Yukon Association of Education Professionals

Association des professionnels de l'éducation du Yukon

YAEP POLICY MANUAL

Updated: October 2026

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Yukon Association of Education Professionals

Preface

This YAEP Policy Manual contains all of the policies of the Association.

This manual was initiated in 2014. The policies and regulations that used to be in the document known as the 'YAEP Handbook' were the starting point for this version of the manual. The policies and regulations are now all called "Policies" and have been organized into different sections in this manual.

Other materials that were found in the old YAEP Handbook were the constitution and bylaws of the organization. The constitution was revoked in 2014 (as it overlapped with the *Teaching Professions Act* which has precedence).

The bylaws continue to exist separate from this manual. However, *everything in the policy manual must be consistent with YAEP bylaws*. If there is a conflict, the content of the bylaws shall prevail. And the Acts governing YAEP prevail over the YAEP bylaws.

YAEP Governing Documents

Teaching Professions Act (Yukon)

The Yukon's *Teaching Professions Act,* passed in the late 1980's, sets out in legislation the objectives of YAEP, and a framework for its structure. This Act defines the Association's powers; outlines possible membership categories and how membership fees will be collected; identifies that bylaws can be created by YAEP; and specifies that membership meetings shall be held at least once a year. The Act also put into law the requirement for YAEP to develop a Code of Ethics and establish a Discipline Committee.

Education Act (Yukon)

The *Education Act* defines the roles and responsibilities of all partners involved in the education of Yukon students. The Act includes sections on: territorial administration; students and parents; school operations; Yukon First Nations; French language and separate school rights; school committees, councils and boards; appeals; teachers; finances; and bargaining agent.

Education Labour Relations Act (Yukon)

This act establishes the Yukon Teachers Labour Relations Board and defines a number of things related to collective bargaining. This includes information on how bargaining rights are acquired and terminated; what collective bargaining involves; how disputes are dealt with; how grievances will be adjudicated; and parameters for strikes and lockouts. This Act affirms that YAEP is the current bargaining agent for teachers, Education Assistants, and Teachers On Call.

YAEP Bylaws

YAEP has Bylaws that further govern how it operates. The Bylaws include sections on the following matters:

1. Membership
2. Finances
3. Meetings
4. Executive
5. Conflict of Interest

6. Indemnification
7. Central Council
8. Officers & Duties
9. Committees & Sub-Associations
10. Elections & Voting
11. Limitation of Power
12. Discipline

The Bylaws can only be amended by the membership at General Meetings by extraordinary resolutions. Such resolutions require 21 days notice to members and at least 75% of members voting at the meeting must approve the resolution.

Policy & Procedures

Much of YAEP's business is guided by policies and procedures. The policies cover topics such as: the structure and duties of committees; travel and accommodation rates; financial matters; standing rules for General Meetings; legal services; and other organizational matters. They also include policy statements on broader issues related to teaching, learning environments and societal issues.

Policy-Making in YAEP

Most YAEP policies are developed by the Executive Committee to assist in the management of the organization. Policies can also be developed and approved by Central Council and by the membership at General Meetings.
The power for the Executive and Central Council to make policies is identified in Section 9 of the *Teaching Professions Act*:

Subject to and in accordance with the bylaws and any resolution of the annual general meeting of the teachers' association, the Central Council, Executive, and Table Officers shall govern, control, and administer the affairs of the teachers association and shall exercise all rights and powers vested in the teacher.

YAEP's bylaws reinforce the investment of powers in the Executive and other bodies. Under the duties and powers of the Executive, it states:

- The Executive shall, subject to the action of the Annual General, or Special General, Meeting of the Association, or a meeting of the Central Council, exercise all the powers of the Association, the direction and supervision of its business, and the conduct of the affairs of the Association.
- The Executive shall attend to the business of the Association between Annual General Meetings, Special General Meetings or meetings of the Central Council.

Under the section outlining the structure and role of the Central Council the bylaws state:

> The Central Council may, both at its own discretion, or at the request of the Executive, consider any question affecting the Association, and direct the Executive accordingly.

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Role of YAEP Members in Policy-Making

Policies can also be passed as resolutions at the General Meetings of the members (see the Resolutions Policy in this manual for more information). Many of the policies in this manual, particularly those found in the Teaching & Employment, Student and Learning Environment and Societal Issues sections, are from resolutions voted on by the membership.

In the event a member has a concern about a policy passed by the Executive or Central Council, the bylaws include a section called “Limitations of Power” which states:

Any policy matter passed by the Executive or Central Council shall be referred to the membership for approval upon petition of twenty percent of the membership. All action on the referred policy shall cease pending the outcome of the referendum.

Policy Committee

The YAEP has a Policy Committee who is charged with making sure this manual is kept up to date, under the direction of the Executive and in consultation with other YAEP committees. The Chair of the committee is elected by the membership and sits on the Executive. Other committee members are also members of the association.

For more information on the policy manual, please contact our office:

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Section I:
Governance and Administration Policies

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: August 25, 2014 (under discussion)

YAEP Membership Duties and Fees

Policy Statement: YAEP Bylaws define membership options in YAEP. The Association recognizes that with the privilege of membership, also comes responsibilities which should be communicated to all members. Membership fees shall be paid to the YAEP according to the category of membership.

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1. Eligibility & Term

a. Eligibility, categories and term of membership are outlined in the YAEP bylaws.

   i. For greater clarity, retired members are eligible for Associate Membership.

b. Non-elected staff may not be Members during their employment with the Association.

2. Rights of Members

In addition to the rights outlined in the YAEP Bylaws, the following rights apply:
All Members:

a. Have the right to examine the conduct of the Association and to make such criticism within the Association, as the facts appear to warrant.

b. May generally attend any open AGM sessions or Central Council, Executive, and Standing Committee meetings.

   i. Because of the delicate and confidential nature of matters dealt with by the Ethics, Professional Relations, and Negotiations Committee, those meetings are not open to all members.

c. Members are allowed, upon request, to make presentations to any committee at a mutually convenient time.

3. Duties of Members

All Members shall:

a. Be aware of and adhere to the Code of Ethics.

b. Lend their support to their professional organization. If views are at variance, members first seek changes from within the organization.

c. Not make individual representation to a government or any of its departments or to any other body, concerning matters that should be dealt with by the Association.

d. Honour commitments made on their behalf when the Association represents them at their request.

e. Respect duly constituted picket lines at their work sites.

f. Not undertake any duties performed by non-YAEP personnel during strike action at educational sites nor will they expect students to perform these duties.

g. Regard as their first duty the effective education of their students and maintain professional competence in their teaching.

h. Recognize the professional responsibility to provide support for and service to the Association at the local and professional levels.

i. Honour commitments made on their behalf by the Association when representation has been requested.

j. Seek the advice of the Association concerning any problem relationship with colleagues that cannot be resolved by personal discussions.

k. Be free to take employment within the various school areas during negotiation and conciliation procedures, except in an area which has been declared by the Yukon Association of Education Professionals to be "in dispute". Members shall not apply for, or accept positions in an area which has been declared to be "in dispute" and, furthermore, all members who have made application shall request the return of their application forthwith. Members who knowingly accept positions may be subject to disciplinary action.

4. Discipline Process

a. In accordance with the requirements of the Teaching Profession Act, the Association must adopt a Code of Ethics that is binding on all members. If a member is concerned that another member has contravened the Code, they may lay a complaint of unprofessional or unethical conduct by contacting, within six months of the events, the YAEP President, Past President or Executive Director (Reviewers).

Detailed procedures of the discipline process can be found in this Manual under "Administration of the Code of Ethics".

5. Membership fees

a. Members pay an annual fee (also called union dues) at the scale established by the membership at the Annual General Meeting. This is deducted from the member's salary and forwarded to the YAEP by the Department of Education.

b. Honoured Individuals do not pay fees.

c. Lifetime Contributors do not pay fees.

d. Members on Education Leave under the Collective Agreement are assessed the current fee automatically.

e. Members on Maternity or Parenthood Leave are assessed the current fee on any top-up received pursuant to Article 22 of the Collective Agreement.

f. Members on Leave Without Pay, for an entire school year, who wish to retain YAEP membership, are assessed a fee of 10% of the maximum allowable fee. Fees are to be paid directly to the Association office.

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DATE APPROVED/AMENDED: June 9, 2014

Central Council

Policy Statement: YAEP's Central Council has been created to allow the membership a voice in decisions that are made during the year. The Central Council representatives are liaisons between the organization and its membership.

1. Composition and Election

a. The composition of Central Council members (also known as YAEP Representatives) are outlined in the Bylaws of YAEP.

b. The regular election of YAEP Staff Representatives is to be held at the first staff meeting of the school year, and the YAEP office to be informed as early as possible.

c. Incumbent representatives shall remain in their positions until new representatives are elected in the following school year.

2. Duties of YAEP Representatives

YAEP Representatives shall:

a. Act as a liaison between members in their respective schools or areas and the YAEP Executive.

b. Attend Council Meetings called by the Executive.

c. Convene a meeting of the members whom they represent to hear views on the proposed Central Council Meeting agenda which shall be mailed or communicated at least one week before the Council Meeting is to be held.

d. Receive and distribute information from the YAEP office.

e. Conduct polls and surveys of members as requested by the Executive.

f. Be available to members requiring assistance with YAEP matters.

g. Be a member of the Professional Relations Committee when necessary.

h. Submit bills incurred for YAEP business monthly to the YAEP office.

3. Frequency of meetings

a. Central Council Meetings shall be held at least twice during the school year at the discretion of the Executive. Special meetings of the Central Council may be called as outlined in the Bylaws.

b. At least two weeks notice with agenda should be given all council members.

4. Quorum

a. The quorum for Central Council Meetings shall be a majority of the members of the Central Council.

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5. **Motions**

   a. Member motions shall be submitted in writing; the only exceptions are motions to amend or accept the agenda or to amend or accept the minutes of the last meeting.

6. **Voting**

   a. Staff Representatives and members of the Executive shall have the right to vote at Central Council Meetings.

   b. Staff representatives shall vote as directed by the majority of persons they represent.

   c. Rules governing the voting by alternates are outlined in the YAEP Bylaws.

7. **Reporting**

   a. Minutes are recorded, transcribed, and presented for approval at the next Central Council meeting. When approved, the minutes are posted on the YAEP web site.

   b. Central Council representatives provide a report of the meeting to the school/work site he/she represents.

8. **Training**

   a. The YAEP should provide specific training opportunities annually for YAEP representatives.

9. **Expenses**

   a. Central Council members are entitled to expenses as outlined in the YAEP Bylaws.

   b. Approved claims will be paid according to the YAEP Travel Rates Policy.

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DATE APPROVED/AMENDED: AGM April 2017

Executive Committee

Policy Statement: The Executive Committee attends to the business of the Association between Annual General Meetings, Special General Meetings or meetings of the Central Council as outlined in the YAEP Bylaws.

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1. Composition and Election

a. The composition and election of the Council is set out in the YAEP Bylaws.

b. The process for filling vacancies is set out in the YAEP Bylaws.

2. Duties of the Executive

In addition to the duties and powers outlined in the Bylaws:

a. The Executive shall have the power to appoint, set the remuneration of, and dismiss non-elected staff.

b. The Executive shall appoint, as required, a hiring committee to advise on the hiring of non-elected staff.

c. In addition to committees identified in the YAEP Bylaws, the Executive may appoint committees to carry on the activities of the Association. The powers and duties of these committees shall be approved by the Executive.

d. The Executive may give approval to the formation of groups of members working on professionally related topics. These specialist groups are accountable for their actions to the Executive.

e. The Executive shall each year designate at least one non-elected staff member to receive initial Ethics complaints.

3. Meetings

a. Executive meetings are held on a bi-weekly basis.

b. An Executive Meeting may be called by any five Executive members. Except in cases of emergency, at least twenty-four hours notice should be given.

c. Executive meetings involve only the members of the Executive, although any YAEP member may attend open sessions as an observer.

4. Executive member expenses

a. Executive Council members are entitled to expenses as outlined in the YAEP Bylaws.

b. Expenses will be paid according to the YAEP Travel Rates Policy.

5. Quorum

a. The quorum for an Executive meeting is outlined in the YAEP Bylaws.

6. Reporting

a. The Executive shall keep the membership informed of Executive business by issuing Executive Minutes and Treasurer's Reports.

b. Information discussed at Executive meeting be made available to the membership except matters related to professional relations, ethics and/or legal matters involving individual members.

c. Any news release or statement made by the YAEP Executive on behalf of the membership be made available immediately to each school in Yukon.

7. Training

The YAEP shall provide training to Executive Committee members on an annual basis and that training shall include but not be limited to the following topics: report writing, investigations, administrative fairness, fiduciary responsibility of directors and workplace health and safety duties and obligations.

8. Duties of Officers

Duties of the President, Vice-President, Past President, Treasurer, and Professional Development Chair are outlined in the Bylaws of YAEP.

Role of President

The President is the sole, elected, full-time representative position, with responsibility for and the duty to: support and promote member mandates; advance YAEP objectives defined by Section 3 of the *Teaching Profession Act*; exercise general supervision over the affairs of the YAEP; and including the following:

a. YAEP Representation and Business

i. Act as YAEP's, and its members, official spokesperson, and media contact, including by way of official YAEP correspondence.
ii. Manage and lead YAEP response to priority Department of Education and emerging/PSC Employer Issues.
iii. Prepare for, consistently attend and Chair monthly "E-1" meetings with the Department of Education and "Joint Consultation" meetings with the Public Service Commission.
iv. Develop outreach initiatives to government, community organizations, teacher associations in other jurisdictions and other organizations as requested by the Executive Committee.
v. Representing YAEP by regular attendance at (and Chairing) Collective Agreement based Committees including by undertaking research and the formulation of YAEP positions, agendas, and initiatives.
vi. Act as YAEP's principle representative, including at official and public events, relevant to Government initiatives, YAEP agendas and member interests.
vii. Except for the ethics and nominations committees, act as an ex-officio member of all YAEP committees and sub-associations. This includes attending the Finance Committee meetings and, with other staff, support for the Professional Development,

Policy, Employment Relations, Membership and Public Relations Committee and sub-association meetings.

viii. In accordance with YAEP policy and as required, assist, supervise, and/or direct the Executive Director in the engagement of legal counsel when securing legal representation for members with respect to their conditions of employment.

ix. Support and participate in collective bargaining preparations and negotiations along with the Executive Director, Employment Relations Advisors, and the Negotiations Committee in their development of a mandate and bargaining proposals. Assist the Bargaining Team with negotiations and timely bargaining related communication to the membership.

x. Oversee and ensure member, and YAEP compliance, with YAEP policy and procedure.

xi. Facilitate YAEP business, communication, and membership engagement including by travelling to and attending rural and urban Yukon schools, as needed.

b. Executive Committee, Annual General Meeting (AGM) and Central Council Meetings

i. Table agenda items for meetings to enable members to reasonably consider priority Education Department issues, emerging /PSC Employer issues and/or professional issues.

ii. Secure and ensure that there is a Chairman to preside over the Annual General, Central Council, Executive, and Special General Meetings.

iii. Present to the membership at each AGM and each Central Council meeting a comprehensive report of the on-going activities and issues relevant to the YAEP membership.

iv. Attend bi-monthly Executive Committee meetings and provide a comprehensive report of the day to day and on-going activities and issues relevant to the YAEP.

c. Affiliates and Canadian Teachers' Federation (CTF)

i. Act as the YAEP representative and advocate of Yukon and Canadian education issues as an official Board Member of the CTF.

ii. Attending quarterly/half yearly CTF Board of Directors meetings and provide a comprehensive report of the quarterly activities and issues relevant to the YAEP.

iii. Act as liaison and contact with affiliate provincial/territorial teacher associations.

iv. Regular attendance and travel to interprovincial affiliate meetings, events, and training functions.

d. YAEP Operations

i. Assist and direct the Executive Director in their day-to-day supervision of YAEP staff including the Office Manager, Employment Relations Advisors, and the Bookkeeper.

ii. Assist the Finance Committee with preparation of annual operating budget including staffing, capital improvement, program, standing committee financial requirements and sub-association funding requests.

iii. Act as the legal custodian of the property of YAEP, including taking all reasonable steps necessary to properly maintain and protect the operational infrastructure, and assets, of YAEP.

iv. Ensure maintenance of, and oversee, all archiving and record needs of the YAEP, and ensure a record of all meetings, general or otherwise, of the YAEP and its Executive are prepared and preserved.

e. Essential Knowledge

i. General knowledge and understanding of the Education Act, Teaching Professions Act and Education Labour Relations Act.
ii. Sound knowledge and understanding of YAEP/YG Collective Agreement, YAEP's bylaws, Policy and Procedures Manual and Code of Ethics.

