NEWFOUNDLAND AND LABRADOR TEACHERS' ASSOCIATION

THE bulletin

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Up Front from the President

Courage is the price that life exacts for granting peace. ***~ Amelia Earhart***

In my September/October *Up Front* I wrote about the stress created as a result of Budget 2016, the relationship between teacher burnout and student stress, and how our desire to make things work is not working for our schools. Making things work comes at great cost to ourselves and our students. I ended the article with the idea that from time to time we may need to step outside of our individual comfort zones if we hope to make positive change.

Since that *Up Front* I continue to hear from teachers how it's only the start of the year and they're already "April tired". I've heard more from teachers at the startup of this year than I have at the startup of the previous three years. In order to make things work this year, teachers are sacrificing family and personal life to do so. And still they feel they are failing their students. I listened to stories of teachers cleaning their classrooms because support staff were not being replaced. We heard the exhaustion, anger and demoralization from teachers during the first Town Hall meeting we held.

And despite all this, many teachers are still reluctant to step outside their comfort zones and take the necessary steps to help themselves and their students. We've been advising teachers to first contact the NLTA when faced with unreasonable expectations and demands. We then advise them to say or put in writing, "I'll do the best I can," and ask for the necessary release time if it's a priority for the employer. It's a simple, yet powerful sentence.

Fear still prevents many teachers from taking action, and now it's not just the fear of being "blacklisted" (though, I can honestly say I have not seen evidence of this). Teachers also fear looking less professional than one's colleagues. "What if I'm the only one taking the action? What will parents think? What will my colleagues say?" As teachers, we find it difficult to rock the boat and disturb the "calm" waters. At our St. John's Town Hall meeting, a number of teachers expressed concern that speaking out would make matters worse. Another responded, "How much worse can it get?"

Let's admit it. There's a stigma attached to saying "No" and we fear it. We don't want to appear "weak" or unable to handle the demands of our chosen profession. We have inextricably linked saying "Yes" to our identity as professionals. For many teachers, saying "No" feels foreign and is tantamount to failing their colleagues and students.

The decision to say "No" is the undiscovered country for many teachers. So we take what comes our way and pay the price with our personal and family lives. Let's not kid ourselves, it's affecting us professionally as well. Sometimes, deciding to take control over our professional lives is frightening. Sometimes deciding to say "No" is the most professional thing a teacher can do.

Decisions are rarely easy.

From the beginning, I promised to be your voice. It's a theme that runs through many of my articles in *The Bulletin* and messages to you. At times, it can be scary living up to that commitment. For 32 years I was responsible for my classroom. For the past three and a half years I've been responsible for representing over 6,000 teachers. And the decisions ultimately rest with me in the messages I choose to deliver and the manner in which I deliver them. Do I be assertive or do I play it safe? Will teachers respond positively to what I say and how I represent them? What message best captures the mood of teachers?

Some of our colleagues across the country know the uncertainty of making difficult decisions. Fourteen years ago the British Columbia Teachers' Federation decided to fight their provincial government when it used its legislative authority to strip teachers of their right to bargain over class size and composition. It was a fight that took them all the way to the Supreme Court of Canada. On November 10, the Supreme Court of Canada ruled in favour of BCTF. The ruling will restore staffing levels to what they were 15 years ago and have implications for collective bargaining rights across the country. Despite the landmark outcome, the decision to launch the court challenge in the first place could not have been easy. The expense, the commitment of resources, the uncertain result, and the consequences real if they lost. Closer to home, members of the Nova Scotia Teachers Union entered unchartered waters recently when they voted 96% in favour of giving their union leadership a strike mandate. While the outcome is not guaranteed, teachers know that their current situation cannot be tolerated.

Amelia Earhart knew a thing or two about choice and making decisions. She was the first woman to fly solo across the Atlantic Ocean and the first person to fly solo across the Pacific. In 1937, at age 40, she disappeared as she attempted to become the first woman to fly around the world. In her poem, *Courage*, she says, "Each time we make a choice, we pay with courage to behold the resistless day, and count it fair."

I'm not asking you to sacrifice everything that defines you as a teacher. I am asking you to push back against the excessive demands and unrealistic expectations of Government and the employer that threaten to smother us. Making the system work is not the sole responsibility of teachers, and sometimes choosing to say "No" is the most professional decision you can make for you and your students. When you are ready to make that decision, contact your Association. We can help. It's actually quite peaceful on the other side.

Jim

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bulletin

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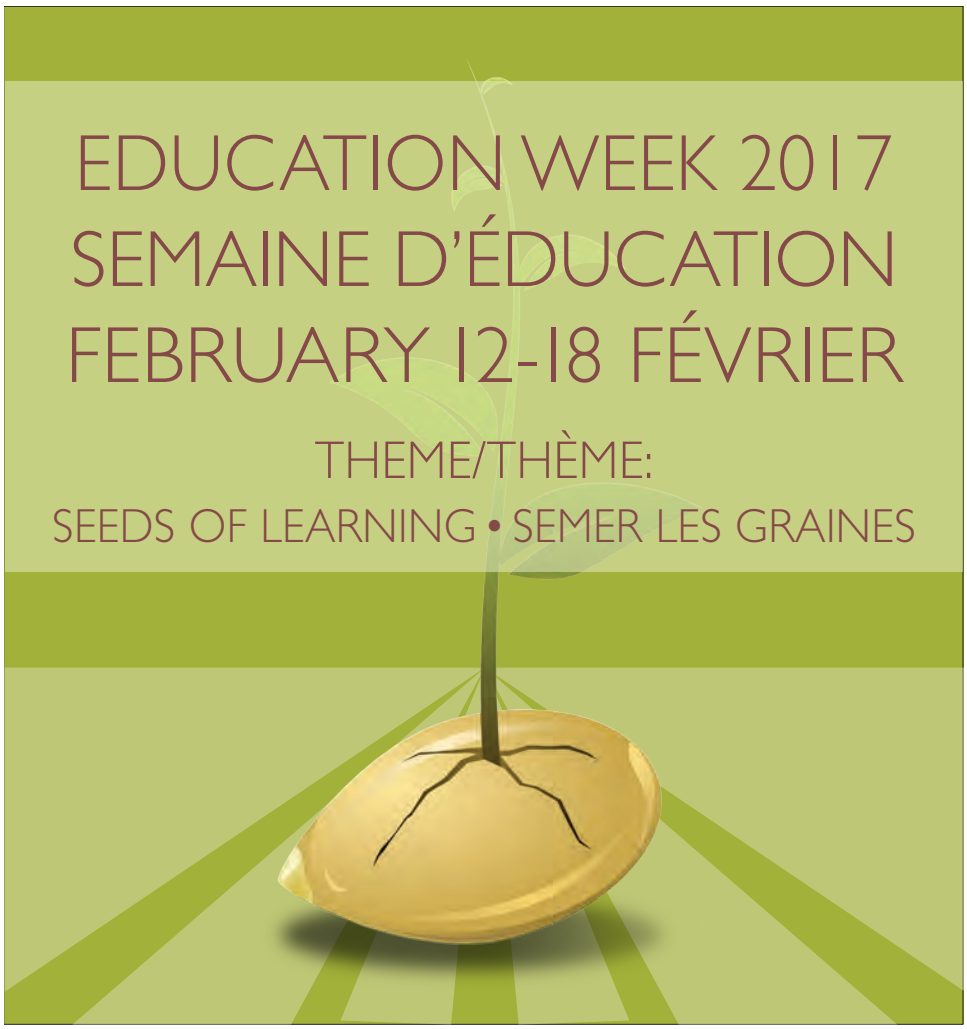

PROVINCIAL/NATIONAL/INTERNATIONAL

NEWS

NEWFOUNDLAND & LABRADOR

The Great War Project

Imagine a world of learning where students can't wait to get started, where teachers feel rejuvenated, where parents really do ask their children what they did in school today.

The Great War Project (GWP), an innovative cross-curricular approach undertaken to commemorate the Great War of 1914-18, was a pilot of a drama-in-education approach to learning involving creative inquiry through fictional worlds. Four schools participated in the pilot project funded by the Department of Canadian Heritage, MUN Centennial and Honour 100: Two in St. John's and two outside the city. Within St. John's were St. Bonaventure's College and Rennie's River Elementary School. Outside were St. Edward's Elementary in Kelligrews and Victoria Academy in Gaultois.

Students encounter the Great War through a document written by a Botanist one year after the infamous Battle of the Somme. They then use their existing curriculum as vehicles to make meaning from this document in a fictional world of a Botanical Services Company. The Company is asked by a client to help make sense of the document – recreated for the GWP as a handwritten illustrated Botanists Field Notebook. Students, along with their teacher, enter the company to take on this task and then the learning journey begins! It leads them to the story of Newfoundland's engagement with the Great War where they are able to draw upon such primary documents as the enlistment records of actual soldiers and the day-to-day Diary of the Royal Newfoundland Regiment.

