Report and Recommendations of the STF’s Reference Committee on

Effective Working Relationships with Non-Teaching Personnel in Schools

Revised June 2005
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Background: The Work of the Committee

Initial Activities

Many teachers work with quite a diverse range of teacher associates, non-teaching professionals (e.g., social workers, health care providers, psychologists) and support personnel. During the past decade, for example, there has been a noticeable increase in the number of teacher associates in the province’s schools. In many cases this has had some significant implications for teachers (e.g., the need to clarify roles and responsibilities, ethical issues, and other aspects of working relationships). In addition, the provincial government’s implementation of SchoolPLUS has called for an even greater emphasis on integrated school-linked services. This approach to service delivery for students will also likely have a major impact on how, and with whom teachers work.

A related issue that affects teachers is the possibility of collective bargaining disputes between non-teaching personnel and their employers. In recent years, teachers in some school divisions have experienced the challenges that result when non-teaching staff withdraw services. Difficulties that teachers may face in trying to determine appropriate conduct in these kinds of situations have led to the need for some practical guidelines.

To address these needs or issues, as well as similar kinds of “working relationships” concerns that members have raised at Council, advisory committee meetings, and other forums, the STF Executive formed a reference committee of teachers and Federation staff in the spring of 2003. The teacher members on the committee are Clare Novicki (Chairperson), Carole Butcher, Fred Chriest, Leith Larson, Alan Nunn, and Dawn Trask.

The committee’s terms of reference are:

1. To advise the Federation regarding the development of provincial and local initiatives that may support collaborative working relationships among teachers and non-teaching personnel within schools.

2. To guide the revision or development of policies, principles, and guidelines regarding “working relationships” types of issues, including the following: roles and responsibilities, job action, ethical conduct, information sharing, organizational supports, and professional development needs or implications.

3. To advise the Federation on the revision or development of relevant professional resources or materials for use at the provincial and local levels.

Between October, 2003 and March, 2004, the committee met three times. Discussions focused on teachers’ “working relationships” issues, including the experiences of local associations and individual members in situations that involved bargaining disputes between employers and non-teaching personnel. Another key aspect of the committee’s workplan was a review of relevant legislation, STF bylaws and policies, selected school division policies and practices, as well as research and information regarding SchoolPLUS and the diverse roles and responsibilities of teachers, teacher associates, and non-teaching professionals or other school personnel. The committee also explored some possible professional development priorities that emerged from its discussions regarding the need to strengthen effective working relationships between teachers and non-teaching personnel.

From this kind of background work, the committee prepared two policy related documents:

- Draft policy: “Effective Working Relationships with Non-Teaching School Personnel” (Appendix A),


To encourage feedback from STF members, copies of the draft policy and guiding principles, along with some background information, were mailed to all local presidents. The drafts were also discussed by the Federation’s advisory committees (TWAC, ACPI, SPAAC, Communications) at a joint meeting held on May 8, 2004. As a result of this consultation process, the documents were revised.

For each belief statement or guiding principle in the two documents, the committee also provided a brief commentary to explain its rationale and, in some cases, to offer a few suggestions with regard to implementation. In connection with this work, the committee also developed three recommendations for the consideration of the Executive:

1. That the Executive bring forward the proposed policy, "Effective Working Relationships with Non-Teaching Personnel in Schools" (Appendix A) and the proposed statement of principles, "Guiding Principles for Teachers’ Professional Practices During Collective Bargaining Disputes that Involve Non-Teaching Personnel" (Appendix B) for the consideration of Council.

2. That the STF, in the context of its strategic plan, continue to develop and implement communications processes that:
   
   a) foster better understandings among teachers, non-teaching personnel, and other members of the educational community about the teaching profession’s perspectives regarding effective working relationships within schools, and

   b) address the communications needs of teachers in situations that involve collective bargaining disputes between employers and non-teaching personnel.

3. That the STF, in the context of its strategic plan, continue to design and support differentiated professional development opportunities and resources that are
based upon a multi-faceted approach to the goal of strengthening effective working relationships within schools.

The Executive received the committee’s report and recommendations at its June, 2004 meeting.