Role of Professional Development Chair

a. The Professional Development Chair is the YAEP's elected, full-time representative position, with responsibility for and the duty to:

i. effectively administer the Collective Agreement Professional Development fund in a transparent, equitable and fiscally responsible manner;
ii. advance YAEP objectives defined by Section 3 of the Teaching Profession Act;
iii. ensure that YAEP manages and administers the Professional Development Fund as though it were a Trust Fund;
iv. promote to YAEP members and schools, the value of Professional Development ("PD") and available opportunities for self-directed PD; and,
v. adhere to all YAEP by-law, policy and manual requirements.

b. Professional Development Chair shall:

i. attend the YAEP office during regular open office hours;
ii. attend all meetings and be a member of the Executive Committee and Finance Committee;
iii. develop and deliver local professional development opportunities as directed by the Membership;
iv. coordinate Yukon PD events and PD Programs which reflect the desires and needs of educators including engaging independent contractors as needed;
v. ensure there is a clear and accessible PD application process in place and timely payment of approved expenses from the PD Fund;
vi. ensure a record is kept of all monies received, allocated and disbursed for PD;
vii. prepare a financial report, at least bi-monthly, of all monies received and expended for PD Fund;
viii. submit a written monthly report on the activities of the PD Chair, Committee, events and programs to the Executive, and to each meeting of the Central Council and the Annual General Meeting;
ix. develop and circulate a yearly survey to the membership to identify PD needs and desires;
x. advise the Negotiations Committee on PD related issues;
xi. implement, and draft as needed, PD related policies;
xii. prepare and present a plan each Spring indicating PD priorities and proposed activities for the forthcoming year to AGM for approval, including a budget of anticipated PD revenues and expenditures for the forthcoming year;

xiii. in collaboration with the President and Executive Director, supervise the PD Clerk's operational work including Teacher on Call billing; and,
xiv. present to AGM a review of the previous year's professional development activities including a cumulative breakdown of membership participation in each of the categories in the committee's budget.

c. Regarding the PD Committee, the Professional Development Chair shall:

i. subject to approval of the Executive, recruit, by way of member call-out, and orientate committee members;
ii. ensure there is an adequate number of members to conduct the business of the committee;
iii. call and chair meetings and meet at least twice a month during the school year, unless otherwise delegated, and develop meeting agendas;
iv. prepare and maintain a record, in the form of minutes, of decisions and a summary of business conducted;
v. liaise with Yukon Education on YAEP PD matters;
vi. convene and chair the YAEP Territory-Wide Conference Committee;
vii. ensure the terms of reference of the PD Committee are reviewed by Executive in even numbered years;
viii. be responsible for defining procedures, beyond those already outlined in policy and procedure;
ix. be the liaison between the Committee and the Executive and will:

(1) provide drafts of any recommended policy changes to the Chair of the Policy Committee and report procedural changes to Executive Committee and membership in a timely fashion; and,
(2) distribute information about PD activities and prepare reports as needed.

d. Regarding the Joint Trust Fund Management (JTFM) Committee, the Professional Development Chair shall:

i. represent the YAEP PD Committee on the JTFM Committee;
ii. prepare a written annual report for the JTFM Committee; and,
iii. present to the JTFM Committee for approval the PD priorities and proposed activities for the forthcoming year as proposed and approved by the AGM.

e. Essential Knowledge

i. Excellent knowledge and understanding of financial management practices and the responsibilities and duties of a trustee administering a trust.
ii. Excellent knowledge and understanding of the Education Act, Teaching Professions Act and Education Labour Relations Act.
iii. Excellent knowledge and understanding of YAEP/YG Collective Agreement, YAEP's bylaws, Policy and Procedures Manual and Code of Ethics.

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DATE APPROVED/AMENDED: December 12, 2022 YAEP Executive

Declarations of Executive Vacancies for Gross Misconduct

Policy Statement: Pursuant to Bylaw 8.5.a.iv, the Executive has the power to declare an elected position vacant on the basis that an individual has engaged in gross misconduct that is incompatible with continuing to hold office in the Association. In the event that this power must be exercised, the Executive will provide reasonable notice of a vote pursuant to Bylaw 8.5.a.iv to the individual at risk of losing their elected position. The Executive will also particularize the allegation/s of gross misconduct and disclose all relevant evidence and information to the individual, who will have the opportunity to provide submissions prior to the vote.

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1. Definitions

a. For the purpose of this policy:

   i. “Individual” means the person alleged to engage in gross misconduct within the meaning of Bylaw 8.5.a.iv.
   ii. “Executive” means all other members of the Executive Committee, unless otherwise indicated.

2. Gross Misconduct

a. The Executive has the authority to decide whether an “individual has engaged in gross misconduct of a kind that is wholly incompatible with continuing to hold office in the Association” such that the matter should be put to a vote of all members of the Executive under Bylaw 8.5.a.iv.

b. Unless the circumstances are such that disclosing to the Individual that they are under review would compromise any investigation into whether gross misconduct has occurred, the Executive shall provide notice in writing to any Individual who is suspected or alleged to have engaged in gross misconduct. Such notice shall include particulars of the alleged misconduct and advise that a threshold determination will be made as to whether the matter should be put to a vote of the Executive.

c. In making that threshold determination, the Executive has the discretion to consider whatever evidence or information it deems relevant and may conduct an investigation. Relevant evidence can include, but is not limited to, emails, interviews, statements, documents, reports, and photographs.

d. When notice has been given that an Individual’s conduct is under review, a threshold determination shall be made within 30 days of such notice, unless the Executive determines that this timeline must be varied in a particular case.

e. Examples of “gross misconduct of a kind that is wholly incompatible with continuing to hold office in the Association” include, but are not limited to, the following:

   i. Conduct that would make continuing in the position intolerable.
   ii. Conduct that is incompatible with the Individual’s duty or duties to the YAEP.
   iii. Conduct that is a marked departure from the standards by which a reasonable and competent YAEP officer would conduct themselves.

iv. Refusing to fulfill the main or central responsibilities of the position without reasonable justification.
v. Providing unlawful ultimatums or attempting to blackmail the YAEP.
vi. Making disparaging or untrue comments about the YAEP (whether in person or online) that could reasonably damage the YAEP's reputation.
vii. Refusing to take reasonable and/or necessary direction from the Executive.
viii. Being convicted of offences involving violence, sex, dishonesty, minors, or abuse of a position of authority.

3. Notice of the Vote

a. If the Executive decides to proceed to a vote under Bylaw 8.5.a.iv, the Executive must provide notice to the Individual.

b. The notice must particularize the allegations of gross misconduct and include copies of any evidence and information in the Executive's possession relevant to those allegations (the "Notice of Vote").

c. The Notice of Vote will include the date of the vote, which shall not be less than 14 days and not more than 30 days from the date of the Notice of Vote.

d. The Notice of Vote shall advise the Individual that they may provide the Executive with submissions in writing and any additional information for the Executive to consider no later than 7 days prior to the date of the vote.

e. The Executive, on its own initiative or at the request of the Individual, may amend these dates where it determines it is reasonably necessary.

f. In all cases, the Executive will act reasonably and with regard for the principles of procedural fairness, while maintaining the objective of providing a timely decision.

4. Submissions

a. The Individual shall have an adequate opportunity to respond to the Notice of Vote in writing, and to any subsequent evidence or information the Executive may consider when voting.

b. Although the Individual has the right to provide submissions, the Individual is not required to do so.

c. The Individual has the right to respond to the allegations and participate in the proceeding through a representative.

5. The Vote

a. Prior to the vote, the Executive will ensure that all Executive members have received the Notice of Vote, any relevant subsequent evidence or information, and any submissions from the Individual.

b. The Executive will stipulate that the information is confidential and disclosed only for the purpose of the vote.

c. When it is necessary to ensure a fair decision, the Executive may postpone the vote or make any other procedural changes as are determined to be necessary in the circumstances.

d. The Executive members will cast their votes by way of secret ballot.

e. The Executive will ensure that accurate minutes of the proceedings are recorded.

f. The Executive will notify the Individual and all Executive members of the outcome of the vote as soon as possible.

g. If 75% of all members of the Executive vote to declare the Individual's position vacant, the Executive shall, within 14 days of the vote, provide a letter to the Individual summarizing the evidence which established each instance of gross misconduct, the minutes from the proceeding, and information regarding how to appeal the declaration of Executive vacancy.

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DATE APPROVED/AMENDED: December 12, 2022 YAEP Executive

Appealing Declarations of Executive Vacancies for Gross Misconduct

Policy Statement: A declaration by the Executive Committee made pursuant to Bylaw 8.5.a.iv that a position is deemed vacant due to "gross misconduct" (the "Declaration") may be appealed to the Central Council. The Central Council applies a standard of reasonableness to the Declaration and bases its judgment on the information available to the Executive at the time of the Declaration. The Central Council decides the appeal by way of majority secret ballot and may either affirm or reverse the Declaration.

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1. Standard of Review

a. The individual appealing the Declaration (the "Appellant") bears the onus of establishing, on a balance of probabilities, that the Declaration was unreasonable based on the information and evidence before the Executive Committee at the time the Declaration was made.

b. The Central Council shall review the Executive's decision letter particularizing the gross misconduct ("the Decision Letter") to determine if it is based on internally coherent reasoning, and whether the Declaration is reasonably justified in relation to the relevant facts, evidence, policies, Bylaws, and submissions.

c. The Central Council will not conduct a fresh hearing of the evidence or receive new evidence. The decision of the Central Council will be based on the information and evidence that was before the Executive at the time the vote occurred, and any submissions on appeal relating thereto.

d. The Central Council shall not re-hear, reconsider, or vary any of the specific findings related to the Declaration under appeal. Rather, the Central Council will either affirm or reverse the Declaration, by a majority secret vote.

e. To ensure procedural fairness and impartial decision making, the Executive may only participate in the appeal as a party (the "Respondent") and members of the Executive Committee shall not vote in the appeal.

2. Appeal Notice

a. A Declaration can only be appealed by the individual about whom the Declaration was made. That person may act through an authorized representative if they choose to do so.

b. To appeal the Declaration, the Appellant must provide a written Appeal Notice to the President by email no later than 30 days after receiving the Decision Letter, unless the Appellant has received an extension of that deadline from the President.

c. The Appeal Notice should identify and explain the reasons why the Appellant believes the Declaration was not reasonable. The Appeal Notice should only address the reasons in the Decision Letter, the evidence, information, or issues that were before the Executive when the Declaration was made, and/or procedural issues relating to the Declaration.

3. Submissions

a. After receiving the Appeal Notice, the President shall arrange for the appeal to be considered and decided at the next scheduled meeting of the Central Council, or shall call a special meeting of the Central Council to consider the appeal.

b. Both the Executive and the Appellant have the right to provide an appeal submission in writing but are not required to, and may provide submissions through a Representative. The Executive shall provide any submission in response to the Appeal Notice within 14 days of the President receiving the Appeal Notice. The Appellant shall provide any reply submission, which must be sent to the President, within 14 days of receiving any submission on behalf of the Executive.

c. The submissions should only address evidence, information, or issues that were before the Executive when the Declaration was made, and/or procedural issues relating to the Declaration.

4. Scheduling the Appeal Hearing

a. The President will issue a notice to the Appellant, the members of the Executive, and Central Council representatives of the Appeal Hearing date.

b. The representatives of the Central Council shall be asked to confirm their attendance and their intention to participate in the appeal. Information regarding the appeal will only be shared with the Central Council representatives who confirm their attendance and intention to participate in the appeal.

5. The Appeal Package

a. Once the written submissions are complete, the President will distribute an Appeal Package to the Parties and the Central Council representatives who have confirmed their attendance at and participation in the Appeal Hearing, along with an agenda for the Appeal Hearing. The President will stipulate that the information is confidential and can only be used for the purpose of the appeal.

b. The Appeal Package will consist of the materials the Central Council will use to decide the appeal and shall include:

   i. The record of the Executive proceedings relating to the Declaration, including: the Notice of Vote; all information and evidence that the Executive relied on for the vote; any submissions provided for the vote; the minutes from the vote; and the Decision Letter.
   ii. All written submissions from the Parties for the appeal.

c. The participating representatives of the Central Council will be asked to review the Appeal Package in advance of the Appeal Hearing and will be directed not to consider information or evidence that is beyond the scope of the appeal. If the scope of a Party's submission creates a concern that it will be difficult for the Central Council to decide the appeal within its scope in a fair and orderly way, the submission may be referred to the Ethics chair, who may redact portions or ask the Party to revise the submission before the appeal proceeds.

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6. The Appeal Hearing

a. A Central Council representative may be designated by the Central Council to oversee the Appeal Hearing or the Central Council may hire a third party for that purpose who is trained in Robert's Rules of Order.

b. During the Appeal Hearing, both the Appellant and a designated member of the Executive or their Representatives have the right to attend and provide oral submissions. The Appellant will have the right to provide an oral reply. Oral submissions that refer to evidence or issues beyond the scope of the appeal may be interrupted or concluded by the designated person overseeing the Appeal Hearing.

c. The amount of time allowed for oral submissions will be decided in advance and included in the agenda for the Appeal Hearing.

d. Following the conclusion of the oral submissions, the Central Council representatives will have fifteen (15) minutes to individually consider the evidence and submissions and decide their vote, or such other time as the person presiding over the Appeal Hearing may allow.

e. The Central Council representatives will then vote by secret ballot whether to affirm or reverse the Declaration.

f. Central Council representatives who were not present during oral submissions, or who had not reviewed the Appeal Package, are prohibited from voting.

g. The outcome of the Central Council's vote is final and binding on the Parties.

h. The Central Council shall provide the results of the vote to the Parties in writing as soon as practicable.

YAEP Committees

Policy Statement: YAEP shall develop categories of committees and ensure each has current Terms of Reference.

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1. Committee categories

a. There are four categories of committees: Standing, Executive, Appointed and Elected.

   i. Standing Committees are ongoing committees and are identified in YAEP Bylaws. Their chairs are elected at the AGM and form part of the Executive Committee.
   ii. Executive Committees consist of Executive members and others. They may be formed and dissolved by the Executive.
   iii. Appointed Committees are established for specific, often time-limited purposes by any of the YAEP governing bodies. As noted in the YAEP Bylaws, the Executive appoints the Chairperson of the Appointed Committee, and the membership of Appointed Committees is approved by the Executive.
   iv. Elected Committees are elected, in whole, by the membership of YAEP.

2. Current committees

a. The Standing Committees of the Yukon Association of Education Professionals are:

   i. Policy
   ii. Employment Relations
   iii. Membership
   iv. Professional Development
   v. Public Relations
   vi. Finance

b. The Executive Committees consist of Executive members and others. The current Executive Committee of the Yukon Association of Education Professionals is:

   i. Professional Relations

c. The regularly Appointed Committees of the Yukon Association of Education Professionals include:

   i. Conference
   ii. Negotiations
   iii. Nominations

d. The Elected Committees are:

   i. Ethics

3. Training of Committee members

a. Annually the Executive shall consider support for training needs of committee members for any standing, appointed or elected committee.

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4. Terms of Reference

a. The Executive will approve Terms of Reference for each committee.

b. These Terms of Reference should include the following:

i. Purpose/Mandate of Committee
ii. Membership & Composition
iii. Duties of Committee
iv. Duties of Chair
v. Term of membership
vi. Authority and Scope
vii. Meeting Procedures
viii. Record of Meetings
ix. Reporting & accountability
x. Review and approval

c. Short-term working groups do not require Terms of Reference to be developed.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 12, 2014

Terms of Reference: Policy Committee

1. Purpose/Mandate of Committee

a. To oversee and provide advice on changes to, and the implementation of, the bylaws and policies governing YAEP, with a focus on ensuring consistency and clarity.

2. Membership & Composition

a. The Chair of the Policy Committee is elected by members at the Annual General Meeting as per YAEP bylaws;

b. Committee members shall be chosen by the chairperson of the committee, subject to approval by the Executive;

c. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws.

3. Duties of Committee

a. To ensure the development and updating of the documents and processes governing YAEP, such as: bylaws, resolution development, policy development, and standing rules for General Meetings;

b. To assist and advise the Association in developing policies, procedures or guidelines;

c. To review existing bylaws and policies of the Association, according to timelines set out in said rule, and to bring forward to the appropriate body those bylaws and policies which require revision or deletion;

d. To implement the resolution and policy development process, as defined in the bylaws and policies, including, but not limited to:

   i. Reviewing resolutions submitted for Annual and special General Meetings, and Central Council, including recommending revisions or alternate approaches that would help ensure the consistency and clarity of YAEP policy;
   ii. Overseeing a fair and efficient resolution process for General Meetings and Central Council;
   iii. Ensuring that YAEP adheres to its bylaws and policies;
   iv. Facilitating member understanding of the resolution and policy development process;

e. To ensure the policy manual(s) is (are) updated in a timely manner to reflect changes in bylaws, policy and procedures

f. To ensure that up-to-date policy manuals are accessible to all members.

4. Duties of Chair

a. To recruit committee members, subject to approval of the Executive, ensuring there is an adequate number of members to conduct the business of the committee;

b. To ensure the orientation of members;

c. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

d. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

e. To be the liaison between the Committee and the Executive;

5. Term of Membership

a. The Committee shall dissolve on June 30th or upon resignation of the Committee Chair as per the YAEP bylaws.

6. Authority or Scope

a. All committees are responsible to the Executive, Central Council and the AGM;

b. Unless otherwise defined in the bylaws and policies of the Association, the Policy committee is an advisory body of the Association that advises other bodies of the Association on bylaw, policy and procedure development;

c. The Committee is responsible for defining its own procedures;

d. The Committee cannot approve bylaw or policy changes but may make editorial revisions to the policy manual provided these revisions do not change the intent of the policy.

7. Meetings

a. The committee shall meet frequently enough to meet its obligations;

b. Meetings of the Committee are open to the membership;

c. Decisions of the committee will be made by the majority of members present at a meeting but must, at minimum, include the Chair and one other member;

d. Quorum is considered to be the Chair and at least one other member of the Committee.

8. Record of Meetings

a. A record of decisions and a summary of business conducted shall be kept in the form of minutes and submitted to the YAEP office.

9. Reporting & accountability

a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and to the Annual General Meeting;

b. Committee reports to Central Council and AGM shall be submitted to the YAEP office two weeks in advance of the respective meeting.

10. Review and approval

a. These terms of reference will be reviewed by Executive in odd numbered years.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: January 12, 2015

Terms of Reference: Employment Relations Committee

1. Purpose/Mandate of Committee

a. To monitor all issues related to the working conditions of Yukon educators and advise YAEP Executive and/or staff on matters of employment relations.

2. Membership & Composition

a. The Chair of the Employment Relations Committee is elected by members at the Annual General Meeting as per YAEP bylaws;

b. Committee members shall be chosen by the chairperson of the committee, subject to approval by the Executive;

c. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws.

3. Duties of Committee

a. To monitor working conditions that are now affecting, and are likely to affect, Yukon educators;

b. To monitor the implementation of the Collective Agreement;

c. To advise the Executive on matters of employment relations and follow-up as directed;

d. To assist YAEP staff in managing grievances, when requested to do so;

e. To ensure training of YAEP members in the collective bargaining process;

f. To review policies in the Teaching & Employment Conditions Policies section of the YAEP policy manual and ensure they are up to date;

g. To draft policies as needed.

4. Duties of Chair

a. To recruit committee members, subject to approval of the Executive, ensuring there is an adequate number of members to conduct the business of the committee;

b. To ensure the orientation of committee members;

c. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

d. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

e. To be the liaison between the Committee and the Executive;

f. To provide drafts of any recommended policy changes to the Chair of the Policy Committee.

5. Term of membership

a. The Committee shall dissolve on June 30th or upon resignation of the Committee Chair as per the YAEP bylaws.

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6. **Authority or Scope**
   a. All committees are responsible to the Executive, Central Council and the AGM;
   b. This committee is not a decision-making body, unless otherwise defined in the Bylaws or policies of the Association;
   c. The Committee is responsible for defining its own procedures.