Here's what teachers told us:

- *I feel empowered to teach. I was starting to coast. This project has rejuvenated me in the classroom.*
- *There was a change of relationships in the classroom. When students were in the out position they felt as though they were creating the project. I did have some curricular concerns at the beginning but in the end I was surprised at how much of the curriculum outcomes we were able to cover.*
- *I didn't think I could be this excited about teaching.*
- *They have inspired me to make a huge change in my teaching methods and it has rejuvenated my teaching career and brought a different type of passion to my teaching.*
- *The Great War project is an excellent example of how students take control of their learning while the teachers fade into the background merely guiding their learning.*
- *Students took ownership and enjoyed the project. I think they truly felt like experts.*
- *This type of inquiry based learning creates a very structured framework, but doesn't really look that way on the surface.*
- *They brought the project to places that I did not envision. Behavioral issues were basically non-existent and engagement was everywhere. It created a completely new learning experience for the students and a new teaching experience for me.*
- *The project was great for all grade levels and abilities, as it was flexible in what tasks can be assigned and what outcomes can be covered.*

If you'd like more information about this approach to teaching and learning or to implement the Great War Project in your classroom or would like to have a workshop organized in your school or region, please contact Fred Hawksley or Alex Hickey at gwpnfld@gmail.com.

Better Online Teaching Resources on Climate Change and Energy Efficiency

Climate change is already affecting our province, our country, and our planet. How we respond to this challenge will have major implications for our children and for generations to come. While there is extensive information available online about climate change, teachers, environmental educators and others need resources that are relevant to Newfoundland and Labrador. Responding to this need, the Provincial Government's award-winning

website, www.turnbackthetide.ca, offers a wealth of resources to help individuals, communities, and businesses learn more about climate change and take action, such as steps to improve energy efficiency. To make the website more user-friendly and accessible, it was recently improved and updated, including:

- More concise and easier to read pages and streamlined website navigation;
- Optimized browsing experience across a wider variety of devices and screen sizes;
- A new interactive tool on the impacts of climate change in Newfoundland and Labrador; and
- New dedicated sections for municipalities and for schools.

When the *Turn Back the Tide* team went to work on redesigning the website, enhanced usability for teachers and students across the province was a top priority. Informed by the findings of a campaign evaluation, as well as feedback from educators, a new "Schools" section was designed to better meet the unique needs of these users.

The new "Schools" section includes various updates to Curriculum Connections, which is a compilation of online resources on climate change and energy efficiency that are linked to curriculum outcomes for several K-12 courses. There is also a new interactive tool that provides an introduction to how climate change is affecting this province, to supplement existing resources that help meet Environmental Science 3205's curriculum outcomes. Finally, the new Schools section of the website also consolidates Energy Efficiency Resources for Science 6 and 9 – including materials from the award-winning HotShots project – and provides information on how to Bring in an Expert to help kick-start awareness and action.

These resources can help teachers and educators in the province develop interesting lesson plans using up-to-date information and interactive tools focused on Newfoundland and Labrador. To find out more, visit www.turnbackthetide.ca or contact the Department of Environment and Climate Change at (709) 729-1210 or climatechange@gov.nl.ca.

Kids Eat Smart Foundation, a truly collaborative effort

School year 2015-16 was indeed a banner year for Kids Eat Smart (KES) Foundation Newfoundland and Labrador. A total of 11 new Kids Eat Smart Clubs were started and according to the principals' year end reports, over 25,000 meals were served to school-aged children every school day.

Unfortunately, with the downturn in the economy, KES started the current school year with a little uncertainty and a great deal of caution. KES Clubs continue to serve over 25,000 meals every school day (that means 3.4 million meals every school year). They also have an additional 2,000 meals every school day for Kindergarten students, which means 200,000 more meals for Kindergarten students this school year.

At an average cost of $1 per meal, the cost to the Foundation is significant. However, KES relies on the support of the Government of Newfoundland and Labrador who support the Foundation with annual funding of $1.1 million. They also rely on the generous support of corporate and community donors who continue to fund their breakfast programs through events like the KES Gala The Kitchen Party, the Radiothon, their annual Partner campaign and the many individuals who answer their call for support.

A great deal of support also comes from the local communities throughout Newfoundland and Labrador. They support their local Kids Eat Smart Breakfast Clubs through school fundraising efforts such as the annual TD Walk to Breakfast, various local fundraising events, and special events like Cram the Van and the Breakfast Blitz food drive to help fill KES Club cupboards.

In order for Kids Eat Smart Clubs to run properly, KES relies on the commitment of over 6,100 volunteers who ensure that children receive a nutritious breakfast every school day. Volunteers include parents, grandparents, educators, school administrators and community leaders. This program could not happen without the collective dedication of so many people.

The hallmark of the Kids Eat Smart Foundation program is to provide access to nutritious food for school-aged children in a welcoming, non-stigmatizing and inclusive environment. Every child is welcome to breakfast at no cost to children or their families.

With the continued support of the people of Newfoundland and Labrador, Kids Eat Smart will continue to raise the funds necessary to fund their 247 Kids Eat Smart Clubs. KES would like to thank everyone who gives of their time, talent and treasure to ensure our children start their days well nourished so they are ready to learn.

For more information about Kids Eat Smart Foundation Newfoundland and Labrador or to make a donation, please visit www.kidseatsmart.ca, call 1-877-722-1996 or check them out on Facebook or Twitter at KidsEatSmartNL.

School Rep Seminars 2016

The first in a series of NLTA School Rep Seminars took place this fall to once again provide school reps with the information they need to carry out their important roles. Seminars were held in Grand Falls-Windsor on October 14-15, St. John's on October 21-21 and Corner Brook on November 4-5. Some comments and images from this year's seminars follow:

- Very helpful, especially for someone who is a "first-time Rep" like me.
- I now have a very clear understanding of the roles and responsibilities.
- Good representation of the fact that we are not the final word.
- Situations presented were realistic and applicable to issues that School Reps encounter.

- Interesting to discuss situations that may occur in school.
- Really made you look at things differently and made you aware of things that could be very beneficial for your future.
- Good to know what expectations are; communication is effective.
- Makes us realize and discuss what is important to ensure continued strong relationships.
- I became more aware of the relationship between the Provincial Executive and the School Representative.
- Loved discussing some issues we may face as School Reps and when we should refer to NLTA, administration, etc.
- Good – so you know the personal issues are not just yours.
- Very good discussion/questions. Helped me realize my roles and expectations.
- Enjoyed the experience. Learned a lot of valuable information and insight.
- This is always a beneficial seminar. There are lots of practical, real-life items covered. It is really good for all School Reps to have this information. Thanks.
- I feel I have gained a lot of information in the last two days. Informative and relaxed. Thanks.

SO WHAT IS THE NLTA?

So what is the NLTA? Not something unheard of in staffrooms across this great province of ours. It's something that I've asked myself over my career. Albeit, I've refined that question to more articulately say "What is the purpose of the NLTA?" Again, another question that has been echoed around staffrooms. I've been a long time trying to answer these questions.

However as I sit and write this, I have a greater confidence in my ability to answer those two questions. I have just come from the School Representative Information Session. In this two-day session the staff of the NLTA outlined the various functions, roles and procedures of the NLTA. As I sat and listened, I was struck by the sheer volume of programs and assistance avenues that we as teachers can avail of. I was also struck by the disconnect that I and many other teachers have felt with the NLTA as we sit in our classrooms and staffrooms across this province. I've foolishly said in the past, "My dues are paid, got my calendar again this year," and shelved the NLTA on some back shelf of my awareness for the rest of my teaching year. What a mistake! We have so many programs and benefits available. All we need to do is go to the webpage or call. All it takes is a little initiative on our part. The staff, as I witnessed this past weekend, will go above and beyond to help you navigate all the perks and benefits we have as being teachers.

I've also realized this weekend that ignorance and complacency is not acceptable. We all need to be more active and aware of our roles as teachers and members of our Association. Too often we listen to the negativity by the minority in our schools, while not seeking out the answers ourselves. We need to make time in our professional lives to engage with the materials sent out from the NLTA – from The Bulletin to the collective agreement and everything in between. We are all educators, but in our specific curriculum areas. So many of us teachers, myself included, need to educate ourselves about our role as a profession. This weekend helped me with that regard. We need to all actively start to get involved with our branches and representatives. If you're not happy with something, call or email. Start a dialogue. The NLTA is there to listen and act on our concerns.

Sincerely,

Ian Adey
NLTA School Representative
Templeton Academy, Meadows

NOREEN FITZPATRICK (NEE POWER) 1944 – 2015

There were three loves in Noreen's life – her three children (Darrin, DeeAnn and Darryl), her two beautiful grandsons (Liam and Riley) and the children she taught during her 32-year teaching career.

Noreen was born December 26, 1944 on Bell Island, Newfoundland. She began her teaching career in 1964 at old St. Edward's School on Bell Island and did substitute teaching at St. Boniface and St. Kevin's.

Noreen commuted from Bell Island to Memorial University every day from 1971 until 1974, even though she was not fond of sea travel and her aversion to the water was coupled with the fact that she left three small children under the age of six at home. As a result of her resilience and ambition, she completed her Bachelor of Arts (Education) degree in 1974. Upon her graduation she began a full time teaching position at Immaculate Conception School and finished her teaching career in those hallowed halls. She taught Special Education for nine years and moved to Grade 4, then later to Grade 6.

