

Claim for variation of the Area School Teachers' Collective Agreement, Secondary School Teachers' Collective Agreement and Primary School Teachers' Collective Agreement 2019 – 2022

On August 2 Minister Tracey Martin announced the first tranche of 623 FTTE Learning Support Coordinator positions allocated to schools and able to be employed from the start of the 2020 school year. The positions are to be filled by certificated teachers, so they fall under the area, secondary and primary school teachers' collective agreements. This claim seeks to vary the three agreements to ensure that the terms and conditions of employment for the learning support coordinator role are clear, appropriate and consistent. This will ensure that teachers employed in the role have security and clarity about their terms and conditions and will contribute to the implementation of the roles being as effective as possible for students that have additional learning needs.

Ensuring the role is fit for purpose

Learning support needs are diverse across communities and schools need the ability to allocate the resource according to their specific communities. The current model is not flexible enough to allow this, in particular the requirement to appoint full time LSC. Allowing schools to appoint part-time does not reduce the ability of these positions to collaborate across a cluster.

Claim

- 1.1. There is no restriction to LSC being appointed part-time if a school receives less than 1 FTTE staffing
- 1.2. Where the appointment is to a part time role the salary and time allowance/release for the role shall be prorated.
- 1.3. A teacher who is appointed part time to this role and holds other roles in the school may continue to hold units or allowances allocated for that other role.
- 1.4. There is a limit to the number of schools that an LSC is expected to work across.
- 1.5. There is provision for a coordinating function amongst clusters where there are a large number of LSC.
- 1.6. LSC can work in classes with students.
- 1.7. The parties also need to consider whether the current name for the role is the most appropriate one

2. Ensuring remuneration matches the role

The proposed remuneration doesn't match the required skills, qualifications and expertise required for the role. There is an expectation that the role will work with and influence the leadership teams of schools/kura, this is not reflected in the remuneration. Remuneration at the level of a base scale teacher is completely out of step with the remuneration paid to specialist roles such as the specialist classroom teacher, learning support roles such as ORRS teachers, RTLB and SENCO. It also is out of step with the within and across school COLs roles which have a high level of cluster coordination and accountability. Recognition of Te Reo Māori fluency also needs to be provided for teachers in these roles. Some clusters/schools are proposing adding remuneration to the roles themselves which creates inequity within and between clusters.

Claim

- 2.1. A teacher appointed to the role will be entitled to receive payment of an allowance for the role in addition to base salary.
- 2.2. The parties will agree a process for recognising the Te Reo Māori fluency of LSC and they will have access to the MITA payment without need to meet the time requirements of working in immersion settings.

3. Ensuring clarity, consistency and certainty of entitlements in the collective agreements

There is not enough clarity on the application of the collective agreement provisions to the LSC role or the funding of these provisions. This creates uncertainty amongst potential applicants and schools, and can inadvertently create compliance issues where schools make different decisions about application. The direction about the purpose and intent of the role sits in government policy, which is unenforceable should there be a dispute.

Claim

- 3.1. A number of Learning Support Coordinator roles will be generated annually by Staffing Order.
- 3.2. The appointment shall be to promote best inclusive teaching and learning practice within a school and strengthen the support to children with additional learning needs.
- 3.3. The responsibilities and/or activities of each role will be defined in substance and time by the school. Where the role is shared this will be in conjunction, with their Kāhui Ako or cluster's shared plan for Learning Support.
- 3.4. The terms and conditions of appointment shall be those contained in the relevant teachers' collective agreement unless excluded or otherwise specified.
- 3.5. Teachers appointed to LSC roles will not be eligible to apply for Community of Learning roles while they hold the LSC role.
- 3.6. The role will be permanent, subject to a genuine reason to appoint to a fixed term position.
- 3.7. A teacher who relieves for an LSC on approved leave, will receive both the salary and time allowance for the period they are undertaking the LSC role duties, provided that the relieving period is at least that of a long term reliever as defined in the relevant teachers collective agreement.
- 3.8. Salary on appointment and progression will be on the same basis as for base scale teachers
- 3.9. Where for any reason a Learning Support Coordinator position is disestablished the provisions of surplus staffing provisions of the relevant teachers collective agreement shall apply except that the disestablishment of the position shall not require a full staffing needs analysis.

Secondary Schools

- 3.10. Teachers appointed to LSC roles will not be eligible to apply for Specialist Classroom Teacher/Specialist Teacher role while they hold the LSC role.

Area Schools

- 3.11. Teachers appointed to LSC roles will not be eligible to apply for Specialist Classroom Teacher/Specialist Teacher role while they hold the LSC role.
- 3.12. Teachers who predominately teach Years 7 and above in Area School - A teacher appointed to the role full time shall will not be allocated timetabled classroom teaching hours. Note: This clause does not preclude an LSC from working in class with specific students and/or alongside other teachers.
- 3.13. Teachers who predominately teach Years 0 -6 in Area School - A teacher appointed full time or part time to an LSC role will not be assigned primary responsibility for teaching a class during the time they are appointed to the LSC role for. Note: This clause does not preclude an LSC from working in class with specific students and/or alongside other teachers.

Primary Schools

- 1.1. An LSC who is appointed for more than 0.2FTTE may not also be in receipt of an ACET teacher allowance as they will not have classroom teaching responsibility. An LSC who is appointed 0.2 FTTE or less and maintains 0.8 FTTE classroom teaching responsibility may continue to receive the ACET allowance subject to meeting other relevant criteria.