7. **Meetings**
   a. The committee shall meet frequently enough to meet its obligations;
   b. Meetings of the Committee are open to the membership;
   c. Decisions of the committee will be made by the majority of members present at a meeting but must, at minimum, include the Chair and one other member;
   d. Quorum is considered to be the Chair and at least one other member of the Committee.

8. **Record of Meetings**
   a. A record of decisions and a summary of business conducted shall be kept in the form of minutes and submitted to the YAEP office.

9. **Reporting & accountability**
   a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and to the Annual General Meeting;
   b. Committee reports to Central Council and AGM shall be submitted to the YAEP office two weeks in advance of the respective meeting.

10. **Review and approval**
    a. These terms of reference will be reviewed by Executive in odd numbered years.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: DRAFT

(awaiting Policy Committee review, then Executive approval)

Terms of Reference: Membership Committee

1. Purpose/Mandate of Committee

a. To provide services to YAEP's membership including (but not limited to) the selection of candidates for awards, scholarships, Lifetime Contributors and Honoured Individuals.

b. To help ensure that YAEP communicates effectively with its members.

2. Membership & Composition

a. The Chair of the Membership Committee is elected by members at the Annual General Meeting as per YAEP bylaws;

b. Committee members shall be chosen by the chairperson of the committee, subject to approval by the Executive;

c. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws.

3. Duties of Committee

a. After each AGM, to review the YAEP Membership Booklet and update as needed before the fall Central Council meeting;

b. To ensure that the most recent version of the Membership Booklet is available on the YAEP website and in each school as a hard copy;

c. To advise YAEP on how its communications to members can be improved;

d. As defined in YAEP bylaws, identify and select candidates for Lifetime Contributor to the YAEP and forward to Central Council for approval.

e. To receive and review written nominations for Honoured Individuals and forward to Central Council or AGM for approval, as per YAEP bylaws.

f. To annually oversee the nomination and anticipated awards process for the Alice Elson Award, ensuring it is conducted according to procedures outlined in the Members' Booklet. The committee shall recommend recipients to the YAEP Executive.

g. To oversee the application process for all YAEP post-secondary scholarship funds, ensuring there is adequate promotion of the scholarships, and the application process is clear and appropriate, and to review applications, select award winners and ensure scholarships are disbursed as intended.

h. To recommend to the President three people to sit on the Joint Education Leave Committee, one of whom shall be the Chair of the Membership Committee;

i. To recommend candidates for Project Overseas to the Executive;

j. To recruit a Chair for the YAEP Nominations Committee and recommend their appointment to the YAEP Executive;

k. To recruit volunteers from the YAEP membership for YAEP events, including the registration table at YAEP General Meetings and scrutineers for elections;

l. To review YAEP bylaws and policies on membership and recommend changes as needed;

m. To draft policies as needed.

4. Duties of Chair

a. To recruit committee members, subject to approval of the Executive, ensuring there is an adequate number of members to conduct the business of the committee;

b. To ensure the orientation of members;

c. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

d. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

e. To be the liaison between the Committee and the Executive;

f. To provide drafts of any recommended policy changes to the Chair of the Policy Committee;

g. To sit on the Joint Education Leave Committee.

5. Term of membership

a. The Committee shall dissolve on June 30th or upon resignation of the Committee Chair as per the YAEP bylaws.

6. Authority or Scope

a. All committees are responsible to the Executive, Central Council and the AGM;

b. This committee is not a decision-making body, unless otherwise defined in the Bylaws or policies of the Association;

c. The Committee is responsible for defining its own procedures;

d. The Committee has authority to award all YAEP post-secondary scholarships but may only make recommendations recipients for Lifetime Contributors, Honoured Individuals and for the Alice Elston Award.

7. Meetings

a. The committee shall meet frequently enough to meet its obligations;

b. Meetings of the Committee are open to the membership;

c. Decisions of the committee will be made by the majority of members present at a meeting but must, at minimum, include the Chair and one other member;

d. Quorum is considered to be the Chair and at least one other member of the Committee.

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8. Record of Meetings

a. A record of decisions and a summary of business conducted shall be kept in the form of minutes and submitted to the YAEP office.

9. Reporting & accountability

a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and to the Annual General Meeting

b. Committee reports to Central Council and AGM shall be submitted to the YAEP office two weeks in advance of the respective meeting.

10. Review and approval

a. These terms of reference will be reviewed by Executive in even numbered years.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 12, 2014

Terms of Reference: Public Relations Committee

1. Purpose/Mandate of Committee

a. To develop and promote strategies that inform the public of issues of concern to the Yukon Association of Education Professionals.

2. Membership & Composition

a. The Chair of the Public Relations Committee is elected by members at the Annual General Meeting as per YAEP bylaws;

b. Committee members shall be chosen by the chairperson of the committee, subject to approval by the Executive;

c. The YAEP Vice-President serves on this Committee as defined in the YAEP bylaws;

d. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws.

3. Duties of Committee

a. To develop strategies for informing the Yukon public of the YAEP's position on a variety of issues of concern to the YAEP as directed by the YAEP President, Executive, Central Council and Annual General Meeting;

b. To assist in the development of press releases, advertisements, and other media communications to inform the public of YAEP's stand on the above issues;

c. To develop strategies for informing the Yukon public of the positive things being done by YAEP members in Yukon schools and communities;

d. To have all strategies and media communications signed by the YAEP President prior to circulation to ensure that the public and media do not become confused about the person who is the Official Spokesperson for the YAEP;

e. To draft policies as needed.

4. Duties of Chair

a. To recruit committee members, subject to approval of the Executive, ensuring there is an adequate number of members to conduct the business of the committee;

b. To ensure the orientation of members;

c. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

d. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

e. To be the liaison between the Committee and the Executive;

f. To provide drafts of any recommended policy changes to the Chair of the Policy Committee.

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5. **Term of membership**
   a. The Committee shall dissolve on June 30th or upon resignation of the Committee Chair as per the YAEP bylaws.

6. **Authority or Scope**
   a. All committees are responsible to the Executive, Central Council and the AGM;
   b. All public communications of the Public Relations Committee must be authorized by the YAEP President prior to circulation.

7. **Meetings**
   a. The committee shall meet frequently enough to meet its obligations;
   b. Meetings of the Committee are open to the membership;
   c. Decisions of the committee will be made by the majority of members present at a meeting but must, at minimum, include the Chair and one other member;
   d. Quorum is considered to be the Chair and at least one other member of the Committee.

8. **Record of Meetings**
   a. A record of decisions and a summary of business conducted shall be kept in the form of minutes and submitted to the YAEP office.

9. **Reporting & accountability**
   a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and the Annual General Meeting;
   b. Committee reports to Central Council and AGM shall be submitted to the YAEP office two weeks in advance of the respective meeting.

10. **Review and approval**
    a. These terms of reference will be reviewed by Executive in even numbered years.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 12, 2014

Terms of Reference: Professional Development Committee

1. Purpose/Mandate of Committee

a. To develop and deliver local professional development (PD) opportunities as directed by Membership;

b. To promote to YAEP members the value of PD;

c. To promote to YAEP members available opportunities for self-directed PD;

d. To effectively administer the PD fund in a transparent, equitable and fiscally responsible manner.

2. Membership & Composition

a. The Chair of the PD Committee is elected by members at the Annual General Meeting as per YAEP bylaws;

b. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws;

c. Yukon Education is granted one seat on the Committee in accordance with the Collective Agreement;

d. Committee members shall be chosen by the chairperson of the committee, subject to approval by the Executive.

3. Duties of Committee

a. To coordinate YAEP PD programs;

b. To promote the PD fund to members and schools and ensure there is a clear and accessible application process in place;

c. To coordinate Yukon PD events which reflect the desires and needs of educators;

d. To ensure a record is kept of all monies received, allocated and disbursed for PD;

e. To ensure the timely payment of approved expenses from the PD Fund;

f. To review a financial report at least bi-monthly of all monies received and expended for PD;

g. To develop a plan for the AGM indicating PD priorities and proposed activities for the forthcoming year;

h. To present a budget of anticipated PD revenues and expenditures for the forthcoming year to the AGM for approval;

i. To develop and circulate a yearly survey to the membership so as to identify PD needs and desires;

j. Individual committee members shall notify other Committee members if there is a conflict of interest with a particular application;

k. To advise the Negotiations Committee on PD related issues;

l. To implement the Professional Development related policies;

m. To draft policies as needed.

4. Duties of Chair

a. To recruit committee members, subject to approval of the Executive, ensuring there is an adequate number of members to conduct the business of the committee;

b. To ensure the orientation of members;

c. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

d. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

e. To present a plan indicating PD priorities and proposed activities for the forthcoming year to AGM for approval and then to the Joint Trust Fund Management Committee for approval;

f. To present to AGM a review of the year's professional development activities including a cumulative breakdown of membership participation in each of the categories in the committee's budget.

g. The Chair shall prepare a written annual report for the Joint Trust Fund Management Committee;

h. To be the liaison between the Committee and the Executive;

i. To provide drafts of any recommended policy changes to the Chair of the Policy Committee;

j. To distribute information about PD activities and prepare reports as needed;

k. To represent the YAEP PD Committee on the Joint Trust Fund Management Committee;

l. To liaise with Yukon Education on YAEP PD matters;

m. To chair the YAEP Territory-Wide Conference Committee.

5. Term of membership

a. The Committee shall dissolve on June 30th as per the YAEP bylaws;

b. The Committee shall dissolve upon resignation of the Committee Chair;

c. At the discretion of the Chair, a recommendation may be made to Executive for the removal of a member if two consecutive meetings are missed.

6. Authority or Scope

a. All committees are responsible to the Executive, Central Council and the AGM;

b. The PD Committee has the authority to approve or reject PD applications and to define application procedures that are consistent with policy;

c. The Committee is responsible for defining its procedures, beyond those outlined in these Terms of Reference, and shall report procedural changes to Executive in a timely fashion;

d. The Committee has the authority to administer its budget, subject to approval by the AGM;

e. On other PD matters, the Committee may provide recommendations to Executive, Central Council, AGM, or other YAEP committees.

7. Meetings

a. The committee shall meet at least twice a month during the school year. Months with extended holidays and June are the exceptions;

b. Discussion of individual applications shall be confidential;

c. Decisions of the committee will be made by the majority of committee members. Voting may occur at meetings and/or by a phone or email poll of committee members.

8. Record of Meetings

a. A record of decisions and a summary of business conducted shall be kept in the form of minutes in the PD office, as well as the YAEP office.

9. Reporting & accountability

a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and the Annual General Meeting;

b. Committee reports to Central Council and AGM shall be submitted to the office two weeks in advance of the respective meeting;

c. The Chair shall prepare a written annual report for the Joint Trust Fund Management Committee.

10. Review and approval

a. These terms of reference will be reviewed by Executive in even numbered years.

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DATE APPROVED/AMENDED: Dec. 8, 2014

Terms of Reference: Finance Committee

1. Purpose/Mandate of Committee

a. To oversee the management of YAEP financial resources;

b. To institute a fair, transparent and fiscally responsible management system for YAEP financial resources.

2. Membership & Composition

a. The Chair of the Finance Committee is the Treasurer who is elected by members at the Annual General Meeting as per YAEP bylaws;

b. The YAEP Vice-President serves on this Committee as defined in the YAEP bylaws;

c. The YAEP President shall be an ex-officio member as defined in the YAEP bylaws;

d. The YAEP Past President serves on this Committee as defined in the YAEP bylaws;

e. In the event that the Vice-President becomes the Acting President, the Executive is empowered to appoint one additional Executive member, for the duration of the Vice President's acting position;

f. Relevant YAEP staff members.

3. Duties of Committee

a. To ensure a record is kept of all monies received and disbursed by the Association;

b. To pay YAEP accounts as approved by the Executive;

c. To submit to the AGM a financial report of all monies received and expended in the previous fiscal year, from the last AGM;

d. To submit to each Central Council Meeting a statement of the fiscal condition of the Association;

e. To develop for approval at AGM, a budget of anticipated revenues and expenditures for the forthcoming year in accordance with YAEP Bylaws;

f. To develop a five year plan;

g. To serve as a Building and Staff Management Committee;

   i. To negotiate terms and conditions of employment with staff and to present to the Executive for approval;
   ii. To prepare a long term plan (3 – 5 years) for the maintenance and repair of the building and its furnishings;
   iii. To provide general guidance for the building's operation including things such as rental and custodial service;
   iv. To direct and evaluate non-elected staff;

h. To review the YAEP Financial Policy and Travel Rates Policy;

i. To develop policies as needed.

4. Duties of Chair (YAEP Treasurer)

a. To ensure the orientation of members;

b. To call and chair meetings, unless otherwise delegated, and develop meeting agendas;

c. To ensure the committee fulfills its duties as outlined in these Terms of Reference;

d. To be the liaison between the Committee and the Executive;

e. To present annually to the AGM, for its approval, a budget of anticipated revenues and expenditures for the forthcoming year in accordance with YAEP Bylaws;

f. To provide drafts of any recommended policy changes to the Chair of the Policy Committee.

5. Term of membership

a. The members of the Committee shall serve for a term of one year commencing July 1st in the year elected as per YAEP bylaws;

6. Authority or Scope

a. In accordance with the YAEP Bylaws, no expenditures in excess of the total approved budget expenditures for each fund (e.g. general fund and professional development fund) shall be made;

b. Reallocation of monies from one line item to another within the same fund may be done with Executive or Central Council approval, in accordance with YAEP Bylaws;

c. In accordance with the YAEP Bylaws, all members shall have the right to examine the financial records of the Association.

7. Meetings

a. The committee shall meet at least once a month during the school year;

b. Quorum shall be the Treasurer plus one elected committee member.

8. Record of Meetings

a. A record of decisions and a summary of business conducted shall be kept in the form of minutes in the PD office, as well as the YAEP office.

9. Reporting & accountability

a. The Chair shall submit a written report monthly to the Executive, and to each meeting of the Central Council and the Annual General Meeting;

b. Committee reports to Central Council and AGM shall be submitted to the YAEP office two weeks in advance of the respective meeting.

10. Review and approval

a. These terms of reference will be reviewed by Executive in odd numbered years.

Terms of Reference: Professional Relations Committee

TO BE DEVELOPED

These Terms of Reference should include the following:

1. Purpose/Mandate of Committee
2. Membership & Composition
3. Duties of Committee
4. Duties of Chair
5. Term of membership
6. Authority or Scope
7. Meetings
8. Record of Meetings
9. Reporting & accountability
10. Review and approval

Terms of Reference: Conference Committee

TO BE DEVELOPED

These Terms of Reference should include the following:

1. Purpose/Mandate of Committee
2. Membership & Composition
3. Duties of Committee
4. Duties of Chair
5. Term of membership
6. Authority or Scope
7. Meetings
8. Record of Meetings
9. Reporting & accountability
10. Review and approval

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DATE APPROVED/AMENDED: Nov. 17, 2014

Terms of Reference: Negotiations Committee

1. Purpose/Mandate of Committee

a. To ensure the negotiation process and ratification of YAEP's Collective Agreement proceeds in accordance with the direction of the Executive and in compliance with the *Education Labour Relations Act.*

2. Membership & Composition

a. Members of the committee are appointed by the Executive.

b. The committee should be reflective of the diversity of the members of the Association but should not exceed 15 voting members.

c. The committee shall include the YAEP President or designate as a voting member.

d. Non-elected staff and non-YAEP members may be appointed as non-voting members of the committee.

e. The Bargaining Team will be appointed by the Executive from the membership of the Negotiating Committee.

f. The Chair may recommend to the Executive the removal of a member who has missed two or more consecutive meetings.

3. Duties of Committee

a. To work on behalf of the YAEP membership.

b. To select a Chair from among its voting membership, subject to approval by the Executive.

c. To ensure input on possible negotiation issues and positions is solicited from YAEP's membership before a negotiations package is completed.

d. To ensure a negotiations package, which reflects the priorities of YAEP's membership, is prepared for ratification by the Executive.

e. To oversee the work of the Bargaining Team, providing strategic direction as needed.

f. To ensure the proposed language of amendments in a negotiated Tentative Agreement is prepared and made available to members during the ratification process.

g. In conjunction with the Executive, to facilitate one or more sessions that allow for discussion of a Tentative Agreement by YAEP members.

h. To oversee the ratification process of the Tentative Agreement.

i. To ensure YAEP policies on bargaining and ratification are kept up to date.

4. Duties of Chair

a. To ensure the orientation of members.

b. To call and chair meetings, unless otherwise delegated, and develop meeting agendas.

c. To ensure the committee fulfills its duties as outlined in these Terms of Reference and operates in a manner consistent with YAEP bylaws and policies.

d. To be the liaison between the Committee and the Executive.

5. Term of membership

a. The committee shall be operational from the date of appointment to the delivery of a final report.

Terms of Reference: Nominations Committee

TO BE DEVELOPED

These Terms of Reference should include the following:

1. Purpose/Mandate of Committee
2. Membership & Composition
3. Duties of Committee
4. Duties of Chair
5. Term of membership
6. Authority or Scope
7. Meetings
8. Record of Meetings
9. Reporting & accountability
10. Review and approval

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: November 19, 2020

Terms of Reference: Ethics Committee

An Ethics Committee of 12 members is elected for a three-year term by the YAEP membership at the Annual General Meeting. If a vacancy occurs, the Central Council can appoint an interim member whose term will go to the next Annual General Meeting or the completion of any hearing that may not be completed by the AGM.

The role of the Committee is to administer the Code of Ethics. This includes regulating its own meetings and hearings, including how questions will be decided and the transaction and management of business and procedure relating to the conduct of its hearings.

The Administration of the Code of Ethics can be found in the policy section and in the Members' Booklet along with the Code of Ethics.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Sub-Associations

1. General Information

a. Formation and basic membership requirements of a sub-Association are outlined in the YAEP bylaws.

b. Recognition of a sub-Association may be withdrawn by the Executive when the sub-Association is no longer active or fulfilling its purpose.

c. Submissions which sub-Associations wish to make to organizations, persons, government departments, or agencies outside the YAEP shall be conducted through the regular channels of the YAEP.

2. Fees

a. The charging of fees, the amount and processing shall be the responsibility of each sub-Association.

b. Where fees are charged, financial statements shall be presented to the sub-association membership.