Noreen was a well-respected professional and approached her work with dedication. She had a gift for writing which made her Creative Writing and Language classes a very enjoyable part of her student's day. Noreen saw her students' beauty from within and she encouraged them to be the best possible person they could be.

Every child that Noreen taught was beautiful and precious to her. Noreen's students have a deep respect and love for her to this day. Her gift of teaching left a small footprint on the hearts of many of the students who will remember her because of the kindness and encouragement she gave to them. Noreen was more than a teacher to the children. She was their friend, and at times, their counsellor and mother.

Noreen always had one wish for the children she taught and that was for them to be given the tools to succeed in life no matter what they chose to do.

Following her retirement, Noreen spent a lot of time in Scotland with her daughter and enjoyed life to the fullest. She loved to travel and knew people from all over the world.

It was much unexpected when Noreen became ill and lost the battle before it began. God called her home. Noreen is the rose that was leant, not given to bud on earth but to bloom in heaven.

Everyone who knew Noreen loved her and will cherish her in their memories for the rest of their lives. Noreen was a truly remarkable lady, a wonderful inspiration and an amazing teacher.

A child is like a butterfly in the wind.
Some can fly higher than others;
But each one flies the best it can.
Why compare one against the other?
Each one is Different!
Each one is Special!
Each one is Beautiful!

(*Submitted by DeeAnn Fitzpatrick*)

Noreen Fitzpatrick

In Memoriam Submission Guidelines

Submissions to In Memoriam should be a **maximum of 250 to 300 words** and may contain a photo of the deceased. In Memoriams should be submitted within a timely manner – normally within the same school year (if possible) of the death of the teacher. Information may be included on where the deceased lived and taught, their education, accomplishments, community involvement and family information.

It is preferred that all submissions be e-mailed to Lesley-Ann Browne, Editor of *The Bulletin*, at labrowne@nlta.nl.ca. If submitting by mail, please address to: Editor, *The Bulletin*, Newfoundland and Labrador Teachers' Association, 3 Kenmount Road, St. John's, NL, A1B 1W1. Submissions may also be faxed to 709-726-4302 or 1-877-711-6582 (*toll-free in province*). Please be sure to include a contact name, school or business name, mailing address, telephone number and e-mail address.

Public Education, Public Good

by STEVE BROOKS

If you have ever visited a third world country, or have done community service with the less fortunate, you understand the concept of the "Birth Lottery." If you are born into a third world society your life will be markedly different and shorter than that of a person fortunate enough to be born in a developed country. No skills required, simply luck. Likewise, if you are born into poverty in a country like Canada or the United States your life will be markedly different than that of a person born to wealth. No skills required, simply luck.

Even when one considers the good fortune of being born in Canada and the United States, both wealthy nations, it is the Canadians who are arguably the more fortunate. Dr. Miles Corak of the University of Ottawa has done research on this subject. According to Dr. Corak:

"If I were born to parents in the bottom 10 percent, I would rather they were raising me in Canada. Being in the bottom 10 percent would mean less hardship: my family income would be greater; my physical and mental well-being, general happiness and cognitive development would be noticeably superior even at a very young age. My early education would be of higher quality because it is funded through progressive income taxes, not local property taxes. I would have access to a good college or technical training at relatively affordable tuition fees of $5,000 to $10,000 a year."

Dr. Corak goes on to say in his report, "If my parents lived in the U.S., I would have more than a 1 in 5 chance of being stuck in the bottom 10 percent of the earnings distribution and a 50 percent chance of staying in the bottom third. In Canada I'd be less likely to remain in the bottom, and would have a 50 percent chance of reaching the top half. In short, the Canadian playing field is more level than the American, and my chances of moving into the middle class would be higher."

In other words, Dr. Corak is saying that we are all fortunate that we were born in or have immigrated to Canada where opportunity for all citizens is more evenly provided, even when compared against another rich country like the United States. Why are we fortunate to live in this country? It is for the society we have built and invested in. In Canada we have created a society that provides greater opportunity across socio-economic lines. We have invested in quality health care, quality public education, stable political institutions, the rule of law, public policing, and support for the freedom of expression.

Unfortunately, many of us take all of this social infrastructure for granted and we fail to remember and thank those who came before us, those who insisted that health care should be available to everyone, to those who insisted that public education was properly resourced and accessible, to those who demanded all the other benefits that we now tend to take for granted. All we have to do is look to our neighbors to the South and we know that other choices could have been made and the opportunities for us all could have been drastically different.

Now here is the problem. We as individuals, policy makers in general and opinion leaders tend to disregard the impact of our fortunate circumstances. We tend to attribute our success exclusively to our own skills and our own hard work. If you ask a person the secrets to their success, they are unlikely to start with how fortunate they were to have had access to a quality public education system. They are more likely to credit themselves. This is not to say that individual skill and hard work aren't important, they definitely are. But there are many more intelligent and hardworking people in this world that didn't get the breaks needed to have a fulfilling and successful life than those who have.

Robert Frank is an economist and author of the bestselling book, *Success and Luck: Good Fortune and the Myth of Meritocracy*. Frank writes about the American experience and explains that there is a growing body of evidence that suggests seeing ourselves as self-made—rather than as talented, hardworking, and lucky—leads us to be less generous and public-spirited. It may even make the lucky less likely to support the conditions (such as high-quality public infrastructure and education) that made their own success possible.

Frank states that "being born in a favorable environment is an enormous stroke of luck. But maintaining such an environment requires high levels of public investment in everything from infrastructure to education." He goes on to point out that this is something that the more fortunate in society are less

prepared to support. Interestingly Frank blames deficits resulting from a long-term decline in the top tax rates. It would seem that corporations, big business and the wealthy have become accustomed to keeping their money rather than continuing to invest in the necessary societal infrastructure that benefits everyone across socio-economic lines.

This notion that the fortunate among us, especially the wealthy, are less likely to be generous has also been researched by Benjamin I. Page, Larry M. Bartels, and Jason Seawright. Their research indicates the wealthy are much more favorable toward cutting social welfare programs. Page, Bartel and Seawright go on to conclude that wealthy Americans are much less willing than others to provide broad educational opportunities, by "spend[ing] whatever is necessary to ensure that all children have really good public schools they can go to".

We have been born into a rich nation which historically valued investing in the social infrastructure necessary to give every citizen the best opportunity for success. Far more than our wealthy neighbor to the South. Are we prepared to allow others who are prepared to dismiss the advantages they have had, those who wish to attribute all their success to their own hard work and talent, to those who have the financial ability to provide private health care and schooling for their families, to dismantle or under fund the very social infrastructure our parents and grandparents fought to have established in this country and province?

When it comes to the public education system, I can't overstate the importance a well-funded public education system has on providing opportunity for all. As individuals who have benefited, we should understand that public education is a public good. We cannot be prepared to accept less for our children and grandchildren.

As a boy I admired my teachers and always saw them as agents of change. I still believe in the power of a strong public education system. I believe that working together we can preserve those things that make us among the luckiest people on the planet.

Steve Brooks is Executive Director of the NLTA.

References

Corak, Miles, Economic Mobility, Family Background, and the Well-Being of Children in the United States and Canada

Benjamin I. Page, Larry M. Bartels, and Jason Seawright, Research on Policy Preferences of Wealthy Americans

Frank, Robert, Success and Luck: Good Fortune and the Myth of Meritocracy.

Workplace Violence and Occupational Health and Safety

by STEFANIE TUFF

Unfortunately, we are hearing increasing accounts of teachers dealing with physical aggression and violence at school. When this occurs, teachers need to be informed of their rights and know what protections they are entitled to expect in the workplace.

Pursuant to section 4 of the *Occupational Health and Safety Act* (OHSA), employers in Newfoundland and Labrador must, within reasonably practical limits, provide a work environment that ensures the health and safety of its employees. No law or policy can eliminate all risk in any workplace; however, schools and school districts should have clear expectations and effective protocols in place for preventing and managing unsafe behaviour that may put employees and students at risk. Teachers and administrators should be aware of these procedures and policies and apply them consistently. In the school setting, this means that, with respect to students, parents/guardians or other individuals who are physically aggressive/violent, school districts have a legal responsibility to ensure that the proper preventive measures, supports and training are in place to enable teachers to work without unreasonable threat to their own safety. Some teachers work closely with students who have behavioural challenges and have limited ability to regulate their own conduct. While the actions of the aggressors are not always within their control, an intent to act violently or to cause harm is not required to trigger the employer's obligations. What is necessary to ensure employee safety is case specific and depends on the nature of the situation.

"The Association has developed a Violent Incident Tracking Form… We are asking teachers to use this form to document violent behavior and/or conduct in the workplace."

The *Occupational Health and Safety Regulations, 2012* (Regulations) specifically address the issue of violence in the workplace as a health and safety concern. Section 22 of the Regulations defines violence as "the attempted or actual exercise by a person, other than a worker, of physical force to cause injury to a worker, and includes threatening statements or behaviour which gives a worker reason to believe that he or she is at a risk of injury." Where there is risk of violence, or the potential is known to exist, the school district must perform a risk assessment and establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence. Where elimination of the risk to workers is not possible, the employer must establish procedures, policies and work environment arrangements to minimize the risk to workers. As well, the school district has an obligation to inform teachers and other employees who may be exposed to the risk of violence in the workplace of the following:

- the nature of the risk;
- the precautions that may be taken; and,
- information related to the risk from persons who have a history of violent behaviour and whom employees are likely to encounter in the course of their work.

