; and,
  - III. environments which may aggravate existing ailments.
- E. A Member who becomes ill or is injured due to occupational hazards in the workplace shall receive full support from the employer and the NSTU.
- F. The employer, in accordance with the *Occupational Health and Safety Act* and in consultation with the NSTU, shall establish policies and procedures to ensure incidents of workplace injury and illness are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

*Reference: Resolution 2000-29, Reaffirmed 2004-81, Amended 2009-14, 2009-88, Reaffirmed January 2015, Amended 2018-51B, 2019-29*

**14. A. PART-TIME MEMBERS**

- I. The NSTU recognizes part-time employment as a staffing option. A part-time member works:
  - a. for the full school year on a part-time basis; or,
  - b. for one-half of a year in a job-sharing situation.
- II. Part-time members shall be entitled to time free from teaching, on a pro-rated basis, for the purpose of marking and preparation.
- III. The working hours of part-time members shall be scheduled consecutively and mutually agreed upon.
- IV. Part-time members, if requested and with reasonable notice, are expected to attend parent-teacher meetings and staff meetings.
- V. Part-time members shall receive salary pro-rated to scale.
- VI. Part-time members are encouraged to attend inservice sessions and special events like open houses. A schedule of days to be taught shall be negotiated with the employer before the commencement of service in each school year.

**B. CIRCUIT MEMBERS**

- I. The NSTU recognizes circuit positions as a staffing option. A circuit Member works on a full-time or part-time basis in more than one educational site.
- II. Circuit Members shall be allowed ample time for travel from site to site. Such time shall be exclusive of the lunch and noon hour break and of time allowed for marking and preparation.
- III. Circuit Members shall be guaranteed a lunch period of not less than thirty (30) minutes, excluding travel time between sites.

*Reference: Resolution 1999-68, 2000-45, Amended 2003-50, Reaffirmed 2006-74, Amended 2012-81, 2018-30*

**15. PENSIONABLE EARNINGS**

Pension benefits paid under the Nova Scotia Teachers' Pension Plan shall be based on salary scales negotiated by the NSTU or by other employers covered under the Nova Scotia Teachers' Pension Plan.

*Reference: Resolution 2002-71, Reaffirmed 2003-51, March 2018*

**16. REPORTING OF MEMBER EARNINGS**

The NSTU requires that any Member receiving salary in excess of negotiated scales shall report such to the NSTU.

*Reference: Resolution 2003-B, Reaffirmed 2006-78, March 2018*

**17. SCHOOL COUNSELLORS**

It is the position of the NSTU that school counsellors are essential to the Public School System and the delivery of the Comprehensive Guidance Program in Nova Scotia. Specifically, the NSTU believes:

- A. school counsellors are teachers first, and that the duties of a school counsellor must be delivered by an NSTU Member;
- B. there should be a minimum of one full-time school counsellor in every public school in Nova Scotia;
- C. the responsibilities for a school counsellor should not exceed a ratio of one (1) counsellor to two hundred fifty (250) students;
- D. counselling programs should be delivered by qualified teachers who have graduated from a minimum one-year university level program in counselling; and,

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- E. in order to successfully do their job, school counsellors require an onsite private office with resources including, but not limited to: a telephone, locking filing cabinets, and a secure computer.

*Reference: Resolution 2006-37, Amended 2019-42*

## 18. SCHOOL PSYCHOLOGISTS

It is the position of the NSTU that school psychologists are essential to the Public School System and the delivery of specialized mental health supports to students. Specifically, the NSTU believes:

- A. school psychologists working in the Public-School System should be NSTU Members;
- B. the responsibilities for a School Psychologist should not exceed a ratio of one (1) Psychologist to seven hundred (700) students (the student count to include the entire school populations from the School Psychologists' assigned schools); and,
- C. in order to successfully do their job, school psychologists require a private office with resources including, but not limited to: a cellular telephone, a lockable filing cabinet, and a secure portable computer (laptop) with appropriate technology capabilities.

*Reference: Resolution 2021-27*

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## 19. SENIORITY – TEACHING ASSIGNMENTS

Teaching assignments in individual sites shall take into consideration and respect the seniority of Members.

*Reference: Resolution 2006-44, Reaffirmed March 2018*

## 20. SITE RENOVATIONS AND/OR NEW SITE OPENINGS

- A. When a site is undergoing renovations, each affected Member shall be given one day minimum, without students, to move and/or set-up.
- B. When opening a new site or during unique site changes each affected Member shall be given two days minimum, without students, to move and/or set up.