3. Duties

a. A current copy of the objectives of each recognized YAEP sub-Association shall be filed at the YAEP office.

b. An Executive list shall be included in at least one report to Central Council within the school year.

c. Agendas, minutes, correspondence, reports, presentations, and financial statements where applicable, shall be forwarded to the Executive on a regular basis.

d. Sub-Association reports shall be submitted to at least one Central Council meeting per school year and the AGM. The Executive committee may request a report.

e. The Executive shall be advised of changes in learning or management conditions which affect the objectives of the sub-Association or the YAEP.

f. Upon the request of the AGM, Central Council or Executive, Sub-Associations shall respond to issues concerning their membership.

g. Members' concerns shall be forwarded to the Executive, Central Council, and the AGM.

h. Sub-Associations must hold general meetings to review and approve objectives, elect officers, and establish, when necessary, a membership fee.

4. Responsibilities of YAEP to Sub-Associations

a. The YAEP shall support sub-Associations in their efforts to improve learning conditions.

b. The YAEP will provide publishing and mailing services at cost where volume exceeds normal amounts.

c. The YAEP shall forward correspondence to sub-Associations.

d. Relevant information and publications will be forwarded to the chairpersons of sub-Associations.

e. Filing facilities shall be provided.

f. The YAEP shall distribute Executive minutes to sub-Associations.

g. The YAEP shall solicit the views and concerns of sub-Associations.

h. The YAEP shall represent the views and concerns of sub-Associations to the Minister of Education, the Association of School Councils, the Department of Education and any other groups or agencies.

i. The YAEP shall negotiate on behalf of sub-Associations.

j. Representation on behalf of a sub-Association shall be made by a representative of the sub-Association and the President, or the President alone at the request of the sub-Association.

k. The YAEP shall encourage sub-Associations to implement PD event s for their members.

5. Funding and Reimbursement

a. The process for applying for funding and reimbursement is outlined in the YAEP Financial Policy.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Decision-Making Policy

1. Levels of Authority

a. Decisions made at any level can be overruled only at the same level or a higher level. Levels of authority:

i. AGM or Special General Meeting
ii. Central Council
iii. Executive
iv. Committees and Sub-Associations

[NOTE: This information is excerpted from the old YAEP Regulations. However, a policy of Executive or CC can only be reviewed by AGM if a petition of 20% of members is signed, according to bylaws.]

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Standing Rules for YAEP General Meetings

1. General Information

a. The Annual General Meeting is the major policy-making authority of the Association, in that it decides for or against issues brought before it in the form of resolutions from teachers, committees, sub-Association, the Executive, and Council. The Annual General Meeting involves the entire membership of the Yukon Association of Education Professionals.

2. Standing Rules

a. Right to Attend

   i. All members of the YAEP have the right to attend the meeting.

b. Right to Speak

   i. Except by consent of the meeting only members are entitled to speak.
   ii. The right to speak is on recognition of the Chair and is obtained by standing or raising a hand. The only exception arises with points of privilege and order. Every person shall identify himself or herself when granted recognition by the Chair.
   iii. The Chair shall, in recognizing speakers, have the right to deviate from the order in which persons seek recognition so as to permit a speaker or speakers to present a contrary point of view from that of those who have already spoken.
   iv. No speaker may, without the consent of the meeting, speak more than once or for longer than three minutes on each motion, main or subsidiary. This rule shall not deprive the mover of the right to close debate.
   v. It should be noted that asking and answering questions do not constitute speaking to a motion.
   vi. Questions and answers must be directed through the Chair.

c. Agenda

   i. The preparation of the agenda shall be the responsibility of the President.
   ii. The agenda may contain the hours at which each session shall convene and adjourn and business to be transacted during each session.
   iii. When the agenda is presented to the meeting for adoption, the President or Executive shall recommend additions, if any, to that agenda.
   iv. The Annual General Meeting or Council Meeting shall, from time to time, make rules concerning which of its component parts shall have the right to submit matters for the consideration of the meeting.

d. Motion to Adopt or Amend Standing Rules

   i. Such a motion shall, if required, be the first order of business.

e. Motion to Adopt Agenda

   i. The agenda shall be circulated to the members. On behalf of the Executive there may be a resolution to amend the agenda to add items originating with the Executive or

submitted to the Executive. The content of these items and the proposed time allotment for discussion shall be circulated to the members prior to the motion to amend the agenda.

ii. At subsequent times during the meeting, a motion to add an item to the agenda (except as new business), to delete an item from the agenda or to alter the time of consideration of an item shall be in order, subject to the rules contained herein.

f. Motion to Adopt Minutes

i. There shall be a motion to adopt the minutes of the previous meeting. These minutes shall have been circulated to YAEP members.

g. Motions to Amend the Agenda (Subsequent to its Adoption)

i. Motions to amend the agenda include all alterations to the printed agenda and amendments thereto, adopted in the commencement of the meeting, including:

(1) Time changes to adjourn;
(2) Time changes to convene;
(3) Alterations of time allotted to consider an item;
(4) Motions to reconsider:

(a) reconsiderations of a defeated motion;
(b) proposal to amend a motion already adopted;
(c) a motion to rescind a motion already adopted.

(5) Addition of items to be considered;
(6) Except where it is obviously impossible (such as alteration of time to adjourn the present session or to convene the immediate subsequent session) all motions to amend the agenda, subsequent to its adoption, require notice of motion.

h. Main Motions

i. Main motions must be moved and seconded. It is the primary responsibility of the sponsoring body of a main motion to move and second, but it is the right of any member to move or second any main motion.

ii. Recommendations of YAEP committees take precedence over resolutions from individuals.

i. Substitute Resolutions

i. The meeting may accept a motion to amend the agenda calling for debate at a subsequent session on a resolution.

ii. The normal procedure shall be that such substitute resolutions be prepared in consultation between the sponsor(s) of the main motions and the appropriate committee.

iii. A motion duly moved and seconded becomes the property of the meeting and may not be withdrawn without unanimous consent of the members.

j. Amendments

i. An amendment to be in order may change the wording of the resolution or amendment to which it applies by addition, deletion or substitution of words. The amended resolution must retain the basic intent of the original motion.

k. Subsidiary Motion

i. General Information

(1) No subsidiary motion is in order until after the chair is satisfied that an opportunity has been given to present the affirmative and negative points of view.
(2) No member who has participated in the debate on a main motion or an amendment shall move a subsidiary motion thereto.

ii. Refer Main Motion with or without Amendment

(1) A motion to refer must indicate the body to which the motion is to be referred, may empower action, or may require a report to a subsequent Annual General Meeting, to the Executive or to the Council.

iii. Postpone Main Motion

(1) Postponement to a later session of the meeting can be achieved by a motion to amend the agenda. Postponement to a subsequent Annual General Meeting has the effect of ordering the inclusion of that item on the agenda of the subsequent meeting.

iv. Table Main Motion

(1) A two-thirds majority is required to table main motions.
(2) Any tabled motion may be lifted from the table by motion to amend the agenda. Notice is required that such motion will be presented at a subsequent session. The motion to lift from the table is debatable but non-amendable.

v. Previous Question

(1) The motion to move the previous question takes precedence over all subsidiary motions except to table. The mover must be recognized by the chair. The motion cannot be debated or amended. A two-thirds majority is required.

l. Extraordinary Resolutions

i. Extraordinary resolutions are amendments to the Bylaws. It is recommended that the notice of motion contain the words "with or without amendment" so as to clarify the legal position of the meeting to propose amendments to the material as circulated.

m. Committee of the Whole

i. The meeting may, when considering any item on the agenda, resolve itself into a Committee of the Whole. The procedure is used for two reasons:

(1) The topic is sufficiently complex to warrant interim decisions which will become binding only after passage of a final composite resolution recommended to the meeting by the Committee of the Whole, or;
(2) The matter is a sensitive one and it is the opinion of the meeting that only YAEP members and staff should be in attendance.
(3) Whenever a meeting resolves itself into a Committee of the Whole, observers are requested to leave.

ii. The procedure is for delegates to move and second that the meeting resolve itself into a Committee of the Whole, naming the chairperson of the Committee. After discussion

during which the standing rules may be waived, the Committee of the Whole moves to rise, and report to the meeting. A motion is then placed before the meeting, which repeats the words of the report of the committee. Only the motion carried by the meeting in regular session appears in the minutes.

n. Point of Privilege

   i. The point must concern the welfare or reputation of a member, a group of members or the YAEP as a whole. The Chair is required to rule immediately on the validity of the point. The ruling of the chair is subject to challenge.

o. Point of Order

   i. The point must concern an alleged breach of standing rules and must receive an immediate ruling from the chair. Ruling is subject to challenge.

p. Call for Order of the Day

   i. The point is that there is a deviation from the agenda. It must receive immediate attention and the ruling of the chair is subject to challenge.

q. Challenge

   i. If any member is dissatisfied with any ruling of the chair, the ruling may be challenged. A motion to sustain the chair takes precedence over all other business.
   ii. When a ruling of the chair is challenged by a member, all other business is suspended. The member making the challenge has the right to present an argument to the meeting as to why the ruling is in error. The chair has the right to defend the ruling. The vote on the motion to sustain the chair follows immediately without further debate.

r. Scrutineers

   i. A slate of candidates for general scrutineers shall be provided for the approval of the AGM at its opening business session.
   ii. The convention floor should be divided into a number of clearly defined areas.
   iii. Recounts shall be taken by ballot.

s. Reports and Resolutions

   i. It is desirable that the President, Treasurer, and Committee Chairpersons prepare three copies of their annual report to be filed as follows: one copy in the chairperson's personal file, one copy for the secretary of the committee, the third copy for YAEP office files.
   ii. A copy of each annual report is published and available at the AGM.
   iii. The President provides opportunity on the AGM agenda for delegates to ask questions concerning information reports.
   iv. Rules for presentation of resolutions at the AGM will be published in an issue of the YAEP Notes two months prior to the AGM.
   {NOTE: Please refer to YAEP’s 2014 Resolution Policy for additional details}

t. Suspension of Standing Rules

   i. A motion to suspend the standing rules requires notice at a previous session of an AGM or Council Meeting and two-thirds majority vote. Standing rules may be suspended without notice by unanimous consent providing the suspension is not contrary to the bylaws.

u. Matters not covered in Standing Rules

   i. When the chair is required to make a ruling not covered by these rules, guidance shall be sought from Robert's Rules of Order.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; Election for President AGM 2026

Elections Policy

1. Election of Candidates

a. No candidate shall be declared elected until he or she has received a majority of the votes cast.

b. Following an indecisive ballot, the candidate receiving the fewest votes shall be dropped from the ballot. The meeting may at its discretion order the dropping of additional names.

c. Following the dropping of names, a candidate shall be declared elected when he or she receives more than 50% of the number of votes cast.

The candidates running for election may request, if they so wish, that a representative attend the ballot count after the election.

[Note: The YAEP Bylaws also contain information on elections and take precedence over policy]

2. Election of President and/or Professional Development Chair (The following process can only be changed as per Bylaw 9.1a.)

The election for the YAEP President and/or Professional Development Char shall occur bi-annually on the Thursday at least one week prior to the dates set for the YAEP Annual General Meeting following the process outlined below.

a. Election Committee

i. An Election Committee shall be established on or before January 15 of each year.
ii. The Election Committee shall be responsible for the general direction, overall conduct, and all aspects of the implementation of the vote for the YAEP Executive.
iii. The Election Committee shall consist of 3 people, one of whom is the YAEP Office Manager and one of whom will be designated as the Chief Elections Officer with all the associated roles and responsibility with that position.
iv. The individuals for the Election Committee shall be recommended by the Membership Committee for approval and appointment by the YAEP Executive in accordance with Membership Committee Terms of Reference Policy 3(j).
v. The Chief Elections Officer shall be selected from the Election Committee at the first meeting.
vi. At the time of appointment, those members of the Election Committee shall make a declaration agreeing to:

(1) act impartially;
(2) refrain from any active or public support or criticism of any voter or candidate and his or her campaign;
(3) respect the principles associated with a secret ballot.

vii. A member of the Election Committee who files nomination papers shall be considered as having resigned and not remain a member of the Election Committee effective immediately.

viii. A vacancy on the Election Committee shall not be filled during the term of appointment.

ix. The Elections Committee will be appointed for a fixed term, ending when all candidates have been declared and the time and/or process for appeal is complete.

b. Notice of Election for President and/or Professional Development Chair

i. The vote for the position of President and/or Professional Development Chair shall occur on the Thursday at least one week prior to the date of the Annual General Meeting.

ii. No later than February 1, the Election Committee shall provide notice to the membership of the:

(1) Date of the vote;
(2) beginning and closing date & time of nominations;
(3) method and location for submission of nominations forms.

c. Nomination for President and/or Professional Development Chair

i. A person is eligible to run for office of President and/or Professional Development Chair if he or she:

(1) is a member in good standing, other than a Teacher on Call, as of the close of nominations;
(2) has obtained 2 signatures of members in good standing other than themselves on the prescribed form; and,
(3) delivers the necessary nomination form signed and completed in full as prescribed in section c(2)

ii. To be considered for candidacy, a member must submit the required form to the Office Manager between February 15 and no later than 5:00 pm Yukon Time on March 1 by electronic or in hard copy format to the pre set addresses.

d. Close of nominations

i. At the close of nominations, if there is more than one candidate officially nominated, the Chief Elections Officer shall post a notice of vote at the YAEP office, on the YAEP website, to the YAEP representatives and any other method the Election Committee deems appropriate stating the:

(1) list of candidates in order they will appear on the ballot;
(2) location date & times of voting options according to the designated voting places list;
(3) time & date of an All Candidates Forum;
(4) the Chief Elections Officer and how to contact;
(5) any other information deemed necessary.

ii. If a vote is to be held pursuant to section d(i),

(1) the Election Committee shall:

(a) circulate by April 1 the names of the nominated candidates; and,

(b) hold an All Candidates Forum no less than 3 days prior to the vote.

(2) the YAEP Ethics Committee shall appoint 3 people to an appeal committee to handle any appeals that may be filed under section (q).

e. Acclamation

i. At the close of nominations, if there is only one candidate officially nominated, the Chief Elections Officer shall immediately:

(1) declare the candidate elected to the office of President and/or Professional Development Chair; and,

(2) post notice to the membership on the YAEP website and in any other manner deemed appropriate,

(a) the name of the person who has been acclaimed; and,

(b) that an election for the position of President and/or Professional Development Chair shall not be held.

f. Voting rights

i. Every member is entitled to vote.

ii. There shall be no appointments of another person as a proxy voter in the voting for the office of President and/or Professional Development Chair.

iii. Voting will be by secret ballot.

g. Voters' list

i. The voters list shall be prepared and maintained by the Elections Committee at the YAEP Office in Whitehorse.

ii. The official voters list shall be of the members in good standing in alphabetical order by last name and organized by school.

iii. The voters list will be finalized as of March 1.

iv. A member whose name does not appear on the list may ask to be placed on it by sending a written request with proof of being a member in good standing up to the YAEP Office Manager or the Chief Elections Officer until 4:00 pm two days before the voting day.

v. It is the responsibility of the individual member to ensure that his or her name is on the voters list.

vi. A copy of the unofficial voters list shall be made available to a nominated candidate any time after three days of the close of nominations.

h. Candidate's representative

i. A candidate may appoint a person to be his/her representative to monitor the vote and counting of the ballots at each of the designated voting places.

ii. For a person to act as a candidate's representative, they shall provide a letter of permission signed by the candidate to the Deputy Returning Officer during voting hours.

iii. A candidate's representative may:

(1) examine the voters list only during the hours of voting;

(2) not delay, obstruct or interfere with the Deputy Returning Officer or a voter in performing or exercising their duties or rights respectfully;
(3) not influence, harass, or interfere with any voter in the voting place;
(4) witness the counting of the ballots after the close of the vote.

i. Ballots

i. Each ballot for the regular vote shall be identical and contain:

(1) on the front, the names of the candidates in alphabetical order by surname;
(2) a circle or square beside the name of the candidate for the voter to mark an 'x' or a '√';
(3) on the reverse, a space for the initials of the returning officer, the phrase "YAEP Presidential Election" or "YAEP Professional Development Chair Election" and date of the election;
(4) have a counterfoil and a stub with a line of perforation between the ballot paper and the counterfoil, and a line of perforation between the counterfoil and the stub;
(5) sequentially numbered printed both on the back of the stub and on the back of the counterfoil; and,
(6) packaged in groups of 10.

ii. Each ballot for a second vote shall be identical and contain:

(1) on the front, a line in the centre middle for the name of the voter's choice to be written or printed;
(2) on the reverse, a space for the initials of the returning officer, the phrase "YAEP Presidential Election—Second Ballot" or "YAEP Professional Development Chair Election—Second Ballot" and the date of the 2nd ballot;
(3) have a counterfoil and a stub with a line of perforation between the ballot and the counterfoil, and a line of perforation between the counterfoil and the stub;
(4) sequentially numbered printed on the back of the stub and the back of the counterfoil; and,
(5) packaged in groups of 10.

j. Ballot packages for voting places

i. There will be a package for the regular vote and a package for a second vote, with each package including:

(1) enough ballots for each vote at the voting place;
(2) the official voters list for the specific voting place with space for a voter's signature beside their respective name;
(3) instructions from the Chief Elections Officer for issuing and counting the ballots, and reporting the results;
(4) instructions for reviewing contents and managing any discrepancies; and,
(5) all necessary seals & envelopes for completion of the voting process. Ballot packages for both the regular and second vote as outline in section j(i) will be sent to the YAEP representatives at each designated voting place at least 14 days prior to voting day.

k. Voting options and procedures

i. Voting will be available to the membership:

(1) by advance voting at the YAEP Office in Whitehorse during posted office hours, Monday to Wednesday in the week of the voting day; and,
(2) on the declared voting day at the predetermined and posted times specific to each designated voting site as defined in section d(i)(2).

l. Advance voting

i. The Office Manager or designate will act as the Deputy Returning Officer for the advance vote held at the YAEP Office between 9:00 am and 5:00 pm Yukon Time. Rural members may submit their advance vote by email or phone to the YAEP Office.
ii. Anyone who votes during the advance voting times shall be marked as having voted and not be allowed to vote on voting day.
iii. When a person appears to vote at the YAEP Office at the posted times, the Deputy Returning Officer shall confirm the person is on the voters list and if so:

(1) ask the voter to sign his or her name beside their printed name on the voters' list;
(2) put a line through the voter's name on the master official voters list;
(3) initial the ballot on the back to indicate its valid issuance and fold it to hide the names; and
(4) provide the initialed folded ballot to the voter with instructions on marking the ballot.