Under the OHSA, teachers have the right to work in an environment that is as safe as is reasonably practicable. If a teacher believes that his/her workplace is unsafe, and if the concerns have not been adequately addressed by the principal/immediate supervisor, then a report can be made to the workplace Occupational Health and Safety Committee. The employer must respond in writing within 30 days following receipt of a recommendation from an OHS Committee. As well, if a teacher has reasonable grounds to believe that specific work circumstances are dangerous to his/her health and safety and has brought this to the attention of his/her principal, that teacher has the right, pursuant to the OHSA and the

Regulations, to refuse unsafe work until remedial action has been taken. Whenever possible, it is recommended that any teacher who feels their situation may warrant this type of response should contact the NLTA for advice and assistance before exercising the right of refusal under the OHSA.

An Occupational Health and Safety Officer may also become involved in addressing workplace safety matters when an employee concern has not been satisfactorily remedied by his/her supervisor or as part of a right to refuse investigation. But what is the role of an OHS Officer and what can he or she do? An OHS Officer enforces the OHSA and Regulations to ensure that workplaces in the province are safe for workers and in compliance with the legislation. In carrying out their duties, OHS Officers have certain powers. For example, OHS Officers can:

- enter and inspect a workplace, at any reasonable hour;
- require the production of, examine and make copies of relevant documents, records, plans, etc.;
- make examinations and conduct investigations, including speaking with witnesses;
- take pictures, recordings, and/or samples and conduct tests;
- issue orders that: require an unsafe working condition to be remedied within a specified period of time; or, stop work immediately until the risk to workers' health and safety is addressed.

Orders are issued to enforce compliance with the OHSA and Regulations. An order cannot be rescinded unless the OHS Officer is satisfied that the situation in question has been remedied so as not to pose a threat to the health and safety of workers.

With respect to health and safety concerns arising from the violent behaviour of a student, following an appropriate risk assessment, various options may be identified for establishing procedures, policies and work environment arrangements that minimize the risk to workers, which may include (but are not limited to):

- the provision of training or re-training for appropriate staff regarding proper and safe de-escalation and restraint techniques;
- development and implementation of a policy for a panic/emergency alert system or protocol;
- appropriate staff using and carrying two-way radios for calls for assistance;
- developing and implementing a violence prevention plan in relation to any risks of violence identified in the risk assessment for teachers who are required to work alone with students with reported violent behavioural issues.

The age and cognitive ability of the student(s) in question will have an impact on the type of options that are appropriate in any situation. As well, it may be necessary to consider different approaches when the risk of violence comes from the behaviour of a parent/guardian as opposed to a student.

The Association has developed a Violent Incident Tracking Form, which can be accessed under the forms listing on the NLTA website (www.nlta.nl.ca/incident_report). We are asking teachers to use this form to document violent behavior and/or conduct in the workplace. Information provided through the Violent Incident Tracking Form is being used ONLY for research purposes in preparation for Collective Bargaining purposes and the identities of teachers who use the form will not be disclosed. Teachers who have questions or require personal assistance with concerns regarding workplace health and safety, including issues related to violence in the workplace, should contact an Administrative Officer in Programs and Services at the NLTA.

Stefanie Tuff is Assistant Executive Director of the NLTA.

Status of the Teachers' Pension Plan (TPP)

AUGUST 31, 2016

EXECUTIVE SUMMARY

TPP Pension Reform Process

- Pension Reform Agreement was reached between the NLTA and Government of NL and signed on June 15, 2015
- Bill 15 – An Act to Amend the Teachers' Pension Act was proclaimed on August 31, 2015
- Joint Sponsorship Agreement was signed by Government of NL and the NLTA on March 15, 2016
- Bill 28 - An Act To Amend The Pensions Funding Act and the Teachers' Pension Act was passed on June 7, 2016
- The NL Teachers' Pension Plan Corporation was established on August 31, 2016

Major Effects of the Above Process

- The TPP is now jointly sponsored by the Government of NL and the NLTA
- A Teachers' Pension Plan Corporation has been established to act as administrator of the pension plan and trustee of the Teachers' Pension Plan Fund
- The assets of the TPP have been transferred from the Province into the Teachers' Pension Plan Fund under the Teachers' Pension Plan Corporation
- The $1.862B Promissory Note contained in the Pension Reform Agreement has been provided to the Teachers' Pension Plan Corporation and is now an asset of the TPP
- Government no longer guarantees any pension deficiency; rather, deficits are equally shared by the Sponsors – Government of NL and the NLTA
- A Funding Policy is established under the Pension Reform Agreement and the Joint Sponsorship Agreement which prescribes a path to full funding by 2042 and thereafter.
- The August 31, 2015 valuation states that if including the present value of the Promissory Note in the market value of the assets at August 31, 2015, the funded ratio would be 96.3%.

Future Plans

The NL TPP Corporation is in its infancy, having just been created on August 31, 2016. A Board of Directors has been appointed consisting of four directors appointed by the NLTA and four directors appointed by the Government of NL in accordance with the Joint Sponsorship Agreement (JSA) and specialty skills outlined in the JSA.

One of the tasks of the Board of Directors will be to oversee a plan for transition of administration and pension plan investment services from the Department of Finance with the Government of NL to the NL Teachers' Pension Plan Corporation. The transition period for the members of the TPP – active and retired teachers – should be seamless, without any impact on administration processes or service during the transition period.

Plan members will continue to be updated as the TPP Corporation develops.

DETAILS ON THE TPP PENSION REFORM PROCESS

- Details on the Joint Sponsorship Agreement which includes the Funding Policy and the Pension Corporation Framework were provided to teachers in a booklet publication in April 2016, and are available online at www.nlta.nl.ca/salary-benefits-and-pension under the Joint Sponsorship Agreement 2016 — NL Teachers' Pension Plan link.
- Further details on the Sponsor Body and the NL TPP Corporation Board of Directors that have transpired since the publication above are provided below.
- Details on the August 31, 2015 valuation and the funding status of the plan are found below.
- **Appointment of the TPP Corporation's Board of Directors** – The process for NLTA's appointments was through a search and nomination process by an independent committee appointed by the NLTA President consisting of Tom Johnson (lawyer with O'Dea/Earle), Bill Budgell (Chartered Accountant with Grant Thornton), and John Crouse (actuary with Johnson Inc.). The committee made recommendations which were approved by the Provincial Executive. Coordination with investment and pension personnel at the Department of Finance occurred to ensure all of the speciality skills required for the Board of Directors, as a collective, were met. Government utilized the Independent Appointment Commission under the Public Service Commission to assist with establishment of its appointees which were recommended and approved by the Provincial Cabinet.

The NLTA appointees are:	Speciality skills include:
Don Ash – BSc/BEd., MBA	(Governance, Pensions, Stakeholder Involvement)
Robert Blais – Actuary	(Governance, Financial, Pensions)
Paula McDonald – CA, CPA	(Governance, Financial, Risk Management)
Scott Perkin – Lawyer	(Governance, Pensions, Regulatory)

The Government appointees are:	
Eric Thoms – MBA, CPA	(Governance, Financial, Customer Service)
Janet Rabovsky – MBA	(Governance, Investment)
Gretchen Van Riesen – BSc, CSC	(Governance, Investment, Human Resources)
Richard Dixon – MIR	(Governance, Human Resources)

FUNDING STATUS OF THE TPP

The information below is provided in accordance with the following resolution which was carried at the NLTA's 2009 BGM:

> ***That the NLTA provide annually to the membership the estimated position of the funding of the Teachers' Pension Plan, such to include the estimated percentage of funding of the plan and the return on investments for the previous year.***

Background

An actuarial valuation of the TPP is conducted every three years, as per legislative requirements. Such a valuation involves a detailed analysis of all the **liabilities** of the fund (i.e. the present value of pension benefits owing to every active and retired teacher, based on projected final average earnings) in comparison to the assets in the fund. This analysis requires a number of assumptions re future experience of the Plan; e.g. projected fund earnings on investments, inflation rates, salary increases, life expectancy rates, age of retirement, etc. The actuarial valuation then provides the "funded ratio" of the Plan, which is simply the Plan's assets expressed as a percentage of the total liabilities.

The regular triennial actuarial valuation of the TPP was last completed effective as at August 31, 2015. Between actuarial valuations, an estimate of the funded level of the Plan is possible from the year-end financial statements of the Consolidated Pension Fund. These statements are prepared by the Auditor-General as at December 31 of each year, and include the value of the fund at December 31 and an estimate of the liabilities based on a projection from the previous actuarial valuation.

Funded Status of the TPP and Return on Assets

As at August 31, 2015, the funded status of the TPP was 65.0%.

The return on investments net of expenses for the year ending August 31, 2013 was 16.5%.

The return on investments net of expenses for the year ending August 31, 2014 was 23.7%

The return on investments net of expenses for the year ending August 31, 2015 was 6.8%.

