



Consultation, Collaboration & Participation

The teacher's role & the employer's obligations



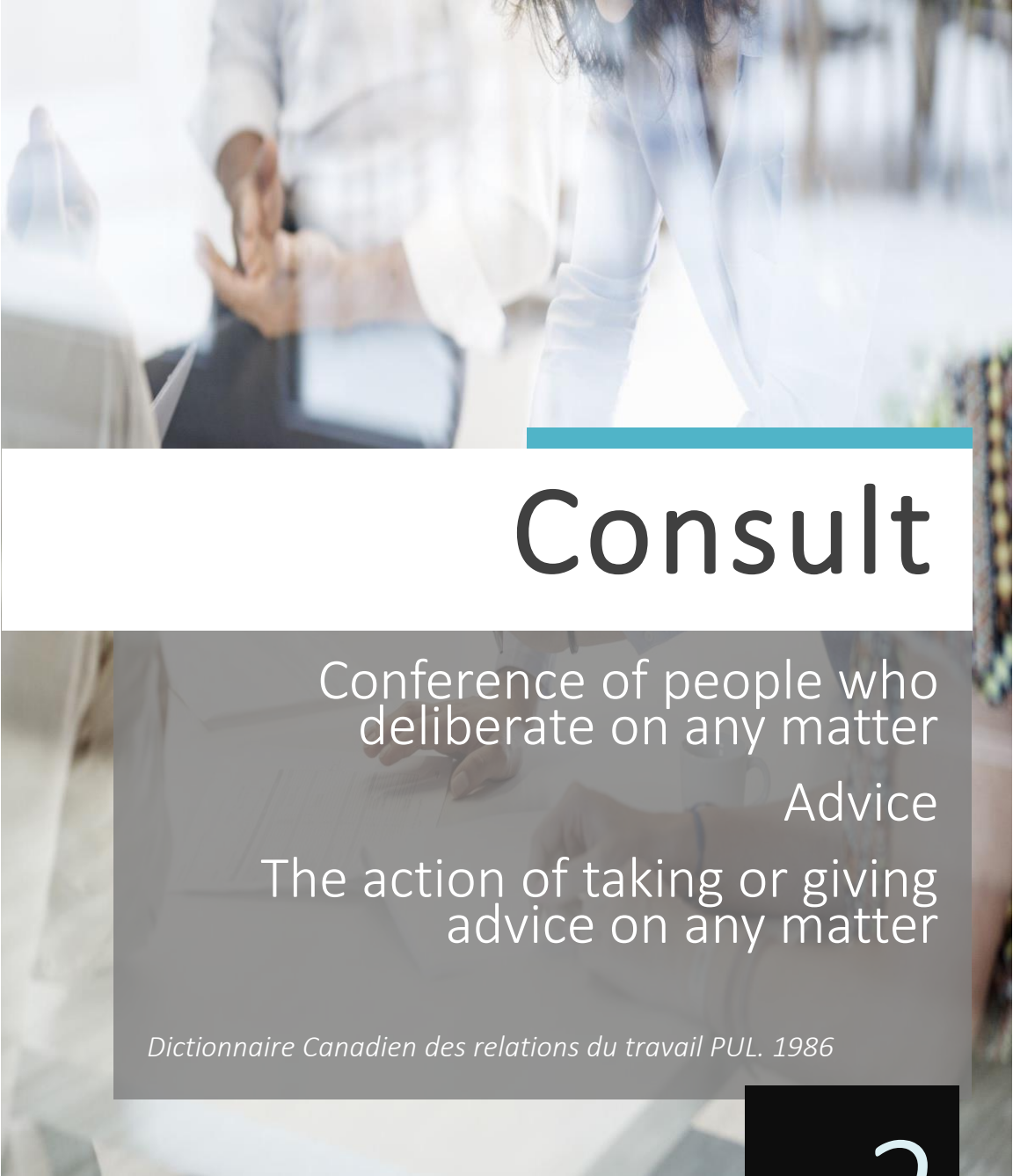
Pertinent information shall be provided to the persons who are being consulted.

A reasonable period of time shall be granted to the persons who are being consulted so they may understand the information that is being provided and have enough time to form an opinion.

The persons consulted shall have the opportunity to express their opinion on the topic prior to any decision.

The basic requirement for a consultation is the good faith of both parties.