*Reference: Resolution 2009-44, Amended 2018-49*

## 21. SPEECH-LANGUAGE PATHOLOGISTS

It is the position of the NSTU that speech-language pathologists are essential to the Public School System and the delivery of specialized supports to students. Specifically, the NSTU believes:

- A. speech-language pathologists working in the Public School System should be NSTU Members;
- B. speech-language pathologists are school-based specialists with training and competencies unique to a school setting; and,
- C. in order to successfully do their job, speech language pathologists require a private office with resources including, but not limited to: a cellular telephone, a lockable filing cabinet, and a secure portable computer (laptop) with appropriate technology capabilities.

*Reference: Resolution 2021-26*

## 22. TEACHER ASSISTANTS

The complex nature of the inclusive classroom may necessitate non-teacher support personnel for individual students with special needs. Because of this the NSTU holds the following beliefs:

- A. only teachers may teach in the public schools of Nova Scotia;

- B. teachers are responsible for the planning and implementation of the Public School Program;
- C. non-teaching tasks may be performed by teacher assistants (regardless of the title given to them by the employer); and
- D. teacher assistants should be:
  - I. assigned to an individual student(s) with special needs who requires distinct services and supports,
  - II. qualified in childcare, personal care, health care, or childhood development,
  - III. under the direction of the teacher, and
  - IV. under the overall supervision of administration.

*Reference: Resolution 2000-17, Amended 2003-53, Reaffirmed 2006-80, Amended 2012-84, 2021-25*

## 23. **TEACHER-INITIATED INSERVICE**

The NSTU promotes the concept, through negotiation and lobbying, that each teacher be allowed to attend one or more inservice day each school year that the teacher has personally designed, organized, or selected based upon the teacher's professional needs, but not to fall on the Provincial Conference Day in October.

*Reference: Resolution 2000-32, Amended 2003-54, Reaffirmed 2006-81, March 2018*

## SECTION IV

# GOVERNMENT

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## 1. **ACCOUNTABILITY PRINCIPLES**

The NSTU believes in the accountability of public education. Any accountability model must adhere to the following principles:

- A. An effective accountability model:
  - I. recognizes that each partner (government, regional centre for education, school board, teachers and administrators, parents/guardians, and students) has a responsibility to be accountable for those aspects of education over which it has control and jurisdiction. They also have a responsibility for working collaboratively so that the system as a whole operates well.
  - II. acknowledges that the public has a right to know how well the education system is meeting its goals. Parents/guardians have a right to comprehensive information about their child's progress.
  - III. fosters trust in the education system and promotes improvement.
  - IV. acknowledges that there is a standard of practice for both conduct and competence.
  - V. respects the autonomy of professionals to establish and uphold professional standards of conduct and competence.
  - VI. accepts the central role of quality classroom-based assessment using a broad range of indicators to demonstrate student learning.
- B. Within this model of educational accountability, teachers are responsible for knowledge, decisions, working collaboratively, maintaining currency, and engaging in ongoing professional learning.
- C. Within this model of educational accountability teacher organizations are responsible for developing programs to assist teachers in pursuing their

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professional learning, establishing, and promoting standards of professional practice, and responding to concerns relating to teacher competency.

- D. Within this model of educational accountability, in partnership with the Nova Scotia Teachers Union, the Government, and Regional Centres for Education/School Boards are responsible for developing programs to assist teachers in pursuing their professional learning, establishing, and promoting standards of professional practice and responding to concerns relating to teacher competency.

*Reference: Resolution 2004-121, Reaffirmed February 2011, Amended 2017-19*

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## 2. CLOSURE (OR RESTRUCTURE) OF EDUCATIONAL SITES

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- A. The Nova Scotia Teachers Union recognizes that the closure or restructure of a school within a community is a matter of such consequence to that community that the closest cooperation between school authorities and the community is necessary. Alternatively, the Nova Scotia Teachers Union recognizes that the reorganization of school districts is necessary to promote the efficient instruction of pupils.
- B. The Nova Scotia Teachers Union recommends the following principles to be considered when an educational site(s) is considered for closure (or restructure).
- I. The school is an essential part of the identity of a community.
  - II. The sense of belonging to a local community is an important part of the quality of life in the province of Nova Scotia.
  - III. Schools should not be declared surplus solely on the basis of declining enrollment.
  - IV. It should be recognized that excess capacity may be temporary, given that changes in school enrollment patterns can be anticipated in the future.
  - V. The utilization of surplus schools for additional educational purposes should be given serious consideration.
  - VI. Schools with excess capacity could be modified to accommodate appropriate community needs and purposes.
  - VII. Modification of excess educational facilities should be temporary in design to allow for ready reconversion to school purposes.
  - VIII. Municipal authorities and the Department of Education and Early Childhood Development should actively cooperate with other government departments such as the Department of Health and Wellness and the Department of Business for the conversion of excess school capacity.
  - IX. When the closing of a school is being considered, public notice of the projected closing should be given at least two years in advance.
  - X. Both past and projected enrolment patterns should be examined.
  - XI. Provide necessary support to the school and its programs during the period of review.
  - XII. Consider the effects of closure (or restructure) on programs.
  - XIII. Consider the effects of closure (or restructure) on the distance students must travel to get to school.
  - XIV. Regular communication should be made with all stakeholders throughout the school review process.
  - XV. Teachers should be provided with adequate time and support to transition from a closing school to a receiving school.