NOTE: The August 31, 2015 valuation also states that if including the present value of the promissory note in the market value of the assets, which is part of the Joint Sponsorship Agreement, the funded ratio would be 96.3%.

Prior Years

The following tables summarize the historical funding level of the Teachers' Pension Plan and the investment performance of the Fund for the last few years.

Of particular note is the infusion of $1.953 B into the Teachers' Pension Plan in 2006 which brought the funded ratio from 26.4% in August 2003 to 82.2% in August 2006. The market crash of 2008 and growing liabilities decreased the funding ratio to 64.3% by August 2009's valuation and the funded ratio further declined to 52.5% by August 2012's valuation.

Despite very positive returns in 2009, 2010, 2012, 2013, 2014, and 2015, factors such as members living longer and a greater number of retirees than actives in the Plan caused the liabilities to continue to grow resulting in a funded ratio of 63.7% by December 2014.

It was within this backdrop that the TPP Reform Agreement was reached with Government in April 2015. That Agreement and the accompanying legislation, which created joint trusteeship, a funding policy and the NL Teachers' Pension Plan Corporation, are part of a plan designed to achieve stability, sustainability and 100% funding over the next 30 years.

Annual updates on funded ratio and investment performance will continue to be provided to teachers each year as per the BGM resolution.

Teachers' Pension Plan – Funding Level

	Aug. 31, 2003[1]	Aug. 31, 2006[1]	Aug. 31, 2009[1]
Market Value of Assets	779,390,000	2,750,940,000	2,380,380,000
Actuarial Liability	2,952,440,000	3,344,950,000	3,702,190,000
Unfunded Liability	(2,173,050,000)	(594,010,000)	(1,321,810,000)
Funded Ratio	26.4%	82.2%	64.3%

	Aug 31, 2012[1]	Aug 31, 2015[1]	Dec. 31, 2015[2]
Market Value of Assets	2,286,180,000	3,001,390,000	3,001,946,000
Actuarial Liability	4,354,640,000	4,616,940,000	4,788,035,000 [e]
Unfunded Liability	(2,068,460,000)	(1,615,550,000)	(1,786,089,000) [e]
Funded Ratio	52.2%	65.0%	62.7%

[1] Source: TPP Actuarial Valuation
(Note: The next actuarial valuation of the TPP will be as of Aug. 31, 2018)

[2] Source: Unaudited Year-end Financial Statements – Consolidated Pension Fund

NL Pooled Pension Fund – Investment Performance							
2008	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**
-21.0%	8.9%	11.6%	-4.2%	10.8%	22.4%	12.0%	7.32%

NLTA AWARDS 2016-17

Special Recognition Award
Allan Bishop Award
Bancroft Award
Barnes Award

Each year your Association honours several of its members with four prestigious awards. Please take a moment to read about them. If you feel that someone within your school qualifies for nomination for one of these awards for the 2016-17 school year, please contact your school representative who will forward the name and information on this person to your branch president or the appropriate special interest council president.

All nominations for the above Association awards must be completed online from www.nlta.nl.ca and submitted by January 15, 2017 in order to be considered.

CARING AND SHARING FOR THE JANEWAY

FEBRUARY 14, 2017

JANEWAY DAY 2017

Every year, Janeway Day in the schools provides an opportunity for students and teachers to help other children. Since 1986 students and teachers have donated more than **$1,085,390** to the Janeway.

Here's how to participate in Janeway Day 2017: Ask students and teachers to forego the equivalent of recess monies for one day. That's their donation to the Janeway.

All monies will be forwarded to the Janeway to help the children of Newfoundland and Labrador.

A PROJECT OF THE NEWFOUNDLAND AND LABRADOR TEACHERS' ASSOCIATION

Perspectives on Change

by GAIL CARROLL

It is the season of change! Fall is so beautiful with all the changing colors and the crisper air as we move closer to winter. Many messages about changes can be gleaned from the beauty of nature, those that are expected and those that are unexpected. Some of us embrace change and just ride its waves, while others question or rebel against it. I have worked through a lot of changes in my own life and career. I remember a time of co-leading organizational change in my career when a colleague of mine began a meeting with the question, "Where are you with change?" She then proceeded to explain that change is coming, changes that we may not have very much control over and that we have a choice – we can get on board, get left behind or get run over. I can remember thinking at the time, "Well I am not going to get run over!" So where are you on the change continuum? It is okay to be wherever it is you are. Sometimes where we fit depends a lot on where we are in our life, our personality, how flexible we are, the type of change we are facing and our perception of that change(s).

Several years ago I attended a lecture by Dr. Leo Buscaglia at the University of Hawaii. Dr. Buscaglia is a dynamic presenter and author. I attended this lecture at a time of great change in my own life – a change I did not choose but, sometimes, especially in our work environments, change is chosen for us as part of an organization's bigger plan. Sometimes it makes sense and sometimes it does not. Sometimes change is for the better and sometimes organizations make changes just for the sake of change – it may make things better or worse. That is the kind of dynamic we often face when change arrives. I take every lesson though where I can find it. I knew of Dr. Buscaglia through his book *The Fall of Freddie the Leaf*. I had often used this book in my grief work with people of all ages (grief – huge change!) His lecture on love and relationships did not disappoint me either. The lecture left me with much to contemplate. I was still stuck on the change continuum and got thinking about Dr. Buscaglia's book and the story of Freddie in *The Fall of Freddie the Leaf*. It really is about change! If you've never read this book I highly recommend that you do. The story is about a huge tree and Daniel, the senior, more seasoned leaf who helps a young leaf named Freddie understand his first experience with the changing of the seasons. Freddie is curious and afraid. He asks Daniel what it is like and if it will hurt. Daniel begins the story of what I would really refer to as the "Cycle of Life" but could also be seen as the cycle of change. Daniel explains to Freddie that this is all a part of the great plan and life. We all have a purpose and we will all encounter many changes when serving our purpose and things will continue to change season after season. That is life! Our lives are that way too. From the time we are born, all we face is change. Change comes in many forms – our growth and development from birth to death is living proof of that. Think of all the changes in your life that you've found to be happy and wonderful. What made them that way? Did they just happen or did some of these changes initially show themselves to you through challenge, adversity or fear? Our life experiences also shape our perspectives on things. Having a history of difficult challenges in your life can paint your perception when change is presented and how you respond. If your experiences have been happy ones, you come to expect positive things with change. Whatever your past experience has painted for you, it is up to you to take a close look at yourself and decide how you will face and deal with change in the present and future. There is still time to re-write expectations and perspectives. Here is a list of contemplative questions to get you thinking about where you are right now and what you might consider doing for yourself wherever you are on the change continuum.

- What has my past experience been with change? Positive or negative?
- What is happening in my life currently in the change department, both personally and professionally?
- Do I welcome these changes?
- Am I resisting these changes?
- How much control do I have over these changes?
- If I have some or total control, what am I doing that is good and helping to propel me forward in this change?

- If I have little to no control, what am I doing to help myself through this change process?
- Have I given myself the "self-talk" of listing what I do and do not have control over, then examining where I am with all of this and making wise choices for myself in this change process?
- If I become stuck in the change process, what am I prepared to do to help myself forward?
- Do I behave passively and just take it all while grumbling and complaining and allowing bitterness to set in, or do I become active for answers and a way through this time?
- What actions am I taking on my own behalf?
- Will counselling sessions help me work my way through this change? (*Don't forget that Judy and I are here for you in EAP to assist with the answer to this question, and others.*)
- Am I doing enough to care for myself? (i.e. massage, exercise, healthy diet, adequate sleep and having fun)
- Do I have a person(s) to talk to?
- Am I socializing and having fun or am I so focused on what is happening and what I am going to do that I am missing out on other aspects of my life?

Spend some time contemplating the answers to these questions. Then make some decisions about what you want to do to improve your life at this time, if that's the right direction for you. If you are handling things well, then many congratulations for having learned the "way through change!"

If teaching is your purpose, having a way to cope with and survive change has to be a part of your professional growth and development plan. The one thing we have seen in education in recent years is a constant change. Remember to be good and kind to yourself. Take good care of you so that you can serve your purpose being the best you can be!

Gail Caroll is a Coordinator with the Employee Assistance Program for Teachers. For confidential assistance contact Gail (ext. 242), gmcarroll@nlta.nl.ca or Judy Beranger (ext. 265), jmberanger@nlta.nl.ca.

References

Buscaglia, Leo, The Fall of Freddie the Leaf, Slack Inc., Thorofare, N.J. 1982.

Supporting Students with Autism Spectrum Disorder

by KENDRA LANE

Community organizations like the Autism Society, Newfoundland Labrador (ASNL), have a variety of resources available to assist educators, administrators, and students in understanding and supporting those with an Autism Spectrum Disorder (ASD). Through its headquarters at the Elaine Dobbin Centre, St. John's, and across the island at regional centres in Clarenville, Grand Falls-Windsor, and Corner Brook, ASNL offers education, outreach, awareness, and advocacy to professionals, families, caregivers and individuals affected by autism. The following outlines just some of the resources made available to educators with the goal of raising autism awareness and creating an inclusive community for those on the spectrum.