The purpose of a consultation is not only to be informed and to provide an opinion, but also so that the people consulted shall be associated in a real and efficient manner to enable them to influence the authority.

A background image showing a group of people in a meeting or conference setting. They are gathered around a table, looking at documents and talking. The image is slightly blurred, focusing on the concept of consultation.

Consult

Conference of people who deliberate on any matter

Advice

The action of taking or giving advice on any matter

Dictionnaire Canadien des relations du travail PUL. 1986

Jurisprudence requires that the process of consultation gives all possibilities to influence the final decision.

Consultation is not co-management. Basically, the people consulted shall receive a description of the project prior to a decision and have a real opportunity to influence the authority prior to the final decision.

When consultation is mandatory on a specific subject, the absence of consultation will nullify any decision of the school principal or the Board on the subject.

When consultation is done after the decision, any action related to this decision is null and void.

The right to be consulted is to obtain a clear description of the project prior the decision and have a real possibility to influence the authority.



Consult



Ask someone for advice, advice

Le Petit Robert

Ask someone for their opinion, advice, seek information from

Larousse

METHODS AND SUBJECTS OF PARTICIPATION NEGOTIATED AND AGREED UPON AT THE PROVINCIAL LEVEL

Chapter 4 of the Provincial Agreement provides the methods, subjects and procedures of participation of teachers at both the board and school levels.

4-1.01 lists the subjects that shall be submitted to the board-level participating body of teachers.

4-1.02 lists the subjects that shall be submitted to the school-level participating body of teachers.

4-0.00 METHODS, SUBJECTS AND PROCEDURES OF PARTICIPATION OF TEACHERS AT THE LOCAL LEVEL

The ATA Local Agreement provides the **methods, subjects and procedures of participation of teachers** at both the board and school levels.

Each section of chapter 4 the local agreement pertaining to Committees includes the **General Principles, Composition and Operation**.

4-3.00 is specific to **School Council**.

Some of the consultative items specified in the *Education Act* are included in 4-3.03.

Other elements: Object of participation, timeframe for consultation, consideration of recommendations, agendas and official minutes, members, internal rules of order, quorum, place and time of meetings

Board level: Teacher Advisory Committee (4-5.00) , Central Professional Improvement Committee (4-6.00), Special Education Teacher Parity Committee (4-7.00), Special Education Board Parity Committee (4-8.00), Health and Safety Committee (4-9.00), Labour Relations Committee (4-10.00)

School level: School/Centre Council (4-3.00), Special Needs Committee (4-4.00), Professional Improvement Committee (4-6.07), Governing Board

METHODS AND
SUBJECTS OF
PARTICIPATION
NEGOTIATED AND
AGREED UPON AT
THE LOCAL OR
REGIONAL LEVEL

GENERAL PRINCIPLES



4-2.01 The object of participation...is to ensure that the educational system will function harmoniously and effectively for the benefit of the students. It is **recognized that teachers**, as the persons most closely involved with teaching, **must have input** into the shaping of educational policies.



4-2.02 The appropriate participatory committee **shall be consulted** on all subjects for which provisions of the entente, the agreement and Education Act stipulate that the Board or Principal are **obliged to consult**.



4-3.01 Within each school and centre, there **shall be** a School or Centre Council. This School/Centre Council shall be a **participatory and coordinating body**. It also performs a communication role.



4-3.02 Participation on School/Centre Council is a **contractual opportunity** to be **involved** in the **formation, modification and implementation** of educational policies as well as develop a **venue for dialogue** with the school administration.

THE IMPORTANCE OF CONSULTATION AT THE SCHOOL LEVEL

Teachers are an **integral part** of the decision-making process. Do not wait to be consulted!



School/Centre Council

The Teachers' Voice

SCHOOL OR CENTRE COUNCIL CLAUSES IN THE LOCAL AGREEMENT

Don't just go through the motions! Make consultation meaningful.



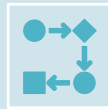
Deadline for its formation, **composition**, **roles** of members
(4-3.06 to 4-3.08)



Rules regarding its **operation** (4-3.09 to 4-3.15) such as the establishment of internal rules of order, voting, quorum, as well as the **frequency of meeting**



Obligatory consultation/participation items (4-3.02)



Express its opinion on any **questions** within its terms of reference **referred to it by any teacher** (4-3.03) **and** the admin's obligations when they do not proceed with a recommendation (4-3.05)



The timeframe of 30 days for consultation (4-3.04)

SCHOOL OR CENTRE COUNCIL SUPPORTING DOCUMENTS

Don't just go through the motions! Make consultation meaningful.