*Reference: Resolution 2001-100, Amended 2004-75, 2009-82, 2015-59*

**3. EARLY CHILDHOOD DEVELOPMENT**

The NSTU believes early childhood development is an essential component of the social services that should be provided to all Nova Scotians. Effective Early Childhood programming improves the life chances of children in the areas of health, wellness, education, and economic outcomes. Further, well-designed Early Childhood Development services promotes health, advances women's equality, addresses child and family poverty, deepens social inclusion, and grows the economy. Early Childhood Development services should be:

- A. publicly funded, high-quality, equitable, universal, inclusive, and accessible;
- B. inclusive of the time from a child's birth to school entry;
- C. inclusive of prenatal counselling for families;
- D. play-based, discovery-based, experiential, and interactive;
- E. delivered by qualified professionals in early childhood development; and,
- F. appropriately funded to allow for early diagnosis and treatment of physical, behavioural, and learning disabilities.

*Reference: Resolution 2009-NB2, Reaffirmed January 2015, Amended 2018-63*

**4. EARLY CHILDHOOD EDUCATION**

The NSTU believes that early childhood education is a vital component of a quality, universal, public education system. Well-designed early childhood education programs enrich young children's lives and create a foundation for their growth and development throughout their education. Early Childhood Education programs should:

- A. be part of a high-quality, equitable, universal, inclusive, and accessible public education system from pre-primary (four-year old as of December 31 of the school year) to grade 12 and returning graduates;
- B. fall under the jurisdiction of Regional Centres for Education/School Board;
- C. be appropriate developmentally in terms of:
  - I. following well-developed play-based, discovery-based, experiential, and interactive curricula,
  - II. meeting the children's needs academically, socially, emotionally, and behaviourally,
  - III. responding to a range of individual developmental needs and learning styles, and
  - IV. responding to cultural diversity;
- D. be appropriately funded to provide for:
  - I. early diagnosis and treatment of physical, behavioural, and learning disabilities,
  - II. teacher education programs for early years at both the preservice and inservice levels,
  - III. program supports such as library, guidance, and other student services,
  - IV. adequate physical resources to ensure a safe and healthy learning and teaching environment, and
  - V. appropriate staffing to accommodate all of the students' health and wellness requirements; and
- E. be delivered by qualified teachers.

*Reference: Resolution 2018-64*

**5. EDUCATION POLICY – TEACHER INPUT**

The NSTU believes that teachers' professional voice is an essential component in the formation of meaningful educational policy created by Regional Centres for Education/Boards, governmental departments, and government.

*Reference: Resolution 2000-84, Amended 2003-82, 2007-95, 2019-40*

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## 6. FINANCIAL STATEMENTS OF SCHOOLS – PUBLIC RECORD

The NSTU believes that Regional Centres for Education/School Board should require all schools to prepare financial statements according to generally accepted accounting principles and make them available to the public.

*Reference: Resolution 1999-157, Amended 2004-80, Reaffirmed 2009-87, January 2015*

## 7. FUNDING OF PUBLIC EDUCATION

It is the position of the NSTU that fully funded public education is a fundamental right of every Nova Scotian; moreover, funding should be program-based, founded on quality educational principles and universal accessibility. To this end, the NSTU believes that our public school system should be fully funded by the Nova Scotia Government to:

- A. supply necessary resources, materials, infrastructure, and equipment (including technology) equitably throughout the province; and,
- B. allow for appropriate and timely in-servicing during the implementation of new programs, assessment tools, reporting practices, or curricula.

Further, the NSTU believes that no public funds or tax incentives should be used to help finance charter or private schools, or in student-voucher schemes.

*Reference: Resolution 2019-41*

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## 8. FUNDING OF INSERVICING

The cost of inservicing Members necessitated by the introduction of new programs should be borne by the provincial government and the Regional Centres for Education/School Board and not through Professional Development Fund clauses in the *Teachers' Provincial Agreement*.