iv. Once the voter has marked the ballot, the voter shall with the ballot folded return to the Deputy Returning Officer who shall:

(1) confirm the validity of the ballot while leaving it folded; and,
(2) have the voter deposit it in the ballot box.

v. At the close of the advance voting, the Deputy Returning Officer shall:

(1) confirm that all those voted are marked as having voted on the master official voters list;
(2) contact the Deputy Returning Officer for each voting place and ensure that their voters list has anyone who has voted in advance marked as such;
(3) seal the ballots according the instructions provided by the Chief Elections Officer and place in a secure location until the time of the count after the close of the regular vote.

m. Regular voting on the designated Thursday

Each defined worksite provided in the notice of vote shall be considered a voting place with hours as posted according to section d(i)(2)

i. Unless a candidate in the election, the official YAEP Representative will act as a Deputy Returning Officer with duties assigned by the Chief Elections Officer including appointing a person to assist with the taking & counting of the vote as outlined in sections m(iii) through n(i) to (vi) inclusive.

ii. Each Deputy Returning Officer will sign a declaration that they shall:

(1) act impartially;

(2) perform any duties assigned & delegated by the Chief Elections Officer;
(3) act as a witness to the conduct of the vote;
(4) report any violations or improprieties to the Chief Elections Officer.

iii. On the day of the vote after ensuring all those who voted in the advance vote have been marked as having voted on the voters list provided, and according to the times posted for voting at each voting place, the Deputy Returning Officer shall follow the same procedure as outlined in sections I(iii) and I(iv).

n. Counting the ballots for President and/or Professional Development Chair

i. Voting will close at all voting places not later than 3:30 pm on the Thursday voting day.

ii. At each voting place, the Deputy Returning Officer shall, in the presence of the assistant and any candidate representative present, shall:

(1) open the ballot box and unfold the ballots;
(2) examine each ballot, show the ballot to each person present, and determine the number of ballots clearly marked for each of the candidates;
(3) follow the instructions for the count provided by the Chief Elections Officer.

iii. The Deputy Returning Officer shall reject any ballot:

(1) upon which anything appears by which the voter can be identified;
(2) that has not been marked for any candidate or marked for more than one candidate;
(3) that does not indicate a clear and unambiguous preference for one candidate; or
(4) that is not on an official and valid ballot.

iv. After all ballots for President and/or Professional Development Chair from the ballot box have been examined, and accepted or rejected as prescribed by sections n(ii) & (iii), the Deputy Returning Officer shall:

(1) count the votes for each candidate on the ballots not rejected; and
(2) prepare & sign the provided statement of vote by indicating the:

(a) date of the vote;
(b) total number of members who voted at the voting site;
(c) total number of ballots supplied;
(d) total number of ballots unused;
(e) total number of spoiled and cancelled ballots;
(f) total number of ballots cast;
(g) total number of ballots cast that were rejected; and,
(h) total number of ballots cast for each candidate.

v. After completion of the statement of vote, the Deputy Returning Officer will:

(1) Call, email, or leave a voicemail to submit the results to the YAEP Office in Whitehorse using the contact number(s) provided with the counting instructions;
(2) put all voting materials in the envelopes provided;
(3) seal the envelopes with the seals provided and provide all election material to the Chief Elections Officer no later than the date of the annual general meeting as directed in the instructions.

vi. Once all the voting places have reported the results to the YAEP Office in Whitehorse, the Chief Elections Officer shall compile the results on a master Statement of Vote and:

(1) declare the candidate with more than 50% of votes, elected to the office of President and/or Professional Development Chair; and,
(2) post notice of the results to the membership on the YAEP website and in any other manner deemed appropriate.
(3) The winner shall give their acceptance speech at AGM.

o. Tie vote or no majority

i. If there is a tie vote between the candidates with the greatest number of votes and one vote will give more than 50% to one of the candidates, the Chief Elections Officer shall, in front of at least one other person if no candidate representatives are available:

(1) declare that there is a tie and name the candidates that are tied;
(2) mark one ballot for each of the candidates that are tied;
(3) fold each ballot in the same manner and place in a ballot box;
(4) remove a ballot and unfold it;
(5) show the ballot to each person present;
(6) announce the name of the person as marked on the ballot as the new President and/or Professional Development Chair elect; and
(7) post notice of the results to the membership on the YAEP website and in any other manner deemed appropriate.

ii. If no candidate has attained more than 50% of the votes and one vote will not make it so, the Chief Elections Officer shall declare:

(1) the two candidates with the most votes;
(2) a second vote shall take place on the Monday following the regular vote between 8:20 am and 3:30 pm Yukon Time;
(3) advance voting will be available on the Friday before the run-off and shall follow the advance voting procedures outlined in l(i);
(4) post notice of the second vote to the two candidates with the most votes, to the membership on the YAEP website, to the YAEP representatives by email, and in any manner deemed appropriate;
(5) the notice shall state:

(a) location, date, & times of the voting options according to the designated voting place list;
(b) the Chief Elections Officer and how to contact;
(c) any other information deemed necessary.

(6) once the voting has closed on the Monday, the count will proceed as defined in Sec n above.
(7) if after the 2nd vote is complete and there is still no candidate with more than 50% of the vote, the decision will be made by way of section o(i).

p. Recount

i. A candidate may, not later than four o'clock in the afternoon the day after the voting day, apply to the Chief Elections Officer requesting a recount of the votes if:

(1) the ballots were not correctly accepted or rejected;
(2) a statement of the vote does not accurately record the number of valid votes for a candidate; or
(3) the final determination did not correctly calculate the total number of valid votes for a candidate.

ii. The request for a recount to the Chief Elections Officer shall be made in writing stating the facts upon which the request is based and shall be supported by the evidence of a witness.

iii. A recount shall be conducted by the Chief Elections Officer or designate and shall take place not later than three days after voting day if the Chief Elections Officer deems the request made under section p(i) has merit.

iv. If a recount is to be held, the Chief Elections Officer shall:

(1) advise the candidates of the date, time and location of the recount;
(2) at the recount, and in front of at least two witnesses who may be candidates representatives and are provided with tally sheets;

(a) open the envelopes containing the ballots from the voting place;
(b) count the ballots for the candidates, the unused ballots, the spoiled ballots and the rejected ballots;
(c) amend, as necessary, the statement of the vote attached to the envelopes and those sent to the Elections Committee;
(d) reseal the ballots in the envelopes and reattach the statement of the vote; and
(e) deliver a copy of the amended statement of the vote to each candidate and to the Election Committee on which the following appears:

- the word "Recount"
- the date of the recount, and
- the Chief Elections Officer's signature.

v. The Chief Elections Officer shall post notice of the results of the recount to the membership on the YAEP website and in any other manner deemed appropriate.

q. Appeal

i. A candidate may, not later than four o'clock in the afternoon three days after voting day, appeal the results of the election in writing to the appeal committee detailing the evidence regarding:

(1) corrupt practices in connection with the election;
(2) a violation of these by-laws that might have affected the result of the election; or,
(3) a candidate in the election who is ineligible to be a candidate.

ii. After the appeal is filed, the appeal committee shall set a date for it to hear the appeal.

iii. The appeal committee shall hear and determine the appeal under section q(i) as soon as possible and, for this purpose, shall ensure that the proceedings are conducted as expeditiously as possible.
iv. The appeal committee may refuse to hear the appeal if it deems the appeal to be without merit.
v. A person who makes an appeal shall pay his or her own costs.

r. List of Voting Places as referenced in section d(i)(2)

Aurora Virtual School	Chief Zzeh Gittlit	Christ the King Elementary
CSSC Mercier	Del Van Gorder	Ecole Emilie Tremblay
Elijah Smith Elementary	Eliza Van Bibber	F.H. Collins Secondary
Ghùch Tlâ Community	Golden Horn Elementary	Grey Mountain Primary
Hidden Valley Elementary	Holy Family Elementary	Individual Learning Center
J.V. Clark	Jack Hulland Elementary	Johnson Elementary
Khàtìnas.àxh Community	Kluane Lake	Nelnah Bessie John
Porter Creek Secondary	Programme Confluence de Dawson	Robert Service
Ross River	Selkirk Elementary	St. Elias Community
St. Francis of Assisi Catholic Secondary	Takhini Elementary	Tantalus Community
Teen Parent Center	Watson Lake Secondary	Dámbü Tän Kets'ádań Kų – Cliff Trail Elementary
Whitehorse Elementary	Wood Street Centre	YAEP Office

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Nominations Policy

1. Nominations Committee

a. The Executive shall appoint a Nominations Committee well in advance of the AGM. The Terms of Reference for the committee will outline its specific duties.

2. Nomination of President and/or Professional Development Chair

a. The nomination of the President and/or Professional Development Chair is outlined in YAEP Bylaws.

3. Nomination of other Executive Members

a. Nominations for the AGM are in the hands of the Nominations Committee, set up well in advance of the date of meeting. It is recommended that it be attempted to obtain a slate of officers one month prior to the AGM.

b. Nominations may also be submitted to the Nominations Committee in writing prior to the AGM, with the written consent of the nominees.

c. Nominations for other officers may be submitted from the floor provided they are made not later than the session prior to that at which the vote is to be taken. If a nominee is absent from the meeting, the nominator must show in writing that the nominee wishes to allow his or her name to stand for that particular office.

d. Where nominations are submitted in advance, the Chairperson of the Nomination Committee shall arrange for pictures of all nominees and a precis of their relevant experience to be posted.

e. Each candidate shall be allotted a set time to outline his or her proposals and reasons for the office sought.

4. Information on Nominees

a. Each candidate shall be allotted a set time to outline his or her proposals and reasons for the office sought. Even those being acclaimed to the position shall give a speech to the membership at the AGM.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: December 1, 2014

Resolutions Policy

Policy Statement: YAEP will ensure a democratic and transparent resolution process that also facilitates clear and practical YAEP policies, positions and actions that are consistent with our objectives.

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1. Resolution scope and content

a. Resolutions may address broad policy concerns, YAEP actions or negotiating positions that would benefit from direction from the YAEP membership;

b. Decisions or issues that do not require direction from the YAEP membership are not subject to this policy. These matters should be submitted to Executive or Central Council.

2. Origins of Resolutions

a. Resolutions to be discussed at the General Meetings shall come from:

i. Central Council;
ii. The Executive;
iii. Sub-Associations; or
iv. Members.

3. Resolution format

a. Each resolution shall begin "Be it resolved that ..." and written in a way that stands on its own. The resolution should be followed by a brief explanatory note to help people understand the reason for the resolution.

b. YAEP will provide templates which are to be used for the submission of resolutions. These templates shall include guidance on writing clear and concise resolutions and outline the resolution submission process.

4. Submission and review of Resolutions

a. With the exception of resolutions from the floor of a General Meeting, all resolutions shall be submitted on the YAEP Resolution Form to YAEP no less than 60 days prior to the first day of a General Meeting. YAEP shall publicize this deadline annually.

b. The Policy Committee shall review all resolutions to be considered by a General Meeting and, prior to consideration by a General Meeting, may:

i. Accept the resolution in the form in which it was submitted;
ii. Do minor edits to the resolution for clarity or accuracy;
iii. Work with the originator if significant amendments are required, to help ensure the resolution is consistent with the purpose of this policy;
iv. Reject the resolution if:

(1) it has been received after the deadline for the receipt of resolutions;
(2) Is found to be outside the objectives of YAEP; or
(3) is not consistent with this policy.

v. Forward action resolutions that it believes can be dealt with by Executive or Central Council prior to a General Meeting, and inform the originator of this action; or
vi. Combine resolutions that have similar intent and inform the originators.

c. The Policy Committee may accept a resolution received after the deadline if the subject matter is of an urgent nature or could not have been anticipated prior to the deadline.

d. Any resolution with cost implications will also be provided to the Finance Committee for consideration. The Finance Committee shall prepare an analysis to share at the General Meeting.

e. Resolutions rejected by the Policy Committee may be brought forward by the originator at the final session of a General Meeting. They must first move that the rejected resolution be discussed and voted on. The motion must be seconded and a minimum of 75 per cent of voting members present must approve the motion. Only after such approval may the content of the original resolution be discussed.

f. To help facilitate an effective process that results in well-written and consistent policies and actions for the Association, resolutions from the floor may be brought forward only if they relate to an urgent issue or business arising from the General Meeting. Resolutions from the floor on urgent issues or business arising at the meeting may be considered at the final session of a General Meeting if there is a seconder and if a minimum of 75 per cent of voting members who are present vote that the resolution proceeds.

5. Publication of resolutions

a. All resolutions to be brought forward to a General Meeting shall be consolidated, published and made available to all YAEP members at least 21 days prior to the start of the General Meeting.

6. Effective date of Resolutions

a. A resolution adopted at the Annual General Meeting becomes effective immediately unless the resolution itself specifies a particular time frame.

7. Follow-up and reporting

a. The Policy Committee shall ensure all resolutions are tracked and that a progress report is provided to the Annual General Meeting.

b. Action resolutions will expire after one year unless otherwise specified in the content of the resolution.

c. Where appropriate, policy resolutions stating a continuing, long-term position or direction for YAEP will be incorporated into the organization’s policy manual.

d. Negotiating position resolutions will be forwarded to the Negotiating Committee to be considered along with other input from members.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 16, 2016 YAEP Executive

Finance Policy

1. Role of the Treasurer

a. The role of the YAEP Treasurer (who is the Chair of the Finance Committee) is outlined in the YAEP bylaws.

2. Budgeting

a. When planning the YAEP budget, the Finance Committee shall take into consideration the draft budgets submitted by all sub-associations and approve requests as they deem feasible. Allotment of monies will vary from year to year for each sub association and are based solely on the submitted draft budgets.

b. All committees or groups who have motions dealing with budgeting requirements should submit their proposals according to the YAEP's Resolutions Policy.

3. Sub-Associations

a. By **March 1st** each year, all sub-associations must provide the following:

b. Their goals and/or objectives for the upcoming fiscal year (April 1 to March 31) to the YAEP Executive;

c. A draft budget outlining the monies needed to carry out the goals and/or objectives in the upcoming fiscal year (April 1 to March 31) to the YAEP Finance committee.

d. Sub-associations may submit receipts for reimbursement or may apply in writing one month prior to the funding being needed. Funds will be provided to the maximum allocated by the Finance committee, to each sub-association.

4. Salaries and compensation

a. The President of YAEP shall receive, as salary, the equivalent of category 6 maximum of the collective agreement on the teacher pay grid, plus the equivalent of the maximum administrator's allowances allowed under the collective agreement.

5. Relocation expenses

a. When necessary, a relocation expense will be paid to the President Elect on submission of receipts to a maximum of:

   i. $4000 if the relocation exceeds 250 kms, and
   ii. $3000 if the relocations equals or is less than 250 kms.

b. This relocation allowance may be claimed to return to a rural Yukon community at the end of the term**.**

c. YAEP will pay moving expenses for a PD chair to move from a rural community to Whitehorse with the same compensation paid for the President unless they are being reimbursed by the Department.

Yukon Association of Education Professionals

6. Committee compensation

a. A non-accountable expense to a maximum of $150.00 shall be administered to non-YAEP staff members of the Negotiations Committee at the end of the process. Executive shall set policy on how such funds are to be disbursed.

b. An accountable expense to a maximum of $250.00 shall be administered annually to non-staff Executive Members. Executive shall set policy on how such funds are to be disbursed.

c. When the Chair or co-chairs of the YAEP Conference are not YAEP staff, they shall receive a non-accountable expense of $150 at the end of the conference.

7. Procurement

a. YAEP funds shall not be used for the purchase of alcohol at or for any YAEP function.

b. Fair trade coffee shall be purchased for YAEP meetings.

8. Donations

a. A maximum of $2,000 each fiscal year may be used by the Executive for donations.

b. Consideration of requests to be given on the basis of need, group reputability and that the donation would directly benefit teachers and/or students.

c. Consideration to territory-wide events will be given priority over individual school requests.

9. General policies

a. Discretionary expenditures will be brought before the Executive for approval prior to the expenditure.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: October 26, 2026 YAEP Executive

Travel Rates Policy

1. Scope of policy

a. These rates shall apply to all YAEP activities including Professional Development (PD), unless otherwise specified.

b. When a member is approved by the YAEP Executive to travel to Whitehorse from a rural Yukon community to participate in meetings or hearings as identified in Article 7.01 through 7.08 of the Collective Agreement, they may be entitled to receive compensation in accordance with this policy.

c. It is expected that the members will attend YAEP business and PD event meetings in full. Members are entitled to reimbursement for travel costs provided they have attended the event up to its adjournment and or the end of the event.

d. At the YAEP's sole discretion, extenuating circumstances may be considered as a basis to provide reimbursement where there has not been strict adherence to this policy by the member.

2. Travel rates within the Yukon

a. Eligibility and authority

i. Members who travel more than 70km round trip from their home school or place of residence whichever is less are eligible to claim travel expenses in accordance with this policy.
ii. Members traveling on YAEP business are encouraged to pool the use of cars whenever possible. When two or more members are traveling to a meeting in the same car, the driver only may then claim reimbursement at the approved mileage rates.
iii. When travelling on YAEP Business or for PD events, members from the same household (spouses or common-law partners) are not eligible to make separate road and/or air travel mileage claims.
iv. Notwithstanding the above, YAEP pays for travel from communities for each member who needs to travel individually to attend YAEP sponsored events.

b. Road and Air Travel

i. Travel in personal vehicles will be paid at .605 cents per kilometer for all approved YAEP business or approved PD activities (PD Rates are Annex in table). The following is a tabled calculation of the approved round trip milage expense claim for vehicle travel from Yukon communities to Whitehorse.