In addition to the Local Agreement, you can find useful tips and information in the *School or Centre Council Handbook* as well as various *Cheat Sheets* on your Local Union's website on topics such as:

Representation

What can be discussed

The difference between a School Council and a Staff Meeting

Operation and rules of order

The role of members

The duties of the chairperson

Feedback from colleagues

Sample agenda

Minutes



Consultation, Participation and Collaboration According to the *Education Act*

Different types of powers provided for in the *Education Act*

Powers of Teacher Participation in the Collective Agreement and Legislation

The powers relating to the participation of teaching staff are at the heart of the working conditions and practice of the profession. We find as many issues of application and negotiation as issues of a pedagogical and professional nature.

Participate

verb (THE ACTION OR STATE OF TAKING PART IN SOMETHING)

Association with others in a relationship (as a partnership) or an enterprise usually on a formal basis with specified rights and obligations

Merriam-Webster

CONCORDANCE WITH THE *EDUCATION ACT* (CQLR, ch. I-13.3)

Local Agreement



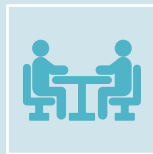
Many items in the *Education Act* require the participation, collaboration and consultation of Teachers at the board level (TAC) and/or the school level (School/Centre Council & GB).



At the School level, teachers participate and collaborate at School Council, meetings called by the school administration, and Governing Board.



Responsibilities in sections 77, 89, 96.15, 110.2, and 110.12 of the Education Act (CQLR, c.I-13.3) can be delegated to the Teacher Council. The remaining items cannot be delegated.



Teachers have a right to collaborate! By not participating in the process, management is given carte blanche.



Collaborate

verb (WORK WITH)

The situation of two or more people working together to create or achieve the same thing

Cambridge Dictionary

Teacher Collaboration Pursuant to the *Education Act*

The *Education Act* gives teachers a **variety of powers** that range from limited to extensive. It is therefore important to understand the situations in which **teachers must be consulted, involved directly, or asked to make suggestions**. Since theory is not always applied in practice, the purpose of this document is to explain the provisions of the *Education Act* so that, where necessary, claims can be made to **ensure** that the **powers of teachers** in schools are **upheld**.

Appendix 1 of the QPAT Document entitled **Teacher Collaboration Pursuant to the *Education Act*** indicates:

- The objects of participation and consultation
- The related sections/articles of the *Education Act* for youth sector as well as for Adult Education and Vocational Training
- The level of participation for each topic (formal consultation/participation in development/proposal)
- If the topic involves the participation of teachers only or other stakeholders
- Provisions pertaining to the collaboration procedure
- The powers of the various governing bodies (i.e., management, school board, Governing Board)

Purpose of Participation

The *Education Act* provides a significant number of objects of participation reproduced in Appendix 1 of the *Teacher Collaboration Pursuant to the Education Act* document.

Often, several objects relating to teacher participation are found in both the collective agreements and the law. In addition, in the light of the legislative provisions, the participation is exercised according to a progressive "intensity".

Levels of participation

The objects of participation under the *Education Act* are threefold and the collective power of teachers is exercised through these three levels of representation:

Be formally
consulted

Participate in the
development of
a proposal

Prepare a
proposal

DECISION- MAKING POWERS UNDER THE *EDUCATION ACT*

Governing Board

Adopt

The **most important decision-making power** allowing the decision-maker to **modify** the proposal.