*Reference: Resolution 1990-35, Reaffirmed 1995, 1999-128, Amended 2003-83, Reaffirmed 2007-96, March 2019*

## 9. INTEGRATION AND INCLUSION

The NSTU endorses the Council of Atlantic Provinces and Territory Teachers' Organizations' (CAPTTO) Policy on Inclusion. Further, the NSTU holds the following beliefs:

- A. children with exceptional physical, intellectual, or emotional needs benefit from learning in the most enabling environment;
- B. regular classroom placement may best serve most children; however, self-contained classrooms or other environments may best serve some exceptional children;
- C. teachers working in integrated classrooms require support services;
- D. integration should ensure the rights of all children to an appropriate education and an equitable distribution of resources among all students; and,
- E. school sites should be barrier free.

*Reference: Resolution 2001-43, Amended 2002-45, 2004-105, 2011-23, Reaffirmed March 2017, Amended 2021-60*

## 10. PROFESSIONAL SUPPORT

The NSTU supports the principle of having appropriate professional staff support at all school levels.

*Reference: Resolution 2003-35, Amended 2004-116, Reaffirmed February 2011, Amended 2017-25*

**11. PUBLIC PRIVATE PARTNERSHIPS (P3)**

The NSTU believes that P3 schools must:

- A. remain subject to the policies of Regional Centres of Education/School Board, the Department of Education and Early Childhood Development, and all applicable legislation;
- B. have educational services delivered by certified teachers as defined by the *Education Act*;
- C. respect all collective agreements and the legislation on which they are founded;
- D. ensure the use of school facilities is under the sole jurisdiction of the school's administration;
- E. respect the collegial atmosphere of the school; and,
- F. limit the interests of the private partner to construction and/or maintenance functions.

Further, the NSTU believes a fair and transparent process exists only if public disclosure includes, but is not limited to:

- G. justification that the P3 model is preferred in a particular instance;
- H. clear roles and responsibilities of all partners;
- I. clear definition and assignment of risk including guarantees such as performance bonds;
- J. public involvement on the site selection committee;
- K. transparency in choosing a private partner or consortium; and,
- L. signing leases before construction begins.

*Reference: Resolution 2000-77, Reaffirmed 2003-84, Amended 2007-97, 2013-80, 2019-44*

**12. RE-CERTIFICATION**

The NSTU is opposed to any attempt to require Members to undergo mandatory periodic re-certification.

*Reference: Reaffirmed 1999-142, 2002-113, 2005-55, 2008-54, November 2013, January 2020*

**13. SCENT-SENSITIVE SCHOOL/EDUCATIONAL SITES**

Nova Scotia public schools/educational sites must be scent-sensitive places of learning and working.

*Reference: Resolution 1998-62, Reaffirmed 2003-86, 2007-99, Amended 2013-81, Reaffirmed January 2019*

**14. SCHOOL ADVISORY COUNCILS**

Because the development of school advisory councils has had and will continue to have a significant impact on the management of schools and teachers' working conditions, the NSTU believes that:

- A. School Advisory Councils should be advisory in nature in accordance with the *Education Act*;
- B. the NSTU should continue to keep its Members thoroughly informed on issues relating to School Advisory Councils. Professional development activities must be created, and tailored to respond to needs arising from the implementation of School Advisory Councils;
- C. the NSTU must continue to monitor the impact of School Advisory Councils on contractual issues and teachers' working conditions; and,
- D. the NSTU should continue to work with other recognized partners in education including the Department of Education and Early Childhood Development, the Nova Scotia Federation of Home and School Associations Inc., the Association of Nova Scotia Educational Administrators, the NSTU's Professional Associations, and other community organizations to ensure

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the efficient, effective, and supportive implementation of School Advisory Councils.

*Reference: Resolution 2001-113, Reaffirmed 2004-90, Amended 2009-96, Reaffirmed January 2015*

## 15. SCHOOL/EDUCATIONAL SITE CONSTRUCTION OR MAJOR RENOVATIONS

It is the position of the NSTU that when Regional Centres for Education/School Board are constructing new schools or implementing major renovations of existing schools, NSTU Members must be involved in the development and design of such projects.