Beaver Creek	892.8 km	$ 625	Haines Junction	310.4 km	$ 217
Carcross	144.4 km	$ 101	Mayo	813.4 km	$ 569
Carmacks	354.8 km	$ 248	Pelly Crossing	567.8 km	$ 397
Dawson City	1066.8 km	$ 745	Ross River	819.6 km	$ 574
Destruction Bay	521.6 km	$ 365	Teslin	335.4 km	$ 235
Faro	720 km	$ 504	Watson Lake	876 km	$ 613

ii. In cases where commercial flights are available on the travel days, YAEP members will be reimbursed for the lesser amount, the return mileage, or the lowest return airfare available at the time of travel or thereafter. (Even if they choose to drive their own vehicle).

c. TOC Eligibility, coverage and time off

i. TOC coverage of ½ day for travel time to and from Whitehorse is provided for members residing in Beaver Creek, Dawson City, Faro, Ross River, Mayo, Watson Lake, and Old Crow.

or alternatively

ii. TOC coverage costs will be provided at a full day or half day in a manner corresponding to the amount of time the member is required to be away from school in order to rely on a commercial flight for travel to and from Whitehorse.

iii. TOCs are eligible to be reimbursed for travel costs when attending events for YAEP business after they have met the following criteria (Consistent with YAEP PD Policy).

"TOCs are eligible for YAEP Business or PD funding upon completion of an accumulative total of 80 hours of employment and a minimum monthly average of 40 hrs/month of employment". Please see the PD Policy for PD funding options for TOCs. https://www.yaep.ca/professional-development

d. Accommodation – Eligibility and Coverage

Members residing in Beaver Creek, Dawson City, Faro, Ross River, Mayo, Watson Lake, and Old Crow and attending an event scheduled to conclude after 3pm, are entitled to accommodation expenses.

i. *In Whitehorse:* Rural members attending approved YAEP business or PD activities in Whitehorse will be reimbursed to a maximum of $259.00 per night for hotel rooms (receipts required), OR $80.00 for each applicable night of private non-commercial accommodation (no receipts required). In cases where YAEP has secured a room rate, this will be the maximum amount reimbursed. If members do not book this rate according to the provider's time limit, or choose to stay at another commercial location, the member will be responsible for paying the difference between the YAEP secured rate and the cost of their accommodation. It is the member's responsibility to contact the YAEP Office to determine whether YAEP hotel rates are available.

ii. *Outside of Whitehorse:* Members attending approved YAEP business or PD activities outside of Whitehorse will be reimbursed, by YAEP the full reasonable cost of hotel rooms (receipts required) OR $80.00 for each applicable night of private accommodation for those who would otherwise incur hotel costs. (No receipts required).

iii. When travelling on YAEP Business or for PD events, members from the same household (spouses or common-law partners) are not eligible to make separate accommodation claims.

iv. When travelling on YAEP Business or for PD events, members are not eligible to make an accommodation claim for a dwelling in which they hold a proprietary interest.

e. Meals

i. Meal allowance will be paid for approved YAEP business and PD activities at the following rates:

Meal Allowance	Canada	Yukon & Alaska	NWT	Nunavut
Breakfast	$29.50	$26.65	$29.05	$35.20
Lunch	$30.05	$33.80	$34.45	$41.80
Dinner	$61.70	$79.15	$73.55	$100.95
Total	$121.25	$139.60	$137.05	$177.95

ii. If a YAEP Executive or committee meeting extends over a meal break, each YAEP member and invited guest/s either have a meal at the expense of the YAEP or, if no meal has been arranged, the prescribed rate for lunch or dinner be allowed as an expense.

iii. Members are not eligible to claim meal expenses for the meals prior to their travel when departing their home community in the Yukon. (For example, when leaving the home community on a morning, members cannot make a claim for breakfast). Members who arrive at their destination prior to 6pm are not eligible to claim a dinner expense.

3. Travel outside the Yukon

a. Travel and accommodation outside the Yukon is viewed as an extraordinary expense and shall in each instance, require Executive Committee approval by way of a duly administered motion at a regularly scheduled meeting.

b. Travel outside the Yukon for PD Purposes requires approval by the PD Committee.

c. When flying to and from the Yukon to a PD Event the member is expected to take the flight that is closest to the beginning and ending of the event. Members are not eligible to claim meal expenses for the meals prior to their flight time when departing their home community in the Yukon. (For example, when leaving the Yukon on a morning flight members cannot make a claim for breakfast). Members whose return flight arrives at their destination airport prior to 6pm are not eligible to claim a dinner expense.

4. Use of Personal Vehicles

a. Members shall carry their own automobile insurance for passenger hazard, third party liability, collision, etc. No claim for expenses arising out of the use of an automobile by a member shall be accepted by the YAEP. The YAEP will not reimburse a member for losses arising from the member's use of their personal vehicle.

5. Childcare

a. YAEP will pay childcare costs for rural members who cannot leave their children at home while attending YAEP Business or PD Events, and where the member would not be required to secure childcare, but for the YAEP Business or PD event.

b. Members attending YAEP meetings or PD Events, and who must use childcare which would not ordinarily be utilized in the course of that day, may claim a maximum of $15 per hour to a maximum of $120.00 per day. Receipts from a registered childcare provider must be provided.

6. General

a. YAEP members who fly commercially to attend YAEP-PD sponsored local PD events, non-credit courses, cultural PD, visitation-collab, and conferences who do not have access to a vehicle may claim taxi-fares to and from the airport (when a shuttle service is not available) and to and from the PD event. Receipts will be required.

b. YAEP members are not eligible to claim under this policy any benefit for reimbursement or cost incurred which has been paid by another party.

c. Any member concerned with the equity or access of an expense claim can request a review by the Executive Committee by notifying the YAEP President.

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Negotiations Policy

While it may be desirable or necessary to address the needs of individuals or groups within the Association, negotiated settlements will reflect a considered balance of the needs of individuals and those of the collective. (AGM 2003)

The Tentative Agreement proposed by the negotiations committee shall be considered by the Executive before being presented to the membership. When the tentative agreement is presented, the Executive should clearly state whether it recommends acceptance or rejection of the agreement. (AGM 1999- 2004)

In Dispute

An area may be declared to be "in dispute" if a conciliation award has been rejected and the Department of Education has refused to enter into further negotiations, or if it adopts practices that are detrimental to education through unfair action taken against members.

When "in dispute", a declaration should be made in writing to all the teaching Associations across the country and the local daily newspapers advising prospective employees to contact YAEP before taking employment.

DATE APPROVED/AMENDED: In Development

Professional Development Program Policy

In development. Please refer to YAEP Members' Booklet for up-to-date information.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: AGM 2019

Administration of the Code of Ethics Policy

The Code of Ethics outlines a vision of professional practice. In part it exists to advance, promote, and safeguard the interests of the teaching profession and its members. It is based on the recognition that at the heart of a strong and effective teaching profession is a commitment to students and their learning.

The YAEP Code of Ethics states general rules for maintaining high standards of professional service and conduct toward students, colleagues, other members and the Association. **All YAEP members are bound by the YAEP Code of Ethics.**

Any member of the YAEP who is alleged to have violated the Code of Ethics may be subject to a charge of unprofessional or unethical conduct under the Bylaws of the Association.

1. Ethics Committee

a. The AGM shall elect and the Association shall maintain a committee of twelve members of the Association, from a slate of candidates, not to include members of the Executive, to be known as the Ethics Committee. Members shall be elected for three-year terms and shall serve from July 1 in the year they were elected until June 30 in the year in which their term expires or until the completion of a current case.

b. In the circumstance that a vacancy occurs, Central Council shall appoint an interim member, from a slate of candidates submitted by the Ethics Committee.

c. The term of the interim member(s) shall be until the next AGM, or until the completion of a Hearing not concluded by the date of the AGM.

d. At the beginning of each school year, the Executive shall make a motion appointing all members of the Ethics Committee as potential investigating Officers with the Committee given discretion to appoint the individual officer for each case.

2. Duties

The duties of this committee are:

a. To appoint annually a Chair from its membership prior to the last teaching day in June;

b. To hold regularly scheduled meetings, a minimum of three each year to review procedures and guidelines;

c. As required appoint from its membership a Screening Panel of three members;

d. Subject to the Teaching Profession Act and any policy made by the Executive, to regulate the convening, notice, place, management and adjournment of meetings and of its hearings, the appointment of a vice-chairperson, the mode of deciding questions, the transaction and management of business and procedure relating to the conduct of its hearings;

e. When necessary nominate, three members from their membership, and submit the names to the YAEP Executive for appointment to a Disciplinary Committee;

f. To appoint when necessary from their membership an investigating officer(s);

g. To prepare a slate of candidates for Central Council when a vacancy occurs on the Ethics Committee;

h. To maintain confidential records of all proceedings;

i. The Screening Panel and the Disciplinary Committee shall ensure that procedural fairness and the principles of natural justice are applied in all proceedings for which they are responsible.

3. Conflict of Interest

a. In the event of a conflict of interest by members of the Ethics Committee which would prevent a case from being heard, the Ethics Committee shall request that the Executive appoint additional members to hear and advise on the decision of the case before the Ethics Committee.

b. The Executive may on the recommendation of the Discipline Committee temporarily appoint additional members to the Discipline Committee to deal with a specific case in the event that currently appointed members of the Discipline Committee cannot fulfill their duties.

4. Initial Protocol

a. A complainant should exercise their right to file a complaint in a timely manner. Complaints shall be directed to the designated office personnel (Reviewers).

b. At any stage of the administration of the Code of Ethics, the Ethics Committee may elect to postpone the processing of a complaint should the defendant, in that complaint, be contending with legal action or employment discipline.

c. Receipt of Information or Complaint

   i. Information and/or complaints regarding conduct of members shall be received by the Executive Director (Reviewer).

d. Reduction to Writing

   In consultation with the Reviewer, a complainant shall be required to:

   i. submit the complaint and/or information in writing, and;
   ii. notify the defendant of the concern in writing.
   iii. The Reviewer will request a written response from the defendant.

e. Upon receipt of all documentation, the matter shall be referred in writing, by the Reviewer, to the Ethics Committee Chair, with a copy of the names of the parties involved sent to the Executive.

f. The Ethics Committee Chair shall convene a meeting of the Ethics Committee to appoint a 3-member screening Panel and an investigator(s).

5. Screening Panel

a. Voluntary Resolution

Depending on the nature of the complaint, the Screening Panel may recommend informal processes to resolve a complaint. With the agreement of the parties, resolution may be sought through:

i. Both parties meeting to discuss and resolve the issue(s).
ii. Exchange letter to clarify and resolve the issue(s).
iii. Professional Relations Committee.
iv. Voluntary agreement to be bound by a mediator's recommendations.

b. Formal Resolution

The Screening Panel shall:

i. Cause to be served on the person whose conduct is the basis for the complaint and upon the complainant, a notice setting forth the date, place, time and subject matter of the Panel meeting. This notice shall be registered. In setting the time, place and date of such meeting, regard shall be taken to the convenience of the Panel and all parties concerned.
ii. Require reports from the Reviewer(s).
iii. Require the names of witnesses, if any, from both parties.
iv. Require written statement from witnesses.
v. Maintain a record of its proceedings.

c. The Screening Panel may:

i. Prescribe mediation and request the Ethics Committee appoint a mediation team;
ii. Order a report by an investigator(s) whose findings shall be reported to the Screening Panel for possible further action;
iii. Refer the matter back to the Chairperson of the Ethics Committee with a recommendation that the YAEP Executive appoints a Disciplinary Committee to conduct a full hearing on the complaint, or;
iv. Dismiss the complaint and provide written reasons for such dismissal.

d. When a hearing is ordered and the allegations are of a serious nature and/or the circumstances extraordinary, the Screening Panel may appoint an individual (not a member of the Ethics Committee) to carry the Association's interests before the Disciplinary Committee.

6. Formal Complaint

a. The Executive before referring the matter to Disciplinary Committee may demand from any person or group lodging a written charge of unprofessional or unethical conduct, the sum of $500.00, as a deposit to offset the necessary costs and expenses. In a case where the complaint is found to be frivolous or vexatious, the deposit may be so applied; otherwise, the deposit shall be returned to the person or group making the complaint.

b. In the event that the YAEP Executive appoints a Disciplinary Committee, the three-member Disciplinary Committee shall conduct a full hearing of evidence related to the allegation(s).

c. Where practicable within 30 instructional days of the receipt of the formal complaint and documentation from the Screening Panel, the Disciplinary Committee shall have established a date for the formal hearing/meeting of the Disciplinary Committee.

d. At least fourteen days before the hearing, a notice shall be served upon the person whose conduct is the subject of the inquiry. The notice shall embody a copy of the allegation(s) made against him/her, or a statement of the subject matter of the inquiry, and shall also specify the time and place of the hearing. The notice shall be sent by registered letter.

e. The meeting of the Disciplinary Committee shall be held at the time and place determined by the Disciplinary Committee, taking into consideration the convenience of all parties.

f. Following the hearing, the Disciplinary Committee shall deliberate, in private, and render a verdict, including written reasons for the verdict which shall be reported to the Parties.

g. The Disciplinary Committee will report to the YAEP Executive the verdict, written reasons for its verdict and their recommendations on a penalty and publication, if any, including the manner and substance of such publication.

h. The Disciplinary Committee shall maintain a record of its proceeding.

i. The minutes of the proceeding, the evidence adduced, and all exhibits produced or copies thereof, shall be submitted to the Executive and kept in a confidential file with the Reviewer.

j. The Executive shall ensure that the decisions of the Disciplinary Committee are followed to the extent and spirit of the Disciplinary Committee's authorities.

7. Attendance of Witnesses

For the purpose of procuring the attendance of any person as a witness before the Disciplinary Committee, the Disciplinary Committee or any member thereof, may cause to be served on such person, a notice requiring him/her attend before the Disciplinary Committee and to produce such documents as he/she would be compelled to produce at the trial of an action at law. Such notice shall be served in the same way, shall have the same effect as a notice requiring the attendance of a witness at the hearing of a trial at law, and the penalties in the case of disobedience to any such notices shall be as provided by the Teaching Profession Act.

8. Legal Counsel

The Ethics Committee may, at the expense of the Association, employ legal counsel who shall assist in the presentation of evidence and shall advise the Disciplinary Committee upon questions of procedure and law, but who shall not be present during the Disciplinary Committee's determination of the guilt or innocence of the accused.

9. Reports to The Executive

After holding an inquiry, the Disciplinary Committee shall report to the Executive its verdict, reasons for its verdict, recommended penalty, and recommended publication if any. The report will be signed by members taking part in the inquiry and concurring in the report.

Such a report, if signed by the majority of the members taking part in the inquiry, shall be deemed to be the report of the Disciplinary Committee.

10. Penalties

a. The Executive shall consider the decision of the Discipline Committee, the recommendation made by the Discipline Committee on the penalty to be given, and any representation made on behalf of the member, and may thereupon:

   i. Expel the member from the Teachers' Association;
   ii. Suspend the member from the Teachers' Association for any period of time it considers proper;
   iii. Recommend to the Minister that the Minister suspend or cancel the teaching certificate of the member;
   iv. Require the member to pay a penalty;
   v. Require the member to pay a sum of money calculated by the Disciplinary Committee as the costs of the hearing; or,
   vi. Discipline the member in any other reasonable way YAEP considers proper.

b. The publication, if any, of the decision, will take into consideration the interests of the party whose position was confirmed by the Hearing.

11. Appeal Process

a. A person who is found guilty of unprofessional or unethical conduct may appeal, within 14 days from the date of the person's receipt of the decision to the Minister who shall appoint a Teaching Profession Appeal Board to hear and make a determination of the appeal.

b. The grounds for appeal will generally but not exclusively include:

   i. That the appellant was denied a fair hearing process by the Disciplinary Committee;
   ii. That the appellant has new evidence which was not, and could not, reasonably have been available to the appellant at the hearing before the Disciplinary Committee;
   iii. That the Disciplinary Committee erred in its interpretation of a provision of the Code of Ethics;
   iv. That the Disciplinary Committee erred in the application of a provision of the Code of Ethics or the Administration of the Code of Ethics Policy, to the facts as determined by the Disciplinary Committee;
   v. That the penalty imposed by the YAEP Executive was not reasonably commensurate with the gravity of the breach found by the Disciplinary Committee.

12. Other

a. Records of ethics investigations shall not be open to the general membership or public.

b. The Executive shall follow the YAEP discipline procedure outlined in the Teaching Profession Act before publicly alleging unethical conduct by a member or members.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: January 10, 2022

YAEP Violence and Harassment Policy

Policy Statement: The Yukon Association of Education Professionals is committed to providing a workplace in which all persons can expect to be treated with dignity and respect. Violence and harassment shall not be tolerated from any person in the workplace, including supervisors, employees, members and members of the public. All reports of harassment of elected and non-elected YTA staff shall be addressed in a timely manner through a clear and respectful process. The YAEP will apply and comply with the Violence and Harassment Policy and will ensure that its procedures and principles are followed.

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1. Scope of Policy

a. This policy is intended to protect all non-elected employees and elected YEAP officials.

b. Harassment is any improper or offensive behavior that, whether physical, verbal, cyber or by innuendo, interferes with an individual's work performance or advancement or creates an intimidating, hostile or offensive work environment. Harassment can take many forms, including personal harassment, sexual harassment and abuse of authority. It may be physical or verbal in nature. It may involve one incident or a series of incidents.

   i. Personal harassment means any unwarranted, offensive behaviour that is known or ought reasonably to be known to be unwelcome. It includes any comment, conduct, gesture or display that demeans, intimidates or causes embarrassment to another person. Personal harassment includes but is not limited to harassment on the basis of race, religion, creed, colour, sex, sexual orientation, gender identity, marital status, ethnic or national origin, age, physical or mental health condition or political belief.
   ii. Sexual harassment means any conduct, comment, gesture or contact of a sexual nature that is likely to cause offense, embarrassment or humiliation to the recipient or that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on employment or on any opportunity for training or promotion, or on receipt of a service or benefit provided by the YAEP.
   iii. Abuse of authority means an individual's use of power and authority inherent in the position held in a manner which serves no legitimate work purpose, and which ought reasonably to be known to be inappropriate. It includes misuses of power, which are intimidating, coercive or demeaning.
   iv. Workplace violence includes any threatened, attempted or actual application of physical force towards an individual that is likely to cause harm or lead an individual to believe that they are likely to be harmed. Violence can cause physical or psychological injuries.