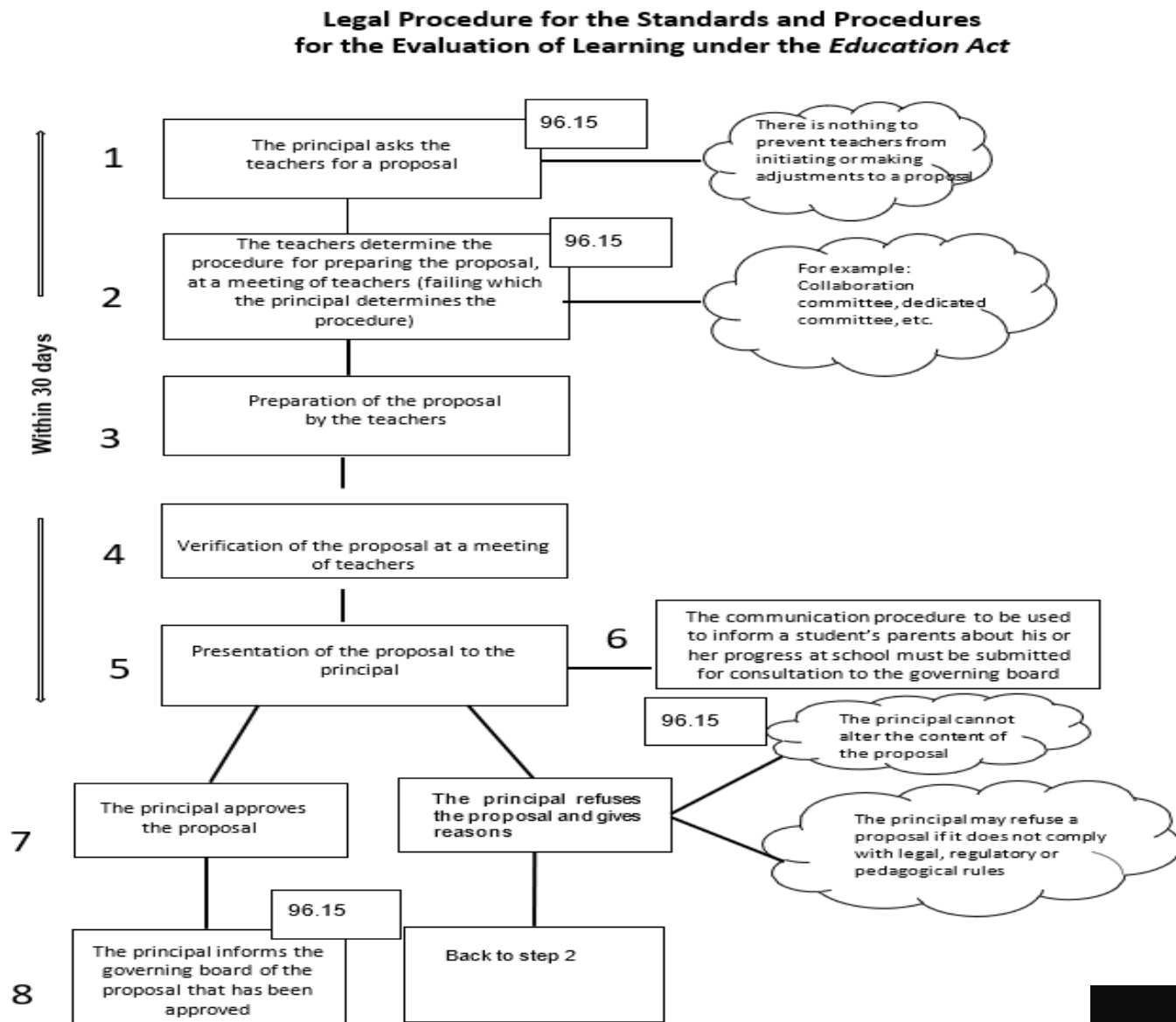
Governing Board has the power to adopt on 4 subjects:

1. Annual operating budget of GB
2. Educational project
3. Annual report on activities of GB
4. School's budget

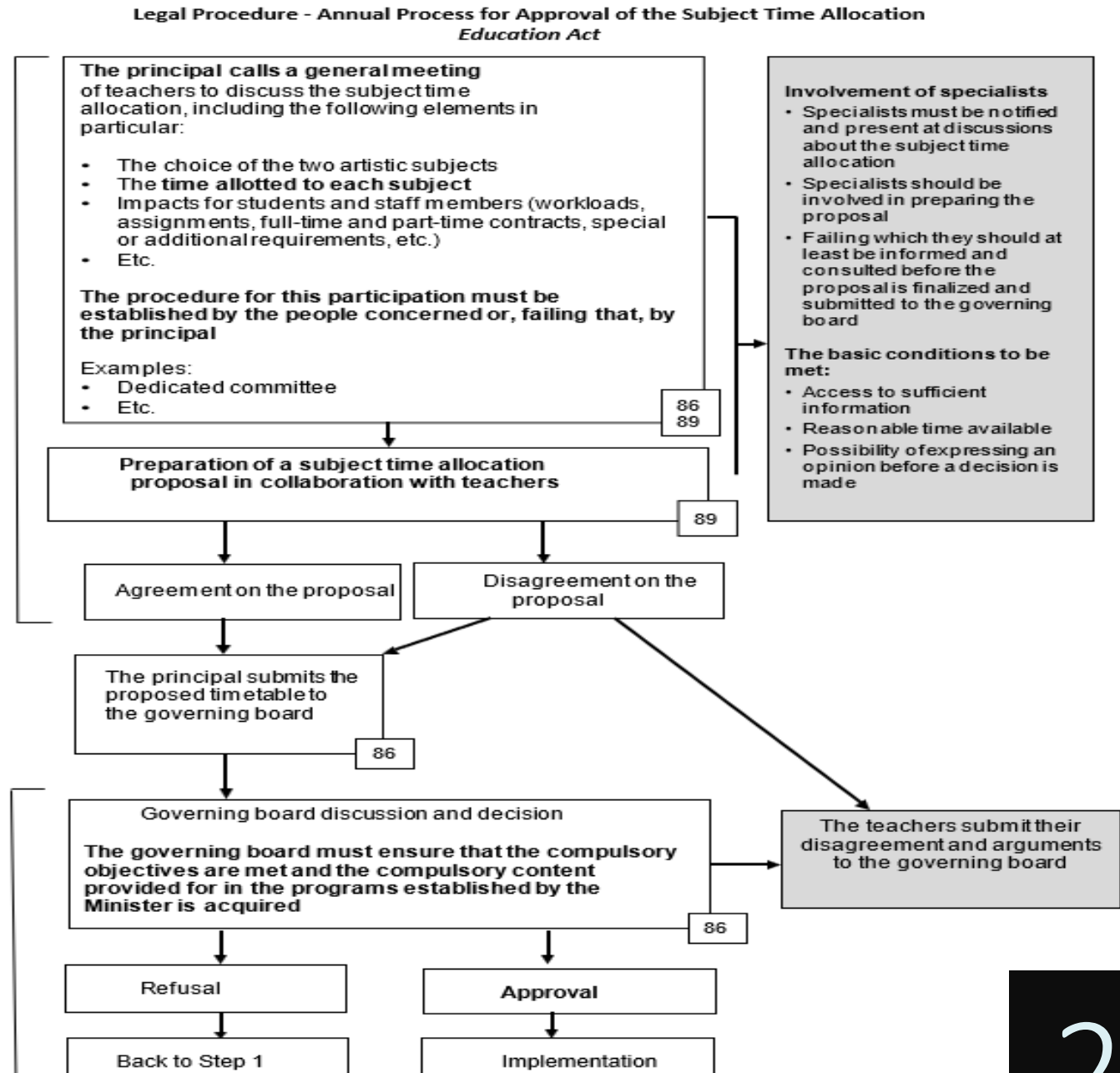
Approve

A more **restricted decision-making power** as the decision-maker can only **approve** or **reject** what is submitted.

EXAMPLE - PROCESS FOR PREPARING A PROPOSAL & APPROVAL OF THE STANDARDS AND PROCEDURES IN EVALUATION



EXAMPLE – PREPARATION OF THE SUBJECT TIME ALLOCATION WITH THE COLLABORATION OF TEACHERS



Resources

QPAT

[Provincial Agreement](#)

QPAT Document: Teacher
Collaboration Pursuant to the
Education Act

[QPAT Youth Sector Governing Board
Practical Guide](#)

[QPAT Adult Education and
Vocational Training Governing Board
Practical Guide](#)

[Standards and Procedures](#)

[The New Educational Project for
Schools and Centres](#)

[QPAT Website](#)

ATA

[Local Agreement 2015-2020](#)

[School or Centre Council
Handbook 2020](#)

[Teacher Representation](#)

[School or Centre Council 2020](#)

[Governing Board Schools 2020](#)

[Governing Board Powers in
Schools](#)

[Schools 2020](#)

[Vocational & Adult 2020](#)

[The Role of the Syndical Delegate](#)

MINISTRY

[Education Act \(June 2019\)](#)

Questions

Thank You

Stephanie McLellan



QPAT-APEQ

smclellan@qpat-apeq.qc.ca



<https://qpat-apeq.qc.ca/>