Classroom Awareness Presentations

Outreach staff from ASNL provide fun and meaningful classroom presentations about what it means for someone to have Autism Spectrum Disorder (ASD) and how that diagnosis can impact them as a student and as a friend. Designed according to grade level, these engaging presentations use age-appropriate stories, videos, games, and discussions to educate students and create understanding and empathy among peers.

Through *Sesame Street* at the primary level, and pop culture at the high school level, relatable material is used to show the varying ways in which a person with autism may experience his or her diagnosis. Staff may use simulations to help peers understand the differences in sensory processing and play games centered on assumptions we make in communication to help explain why individuals with ASD sometimes act or communicate a certain way. Staff also provide tips on how students can be supportive to their peers on the spectrum and some ways to approach new friendships. All presentations conclude with a question and answer period where students can ask any additional questions they may have. These presentations are inclusive and sensitive in nature and are designed for all students in the classroom, including those on the spectrum.

Barbara J. Hopkins Library

The Barbara J. Hopkins Library offers a wide variety of resources related to Autism Spectrum Disorder. Extensive literature is available including curriculum, behaviour strategies, research, diet, sensory processing, and co-occurring diagnoses, including materials published by authors with ASD. The collection also includes many children's books and videos about having autism, or having a family member or friend with autism. In addition to borrowing print materials, the library offers DVD collections, games, and special equipment related to sensory or learning needs, as well as technological devices for trial and learning purposes. Staff are available to help guide members in locating specific resources and educate on the use and application of various materials.

Although the Barbara J. Hopkins library is housed at the Elaine Dobbin Centre for Autism in St. John's, materials can be accessed across the province via the library's online and mailing service through the ASNL website. Hundreds of families, professionals, and individuals with ASD access library services every year; ASNL's annual membership is the only requirement. Additionally, if a particular resource is not available, members are encouraged to contact ASNL as resources are continuously being sourced and updated.

Professional Development & Training

Professionals at ASNL can support school board personnel in providing educators with general information about ASD as a diagnosis, and effective strategies to support students on the spectrum. Professional development sessions can be tailored to meet the specific needs of a school or educator demographic, and focus on the unique attributes and learning styles of this group of students.

Through understanding ASD characteristics shared across all levels of diagnostic impact, educa-

tors can utilize specific tools to address common challenges and help students cope with stressors in the environment; increasing their ability to access the intended curriculum. Similarly, understanding challenging behaviours from an ASD perspective often reveals common misunderstandings and assumptions made in general behaviour modification that can prove ineffective or counterproductive with this population. Focussing on why a student with ASD may be struggling or not meeting his/her potential requires a different lens and problem-solving from that perspective can have an incredible impact on student pride and performance.

Conferences & Workshops

ASNL offers several opportunities for professionals, families, and those with an interest in ASD to further their education and training through workshops and/or conferences presented by ASD professionals. Each year ASNL hosts a professional development opportunity designed primarily for educators which is presented by renowned leaders in the field of autism. In addition to the annual conference, ASNL hosts a variety of presentations and workshops offered throughout the year by local professionals concerning such topics as: financial/estate planning, naturopathic resources, diet and nutrition, post-secondary information, inclusive hiring and workplace practices, new and upcoming research, assistive technology, panel discussions, and advocacy training.

Individuals requesting particular forms of professional development or training are encouraged to contact ASNL as the organization is always evaluating various educational opportunities and attempts to be responsive to the needs of the community.

Education and understanding are the first steps in creating a truly inclusive environment where forms of diversity are not only accepted and supported, but embraced. Sometimes the most powerful help we can provide to our students doesn't come in the form of direct supports, but rather in putting an emphasis on taking the time to educate ourselves and others about what diversity and inclusion really means.

For more information about these resources, or any other service, please visit Autism Society, NL at www.autism.nf.net or contact us directly through info@autism.nf.net .

Kendra Lane is Manager, Programs & Services, with the Autism Society, NL. She is a certified TEACCH Practitioner and is completing her graduate work in providing training and education around Autism Spectrum Disorders. Kendra can be contacted at 709-722-2803 or klane@autism.nf.net.

Estate Planning: Things to Know

by DOMINIC FOLEY

Over the past year, the news in Newfoundland and Labrador has featured stories relating to the consequences of peoples' failure to plan for their inevitable demise. Estate planning is an area of law that is certain to affect all members of society but, unfortunately, it is also an area rife with misconception among the general public. This article seeks to counter some of the most common misconceptions about estate planning both during our lifetimes and after we shuffle off our mortal coils.

The most pervasive misconception that the general public has relates to the nature of "common law" relationships. Every lawyer who practises in this field at one time or another has been asked the question, "How long do my partner and I have to live together before we are common law?" The origin of this question lies in the popular belief that, after a certain period of living together (cohabiting), couples who are not married somehow take on the characteristics of a married couple for the purposes of property interests, support, medical decisions, and interests in each other's respective estates. Let us be clear: that belief has no basis in reality. There is no such thing as "common law spouses" in the manner that many people seem to believe there is.

People who are married have an automatic 50% interest in the matrimonial home and matrimonial property, which are defined in parts 1 and 2 of the *Family Law Act*, respectively. They have decision making power in hospitals in the event that their spouse becomes incapacitated. They have an automatic interest in their spouse's estate. As a pair, they virtually become a single legal entity that can avail of the no-fault property division provisions of the *Family Law Act*.

People who are not married do not automatically have any of these rights regardless of how long they cohabit. The fact that a couple lives together affects their legal entitlements in two ways. First, under the *Income Tax Act*, you have to report your partner's income if you have lived together for 12 months prior to December 31st. Second, under the Family Law Act, people become eligible to apply for partner support (which is equivalent to the spousal support payable to a lower earning spouse upon the breakdown of a marriage) after they have lived together in a conjugal relationship for at least two years.

"…without a will and in the absence of a marriage certificate, the unwedded spouse of a deceased individual is not automatically entitled to anything at all."

Beyond those two examples, if unmarried couples want to avail of the rights and entitlements given to married couples, they can do so in two ways. First, they can get married, which, by operation of law, automatically opts the couple into the property division and support schemes of the *Family Law Act* and has numerous other implications. Alternatively, they can enter into a comprehensive cohabitation agreement, sometimes colloquially referred to as a "pre-nup". A cohabitation agreement is a contract whereby a couple may "opt into" whatever sections of the *Family Law Act* that appeal to them (conversely, married couples can enter into a marriage contract and opt out of whatever provisions they wish). There is no standard form of cohabitation agreement. They are comprehensive contracts that must be individually tailored to a couple's personal and financial circumstances. For the purpose of making medical decisions for an unmarried spouse, couples can sign *Advance Healthcare Directives* that empower their partners to make medical decisions on their behalf after they become mentally incompetent or incapacitated, whether they are married or not. Advance Healthcare Directives can prevent argument and con-

fusion over who has authority to make decisions for an incapacitated loved one.

In the absence of marriage, a cohabitation agreement, advance heathcare directives, and other estate planning documentation, the rights and entitlements of an unmarried couple who have lived together for a significant period of time (in what the Courts have dubbed a "joint family venture") must be hashed out on a case-by-case basis by litigation in a process that can often be grueling and costly.

Another misconception that is the source of consternation among the ill-informed, is the idea that decades of unwedded cohabiting bliss entitles people to a share of their spouse's estate when they die, even in the absence of a will. In reality, without a will and in the absence of a marriage certificate, the unwedded spouse of a deceased individual is not automatically entitled to anything at all. Imagine a woman who has lived happily with a man for twenty years in that man's home. Imagine that that man has never thought to place his spouse's name on the deed to his house. Imagine that that man never signed a will and dies. Under the *Intestate Succession Act,* that man's family becomes empowered to kick that woman out of the home she has lived in for twenty years. To be sure, she may indeed have a legal interest in the house, but that interest is not automatic and can only be proved in Family Court. By the time Family Court is in a position to dispense judgment on the issue, it is entirely possible that the man's estate has already legally disposed of the house, leaving his spouse with a hollow and expensive legal victory that may be cold comfort.

This unfortunate scenario could easily have been avoided if the man had simply signed a will that stated that he wished for his unwedded spouse to retain their home after he died. Alternatively, he could have conveyed her a 50% interest as a joint tenant in the home before he died. Or they could have gotten married. The point is that the time to think about these contingencies is before you die.

The story does not end simply by getting married. An individual's whole estate may not automatically pass to their married spouse when they die. If a married person dies leaving their spouse and one child and has no will, 50% of their estate (excluding the matrimonial home and assets) goes to their spouse while the other 50% goes to their child under the provisions of the *Intestate Succession Act*. Similarly, if a married person dies leaving their spouse and more than one child, one-third of their estate (excluding the matrimonial home and assets) goes to their spouse and two-thirds goes to their children. Most people would prefer that their entire estate go to their husband or wife lock, stock, and barrel upon their death. The way to ensure that that is what happens is to have a will drafted that reflects your intentions. The time to do that is now. It must also be kept in mind that, if a person has a will and then gets married, the act of getting married automatically voids the will and renders it null and mute under the provisions of the *Wills Act*.