**Follow-up to the Special Meeting of Council (October, 2004)**

The Special Meeting of Council held on October 16, 2004 included the following resolution:

BE IT RESOLVED that existing Policy 4.1.3 on Withdrawal of Services by Non-Teaching Staff and 4.1.4 on Collective Bargaining by Non-Teaching Staff of the STF Statement of Policy and Bylaws be rescinded and replaced by the following [Policy].

The decision of Council was to refer the draft policy to the Executive for further consideration. As follow-up, an action plan to consult with members through local associations was developed by staff and approved by the Executive. This action plan included the following steps:

- A policy consultation package with background information, the draft policy, the statement of guiding principles, and a feedback form was mailed to all local presidents the week of January 17, 2005. The local presidents were asked to return the feedback forms no later than April 8, 2005.

- Through the STF’s website and a notice in the Provincial Report (January, 2005), members were informed about the consultation process and encouraged to forward feedback through their local associations. A web version of the entire consultation package was also accessible through the STF’s InfoSource link.

- Eleven local associations or school staffs provided feedback. In some cases, the local presidents responded directly; in other instances, they chose to forward the STF’s request to councillors or other members of their locals. For the most part, the feedback took the form of relatively minor suggestions for editing the documents, particularly the commentaries. A few of the more substantial reactions focused on the question of teachers’ neutrality during bargaining disputes that involve non-teaching personnel. There were also some concerns about teachers’ roles and responsibilities in meeting students’ medical or personal care needs; however, it would seem that these respondents were simply unfamiliar with existing STF policy in this area.

- The STF’s Reference Committee on Effective Working Relationships with Non-Teaching Personnel in Schools reconvened on May 26, 2005 to discuss the results of the consultation process.

Following its review of the feedback from members, the committee revised the draft policy and statement of guiding principles for the consideration of the Executive.
STF Policy: Effective Working Relationships with Non-Teaching Personnel in Schools

Preamble

A number of non-teaching personnel are employed in schools to meet students’ needs and complement teachers’ professional roles and responsibilities. Working relationships between teachers* and these personnel may take many different forms depending upon individuals’ roles and students’ specific needs.

Effective working relationships among teachers and non-teaching personnel are essential if students’ best interests and the goals of education are to be met. Within a school context, these working relationships should demonstrate, at least to some degree, the following norms or characteristics:

• a shared commitment to meet students’ diverse needs to the fullest extent possible, given the purposes of the education system, the functions and structure of the school, and the resources available;
• shared understandings about appropriate roles, responsibilities and expectations by all of the individuals who work in the school;
• positive and respectful attitudes, values, and behaviours;
• clear and timely communications;
• processes to resolve misunderstandings, conflicts, or other human relations issues in ways that are consistent with the principles of fairness and due process;
• a shared commitment to ethical practices and norms of confidentiality, as required within a professional school setting.

Processes to develop and maintain effective working relationships are best established at the local level so that the full range of relevant goals, objectives, needs, and issues may be taken into consideration. This policy is intended to give general direction and to express teachers’ core principles as professionals who work with non-teaching personnel within an increasingly complex teaching and learning environment.

* As used in this policy, and for the purposes of inclusiveness and readability, the word “teacher” refers to members of the Saskatchewan Teachers’ Federation, as defined in sections 5(1) and (2) of The Teachers’ Federation Act.
Beliefs

1. General

   i. Teachers' professional roles, responsibilities, and working relationships with non-teaching personnel are guided by a focus on students' learning as well as an ethic of care in which students' safety and general well-being are paramount concerns.

   Our society as a whole, and parents or guardians in particular, entrust the care of students to school divisions and their staffs. Among other implications, this means that teachers are expected to carry out their professional work in ways that guide or facilitate students’ learning and development, protect students from harm, and demonstrate a positive role model. The scope of this fundamental “ethic of care” is difficult to define precisely because of the typically complex relationships between individual teachers and individual students, each of whom has somewhat unique gifts, abilities, and needs. One result is that individual teachers express their care and concern for students in different ways. This can sometimes lead to grey areas within schools in which it is difficult to distinguish exactly between the roles of teachers and non-teachers.

   An additional complication is that, for various work related and personal reasons, non-teaching school personnel may have somewhat different priorities in how they approach their own roles and responsibilities vis-à-vis the services that are provided to students. In comparison to teachers, non-teaching personnel may also have different kinds of interactions with parents, staff and volunteers.

