

JACFA General Assembly Minutes  
March 22 2006 at 5:30 p.m. — Penfield 204  
John Abbott College  
General Assembly President: Jim Leeke

01. Adoption of the Agenda

Moved by Ed Holland;  
Seconded by Paul Jones;  
Adopted unanimously.

02. Adoption of the Minutes

Moved by Claude Benoit;  
Seconded by Endre Farkas;  
Adopted with majority.

03. Announcements

*Peter Solonysznyj*

Two new members have joined FNEEQ. Collège André Grasset and Collège de Valleyfield. Valleyfield had left FNEEQ in 1988 to join FAC.

1.0 JACFA's Tribute to Ruth Taylor

*James Leeke*

Jim gave a warm and heartfelt eulogy on Ruth Taylor's life and how she touched, in various ways, members of the John Abbott community and JACFA, and also as a friend.

2.0 FNEEQ-Fédération des Cégeps Agreement (Law 37)

VOTE

***FNEEQ Motion : Be it resolved that JACFA adopt the agreement reached between FNEEQ and the Fédération des Cégeps concerning issues of local negotiation covered by the Loi sur le régime de négociation des conventions collectives des secteurs public et parapublic (Law 37).***

(The text of the agreement is available (in French) on the JACFA website. An English summary was distributed before the date of the assembly).

*Peter Solonysznyj*

Peter presented the document that was distributed on March 14<sup>th</sup> by internal mail named "FNEEQ – Fédération des cégeps Agreement

**Question period:**

*Larry Weller:* I as a teacher will evaluate my own teaching?

*Peter Solonysznyj:*

It is a recommendation to establish a local process of formative evaluation.

*Larry Weller:* Who will be doing the evaluation? Who actually does it and the interpretation of the evaluating?

*Peter Solonysznyj:*

local parties are encouraged to develop it. It will be up to the local parties to figure it out.

*Mike Turner:* it will still be local, not the same kind of process throughout the whole cegep system.

*Peter Solonysznyj:*

there will be no systematic evaluation throughout the 36 cegeps, it will be local.

*Stephen Bryce:* the colleges wanted us to recognize their right to evaluate as administrators.

*Peter Solonysznyj:*

management has claimed the right to evaluate their employees. Both parties acknowledge their right to evaluate... but maybe that it is not so obvious? If they have a complaint, it's ok. But they do not have an automatic right to evaluate across the board systematically. They should encourage you to do Formative evaluations.

*Paul Jones:* the modalities are key with the question of confidentiality. If there are comparisons done, or the type "he's better than her" we will have to be very weary of this.

*Ed Holland:* it does not guarantee that it will be totally formative.

*Michel Milot:* hot issue at the time at JAC it is about the grade review thing also.

*Peter Solonysznyj:*

neither party proposed any changes to the Grade Review Policy.

*Jim Leeke:* we will assume that the question has been called.

We need 2 scrutineers.

Larry Weller and John Serrati.

Votes in favor: 29

Votes against: 1

Abstention: 1

The motion is adopted.

3.0 CSN Legal Challenge to Law 142

REPORT

*Pierre Gauthier*

Pierre presented the document that was sent out on March 20<sup>th</sup>, 2006 entitled:

***Digest of the legal opinion of the CSN challenge of Law 142.***

The CSN is invoking 5 rights.

1. breach of our right of association guaranteed under the *Québec Charter*;
2. breach of our right of association guaranteed by the *Canadian Charter*;
3. breach of our right of communication guaranteed under both *Charters*;

4. discrimination against the FSSS and finally;
5. breach of international treaties protecting the citizens' right to unionize signed by Canada.

As an association, the DSN has the legal standing to plead for its members the unconstitutionality of the law breaching their rights guaranteed by the *Charters*.

### **Question Period**

*Sandra Stephenson:*

who offered the legal opinion?

*Pierre Gauthier:*

there are about 15 lawyers working on this, it is a collective effort. Francois Lamoureux is the lawyer that gave the presentation at a Regroupement meeting.

*Sandra Stephenson:*

the government will invoke public well being, will it not?

*Peter Solonysznyj:*

they will have to invoke an acute financial crisis, up to the brink of bankruptcy...

*Paul Jones:*

the legal strategy is important but we have to approach the political parties and demand that they open up negotiations. If nothing else at least be seen as a PR gesture. There was an injustice done and if they get elected will they be willing to reverse the Law?

*Jim Leeke:*

Boisclair was asked and he said that he would not do it. When we come closer to a political election there will be more pressure on him...