The legitimate and proper exercise of authority for a legitimate work purpose, including but not limited to supervising or managing through performance reviews, work evaluation and/or disciplinary measures does not constitute harassment under this policy.

c. Anyone raising a concern under this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a serious issue. Any allegations that prove to have been made maliciously or that were known to be false shall be viewed as a serious disciplinary offense.

d. This policy does not replace the YAEP Code of Ethics for issues between YAEP members nor does it provide two avenues for complainants by YAEP elected officials. YAEP elected officials may report a complaint either through this policy or under the YAEP Code of Ethics, if the respondent is a member of the YAEP, but may not change the process once initiated nor seek redress under the other process if not satisfied.

e. The YAEP prohibits any form of retaliatory action against a person who participates in a harassment investigation, including a person who files a complaint of harassment or provides evidence about harassment. Retaliatory actions include but are not limited to placing undue pressure on or attempting to influence a participant, making negative changes to their conditions of employment, engaging in personal harassment or denying a professional or other work opportunity.

f. A finding in favour of the complainant(s) may result in disciplinary action ranging from, but not confined to: verbal or written reprimand, referral to the YAEP Ethics Committee (if applicable), requirement to complete relevant training, suspension, termination of employment, or, in accordance with YTA Bylaws, remove a respondent from office.

2. Prevention of Violence and Harassment

a. Violence and harassment in the workplace are prohibited.

b. Every individual is entitled to a workplace free of violence and harassment.

c. The YAEP is committed to eliminating or, if not practical, controlling the risks of violence and harassment in the workplace.

d. All YAEP staff and elected YAEP officials have the right to bring complaints of violence or harassment to the YAEP or, if the person alleged to have committed violence or harassment is a member of management at the YAEP, to another person as set out in this policy.

e. The YAEP will not disclose the circumstances related to an incident or complaint of violence or harassment or the names of the complainant/victim, the person alleged to have committed the violence or harassment, or any witnesses, except:

   i. where to do so it would be necessary to

      (1) investigate the incident or complaint;
      (2) take corrective action;
      (3) inform the persons involved in the incident or complaint of the results of the investigation and any corrective action to be taken to address the incident or complaint; or
      (4) to inform individuals in the workplace of the nature and extent of the risk of violence or harassment there; or

   ii. as required by law.

f. Any personal information that is disclosed under paragraph 2(E) in respect of an incident or complaint or violence or harassment will be the minimum amount necessary for the purpose for which it is being disclosed; and

g. The existence of this policy and the procedures contained herein do not limit an individual in the exercises of any other rights pursuant to any other law.

3. Authority

a. The Finance Committee and/or an investigative committee is responsible for ensuring the provisions of this policy are implemented and for maintaining complete records of each complaint and the actions undertaken to resolve it. This includes, but is not limited to:

i. Ensuring that all Executive members and YAEP staff are informed of the policy, are provided the necessary training in relation to the policy and are advised of their responsibilities and rights;
ii. Monitoring compliance with the policy;
iii. Ensuring that prompt and appropriate action is taken when any Finance Committee member or other Executive member becomes aware of an instant (or instances) of harassment;
iv. Ensuring fair and equitable procedures for all parties to a complaint of harassment;
v. Excluding a member of the Finance Committee from investigating the complaint in the event of a real or perceived conflict of interest, and/or constituting an independent investigation committee to handle the complaint;
vi. Retaining an independent investigator to investigate, report on and/or provide recommendations regarding allegations of harassment in appropriate circumstances;
vii. Retaining legal counsel to assist with the investigation and administration of the complaint in appropriate circumstances;
viii. Taking any appropriate steps necessary to ensure a safe workplace pending the resolution of a complaint, including (as appropriate) a non-disciplinary removal from work with pay.
ix. Making a decision and implementing disciplinary or other corrective measures, where necessary;
x. Ensuring an accurate record of correspondence, conversations and meetings is maintained and available should the decision be appealed; and
xi. Communicating about the complaint with the membership as required, consistent with both the confidentiality requirements of the Policy and the YAEP's obligations to its members.

4. Reporting a Complaint

a. Individuals covered by this policy must submit a complaint in writing. It must contain the name of the complainant(s) and alleged harasser(s) (i.e., the respondent). It should contain all relevant information and documentation of the incident(s) including the date(s) of the incident(s), the nature of the harassment, where the harassment occurred, how it affected the complainant, and the names of any witnesses.

b. A complaint should be submitted in writing to the Chair of the Finance Committee as soon as possible after an incident occurs, and no later than within 30 calendar days of the incident. This timeline may be extended if appropriate at the discretion of the Finance Committee.

c. Where a complaint is made against the Chair of the Finance Committee the individual must submit a complaint in writing to another elected member of the Finance Committee.

d. Where a complaint is made against more than one member of the Finance Committee, the complainant must submit a complaint in writing to the Chair of the Ethics Committee, who will constitute an independent investigative committee ("IIC") to handle the complaint. That IIC will handle the complaint according to the procedures of this policy.

5. Investigation of a Complaint

a. The Finance Committee, under the direction of its Chair, shall be responsible for investigating and resolving reported complaints and allegations.

b. All necessary steps and precautions to adhere to the principles of natural justice while protecting confidentiality must be taken to resolve the matter in a fair and equitable manner. As such, the respondent(s) and complainant(s):

   i. shall not be included in any Finance Committee deliberations or decisions regarding the complaint; and
   ii. Will be excluded from discussion of the complaint in Finance Committee meetings or other meetings which they would otherwise be entitled to attend.

c. Prior to commencing an investigation, the Finance Committee may, if agreed to by the respondent(s) and complainant(s), seek to commence mediation of the complaint within 20 days of receipt of the complaint.

   i. The complainant shall first be informed of the opportunity to mediate a complaint.
   ii. If the complainant(s) and respondent(s) agree to mediation, it will be arranged by the Finance Committee.
   iii. The mediator shall complete a report and provide copies to the Finance Committee Chair, the respondent(s) and complainant(s).
   iv. If the complaint remains unresolved 20 calendar days from the date of receipt of the mediator's report, then the Finance Committee shall immediately commence an investigation.

d. Further information may be sought from the complainant(s) and/or respondent(s).

e. Failure to respond to requests for information or to respond to questions asked by the Finance Committee and/or an investigator in a reasonable amount of time may result in the investigation proceeding to conclusion in the absence of a response.

6. Finance Committee Timelines

a. Upon receipt of a complaint by a member of the Finance Committee, the Finance Committee shall, within 30 calendar days:

   i. Inform, the respondent(s), in writing, that a complaint has been received and the nature of the complaint; and
   ii. Commence investigating the complaint.

b. Notwithstanding (a) above, the Finance Committee may, if agreed to prior to the investigation by the respondent(s) and complainant(s), commence mediation as per section 5(c), above.

c. The Finance Committee will complete the investigation as soon as is reasonably possible while observing natural justice with respect to the parties.

7. Decision

a. As soon as reasonably possible following receipt of the initial complaint, the Finance Committee shall make a determination if there has been violence or harassment.

b. If it is determined that violence or harassment has occurred, the Finance Committee may:

   i. Implement a committee to make recommendations regarding appropriate discipline for consideration by the Finance Committee; and/or
   ii. Determine and implement disciplinary action (if any).

c. The Finance Committee will provide notice, in writing, to the complainant(s), the respondent(s) and the YAEP Executive of the decision, the reasons thereof, and the disciplinary action taken (if any).

d. The publication, if any, of the Decision, will take into consideration the interests of the parties, including but not, limited to those whose position was confirmed by the Decision.

8. Appeal

Complainants and respondents dissatisfied with the determination of the Finance Committee, or if applicable the determination of an Independent Investigation Committee (IIC), may appeal the decision by notice in writing, to the Executive Committee within 21 calendar days of the decision, unless the Appellant has received an extension of that deadline from the Executive Committee.

9. Standard Review

a. The Executive Committee applies a standard of reasonableness to the decision and bases its judgment on the information available to the Finance Committee at the time of the decision.

b. The individual appealing the decision (the "Appellant") bears the onus of establishing, on a balance of probabilities, that the decision was unreasonable based on the information and evidence before the Finance Committee at the time the decision was made.

c. The Executive Committee shall review the Finance Committee's decision to determine if it is based on internally coherent reasoning, and whether the decision is reasonably justified in relation to the relevant facts, evidence, policies, Bylaws, and submissions.

d. The Executive Committee will not conduct a fresh hearing of the evidence or receive new evidence. The decision of the Executive Committee will be based on the information and evidence that was before the Finance Committee at the time of the Decision, and any submissions on appeal relating thereto.

e. The Executive Committee shall not re-hear, reconsider, or vary any of the specific findings related to the decision under appeal. Rather, the Executive Committee will either affirm or reverse the decision.

10. Notice of Appeal

a. A decision can only be appealed by an individual about whom the decision was made.

b. The Appeal Notice should identify and explain the reasons why the Appellant believes the decision was not reasonable. The Appeal Notice should only address the reasons in the decision, the evidence, information, or issues that were before the Finance Committee when the decision was made, and/or procedural issues relating to the decision.

11. Appeal Submissions

a. The Finance Committee, the Appellant and the Respondents have the right to provide an appeal submission in writing but are not required to. The Finance Committee and Respondents shall provide any submission in response to the Appeal Notice within 21 calendar days of the President receiving the Appeal Notice. The Appellant shall provide any reply submission, which must be sent to the President/Chair, within 21 calendar days of receiving any submission on behalf of the Finance Committee or Respondents.

b. The submissions should only address evidence, information, or issues that were before the Finance Committee when the Decision was made, and/or procedural issues relating to the Decision.

12. Appeal Decision and timeline

a. After receiving the Appeal Notice, the President/Chair shall arrange for the appeal to be considered and decided at a special meeting of the Executive Committee.

b. The Executive Committee shall:

   i. discuss and consider the appeal and make a final and binding decision; and
   ii. provide written reasons for the decision to the parties as soon as practicable, and in any event, within 90 calendar days of receipt of the Notice of Appeal excluding office closures.

13. General Provisions and Conflict of Interest

a. In the event that a member of the Executive Committee has a real or perceived conflict of interest in relation to the appeal as per 4.6 of the YAEP Bylaws, the Executive Committee may at its discretion:

   i. require the member to recuse themselves from the Executive Committee for the purpose of the appeal; or
   ii. create an independent panel and Special Committee of members to consider and make findings on the appeal; or
   iii. appoint a 3rd party adjudicator to consider the appeal and make recommendations to the Executive Committee.

b. Individuals affected by workplace violence or harassment may be supported through and can access counselling via the Employment Assistant Program under their benefit program and will be provided with reasonable support, guidance and training as is appropriate in the circumstances.

c. This policy will be reviewed and revised at least once every three years.

d. Any questions or concerns regarding this policy can be forwarded to Chair of the Finance Committee and/or the YAEP's Executive Director.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: September 13, 2021 YAEP Executive

Privacy Policy

YAEP must ensure its collects, uses, and discloses members' and employees' personal information only for lawful purposes as is appropriate and necessary in the circumstances.

YAEP respects the ten principles set out in *Personal Information Protection and Electronic Documents Act*:

1. **Accountability:** YAEP is responsible for the personal information under its control, and designates the President, as the legal custodian of YAEP, accountable for its compliance with the Act.
2. **Identifying purposes:** where necessary YAEP will specify why it is collecting personal information from members and employees at or before the time it does so.
3. **Consent:** the members' and employee's knowledge and consent is required for the collection, use, or disclosure of personal information;
4. **Limiting collection:** YAEP may only collect the personal information that's necessary for the purpose they've identified and must collect it by fair and lawful means.
5. **Limiting use, disclosure, and retention:** unless they have the consent of the member or employee, or are legally required to do otherwise, YAEP may use or disclose personal information only for the purposes for which they collected it, and they may retain it only as long as necessary for those purposes.
6. **Accuracy:** the members' and employees' personal information must be accurate, complete, and up to date.
7. **Safeguards:** personal information must be and are protected by reasonable and appropriate security safeguards.
8. **Openness:** the YAEP must make its personal information policies and practices known to its members and employees.
9. **Individual access:** members and employees must be able to access personal information about themselves and be able to challenge the accuracy and completeness of it.
10. **Challenging compliance:** members and employees must be able to present a challenge about the YAEP's compliance with the Act to the person that the employer has designated as accountable.

These principles of the Act are widely accepted both in Canada and internationally and are acknowledged by YAEP as the basis of ethical personal information practices.

"personal information" means recorded information about an identifiable individual, including:

- the individual's address, or telephone number;
- the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- the individual's age, sex, sexual orientation, marital status, or family status;
- the individual's health care history, including a physical or mental disability,
- information about the individual's educational, financial, criminal, or employment history including the terms of an individual's personal contract of employment with the association.

The Yukon Association of Education Professionals ("YAEP") is committed to providing a workplace in which all persons can expect that their privacy is not infringed upon. Any recording of conversations in the workplace is strictly prohibited. Any photographing, digital or video recording in the workplace is strictly prohibited. YAEP members, employees, staff and officers must not use any technology to record conversations between themselves and others or record the conversations of others. YAEP members, employees, staff and officers must not use any technology to record images of themselves or others in the workplace.

While participating in any form of video conferencing the following rules will apply:

a. No participant is permitted to create an audio or video recording of any portion of the video conference at any time, in any manner. This does not preclude any participant from keeping their own written or typed notes.

b. No participant shall share the hyperlink used to join the video conference or any of its contents, with any person who is not legitimately entitled to participate.

c. During the video conference, participants should have their microphone muted until it is their opportunity to speak.

Any violation of this Privacy Policy could lead to discipline up to and including expulsion from the YAEP, termination of employment and/or removal from office.

The Executive Committee has the authority to approve and consent to the electronic recording of any type of meeting including but not limited to the Annual General Meeting, Central Council or training.

Prior notice, that the meeting will be electronically recorded, will be provided to meeting attendees if approval and consent has been provided by the Executive Committee.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

The Collective Agreement Defence Fund

1. Fund administration

a. The fund be discretely reported within the financial reports and fiscal management of the YAEP to the Central Council and within the reports to the AGM.

b. Any revenues generated by the fund remain within the fund.

c. Expenditures from the fund shall be in accordance with policies and procedures approved by Central Council and shall include strike/lockout/job action pay and may also provide for expenditures to negotiate a collective agreement including publicity/information campaigns, special legal expenses and workshops not already provided for in the operating budget

d. The proposed expenditures shall be approved by the Executive to a maximum of $20,000 per fiscal year-excluding compensation related to job actions. The approval will require a 2/3 majority of Executive members present at the meeting.

2. Strike-Lockout-Job Action Pay

a. The amount of pay be $60 per day commencing from the first day that earnings are interrupted by the job-related action and will continue for each day of the dispute and on which the member is not at work and is participant in the Association's directed action.

b. All members, other than Teachers on Call, who are on the payroll of the employer at the time of the interruption of services and earnings shall be eligible for pay unless:

   i. in receipt of sick leave benefits, or
   ii. in receipt of WCB benefits
   iii. in receipt of disability insurance

c. Upon receipt of a list of eligible members, submitted by the person(s) designated by the Finance committee, and authenticated by the Finance Committee of the Executive, payment of strike/lock out/job action pay shall be undertaken. Payment shall be made by cheque directly to the members.

d. In the event members are paid by the Employer for any day for which they have received payment under this policy, the amount received under this policy for those days shall be repaid to the YAEP.

e. Rotating or intermittent interruption in service/earnings shall qualify on the same basis as a consecutive-day interruption.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Legal Services

1. Legal Services

General Information

a. This policy outlines the procedures and processes used in the YAEP's approval of legal assistance. The Executive Director is responsible for retaining legal services for the benefit of Members.

b. Legal assistance may be provided to YAEP members in good standing to aid in their representation to address issues of professional difficulty.

c. Professional difficulty shall mean any matter directly arising from the employment relationship which adversely affects the member's collective agreement rights & entitlements, human rights, tenure, remuneration, pension benefits, conditions of work, professional status and the free exercise of professional duties.

d. As a general policy, the YAEP does not provide legal assistance to an individual member facing civil suit or criminal charges. Executive Committee approval and support for legal assistance may be granted, entirely at the discretion of Executive Committee, for certain civil or criminal actions that arise out of or in the course of a member's employment, where, in the opinion of the Executive Committee, the outcome may be significant for not only the individual member, but the general membership.

e. Legal assistance for the cost of any appeal in any process is subject to Executive Committee approval and support.

f. Legal assistance granted to a Member in accordance with this policy will, as a general rule, be continued to the completion of the specific case initiated while the member was a Member irrespective of whether the member's membership status alters in the interim.

g. Access to legal assistance is a privilege of Membership and is not a right of a member.

Procedure

a. Authorisation from the YAEP Executive Committee for the engagement of legal assistance must be sought in advance of engaging legal services. No legal case initiated by a member will be supported by the YAEP unless the YAEP authorised the legal assistance.

b. The provision of any legal assistance, including any continued legal assistance, is subject to prior consultation with and the agreement of the Executive Committee.

c. Legal opinions must be reviewed and considered by the Executive Committee if legal assistance was obtained and a decision regarding the future conduct of a matter is required.

d. The provision of legal assistance may be withdrawn by the YAEP if the teacher fails to aid and co-operate with the YAEP and its appointed legal counsel and/or fails to reasonably follow the advice of the YAEP and its appointed legal counsel.

e. Written requests by Members for the provision of legal assistance at the cost to the YAEP relating to any proceeding or matter not contemplated by this policy will be considered and decided on a case-by-case basis by the Executive Committee where, in the opinion of the Executive Committee, the outcome may be significant for not only the individual member, but the general membership.

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

Communications Policy

1. THAT YAEP materials shall use inclusive language. (AGM 2003)

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: Currently in effect; excerpted from 2012 YAEP Handbook

File Management Policy

1. File Management

a. Old YAEP files shall be released to the Yukon Archives with the exception of any confidential files.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 12, 2025 YAEP Executive

Website Policy

The Yukon Association of Education Professionals website is designed to provide information about our organization and the services we offer to our members. By using this website, you agree to comply with the terms and conditions outlined in this section.

This policy clarifies the YAEP website governance structure, as well as its intended use.

Terms of Use

The YAEP website, which includes https://www.yaep.ca/ (the “Website” or “YAEP Website”), is provided for the use and benefit of YAEP members, employees, staff and officers.

The content of this website is for informational purposes only and should not be considered legal or professional advice. The Yukon Association of Education Professionals does not guarantee the accuracy, completeness, or timeliness of the information provided on this website. We reserve the right to modify or update the content of this website at any time without prior notice.

1. Intellectual Property

All content available on the YAEP website, including text, graphics, logos, images, videos, and other materials (the "Content"), is the property of the Yukon Association of Education Professionals or its content providers and is protected by Canadian and international copyright laws.

a. Copyright: You may view, download, or print Content from the website for personal, non-commercial use only, provided that you retain all copyright and proprietary notices contained in the Content.

b. Trademarks: The YAEP name and logo are trademarks of the Yukon Association of Education Professionals. You may not use, reproduce, or display these trademarks without prior written consent from YAEP.

c. Other Restrictions: You may not copy, modify, distribute, republish, or display any part of the Content for commercial purposes without prior written permission from YAEP.