   As a starting point for clearing up these grey areas and enhancing effective working relationships within schools, the teaching staff should ensure that non-teaching personnel, and especially newcomers, understand the diverse ways in which individual teachers may demonstrate an “ethic of care” towards students, including the implications of school division and school level policies for daily teaching practices. At the same time, it is important for teachers and non-teaching personnel to recognize that students’ safety and well-being are responsibilities to be shared by all individuals who are employed within the education system, and that non-teaching personnel may also be guided by an ethic of care in their daily work.

   ii. Working relationships within schools should respect individuals’ roles and responsibilities and be consistent with the principles of equity and fairness.

   During the school year, many teachers throughout the province typically work with a wide range of professionals (e.g., social workers, health care workers or specialists), teacher associates, and other non-teaching
personnel. For these relationships to be effective, all participants should understand and respect the parameters of each other’s roles and responsibilities, including any legal requirements.

This is not an easy task. Some of these parameters are set out in legislation as well as in various division level and school level policies that apply to all of the individuals who are employed by the division. It is important to recognize, however, that additional requirements or expectations may be established by specific professions or occupational groups. Teachers, for example, are required to follow the STF’s *Code of Ethics* and the *Code of Conduct Respecting the Collective Interests of Teachers*. They should also draw upon STF policies as a guide for their professional work. Members of other professions have their own legislated duties and may also have codes of ethics or conduct which likely do not coincide exactly with those held by the teaching profession. In some cases, teacher associates and other non-teaching personnel may belong to unions that have their own formal expectations regarding members’ conduct.

Because their work is so central to the purposes of the school, teachers and especially principals are well placed to help sort out these assorted roles and responsibilities. As part of this leadership task, teachers as individuals and as a staff should communicate with non-teaching personnel about:

- the parameters of roles and responsibilities (who does what);
- the meaning and implications of equity, particularly within a school setting;
- appropriate approaches in working with students, parents, and volunteers;
- processes to develop or strengthen a positive, collegial, and safe teaching and working environment;
- the importance of practicing ethical conduct and norms of confidentiality;
- other relevant matters that may apply to specific non-teaching personnel (e.g., teacher associates).

In their efforts to form effective working relationships within a school, individual teachers should approach colleagues and non-teaching staff alike with the norms of honesty, integrity, openness, and sense of fairness that are articulated in the STF’s *Code of Ethics*. It is reasonable of teachers to expect the same of others. Despite everyone’s best efforts, however, misunderstandings, personality differences, role conflicts, workload pressures, and many other factors may result in situations in which teachers or non-teachers may have serious concerns about the conduct of one another. When this happens, teachers expect that:

- principles of due process and fairness will be applied;
• the appropriate lines of authority and communications will be followed in handling the matter.

iii. Teachers expect that all individuals who work within a school will respect the trust under which confidential information is shared.

Through the years, Saskatchewan teachers have expressed concerns about confidentiality matters within schools. Although Article 17 in the STF’s Code of Ethics clearly expresses the duty that members of the teaching profession have to uphold confidentiality principles, teachers also believe that all individuals who work in a school setting share this responsibility. (The STF’s Code of Ethics applies, however, only to Federation members.) The best interests of students and school staff, as well as the viability of effective working relationships, depend upon a level of trust in which confidential information is exchanged only under specific conditions (as noted in the commentary to Article 17 in the STF Code of Ethics).

iv. Teachers should have direct involvement in the development and revision of school division policies on working relationships.

Teachers recognize that school divisions have a responsibility to develop and implement policies or guidelines regarding the administration or operations of schools. Teachers believe that these policies or guidelines should lead to practices that, among other objectives:

• respect teachers’ professionalism, as understood by members of the teaching profession;

• support effective working relationships within schools.

Given their professional status and their central role in the functions and operation of schools, teachers should be directly involved in the processes used to develop these kinds of policies or guidelines.

v. Effective working relationships within schools must be supported by a broad range of resources and opportunities, including preparation and planning time, continuing professional growth, as well as other supports that are deemed necessary by teachers and non-teaching personnel.