*Reference: Resolution 1999-138, Amended 2003-85, 2007-98, 2019-46*

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## 16. STAFFING OF SMALL HIGH SCHOOLS

- A. Staffing in small schools should not be based on the number of students but rather on the courses that must be offered for high school graduation.
- B. The NSTU believes in the following principle: all schools should be able to offer a program sufficient to ensure specific student outcomes under all categories of the PSP Essential Graduation Learnings (i.e., Aesthetic Expression, Citizenship, Communication, Personal Development, Problem-solving, and Technological Competence).
- C. The NSTU believes the following three areas must be respected in staffing small high schools: Program Integrity, Expectations and Support for Members.
  - I. **Program Integrity**
    - a. Small high schools need to be staffed adequately to provide all the essential programs and services as per the PSP.
    - b. Special consideration must be given to combined schools (e.g., P-9, 7-12) because of the large number of cross-over Members and less flexible scheduling.
    - c. Schools must provide a balance of advanced, academic, and graduation credits, including required courses and adequate options for all students (e.g., university-preparatory, college-preparatory, work-bound, special needs).
    - d. Schedules should be developed to allow students to complete more than the minimum 18 credits required to graduate.
    - e. Academic or advanced courses to meet the needs of gifted and talented students should be provided (Challenge for Excellence, EECD).
    - f. Multiple options for compulsory credits should be provided (e.g., choice of Fine Arts and Canadian History courses).
    - g. Schools should offer a range and balance of courses to include the humanities and the arts, as well as science, math, and technology.
    - h. Students should have access to technology, labs, and equipment that are essential for particular programs.
    - i. Single-section courses should be scheduled separately.
    - j. Schools should avoid multi-grade and/or multi-course classrooms.
  - II. **Expectations for Members**
    - a. The demands of multi-grade and/or multi-course classrooms and the range of student abilities should be recognized in determining teaching assignments
    - b. Members should be scheduled with appropriate preparation time during both semesters.
    - c. Additional prep time should be given:
      - i. if multi-grade classrooms have been necessitated;
      - ii. for IPP and program planning; and,

- iii. to coordinate, monitor, and mentor students through their correspondence, distance, and independent studies.
- d. Actual class size and climate, as opposed to only FTE student teacher ratios, should be considered in scheduling teaching assignments.
- e. Members teaching outside their specialty areas should have access to appropriate resources and professional development.

### III. Support for Members

All small high schools should have:

- a. one full-time non-teaching principal to provide educational leadership and support to Members;
- b. one full-time guidance counsellor as per Comprehensive Guidance and Counselling Program recommendations;
- c. appropriate and equitable computer technology, maintenance, and technical services;
- d. appropriate and equitable library, secretarial, and custodial services;
- e. recognition of fixed costs within operating budgets;
- f. policies, procedures, and professional development to guide the planning for, and delivery of, instruction in classrooms which are multi-graded due to PSP requirements and/or small enrolment in particular courses; and,
- g. appropriate and equitable resource and special education services.

*Reference: Resolution 2005-63, 2007-55, Reaffirmed 2009-99, 2009-100, Amended 2015-65*

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## 17. STUDENT ATTENDANCE

School attendance is critically important for student success, as such the NSTU believes:

- A. Regional Centres for Education/School Board shall have student attendance policies which:
  - I. delineate procedures for data entry, identification, intervention and follow-up;
  - II. consider a spectrum of educational programs to serve as interventions;
  - III. deals with chronic absenteeism by specialized regional personnel; and,
  - IV. consider the use of community-based teams (e.g., academic, social service, medical, legal, ethnic) to address student attendance issues.
- B. Individual schools shall have practices which provide for:
  - I. consistent and accurate monitoring of student attendance;
  - II. the immediate attention by site-based administrators where a pattern of absenteeism is noticed; and,
  - III. ongoing discussions among school staff, parent groups, and community agencies which allow for cooperative approaches for addressing student attendance problems.

*Reference: Resolution 2000-82, Amended 2003-81, 2007-94, 2019-47*

## 18. TEACHER-LIBRARIANS

- A. The Department of Education and Early Childhood Development has recognized the importance of lifelong learning.
- B. The Essential Graduation Learnings identify the knowledge, skills, and attitudes that graduates will acquire in the course of their education.
- C. Technological Competence is one of these learnings. The outcomes identified place an emphasis on a graduate's ability to locate, evaluate, adapt, create, and share information using a variety of sources and technologies. Through the other learnings it is clear that graduates must be able to acquire, process and interpret information critically to make informed decisions.



- D. The Department of Education and Early Childhood Development has also engaged in many initiatives as part of the funding allocated for the Information Technology Initiatives.
- E. Taking into consideration the importance accorded to literacy and technological competency in the public school programs, it is our belief that the library should become a site for the acquisition of these skills. Librarians, in the past, have demonstrated and continued to provide leadership in these areas.
- F. Our recognition of the important role that librarians play in our information technology society leads us to articulate the following principle:
  - I. The NSTU believes the library is a specialized classroom and must be staffed with a teacher-librarian who possesses appropriate teaching certification and the necessary professional training, up to and including, a Master of Library Science.