It must also be borne in mind that many people have beneficiaries named on "will substitutes" that can include pension plans, RRSPs, and life insurance policies who may not be the same people named as beneficiaries in their wills. The value of property disposed of by will substitutes is often greater than the estate itself. The money that passes through will substitutes does so external to the estate. In other words, a person's pension, or RRSP, or life insurance payout will go to whoever is named as the beneficiary of those plans regardless of what their will says. It is therefore imperative that people ensure that the named beneficiary on those plans is the person they actually want the money to go to. Often, people neglect to substitute their spouse's names for their parents, or forget to remove their exes name from these plans subsequent to a break up. Typically, individuals opt to name their spouse as their primary beneficiary and their estate as their secondary beneficiary to ensure that their children receive those benefits. Further, while RRSP rollovers to married spouses are tax-free, payouts to estate beneficiaries are not. The tax consequences of an RRSP vesting in a beneficiary other than a married spouse must be carefully considered during estate planning and is a discussion that should be had between an individual and their accountant or estate planner.

These are just a sample of the considerations that people must unfortunately turn their minds to, preferably while they are still living. There is still much to consider including trust funds and guardians of surviving minor children, gifting assets during your lifetime to avoid estate taxes, and so on. Procrastination is not recommended as we never know when or for whom the bell tolls. While there are surely questions remaining after this brief overview, there is also no shortage of legal and financial experts who are available to offer assistance in estate planning matters. Proper estate planning will prevent a lot of confusion and heartache among loved ones after you are gone.

Dominic J. Foley is a lawyer at O'Dea, Earle in St. John's. He can be contacted at dfoley@odeaearle.ca.

what's working financial education for all

by | **Kathy Bergstrom, CEBS**

Perry Downey
Administrative Officer, Newfoundland and Labrador Teachers' Association

After more than 35 years of offering preretirement seminars for teachers who are within two years of retirement, the Newfoundland and Labrador Teachers' Association (NLTA) decided it was time to provide a similar seminar to its early to midcareer members long before they're ready to live out their golden years.

Now members of any age and length of service can get more information about their pensions, group benefits and other important financial matters through one-day financial information seminars offered throughout the province several times annually. The seminars are always filled to capacity, says Perry Downey, NLTA administrative officer.

"We needed, as an organization, to try to address the needs of our members much earlier than two years before retirement," Downey said. The effort "has educated and empowered the members to make important financial decisions throughout their career."

NLTA has 5,800 members who are full- and part-time employees. The union's pension plan is a jointly sponsored, trusteed defined benefit pension between the union and the provincial government. The provincial government also operates a defined contribution plan for about 2,000 substitute teachers.

Downey, NLTA's staff officer responsible for pension plan administration, acts as a liaison between teachers and the plan.

NLTA started offering a two-day preretirement seminar for members within two years of retirement about 35 years ago. Through contract negotiations in the mid-'80s, members receive two paid leave days to attend the seminar. Five to seven seminars are held every fall, attracting a total of 170 to 200 members.

Members who register for the seminar receive a packet of information including their pension and group benefits statements.

The first day's morning session covers all aspects of the pension plan, including how members' pensions are calculated, survivor benefits, disability—"Anything and everything that a teacher needs to know about his or her pension is covered," Downey said.

During the afternoon session, members receive information about the types of coverage available through the group benefits program, and a representative from the plan's group insurance plan administrator, Johnson Inc., is on site to help members make changes to their coverage, benefits and beneficiaries, if needed.

A Service Canada staff person presents information on federal benefits including the Canada Pension Plan, Old Age Security and Employment Insurance on the second day. The second day also includes a presentation from Newfoundland and Labrador Credit Union on financial planning topics such as Registered Retirement Savings Plans, Tax-Free Savings Accounts, wills and estate planning and other topics. Provincial government staff also are there to discuss severance pay benefits and the various options that are available to members to assist them.

"When a person finishes the two days, they have everything they need to know about retiring, what their benefits will be and who to contact" for more information, Downey said.

Although the two-day seminar evaluations have always been positive, the most prevalent comment the union received was " 'Why didn't I know this 20-25 years ago?' " Downey said. Teachers said they could have made changes to their retirement planning 20 to 25 years earlier that would have made a big difference in how much pension they will receive when they retire.

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In response, NLTA started the financial information seminars for early and midcareer teachers five years ago. The one-day events are held on Saturdays and open to all members. "Believe me, we haven't had any issue with people wanting to sign up," Downey noted.

Downey provides a shortened version of the two-day seminar, covering benefit statements for the pension and group insurance. A credit union representative speaks on a financial topic, typically related to investments.

"The focus is a little different, because it's a younger group of individuals who are attending," Downey explained. "When we started five years ago we saw mid- to late-career teachers, but now we're seeing new teachers who are attending because it's been encouraged by people on their staff who have been to the seminars and are saying, 'You need to go and hear this now.' "

"The interest has been overwhelming," he remarked. Attendance is capped at 30 to allow enough time for the resource people to make personal contacts, and each one has been filled.

NLTA offers at least three of the early to midcareer financial information seminars in the fall and two in the spring. Sometimes additional seminars are held in specific locations if there are enough requests in a geographic area.

Downey also conducts shorter presentations ranging from one to four hours at the request of members, typically on a weekday evening or on days when schools are closed to students at individual schools throughout the province. The topic is usually related to pensions and group benefits, and Downey typically does about eight to 12 of those sessions annually.

One of the important lessons members have learned from the financial information seminars is how increasing their certification level affects their present salary and retirement benefit, Downey said. A teacher who earns a master's degree would earn about $800,000 more in salary over a 30-year career compared with someone who has the minimum educational requirement, he said. But that teacher also would have an additional $400,000 in pension benefits if he or she spent 20 years in retirement. "You've got over a $1 million difference because you simply upgraded your education."

Providing information about group benefits is an important part of the financial education process, he said. Many people don't understand their voluntary benefits, such as additional life insurance coverage, accidental death and dismemberment and travel insurance.

Enrollment in the plan's out-of-country travel health insurance benefit has surged from just under 350 members to more than 3,500 members in the last five years because members learn about it during the seminars, he said. Enrollment in the voluntary accidental death and dismemberment benefit also has increased dramatically.

"I think the biggest challenge for us is meeting the demand," he said. With a large geographic area to cover, getting out for face-to-face meetings can be difficult, so the association is exploring developing some shorter webinars of 20 minutes to a half-hour on the pension plan, particularly for teachers in remote areas.

"The best measurements I think we've had on determining whether or not these seminars and sessions are successful are the response and the demand for more," Downey said. "After five years, we're finding that people who attended five years ago—Their personal situation has changed. They've gotten married or had a child, and they're starting to come back for the second time."

Most importantly, "more and more, the younger generations of teachers are starting to ask the correct questions, whereas before they didn't know what to ask," he said. They've become more educated about their own financial situations and are not intimidated, he said.

Leadership Takes on Many Different Forms

by DAVID GILL

What does it mean to be a teacher? Or better yet, how does someone become a teacher? And by that I merely don't mean what are the logistical steps involved, but rather how does someone become integrated into the collective community of practice called teaching? Almost 30 years ago Jean Lave suggested that one of the best ways to integrate new members into a community of practice may be a mechanism called legitimate peripheral participation. In essence, legitimate peripheral participation can be viewed as a model of integration that borrows several ideas from apprenticeship. One of those ideas is that novice members of a group should be slowly introduced to a community's norms and that his introduction should be through graduated participation in the group's primary focus under the guidance of experts. Lave's idea places learning how to be a teacher squarely as a situated social phenomena, in that participation must be squarely rooted in actual practice and interaction. While this type of integration is firmly established in the formal mechanisms for becoming a teacher in Newfoundland and Labrador this article will tell the story of a smaller community of practice embedded within the larger context of the teaching community as a whole.

Etienne Wenger defined a community of practice as any formal or informal group of people that are drawn together by a common purpose or interest. These communities can be localized or span across an entire organization. While relatively small in number, technology education teachers have had a well-defined and strong voice for many years. Individuals that self-identify as members of this community have a variety of ways to engage, but as a new teacher just entering the field these opportunities may not be readily apparent. In an effort to help pre-service technology education teachers find and utilize the support of this community of practice, a small professional development initiative was spearheaded by myself, representing the Faculty of Education at Memorial University, several pre-service technology education students, a local school, the NLTA, and the Technology Education Special Interest Council (TESIC). The initiative ran during the 2015-16 school year and I believe is a concrete example of graduated legitimate participation in action.

"As a teacher, your ability to form strong interpersonal relationships with your colleagues, students and community members and the social aspect of teaching cannot be understated. This initiative is a great experience for those transitioning from preservice to in-service teachers." ~ Jonathan Bungay (Technology Education Student)

Professional development can conjure up many thoughts in the minds of teachers. From my own experience these can range from inspiring and practical to painful and irrelevant. Regardless of the various varieties of professional development that were available during my teaching career, one option always stood out as the most rewarding – my own development and facilitation of sessions for others. One of my first introductions to developing and facilitating professional development came as an intern pre-service teacher. During a TESIC bi-annual meeting my co-operating teacher assigned me the task of facilitating a section of his larger session on video production. Reflecting on this now I think it was a very good example of the graduated participation that Lave speaks of. I was supported, but my involvement was genuinely legitimate as the organizers and participants of the meeting were expecting a session. This experience was very empowering as I remember feeling like a peer and leader in this community rather than just someone sitting on the sidelines. It was from this perspective that I approached several key people in the organizations listed above about helping or hosting some professional development sessions. As these individuals were very receptive to the idea, I sent out a voluntary invitation to the 2015-16 cohort of technology education diploma program students at the Faculty of Education. Several students responded positively and we began to develop the idea together in collaboration with our external partners.