To develop and strengthen the day-to-day working relationships among teachers and non-teaching personnel within schools, staff expect that their school division will provide appropriate and adequate preparation time and planning opportunities. As teachers who have various administrative responsibilities, the special needs of principals in this regard must also be addressed.
Professional growth is also an important means through which teachers (and non-teaching personnel) may strengthen the knowledge and skills that are needed for effective working relationships. From the teaching profession’s perspective (as articulated in various STF policy statements, including the policy on “Professional Growth”), the necessary supports for these kinds of opportunities include the following:

- recognition that teachers (including principals) and non-teaching personnel have diverse personal and employment backgrounds, education or training, roles and responsibilities, skills, needs, and interests;
- funding and other resources that may be required to design, facilitate, and participate in these professional growth opportunities as well as any follow-up;
- designated time during the school day;
- other supports that the teaching profession identifies as essential.

2. Collective Bargaining Disputes Between Non-Teaching Personnel in Schools and Employers

School-based non-teaching personnel who belong to a collective bargaining unit may sometimes be involved in disputes with their employer. Decisions made by either party to the dispute may have an impact on the normal operations of the school, including the work of teachers. With regard to these kinds of situations, the teaching profession takes the following position.

i. Teachers should respect the principles of collective bargaining.

Through the years, teachers in Saskatchewan have consistently recognized and respected the fundamental principles of collective bargaining, whether this process applies to teaching staff or non-teaching personnel. These core principles have been articulated in STF policy 4.1 (“Collective Bargaining”).

ii. Teachers should respect the right of non-teaching personnel to organize and bargain collectively with school divisions or other employers.

Teachers recognize the collective bargaining rights that are conferred on non-teaching staff through various legislation, including The Trade Union Act, and decisions of the courts. This includes the right to withdraw services in the event of a collective bargaining dispute.
iii. Unless provincial Saskatchewan Teachers’ Federation officials in consultation with affected local associations have decided otherwise, teachers should maintain a neutral position in a collective bargaining dispute that involves non-teaching personnel and the employer.

Teachers support the collective bargaining process and the right of bargaining units to impose sanctions as part of their bargaining strategy. At the same time, teachers recognize that the employer involved in the dispute may also take certain actions as part of a bargaining strategy. It is important for teachers to respond to local as well as provincial issues as a collective. As much as possible, and unless provided with specific direction from provincial STF officials (following consultations at the local level), teachers should refrain from giving overt support to either party that is involved in the dispute.

iv. In situations in which non-teaching personnel and the employer are involved in a dispute that is related to collective bargaining, and with the understanding that teachers are members of a collective of professionals, teachers shall continue:

• to carry out, as required by statute, their regular roles and responsibilities unless, in the professional judgement of the teacher following consultation with local association and provincial Saskatchewan Teachers’ Federation officials, the dispute has made it untenable to render professional service;

• to carry out their regular, school-related voluntary activities such as involvement in extra-curricular programs and student supervision unless, in the professional judgement of the teacher following consultation with local association and provincial Saskatchewan Teachers’ Federation officials, the dispute has made it untenable to offer these voluntary services;

• to take reasonable steps to ensure that students’ safety and well-being are not endangered by circumstances that may arise during the course of the school day;

• to perform the duties of non-teaching staff only when there is an emergency that would have adverse effects on the safety and well-being of students or staff;

• to adhere to all terms and conditions of applicable teachers’ collective agreements;

• to respect the terms and conditions of collective agreements that are in effect between school divisions and non-teaching personnel.

To the best of their ability, and circumstances permitting, teachers should continue to provide professional teaching services and voluntary services during a dispute that involves, for example, sanctions by non-teaching
staff or a lock-out by the employer. Except in cases of emergencies (e.g., accidents, weather related events, etc.) that endanger the safety and well-being of students or staff, teachers should not fill in the gaps in service that have resulted from the dispute. To do so would contravene the “neutral” position of teachers in these kinds of disputes and likely affect the respective bargaining strategies of the parties involved.

Teachers also recognize that school divisions continue to have the responsibility during a dispute to ensure that schools remain safe and healthy environments for teaching and learning. The school division, not teachers, must determine whether a school should remain open to students during a dispute. Except in ways that are normally undertaken as part of their teaching position, teachers are not responsible for carrying out duties that are the function of non-teaching staff and that are related to safety or health standards within the school.

During a dispute, teachers should always keep in mind that various legal, contractual, and ethical issues will probably come forward. It is important for members of the teaching profession to act collectively on these kinds of issues, and to follow the direction of their local association liaison committee as well as the leadership of other local association and provincial STF officials.