*Reference: Resolution 2000-39, Amended 2001-39, Reaffirmed 2003-55, 2006-82, Amended 2018-50*

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## SECTION V

# PROFESSIONAL DEVELOPMENT

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## 1. LITERACY EDUCATION

The NSTU recognizes literacy as an inherent part of public school education; students require language and literacy skills to actively engage in their studies and to fully participate in society. Low literacy skills in adults have significant social costs to the individual, and to society as a whole, in terms of economics, social services, health, and justice. Pre-service education programs, professional learning, and inservice sessions should help develop Members' skills in regards to teaching practice; further, they should equip teachers to develop language skills within their students.

*Reference: Resolution 2000-92, Reaffirmed 2002-108, 2005-51, Amended 2008-50, Reaffirmed November 2013, Amended 2021-85*

## 2. MEMBER PROFESSIONAL RESOURCES

Professional resources provide valuable supports for the curricular, pedagogical, and professional learning needs of teachers. The NSTU believes that it is the responsibility of the employer to provide and maintain professional resources for teachers.

*Reference: Resolution 2000-98, Amended 2002-117, Reaffirmed 2005-60, 2008-59, Amended 2014-73, 2021-86*

## 3. PRE-SERVICE TEACHER EDUCATION PROGRAMS

The NSTU recognizes the intrinsic value of pre-service teacher education programs for preparing our future Members for their profession. The NSTU believes it should be an active participant on committees, and similar groups, at the Provincial Governmental level, Department of Education and Early Childhood Development level, provincial university level, and other significant groups, involved in the planning and design of teacher education programs.

*Reference: Resolution 2002-110, Reaffirmed 2005-53, 2008-52, Amended 2014-69, 2021-87*

#### 4. PROFESSIONAL DEVELOPMENT AND COLLECTIVE BARGAINING

The NSTU believes that Members, as represented by their Locals, have the right to input in the planning process, the allocation of funds, and the time available for professional development activities. Further, the NSTU believes that:

- A. funds paid from Article 60 should be for NSTU Members;
- B. funds paid under Article 60 for NSTU Professional Associations Provincial Conference Day must be solely to NSTU Members attending any of the NSTU Professional Associations' conferences; and,
- C. funds from Article 60 should not be used for obligatory employer directed professional development or in-servicing.

*Reference: Resolution 2002-112, Reaffirmed 2005-54, Amended 2006-46, Reaffirmed 2008-53, November 2013, Amended 2021-88*

#### 5. PROFESSIONAL LEARNING

- A. The NSTU believes that the continued renewal of knowledge, expertise, and practice through a variety of experiences is central to the concept of professionalism; further, that professional learning requires a lifelong commitment and meaningful growth requires adequate resources and time.
- B. The NSTU is committed to identifying and supporting strategies, initiatives, and programs to promote and implement effective professional learning practices by and for its membership.
- C. The NSTU recognizes that effective professional learning activities can happen at the provincial, local, school, or individual level; moreover, delivery and format at each of these levels can achieve different learning objectives.
- D. The NSTU recognizes the following as effective means to enhance the professional growth of its Members:
  - I. a positive attitude towards continued growth;
  - II. individual professional growth which is self-directed and job embedded;
  - III. NSTU Locals participating as agents of professional growth; and,
  - IV. educational partners participating, where appropriate, as agents of professional growth.
- E. The NSTU recognizes the school as an integral agent of professional growth and believes that school-based professional learning:
  - I. has the greatest impact when supported by strong leadership at the school and Regional levels;
  - II. should be job embedded;
  - III. should engage Members in ongoing reflection within a culture of professional learning community; and,
  - IV. should be consistent within each and throughout all Regions.

*Reference: Resolution 2000-97, Reaffirmed 2002-114, 2005-56, Amended 2008-55, 2014-70, 2021-89*

#### 6. SCHEDULING – MEMBER PROFESSIONAL DEVELOPMENT OR INSERVICING

The NSTU endorses the principle that obligatory professional development or inservicing for NSTU Members be conducted during the normal instructional day, and be job embedded.

*Reference: Resolution 2003-97, Reaffirmed 2005-57, 2008-56, Amended 2014-71, Reaffirmed January 2020*

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## SECTION VI

## GENERAL

1. **APPROPRIATE ONLINE CYBERCONDUCT**

Electronic communication and online activity are prevalent in our education system and the community-at-large. As such, the NSTU holds the following beliefs in regards to cyberconduct:

- A. Appropriate cyberconduct is the ethical, legal, and positive manner in which we conduct ourselves online and is part of ensuring a safe learning and working environment for our educational sites.
- B. Inappropriate cyberconduct should be discouraged and acted upon swiftly and decisively.
- C. Education is an essential part of promoting appropriate cyberconduct.
- D. Ensuring appropriate cyberconduct is a shared responsibility between educational stakeholders, government departments and agencies, and the community-at-large.

