

Policy 230 - Distribution of Union/Political Information

The Board of Education recognizes that respectful debate about educational issues is important. In that regard, judicial and arbitral jurisprudence has clarified that employees have the right to engage in political discussion and the freedom to express their views to parents on such education issues under Section 2(b) of the *Charter of Rights and Freedoms* (the Charter). Any restrictions on expression have to be justified under Section 1 of the Charter.

Accordingly, employees' rights to further the debate with parents must be valued, but it must also be balanced with society's interest in an effective and efficient school system which maintains the confidence of students, parents and the public.

Guidelines

1. The Board of Education requires employees to obtain prior approval of their Association or Union when distributing union/political information on educational matters on school property to parents or through students.
2. Employees must contact their principal for approval prior to distribution.
3. The School or District Administration will review the information for its accuracy and relevance to educational matters. Further, the review undertaken will determine the appropriateness of sending the information from the school to parents, taking into account the "pressing and substantial" objectives of the public school system.
4. In determining the appropriateness of the materials for distribution, there must be a consideration of the balancing of rights and measures that may be taken to minimally impair the employee's right of free speech while at the same time achieving the objectives of the School District.
5. Should a union/political communication on an educational matter not be approved for any reason, the employer will raise the matter with the local union/association.
6. With respect to the accuracy, the content of the information must be accurate so that the expression is not misleading such that confusion and/or conflict are created. If the content or a portion of the communication is inaccurate/misleading, the School District will prohibit the entire distribution of the communication.
7. Any approved communication must be placed in a sealed envelope and clearly marked/addressed to the parent/guardian. Further, in order to ensure there is no confusion regarding from whom the communication is coming, the document itself should clearly indicate the authorship.