In the event of a dispute, teachers must also continue to follow the terms and conditions of applicable collective agreements, whether these involve teachers or non-teaching personnel. Teachers are also, of course, required to follow the STF’s Code of Conduct Respecting the Collective Interests of Teachers.
Appendix B
Guiding Principles for Teachers’ Professional Practices During Collective Bargaining Disputes that Involve Non-Teaching Personnel in Schools

Introduction

During disputes that involve non-teaching personnel in schools and their employers, teachers may be drawn either intentionally or inadvertently into the situation. Not surprisingly, local associations, school staffs and individual teachers often have questions about how to continue with their usual roles and responsibilities. In these circumstances, effective communications among teachers are especially important. Timely and accurate information should be shared among local association members, the STF Executive, and the STF Administrative Staff about recent developments as well as any resources or supports that teachers may need.

Some of the questions and concerns that teachers raise during these kinds of disputes may be addressed in policy. Through the years, teachers’ representatives have adopted, through the STF Council, various policy statements that speak to these issues. Most STF policies, however, are designed to express the teaching profession’s perspective in fairly general terms. They usually cannot anticipate and refer to every circumstance or contingency in detail. The purpose of these guidelines for teachers’ professional practices during disputes is to fill in some of those details. Developed by the teachers and staff who served on the STF’s Steering Committee on Effective Working Relationships With Non-Teaching Personnel in Schools, this document complements the STF policy statements and draws upon Saskatchewan teachers’ experiences with disputes.

1. What is expected from teachers when there is a dispute between non-teaching personnel in schools and the employer? What principles should guide teachers’ practices in these situations?

   i. Teachers should continue to carry out their professional roles and responsibilities to the best of their ability.

   The STF’s policy on “Effective Working Relationships with Non-Teaching Personnel in Schools”, provides some general guidelines for teachers to follow during a dispute. It is important to keep in mind, however, that each situation is somewhat unique. As the dispute unfolds, there will likely be legal questions, contractual issues, or ethical matters that will have to be addressed at the local association and provincial STF levels. In these circumstances, therefore, teachers should always follow the direction of their local association and provincial STF officials.
With regard to teaching assignments and related roles or responsibilities in the school, teachers are expected to continue to work with the direction of the principal. In general, and unless there are emergencies or unforeseen circumstances in which the safety or well-being of students and staff are in jeopardy, teachers should try as much as possible to carry out their “normal” day-to-day work in the school. Concerns or questions about these roles and responsibilities should be brought to the principal’s attention.

ii. **Teachers should continue to treat participants involved in the dispute with due professional respect and courtesy.**

Job actions such as a “work to rule” campaign or a complete withdrawal of services can have some very negative and long-term effects on a school staff’s working and personal relationships. Emotions often run high between the parties that are directly involved in the dispute. Unfortunately, many teachers in the affected schools frequently find themselves caught in the middle. Sometimes threats or other very unpleasant statements are directed towards teachers. When this sort of thing happens, the teachers affected have several options available, including the following suggestions:

- However difficult it may be, teachers should try to continue with their normal “style” of professional and, if possible, personal interactions with non-teaching staff as well as with school division officials. This means behaving in a manner that is consistent with one’s professional status. It is also important to keep in mind that the dispute will eventually end, and that many of the individuals who were directly involved will still have to find ways to work together. This will be easier if the teaching staff at least has consistently practiced the norms of civility.

- With the leadership of the local association and the provincial STF staff, teachers should develop or continue lines of communication with representatives from the bargaining unit(s) and the employer(s). (In some cases, it may also be helpful for provincial or national teachers’ federation leaders to communicate directly with their counterparts who are involved in the dispute.) It is very important to establish a teacher liaison committee to ensure consistency in the collective and individual responses of teaching staff, as well as to address any concerns or problems that teachers may bring forward during the dispute. As members of the teaching profession, principals should also work closely with the liaison committee.