*Reference: Resolution 2008-NB1, Reaffirmed 2009-104, Amended 2015-66, 2018-73, Reaffirmed January 2021*

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Development**General**2. **COMMERCIALISM IN SCHOOLS**

The NSTU believes that, in all but the most limited cases, Public Schools should be free of commercial enterprises, including but not limited to advertising, franchising, and for-profit businesses. As such, the NSTU believes:

- A. access to students must only occur with proof of sound educational objectives;
- B. commercial advertising aimed at children should be banned on Public School properties and school buses;
- C. commercial enterprise must not exploit students as a captive audience;
- D. sponsorship agreements must be consistent with sound educational values;
- E. sponsorship acknowledgement should only be made in appropriate ways; and,
- F. commercially sponsored classroom and curricular materials should be clearly marked as such.

*Reference: Resolution 2019-45, Reaffirmed January 2021*

3. **DESIGNATION OF STAFF ROOMS**

The NSTU believes that educational site staff rooms should be designated for use of staff, according to the wishes of the educational site staff.

*Reference: Resolution 2001-111, Reaffirmed 2004-89, 2009-85, January 2015, Amended 2021-95*

4. **ETHICAL PURCHASING**

The NSTU believes in the values of fair trade, environmental sustainability, and ethical principles. As such, the NSTU encourages its Members to, and wherever reasonably possible will, purchase goods and services that come from suppliers/ producers which:

- A. follow labour standards which include, but are not limited to:
  - I. compensating with fair wages and benefits,
  - II. practicing equal pay for work of equal value,
  - III. excluding child or forced labour,
  - IV. complying with local and national health and safety standards,

- V. complying with local and national human rights, discrimination, harassment and abuse regulations, and
- VI. allowing for freedom of association;
- B. follow environmental sustainability standards which include, but are not limited to:
  - I. complying with local and national environment laws and regulations,
  - II. incorporating high quality renewable or recyclable materials that can be repaired, reused, or upgraded as required,
  - III. minimizing single-use items,
  - IV. minimizing toxicity of air, water, and soil, and
  - V. minimizing its effect on climate change;
- C. are Nova Scotian or Canadian; and,
- D. are unionized.

*Reference: Resolution 2002-119, Amended 2004-79, 2007-40, 2010-16, Reaffirmed January 2016, Amended 2019-8, 2021-98*

## 5. FREEDOM OF ASSOCIATION AND THE RIGHT TO STRIKE

The NSTU firmly believes in the freedom of association and the right of collective bargaining as guaranteed under the *Canadian Charter of Rights and Freedoms*. The NSTU vehemently opposes strike-breaking methodologies, including but not necessarily limited to:

- A. legislated contracts or legislated wage and benefit packages;
- B. back-to-work legislation;
- C. legislation classifying workers as essential services; and,
- D. the use of replacement workers during a legal strike.

*Reference: Resolution 2001-112, Reaffirmed 2004-93, Amended 2009-101, Reaffirmed January 2015, Amended 2015-64, 2021-103*

## 6. INTERNAL TO THE NSTU OCCUPATIONAL HEALTH AND SAFETY

- A. Health and safety in the workplace is a shared responsibility.
- B. The NSTU, as an employer, is responsible for protecting its employees by ensuring a safe workplace, free from occupational health and safety hazards.
- C. Employees are responsible to work safely and to report hazardous conditions to their supervisor.
- D. Occupational hazards include, but are not limited to:
  - I. situations which may cause an immediate acute illness or injury;
  - II. situations where prolonged exposure may cause a progressive illness or injury; and,
  - III. environments which may aggravate existing ailments.
- E. Employees who become ill or are injured due to occupational hazards in the workplace shall receive the full support of the NSTU.
- F. The NSTU, shall establish and maintain procedures in keeping with the *Occupational Health and Safety Act* to ensure incidents of workplace injury and illness are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

*Reference: Resolution 2010-42, Reaffirmed January 2015, Amended 2019-61, Reaffirmed January 2021*

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## 7. INTERNAL TO THE NSTU – RESPECTFUL WORKPLACE

- A. The NSTU, as an employer as well as a Member organization, has a responsibility to ensure a safe work environment free from abuse/harassment. Abuse and harassment include, but are not limited to:
  - I. physical, verbal, emotional, and mental abuse;
  - II. sexual harassment;
  - III. bullying, including cyberbullying; and,
  - IV. intimidation.
- B. The NSTU shall recognize that employees and/or Members may experience abuse/harassment by fellow staff and/or Members.
- C. NSTU employees or Members subjected to abuse/harassment shall receive the full support of the NSTU.
- D. The NSTU, in accordance with the *Nova Scotia Human Rights Act*, shall establish and maintain procedures to ensure incidents of abuse/harassment are mitigated (as much as possible), reported, documented, and dealt with efficiently and effectively.

