

LETTER OF UNDERSTANDING

Between

The BOARD OF EDUCATION OF SCHOOL DISTRICT No.63 (Saanich)
(Hereinafter referred to as 'the Board')

And

The SAANICH TEACHERS' ASSOCIATION
(Hereinafter referred to as 'the Association')

RE: Unused Remedy Amounts as of June 30, 2021

WHEREAS the Board has provided all efforts to implement a teacher's remedy as specified in the *MOA RE: LOU No.17: Education Fund and Impact of the Court Cases – Final Agreement ('MOA')*;

AND WHEREAS the Board was not able to provide remedy to all teachers who had remedy owing by June 30, 2021;


AND WHEREAS the Board and the Association entered into conversations regarding a local agreement on how to distribute the unused remedy amounts to affected teachers (those owed remedy for the 2020-2021 school year);

NOW THEREFORE the Board and the Association agree on the following for the 2021-2022 school year;

1. The remaining unused remedy currently in teacher remedy banks will be rolled over into the 2021-2022 school year to be utilized in accordance with the provincial MOA as well as the *LOU RE: MOA 24.C.iv Other remedies that the local parties agree would be appropriate ('LOU')*.
 - i. Any unused remedy remaining in teacher remedy banks when the teacher has resigned, retired or moved into an administrative position will be donated to the staff committee bank of the school in which the teacher left.
2. The remaining unused remedy currently in staff committee banks will be rolled over into the 2021-2022 school year to be utilized in accordance with the LOU.
3. Teachers will communicate to school administration their plan for the usage of their remedy.
 - i. Teachers may elect to give some or all of their unused remedy to the school staff committee.
 - ii. The usage of remedy given to the school staff committee will be determined by the school staff committee in consultation with school administration to determine if the proposed usage is operationally reasonable.
4. Any remaining unused remedy in teacher remedy banks in excess of ten (10) days as of June 30, 2022 will be automatically donated to the school staff committee in the school in which the teacher was assigned at the end of the school year to be utilized in accordance with Article #3.(ii) as outlined above.

- i. Such donated remedy will be made available to the school Staff Committee for the 2022-2023 school year.
 - ii. Teachers who have been on an extended leave of absence over the course of the year and as a result of the leave of absence did not have the ability to utilize their remedy within the school year will be excluded from the process of automatic donation.
 - iii. Teachers who wish to request an exception to the process of automatic donation to the staff committee as a result of what they believe to be exceptional and extenuating circumstances associated with their inability to utilize their remedy entitlement within the school year will be permitted to request a discussion with the President of the Saanich Teachers' Association and the Director of Human Resources prior to June 1, 2022.
5. The goal of the agreement reached by the parties in advance of the 2021/22 school year is to see a reduction in ongoing and increasing unused remedy amounts and to see greater emphasis on the use of remedy applied in support of students that are generating the need for remedy.
6. In the event an agreement is reached between the provincial parties that impacts this agreement the local parties agree to meet and resolve any resulting issues in a mutually satisfactory manner.
7. This without prejudice Agreement does not affect any position that the School District, any other School District, the BC Public School Employers' Association, or the Union may wish to take with respect to similar issues or in similar circumstances and neither party will refer to this Agreement in any other subsequent proceeding.
8. This agreement will be considered in effect from July 1, 2021 to June 30, 2022.

Signed, this 14th day of June, 2021.



Don Peterson, President
For the Saanich Teachers' Association



Robyn Reid, Director of Human Resources
For the Board of Education School District No.
63 (Saanich)