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# MEMORANDUM

## Benefits and Economic Services

November 3, 2011

TO: All NLTA Members

RE: Student Evaluation and Schedule E

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The NLTA has received a number of inquiries regarding the timing of alternate assessments, including testing and assignments. Teaching, testing, and assessment in general are recognized by the Employer and the NLTA to be part of the instructional day.

In the Provincial and the Labrador West Collective Agreements, Schedule E states:

*It is agreed that during the term of this Agreement the Employer will not alter conditions as they currently exist for teachers with respect to:*

- (i) the length of the instructional day for students;*
- (ii) the hours of classroom instruction for teachers;*
- (iii) the length of the workday for teachers;*

*provided, however, that nothing in this Agreement shall be construed to violate Section 28 of the Schools Act 1997.*

What Schedule E means is that the Employer (in this case a school board) cannot unilaterally decide to lengthen the school day, as defined above, beyond what currently exists. Thus, it is generally accepted that teachers should not be required to conduct teaching, testing, or other such assessment activities during the lunch period or after school. A requirement to do so would constitute an extension of both the instructional day for students and the workday for teachers, which the NLTA would consider to be a violation of the Collective Agreement. Of course, teachers may voluntarily choose to do these activities, but cannot be directed to do so. Teachers and school administrators are encouraged to contact the Benefits and Economic Services Division of NLTA should they have any questions.