*Reference: Resolution 2001-108, Amended 2004-92, 2009-98, Reaffirmed January 2015, Amended 2019-62, Reaffirmed January 2021*

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## 8. MEDICARE

The NSTU believes that health care is an essential component of social services that should be provided to all Nova Scotians permitting them to fully participate in society. The fundamentals of a publicly funded, high quality, universal, broad-based, accessible, inclusive medicare system helps to promote healthy living, addresses child and family poverty, reduces barriers of inclusion, and enhances economic growth. Moreover, healthy children are better equipped to learn, and healthy teachers have greater fortitude to endure their challenging vocation.

*Reference: Reaffirmed 1999-70, Amended 2002-122, 2004-82, 2009-89, 2015-61, 2021-97*

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## 9. NATIONAL UNITY

The NSTU supports the concept of national unity.

*Reference: Resolution 2001-109, Reaffirmed 2004-83, 2009-90, January 2015, January 2021*

## 10. NETWORKING WITH FRANCOPHONE TEACHERS ASSOCIATIONS/ORGANIZATIONS

The NSTU recognizes the importance of communication with other Canadian Francophone teachers' associations as well as the Francophone Services division of the Canadian Teachers' Federation.

*Reference: Resolution 2001-107, Amended 2004-91, 2009-97, Reaffirmed January 2015, Amended 2021-99*

## 11. PERSONS WITH DISABILITIES

The NSTU, in recognition of its support for the *Nova Scotia Human Rights Act*, acknowledges the definition of physical and mental disabilities as given in the Act. Further, the NSTU believes that it is incumbent upon its Members to model appropriate practices that demonstrate respect for the abilities of persons with disabilities.

*Reference: Resolution 2001-104, Amended 2004-84, Reaffirmed 2009-91, January 2015, Amended 2021-100*

**12. PHYSICAL NECESSITIES BE MADE AVAILABLE**

There are certain minimal physical necessities which all Members must have available in their workplaces i.e., staff and gender-neutral washrooms.

*Reference: Resolution 2000-101, Reaffirmed 2004-85, 2009-92, Amended 2015-62, Reaffirmed January 2021*

**13. PORNOGRAPHY**

- A. The NSTU is opposed to the downloading, importation, manufacture, distribution, sale, broadcast, or public display of child pornography, in any form.
- B. NSTU Members should not access pornographic material, in any form at any time:
  - I. using employer provided technology or access; or,
  - II. at work sites.

*Reference: Resolution 2001-110, Amended 2004-86, 2009-93, 2015-63, Reaffirmed January 2021*

**14. SMALL COMMUNITY SCHOOLS**

The NSTU recognizes the vital importance of small community schools and supports their continued operation.

*Reference: Resolution 2001-102, Reaffirmed 2004-77, Amended 2009-84, Reaffirmed January 2015, Amended 2021-93*

**15. UNCEDED TERRITORY RECOGNITION**

The NSTU recognizes that we live and work on unceded Mi'kmaq territory, that we are privileged to be together in Mi'kma'ki, that we are all treaty people, and that we wish to acknowledge this relationship.

*Reference: Resolution 2017-55, Reaffirmed January 2021*

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# NOVA SCOTIA TEACHERS UNION

# CODE OF ETHICS

## **C. Member and Administration**

- I. The Member should maintain a reasonable and professional level of support to internal administration of the school/ educational site and regional office.

## **D. Member and Professional Organization**

- I. The Member who in their professional capacity is a Member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- II. The Member, or group of Members, should not take any individual action in matters which should be dealt with by their Local, Regional Representative Council, or by the NSTU.
- III. The Local or Regional Representative Council should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

## **E. Member and Profession**

- I. The Member's conduct should advance and promote the teaching profession and the cause of education in the province.
- II. The Member should maintain their professional learning which will keep them abreast of the trends in education.
- III. The Member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with pupils, colleagues, and the community.

## **F. Member and Community**

- I. The Member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.



In the event of any discrepancy between this document and the original, the original shall prevail.

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