4.0 FNEEQ Action Plan against Law 142

REPORT

*Michel Milot*

The CSN has adopted an action plan against Law 142 and this plan goes on until 2007. FNEEQ has also started an action plan which started March 14 and there is a *Declaration of resistance* and we will take these and go see the MNA. The DG here is aware that many people have signed it. We had a meeting with Keith last week and we asked him to commit against this law and he did not confirm, but we are hoping. There are alliances that will be recreated or revived with Coalition Cégeps, parents, students, college associations and they are having discussions on what to do and with FAC, FEC-CSQ and us. The government hit FSSS really hard, much harder on them than on us. There will be a manifest in defense of the public system. There will be an attempt to connect with the private sectors and on April 14, there will be stickers, demonstrations, local actions, etc. May day demonstration will take place on Saturday April 29. How can we offer active or passive resistance to the Law? Legally? How can we express our position against this Law. You will also have a survey to fill out and we will be asking you what could be done. There are two (2) committees that will be studying the impact of technology in teaching and a CI committee. This is the main line of the Action Plan.

*Stephen Bryce*

The Administration has been pushing for about 6 years now for Faculty Evaluation. We do believe in the formative evaluation of teaching that does not single out any individual teacher. The administrators are being pushed in doing this and want to implement faculty evaluation based on peer evaluation. The DG reported to the Board that there was an agreement on a policy, even though there is no agreement at the moment. We also demanded that teachers have to be informed of what the problem was and that there be a clear process.

However, the new collective agreement has made the situation more difficult for them. This is the text.

***Retrait de priorité***

***Le retrait de la priorité d'emploi de l'enseignante ou de l'enseignant non permanent qui a occupé une charge annuelle d'enseignement, a occupé une charge d'enseignement équivalente à 0,5 ETC par année pendant deux années d'engagement consécutives, ou a cumulé 1,5 année d'ancienneté, selon la première de ces éventualités, est matière à grief. Il appartient alors du Collège de démontrer que sa décision l'est pour cause juste.***

1. The college has to demonstrate that it is for a just cause.
2. It talks only about formative evaluation and no summative evaluation.

So it seems unlikely that there will be a faculty evaluation very soon... as now we have some tools that help us.

A discussion followed outlining:

- It's clearly a formative process (not summative) that is now outlined, about faculty development,
- About the situation at JAC, it became very clear that what some JAC administrators are really interested in is firing a couple of teachers to warn the others. They reshuffle the words (flags, formative that could be summative). They will look for obvious targets and "bam, they're gone". After 1-1/2 year a new teacher can grieve. We must maximize the protection for new teachers.
- Concerning the summative process, *how* can a Dean who has never taught evaluate us? There should be qualified people in order to do fair evaluations.
- The administration here wants students evaluating teachers. Student questionnaires are not reliable indicators and no the administration is not talking about spending any money to hire professional evaluators.

- They have had professional evaluators and they said that formal lectures were intimidating. Flags become guillotines. What are you evaluating? Not in class? Contractual obligations... what are they evaluating? Once we go there, they cannot justify what good teaching is.
- At Mariannapolis the students are asked contractual obligations: corrected work given back within a suitable amount of time... respect the student... objective ways of measuring something. Why not do a proactive method instead? There has not been a good mentorship program... there has been no support for new teachers. Perhaps that there could be something that could be offered.
- I always believed that the fundamental prerequisite starts with a sense of your own security. This will not be used against you. The issue is not faculty development and improving the quality of teaching here -- it is an exercise of management rights and you have to check your p's and q's. I cannot object to the contractual stuff, it is when they start using qualitative stuff that worries me.
- I have taught at universities where they have evaluation... and never have I seen it go further up than the department chair. There will have to be staff development beyond the Masters Performa courses.
- It is most likely that the College will soon tell us that this has to come to an end. You should expect that sometime next year something is going to happen. They are required to have something in place.
- Evaluations for young teachers can be good in a sense those become a vital part of your CV and you can present them to other colleges. I don't like hard-handed tactics.
- The college wants to get rid of people that make them feel uncomfortable.
- One of the big problems for us is that it is based on student evaluations. Teachers that give higher marks get better evaluations and this has a direct impact on hiring priorities. We don't evaluate academic advisors, academic deans, deans, etc. They are putting a different means of evaluating on us. In the business world the boss sits down with the employee and talks about goals. They don't want to do that, they want a list and get rid of them.
- I would like to speak in defense of student evaluation. Students do not respect teachers who give out easy grades...

*Jim Leeke:* Is there a motion to adjourn the meeting?  
The majority voted for ending the meeting.

/jh

/March 21, 2006 at 7:26 p.m.

/Revised May 3, 2006