

Settlement Agreement

Between:

British Columbia Public School Employers' Association/The Board of Education of School District No. 61 (Greater Victoria)

The "Employer"

And:

British Columbia Teachers' Federation/Greater Victoria Teachers' Association

The "Union"

**Music Classes: CLASS 229593 / BCTF 61-2019-0019 / 19 GVTA 55
Musical Theatre: CLASS 20-61-000010 / BCTF 61-2019-0025 / 19 GVTA 68
(collectively, the "Grievances")**

Whereas:

- A. On April 26, 2019, the Union filed Grievance 19 GVTA 55 alleging the District was not in full compliance with the class size, composition or total student load language for music classes;
- B. On June 13, 2019, the Union filed Grievance 19 GVTA 68 alleging that the District was not in full compliance with the class size, composition or total student load language for musical theatre classes; and
- C. The parties met with the assistance of Corinn Bell with a view to resolving the Grievances;

Now therefore, the parties agree to resolve the Grievances on the following terms:

Elementary (K-5) and Middle Schools (Grades 6-8)

1. The following applies in respect of elementary and middle schools:
 - a. Class size limits in Article D.1.1 apply to music classes;
 - b. Composition limits in Articles D.1.3 and D.3.5 (now D.2.9 – low incidence preparation time) apply to music classes;
 - c. Articles D.1.1, D.1.3 and D.3.5 (D.2.9) do not apply to pull out music programs, optional practice sessions or extra-curricular programs for students in elementary and middle schools,

strings and non-mandatory classes scheduled outside of the instructional day. For greater certainty this includes the strings program; and

- d. Article D.1.7 does not apply to elementary school. The settlement agreement does not address the application of article D.1.7 to middle school music classes and is without prejudice and precedent to the position of either party in that regard.

Secondary Schools

- 2. The following applies in respect of secondary schools:
 - a. Class size limits in Article D.1.1 are replaced with a total student load limit as set out in Article D.1.7 for “band and choir” classes in accordance with the Collective Agreement language and the provisions set out below.
 - b. For the purposes of Article D.1.7, “band and choir” means all types of music classes, including musical theatre classes (“Band and Choir”).
 - c. Further to Article D.1.7, and during the process described in Article E.21.2 of the Collective Agreement, secondary teachers to be assigned Band and Choir, will indicate to their school principal in writing if they wish to exceed the total student load set out in Article D.1.7 and if so, by how much. Where no request is made, band and choir classes shall not exceed 200.
 - d. The total student load of 200 students in Article D.1.7 is based on a 1.0 FTE teaching assignment. The total student load described in Article D.1.7 will be pro-rated based on the FTE the teacher is assigned to teach Band and Choir.
 - e. Article D.3.5 (D.2.9) applies to Band and Choir.
 - f. Article D.1.3 does not apply to Band and Choir classes which have been configured based on a teacher’s request for a higher limit as set out in 2.c above.
 - g. Articles D.1.1, D.1.3, D.1.7 and D.3.5 (D.2.9) do not apply to optional practice sessions or extra-curricular programs.

General

- 3. This settlement fully resolves grievances 61-2019-0019 (19-GVTA -55), 61-2019-0025 (19-GVTA-68). The settlement does not fully resolve grievance 61-2020-0016 (20-GVTA-47), in particular, outstanding issues with respect to the application of D.1.7 to middle school will be addressed through grievance 61-2019-0006 (10-GVTA-30).
- 4. Arbitrator Corinn Bell has jurisdiction over the interpretation and application of this agreement.

- 5. This settlement agreement with without prejudice to the position of the parties on any other matters in this school district or any matters between the Union and any other School District or the provincial parties.

Dated: June 28, 2022



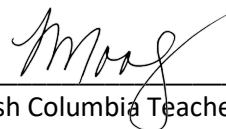
Board of Education of School District No.
61 (Greater Victoria)



Greater Victoria Teachers' Association



British Columbia Public School Employers'
Association



British Columbia Teachers' Federation