- Principals or designates should be informed whenever threatening statements or other actions are directed at individuals or the school. If there are immediate and/or significant concerns about personal safety or possible damage to property, the police should be contacted immediately. The local association and provincial STF officials should also be alerted.
When out-of-scope staff or replacement workers are brought in by the employer during a dispute to perform the work of non-teaching personnel, there can be some especially awkward challenges for teachers. Particularly in situations where replacement workers are hired, this type of action usually contravenes teachers’ understandings of the principles of collective bargaining. Teachers are under no obligation, therefore, to express agreement with the employer’s decision. At the same time, however, teachers cannot simply refuse to work with replacement employees and, as a result, they should continue to carry out their “normal” roles and responsibilities and conduct their professional relationships with an appropriate level of civility.

iii. Teachers should conduct themselves in ways that continue to set a positive example for students and other staff during the dispute.

Teachers are important role models for their students. They also tend to have a prominent profile in the community. Despite the possibility that teachers may experience quite a high level of provocation during a dispute between non-teaching personnel and the employer, it is unacceptable to behave in front of students or community members in ways that bring dishonour to the teaching profession. This standard for teachers’ general conduct during a dispute is consistent with Article 1 in the STF’s Code of Ethics.

2. What do teachers expect or require to carry out their professional roles and responsibilities when there is a dispute between non-teaching personnel in schools and the employer?

i. Teachers expect that all parties involved in the dispute will recognize and respond to students’ best interests.

Schools are fundamentally about students’ best interests. During a dispute, teachers should keep this principle in mind to avoid being drawn into what is often an emotional tug-of-war between the employer and the non-teaching personnel. Acting with an “ethic of care” towards their students, teachers have the right to expect, for example, that neither of the parties involved in the dispute will jeopardize the health and safety of students. (Teachers also expect that their own health and safety will not be compromised.)

If a dispute is underway, teachers should continue to follow the regular lines of communication. Developments or conditions that raise any issues or concerns should be promptly communicated with the school principal or designate, the teachers’ liaison committee and/or local association, and provincial STF officials.
ii. **Teachers expect that all parties involved in the dispute will respect teachers’ professional status.**

Teachers are not replacement workers and should not be expected to “fill in” for personnel who are involved in a job action. This means, for example, that unless students’ safety and health are in immediate danger, teachers should not perform the functions of non-teaching personnel whose duties (as defined in job descriptions) focus on tending to the physical needs of students (e.g., health care workers, teacher associates) or the maintenance of school property (e.g., custodial staff), or the transportation of students (i.e., bus drivers).

Although it is possible to give a few specific examples of what teachers should or should not do in the event of a dispute, it is important to keep in mind that a comprehensive list would be unfeasible. As professionals, the scope of teachers’ work lives is quite broad. Some roles and responsibilities are clearly and solely the work of certificated teachers. But there is also a large grey area of daily duties or activities that may or may not be a teacher’s responsibility, depending upon factors that may be fairly specific to a teacher’s circumstances within a school. When working with very young children, for example, teachers typically attend to the student’s personal needs (fastening coat buttons, putting on boots, etc.) in ways that would not normally be associated with a professional level of responsibility. To expect a teacher to do otherwise, even in the event of a job action, would violate the individual’s ethical, moral, and personal commitment to act with care and concern for the student. Because of this kind of complexity in teachers’ work lives, each school staff, as a collectivity, will always need to work out with the liaison committee, (and perhaps other local association and provincial STF officials) the details of how teachers will respond to the dispute.

iii. **Teachers expect that all parties involved in the dispute will respect teachers’ neutrality.**

Teachers respect the principles of collective bargaining, including the right of non-teaching personnel to form bargaining units and engage in collective bargaining processes in accordance with the legislation. Unless provincial STF officials in consultation with affected local associations have decided otherwise, it is inappropriate, however, for teachers as individuals or as a collective to become directly involved in a collective bargaining process or dispute between an employer and non-teaching personnel. It may be difficult to maintain a neutral position, especially since teachers often have close working relationships with non-teaching personnel. It is important for all members of the teaching profession to do so as much as possible, however, unless provided with other specific directions from provincial STF officials (following consultations with local associations).
iv. Teachers expect timely and accurate communications from representatives of the parties involved in the dispute (e.g., school division officials, union or bargaining unit officials) about developments that may have an impact on students, staff, teaching, or other school operations.

If teachers are to serve the best interests of students, they need to know about any school-related decisions or other actions that are taken by either the non-teaching personnel or the employer. A local association liaison committee should be established, preferably when the dispute is still pending. A key purpose of the committee is to develop lines of communication with representatives from the employer and the bargaining unit for the non-teaching personnel, respectively.