The first phase of the initiative involved the students being introduced to professional development through the lens of the technology education community. The first step in introducing the students to these realities arose as I was asked to facilitate a session for some local technology education teachers in the fall of 2015. Arrangements were made and the student volunteers were able to attend the session as

participants. This had two purposes. First, it allowed the students to observe and participate in an authentic professional development session in their chosen field. Second, it also allowed them to network, chat, and consult with in-service teachers about a variety of things relevant to teaching technology education. The second step involved the students actively reflecting on their internship over the winter semester. They were asked to take note of any particular lesson or unit that they developed during their internship which they thought might be beneficial, technology wise, to a larger audience. In this manner their experiences would drive their choice of topics in a very authentic and organic way. After the students finished their internships they developed rough drafts of professional development ideas and through a consultative and formative process we collaborated together to refine their initial ideas into workable sessions. At this point all they needed was an audience, which led us into the second phase of the initiative.

"Collaboration between new and seasoned teachers through organizations like the Technology Education Special Interest Council (TESIC) not only creates a rich professional learning community but brings legacy to Tech Ed leadership in our province." ~ Thomas Kennedy, President (TESIC)

Throughout the winter of 2016 several connections were made ensuring the students would have that audience. Holy Family Elementary in Paradise was the first connection. On May 13, 2016 my students had the opportunity to facilitate two technology based sessions during one of the school's professional development days. This experience allowed the students to interact and share with a large group of in-service teachers in a supportive and authentic setting. Both sessions ran smoothly and the feedback received from the school was very positive. After debriefing with the students we analyzed the feedback together and they refined their sessions accordingly. Their next opportunity to facilitate came on May 26, 2016 as a result of a partnership with the NLTA. This session was hosted at NLTA headquarters and had teachers from as far away as Labrador attend. A representative from the Department of Education also videotaped the sessions to become a part of their online professional development resource. Not only did the students have the chance to offer their refined sessions, the variety of perspectives shared by this diverse group of teachers throughout the morning was an invaluable experience. The feedback from this session was also very useful and as we debriefed and analyzed the feedback together the students refined their sessions once more. The final opportunity to facilitate and interact with in-service teachers occurred during STEMfestNL 2016. This full week professional development conference was organized by the Technology Education and Science special interest councils of the NLTA and was hosted at the Marine Institute and Faculty of Education. During the week of July 26-30 my students had a final opportunity to facilitate their sessions and interact with a much wider audience of in-service teachers from across the province. This was another positive event for both the students, participants, and organizers of the conference and was a nice way to end the initiative.

Being integrated into a new community of practice may be a stressful time for some individuals, but I hope that these opportunities positively added to my students' experiences as they were transitioning from in-service to pre-service teachers. I believe that the framework created through the multiple partnerships in this initiative also helped my students to legitimately participate in an aspect of their chosen craft that might not always be explicitly pursued from other formal means – active and authentic leadership in the continuing education of their soon to be peers. The idea that we learn as much from our students as they learn from us was at the center of this little project and I hope moving forward that it can become a regular voluntary program in the Faculty of Education's Technology Education diploma program.

David Gill is Assistant Professor of Technology Education at the Faculty of Education, Memorial University of Newfoundland..

"It was indeed inspiring to witness fellow pre-service and in-service educators enjoying themselves while immersed in continuing education. Hopefully additional sessions can be offered in future. If so, I would be eager to participate and help in any way that I can." ~ George Tucker (NLTA)

NLTA SESSION OFFERINGS

To achieve our mission of professional excellence and personal well-being, staff at the NLTA offer a wide variety of sessions which can range from one hour to a full day or more. These are available for schools, clusters of schools, branches, or other member groups. If we do not currently offer a topic which you feel is timely and relevant to teaching and learning or to you in the practice of the profession, we are also prepared to research and develop a session to meet your identified needs.

PROGRAMS AND SERVICES SESSIONS

- **Achieving Goals**
- **Assessment Practices (using the latest research on assessment of/for/as learning)**
- **Classroom Instruction – Proven Strategies**
- **Brain Research – Knowing "How" We Learn and the Implications for How We Teach**
- **Student Motivation/Engagement**
- **Differentiated Instruction**
- **Classroom Organization & Management/Cooperative Discipline**
- **Staff Dynamics and Working Effectively as a Team/Maximizing Your Potential**
- **Personal/Professional Balance**
- **Creating and Maintaining a Respectful Workplace**
- **Dealing with Difficult People/Difficult Situations**
- **Time/Energy Management**
- **Stephen Covey's 7 Habits of Highly Effective People**
- **Effective Use of Technology in Teaching**
- **Retirement Planning**
- **Financial Wellness**
- **Professional Relations and Managing Conflict in the Workplace**
- **Social Media: Protecting Yourself and Your Students**
- **Legal Issues in Education**
- **Professionalism and The Code of Ethics**
- **Knowing Your Collective Agreement**
- **Teacher Abuse/Harassment**
- **Teaching in Rural Newfoundland and Labrador**

For more information or to book a session, contact the NLTA at 726-3223 or 1-800-563-3599 or mail@nlta.nl.ca

Please note that advance booking is required and bookings will depend on availability of staff.

NEWS & EVENTS

PHYSICAL & HEALTH EDUCATION 2017 NATIONAL CONFERENCE – PHE CANADA & PESIC

May 4-6, 2017

Memorial University, St. John's. *Theme: Rock Solid Foundations… Energizing Futures*. The Conference provides an opportunity for delegates to network with colleagues and increase their knowledge and skills to foster healthy active living for children and youth in the school community. For more information visit: www.phecanada.ca/events/2017_national_conference.

CCPA CONFERENCE (CANADIAN COUNSELLING & PSYCHOTHERAPY ASSOC.)

May 16-19, 2017

Sheraton Hotel, St. John's. More information to follow.

2017 CONVENTION DEADLINES

January 19, 2017

Proposed changes, amendments or repeal of NLTA By-Laws to be actioned by Convention must be presented in writing to the NLTA.

February 19, 2017

- All nominations for Provincial Executive for publication in the Convention issue of *The Bulletin* must be postmarked or hand delivered to NLTA Office.
- Names of elected delegates and alternates to Convention should be forwarded to the NLTA Office for printing in the Convention issue of *The Bulletin*.
- Resolutions to Convention must be received at the NLTA Office.

March 19, 2017

Mailing of Convention issue of *The Bulletin*.

April 18-21, 2017

Biennial General Meeting.

April 20, 2017

Final deadline for receipt of nominations for Provincial Executive.

DATES TO REMEMBER

January 2017

Jan 13	**District Deadline:** Educational Leave applications
Jan 15	**Deadline:** 2017 Christmas Card Contest entries
Jan 15	**Deadline:** Receipt of nominations for Barnes, Bancroft, Allan Bishop and Special Recognition Awards
Jan 19	**Deadline:** PD Fund applications
Jan 20-21	NLTA Provincial Executive Meeting

February 2017

Feb 12-18	Education Week
Feb 14	Janeway Day in the Schools
Feb 16	**Deadline:** PD Fund applications

INTRODUCING
Our New "Free" NLTA Mobile Device App

We have developed a mobile device App for the NLTA. It works on both **Android and Apple devices** – phones, tablets, iPads, etc.

The app is designed to provide users with easy access to information from our website. For instance, users can quickly find the New Teacher information, EAP information or request a new NLTA Member Card.

Download your App here:

www.nlta.nl.ca/iosapp **www.nlta.nl.ca/androidapp**

or use the QR code

Request Your NLTA Membership Card

You will need to show an NLTA membership card to obtain many of the discounts listed in the Teacher Discount List. To request your membership card go to **www.nlta.nl.ca/rmc**.

APPLYING FOR EDUCATIONAL LEAVE?

Applications for Educational Leave for the 2017-18 School Year are posted on the NLTA website at **www.nlta.nl.ca.**

Application is made to the District.
District deadlines are as follows:

NLESD: January 13, 2017
CSFP: January 13, 2017

MEMBER INFORMATION

We are asking all NLTA members to please complete the member profile/information form on our website at: **www.nlta.nl.ca/newteacherform**

Please Note: If you are a substitute teacher you also need to complete the Substitute Teacher Registration Form located at: **www.nlta.nl.ca/stform**.

Your Association requires this information for our NLTA database. This will be used for internal purposes only to allow your Association to provide the best possible professional services to teachers and to communicate directly to members. Be assured that all information will be held in the strictest confidence.

The staff of the Newfoundland and Labrador Teachers' Association would like to wish all teachers a safe, happy and joyous Holiday Season.