2. Use of the Website

You may use the website and its contents for lawful purposes only and in accordance with these Terms of Use. You agree not to:

a. Use the website in any manner that violates any applicable local, provincial, or federal law or regulation.

b. Engage in any activity that could damage, disable, or overburden the functionality of the website, such as transmitting viruses, malware, or any harmful code.

c. Interfere with or disrupt the security or integrity of the website or any services provided on the website.

d. Attempt to gain unauthorized access to any part of the website, server, or database associated with the website.

3. Content Management and Authority

The Office Manager is the primary editor and contributor of the content of the Website, and YAEP retains sole authority and ownership with respect to the Website and its contents. Revisions to Website content, creation of new pages, addition or removal of content editors and contributors, or any other content-related changes must be authorized by the YAEP President.

4. User Contributions

The YAEP website may allow you to submit content, including but not limited to comments, feedback, forum posts, or other communications (collectively, "User Contributions"). By submitting any User Contributions, you grant YAEP a worldwide, royalty-free, irrevocable, and transferable license to use, display, modify, and distribute the User Contributions for any purpose related to YAEP's activities, including promotion, advocacy, and education.
You agree that your User Contributions will not:

a. Violate the intellectual property rights of others.

b. Be unlawful, defamatory, abusive, obscene, or otherwise harmful or offensive.

c. Contain harmful or malicious code, such as viruses or malware.

d. Be used for commercial solicitation or spamming.

YAEP reserves the right to remove any User Contributions that violate these Terms of Use or are deemed inappropriate by YAEP in its sole discretion.

5. Content Contributions and Secondary Websites

YAEP members, employees, staff or officers interested in contributing content to the YAEP Website can contact the YAEP President and the Public Relations Chair. YAEP members, employees, staff or officers interested in creating a secondary website for YAEP and/or for use by YAEP members, employees, staff or officers, must be authorized to do so and must first consult with Executive Committee to present a business case and needs assessment. The business case must outline why a secondary site is needed how it will integrate with the YAEP Website, and how the site will be resourced, maintained and managed. In any event, in order for a secondary site to be authorized, all necessary steps must be taken so that YAEP has ownership of the secondary site, including content, custom code and intellectual property, unfettered administrative rights and control of the username/email that has the authority over access to the secondary website. Passwords of any YAEP account editing must be shared and also held by the Office Manager.

6. Third-Party Links

The YAEP website may contain links to third-party websites or resources. These links are provided for your convenience, and we do not endorse or control the content of these external sites. You acknowledge and agree that YAEP is not responsible for the availability or content of any linked third-party websites, and you access these sites at your own risk.

7. **Disclaimers and Limitation of Liability**

   a. No Warranty: The YAEP website and its contents are provided "as is" and without any warranty of any kind, either express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, or non-infringement.

   b. Accuracy: While we strive to provide accurate and up-to-date information, YAEP makes no representations or warranties about the accuracy, completeness, or reliability of the information on the website. YAEP assumes no responsibility for any errors or omissions in the content.

   c. Limitation of Liability: To the fullest extent permitted by applicable law, YAEP shall not be liable for any indirect, incidental, special, consequential, or punitive damages arising from your use or inability to use the website, even if YAEP has been advised of the possibility of such damages.

8. **Non-compliance and Consequences**

   Non-compliance with this Website Policy may result in deletion of accounts, corrective action, termination of employment, removal from office or elected position, and/or discipline up to and including expulsion from the YAEP.

9. **Legal Compliance**

   Nothing in this Website Policy should be interpreted in a manner that is inconsistent with the YAEP's legal obligations, including its obligations under collective agreements and the terms of employment applicable to non-unionized staff.

10. **Indemnification**

    You agree to indemnify, defend, and hold harmless the Yukon Association of Education Professionals, its officers, directors, staffs, affiliates, and agents from any claims, liabilities, damages, losses, costs, and expenses (including legal fees) arising from your use of the website, any violation of these Terms of Use, or any infringement of third-party rights.

Privacy and YAEP Website

The Yukon Association of Education Professionals (YAEP) respects your privacy and is committed to protecting the personal information you share with us when you visit our website. This Privacy Policy explains how we collect, use, and safeguard your personal data in accordance with the Personal Information Protection and Electronic Documents Act (PIPEDA) and other applicable laws in Canada, including privacy regulations in the Yukon Territory.
By accessing or using our website, you agree to the practices described in this policy.

1. **YAEP Collects Personal Information**

   We collect both personal and non-personal information when you visit our website.

   a. Personal Information: When you interact with our website, such as registering for events, signing up for newsletters, or becoming a member, we may collect personal information including but not limited to:

- Name
- Email address
- Location
- Teaching position and school

b. Non-Personal Information: We also gather non-identifiable data to help improve our website's functionality and to better understand how our site is being used. This may include:

- IP address
- Browser type
- Device type
- Pages visited and time spent on those pages

2. How We Use Your Information

We use your information for the following purposes:

a. To provide services to our members, including updates on educational resources, professional development opportunities, and association activities.

b. To communicate with you regarding upcoming events, elections, and other relevant association matters.

c. To process membership applications and event registrations.

d. To improve the content, navigation, and user experience of our website.

e. To comply with applicable laws and regulations and protect our legal rights.

3. How We Protect Your Information

YAEP is hosted on the Wix.com platform. Wix.com provides us with the online platform that allows us to manage the membership portal. Your data may be stored through Wix.com's data storage, databases and the general Wix.com applications. They store your data on secure servers behind a firewall. They are obligated to take steps to protect your data and notify is in the event of any breach.

Wix.com is based in Israel, and its data is stored in various locations, including USA, Ireland, South Korea, Taiwan, and Israel. In accordance with their privacy policy, we acknowledge the potential for foreign governments or agencies in these countries to access information stored there, subject to the laws in place in those countries.

Wix.com retains your information for a period of time consistent with their privacy policies. For more details. You can refer to Wix's privacy policy here.

However, please note that while we strive to protect your personal information, no data transmission over the internet is 100% secure. Therefore, we cannot guarantee the absolute security of information transmitted via our website.

4. Sharing Your Information

We will not sell, lease, or rent your personal information to third parties. However, we may share your data in the following circumstances:

a. Service Providers: We may engage third-party service providers to assist us with website management, event registration, email campaigns, or payment processing. These service providers are contractually obligated to handle your information with care and only for the purposes for which it was provided.

b. Legal Requirements: We may disclose your personal information if required by law, such as in response to a court order, legal process, or government investigation.

c. Affiliated Organizations: We may share information with organizations affiliated with YAEP for purposes related to professional development, advocacy, or association activities, as long as they comply with privacy laws.

5. Cookies and Tracking Technologies

Our website uses cookies and similar tracking technologies to enhance your user experience. Cookies are small files that are stored on your device when you visit our site. They help us:

a. Recognize you on future visits

b. Understand how you interact with our website

c. Analyze trends and improve the user experience

You can adjust your browser settings to disable cookies, but please be aware that this may limit the functionality of some areas of the site.

6. Your Rights and Choices

Under Canadian privacy laws, including PIPEDA, you have the right to:

a. Access the personal information we hold about you.

b. Request corrections to your personal information if it is inaccurate or incomplete.

c. Withdraw your consent for the use of your personal information at any time, subject to legal or contractual restrictions.

To exercise these rights, or if you have any concerns regarding our privacy practices, please contact us using the information below.

7. Links to External Websites

Our website may contain links to third-party websites that are not operated by the Yukon Association of Education Professionals. These links are provided for your convenience, and we encourage you to review the privacy policies of any third-party sites you visit. We are not responsible for the content or privacy practices of these external websites.

8. Changes to This Privacy Policy

We may update this Privacy Policy from time to time. Any changes will be reflected on this page with an updated "Last Revised" date. We encourage you to periodically review this policy to stay informed about how we are protecting your personal information.

9. Contact Us

If you have any questions or concerns about this Privacy Policy or wish to exercise your rights regarding your personal information, please contact us:

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Related policy: YAEP Privacy Policy

Section II:
Teaching and Employment Policies

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

Responsibility of Teachers

The Yukon Association of Education Professionals believes that:

1. Members should be as objective as possible in dealing with controversial matters arising out of the curriculum subjects, whether scientific or political, religious or racial.
2. Members regard as their first duty the effective education of their students and maintain professional competence in their teaching.
3. Teachers work constantly to improve education through study and reflection.
4. Members are willing to review with colleagues, students, and their parents/guardians the quality of service rendered by the teacher and the practices employed in discharging professional duties.
5. Members notify any other teacher whose students they propose to tutor on a regular basis. Members who propose to tutor a student in a course for the purpose of challenging an exam shall notify the administrator of the school in which the student is enrolled.
6. The teacher has prime responsibility for:
   a. evaluating the learning needs of students;
   b. prescribing the learning needs of students;
   c. implementing the learning activities.

DATE APPROVED/AMENDED: May 26, 2014

Internal Administration

The Yukon Association of Education Professionals believes that:

1. Teachers responsible for internal administration should respect staff members as individuals and provide opportunities for them to express opinions and bring forth suggestions regarding the administration of the school.
2. Teachers responsible for internal administration should be loyal, fair, and just to the members of the staff.
3. Teachers responsible for internal administration should not, of their own initiative, make any detrimental report, oral or written, on a member's competency without first discussing the matter with the member.

DATE APPROVED/AMENDED: May 26, 2014

Right of Input

The Yukon Association of Education Professionals believes that:

1. Educational staff of each school, which includes the principal teacher, has the right to participate in any policy decision that affects the learning and working conditions in the school.

2. School teaching staff has the prerogative of having input into the selection of additional classroom assistance personnel or replacement professionals and auxiliary personnel and their assignments and duties.
3. School staffs has the prerogative of participating in the selection of their school principals.

DATE APPROVED/AMENDED: May 26, 2014

Housing for Teachers

1. YAEP believes that the Government of Yukon should supply adequate housing in rural communities to allow single staff to have the option of having affordable individual accommodation.
2. The YAEP believes that the Government of Yukon supply adequate and affordable staff housing in rural communities. Sufficient housing must be maintained so that the government is not compromised in its hiring.
3. Permanent housing for teachers in Yukon's rural communities is necessary.
4. Housing rent differential must be maintained in rural communities to compensate for the higher cost of living.

DATE APPROVED/AMENDED: May 26, 2014

Teacher Education & Training

The Yukon Association of Education Professionals believes that:

1. The cost of Teacher retraining should be assumed by the Department of Education.
2. Educators should be encouraged to take courses in areas of concern to first nations.
3. Teacher exchange should be supported, and any criteria set by the Department of Education should be in consultation with the YAEP.
4. Teachers and administrators who have the responsibility for teaching children with special needs, should have appropriate pre-service and in-service education courses made available to them.
5. YAEP has the right to be directly and continuously involved with the Department of Education in all matters related to teacher education, certification, and retraining.

DATE APPROVED/AMENDED: May 26, 2014

Teacher Evaluation

The Yukon Association of Education Professionals believes that:

1. Evaluators be formally trained to do teacher evaluations and teachers be made aware of how they are to be evaluated.
2. Teachers of French as a second language should be evaluated by persons who are qualified to evaluate in French.
3. Any evaluation of a teacher or administrator should take into consideration the unique educational circumstances of the community.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

Paraprofessionals

The Yukon Association of Education Professionals believes that:

1. Paraprofessionals shall not:
2. infringe in any way upon the responsibilities of a teacher;
3. assume any instructional responsibilities in the absence of a teacher;
4. provide any form of direct or independent remedial instruction, except under the direction of a teacher.
5. Paraprofessionals shall not be used as alternatives for:
6. lowering the pupil/teacher ratio;
7. qualified professional personnel, including librarians, counsellors, and Teachers on Call.

DATE APPROVED/AMENDED: May 26, 2014

Paraprofessional Education & Training

The Yukon Association of Education Professionals believes that:

1. Appropriate pre-service and in-service training programs for paraprofessionals and the teachers with whom they work be a matter of negotiation between the Association and the Department of Education.

DATE APPROVED/AMENDED: May 26, 2014

Health and Safety

The Yukon Association of Education Professionals believes that:

1. The health and safety of our members and the environment within which teaching takes place are primary concerns of the YAEP.
2. Members should report unsafe or unhealthy conditions to the Department of Education to the appropriate public health and safety body through the principal and the school's Safety Committee or Safety Representative.
3. Should a school be closed for health or safety reasons, members should not be required for direct instructional duties should request a safe and healthy area in which to carry out their non-instructional teaching duties.
4. The employer should be informed that YAEP members are ready to honour their contractual commitments when it is safe and healthy to do so.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

Involvement of Community Members

The Yukon Association of Education Professionals:

1. Supports the involvement of community members in the delivery of curriculum during the regular school day under the supervision of and with the invitation of the teacher and administration under the following conditions:
2. the involvement does not infringe in any way upon the responsibilities that would normally be performed by an existing or potential YAEP member;
3. the community member does not assume any instructional responsibilities in the absence of a YAEP member;
4. The community member does not provide any form of direct or independent remedial instruction, except under the direction of a teacher.

DATE APPROVED/AMENDED: May 26, 2014

General Conditions

The Yukon Association of Education Professionals believes that:

1. When discussions are held or decisions are made relating to a pupil's education, the teacher(s) of that pupil must be directly involved.
2. All educators should receive adequate preparation time.
3. In order to attract and retain an adequate supply of qualified teachers, improvements must be made in teacher compensation, working conditions and professional autonomy.
4. There should be no lowering of teacher education and certification standards to alleviate teacher shortages.
5. Parent/Teacher interviews should be held on instructional days since the students are encouraged to accompany parents.
6. Monitors should be hired by the Department of Education to supervise school bus loading and school lunch periods.
   School staffs have the right to determine and plan the content of non-instructional days.

Yukon Association of Education Professionals

Section III:
Student and Learning Environment Policies

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

General Conditions

YAEP believes that:

1. Public education in the Yukon Territory should be established in accordance with the philosophy that every child in the Territory will have the opportunity to develop to his/her fullest potential not only as an individual but also as a member of society. School staffing formulas must be equitable, transparent and reflect the needs of students in individual schools.
2. As individuals, children will require intellectual self-realization as well as physical, mental, emotional and spiritual growth and as members of society they will need some training to make a living and be able to integrate with their cultural surroundings.
3. The health, safety and education of students are the primary concern of members of YAEP.
4. Meaningful alternatives to the academic school program should be available.
5. School libraries should be staffed adequately with Teacher-Librarians and Library Clerks.
6. Elementary schools need Specialists in such areas as Music, P.E., and Art.
7. The gender of a student shall not be a factor when enrolment for option classes is being considered. Equal opportunity will be given to all students if maximum class sizes in option subjects are likely to occur.

DATE APPROVED/AMENDED: May 26, 2014

Classroom Size & Environment

1. **YAEP believes that:**
   a. Any kindergarten class should not exceed 18 students, and Grade 1, 2, or 3 class should not exceed 20 students.
   b. Any Grade 4, 5, 6, 7, 8 or 9 class should not exceed 25 students.
   c. Any laboratory-oriented science, vocational or industrial education class should not exceed 16 students.
   d. Any class from Grade 10-12 should not have more than 27 students.
   e. Any class deemed as a special education class should not have more than 14 students. A class designated as a resource room, or its equivalent should have no more than 8 students.
   f. Any multi-grade class should not exceed 18 students.
   g. When a regular class is to include students with special needs, a weighting formula must be used in determining the class complement.
2. YAEP supports the employment of staff including qualified counsellors and learning consultants to aid classroom teachers in diagnosing, assessing, remediating, and planning on-going programs for children with learning disabilities and/or behaviour.

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

Language and Culture

1. YAEP supports educational programs that include instruction in Yukon First Nations Languages, customs and heritage.
2. YAEP continues to support the use and development of First Nation cultural and educational materials.
3. YAEP believes that all Yukon students should have the opportunity to learn a second language, but that allowance be made for the cultural background of students in each school when selecting a second language program.
4. YAEP encourages inclusion of Second Language specialists within the Yukon school system. The inclusion of these specialists should not have a negative impact on program delivery and/or pupil teacher ratio within the school.

DATE APPROVED/AMENDED: May 26, 2014

Inclusion Policy

YAEP believes that in relation to the inclusion of exceptional students, the following shall be policy:
Definitions: "exceptional", "receiving teachers", "target class" and "inclusion"

a. That children with exceptional physical, intellectual or emotional needs benefit from learning in the most enabling environment, characterized by flexibility, responsiveness and support.

b. While regular classroom placement may best serve many exceptional children's needs, it is recognized that self-contained classrooms and other environments may be the most appropriate short and long term placement option for some children, and that the most enabling environment may include any one or a combination of these setting or an alternative non-school placement

c. That determination of the most enabling environment be made prior to the placement of the student with exceptional needs and that all placement decisions be made by consultation among receiving teacher(s), the principal, the professional support personnel, the parent(s) or guardian(s) and the student (where applicable).

d. That the following factors be given primary importance prior to determining the placement of a student:

   i. The types/variety of settings available;
   ii. The needs and rights of all students to an appropriate education;
   iii. The goals and objectives of the student's individual education plan;
   iv. The availability of both direct and indirect support personnel to the students;
   v. The availability of both direct and indirect support personnel to the teachers;
   vi. The workload/caseload of the paraprofessional services;
   vii. Class size
   viii. Grade configuration of the target class;
   ix. The number/types of special needs currently accommodated within existing settings;
   x. the adequate preparation time for the receiving teacher(s) to develop programs, curricula and materials;

xi. the adequate release time for the receiving teacher(s) to attend meetings in order to share information, to develop strategies and evaluate progress;
xii. the provision of adequate professional development for teacher(s) and paraprofessionals;
xiii. the provision of specialized equipment;
xiv. the appropriate modifications to physical structures;
xv. the provision of program support materials

e. On-going specially-designated and substantial funding should support the inclusion of exceptional children.

f. Assessment and decisions regarding the placement of individual children should be subject to continuous review and flexible alternatives.

g. Regular classroom placement, if such is deemed the most enabling for an exceptional child, should continue only under the following conditions:

i. The education of mainstream students is not adversely affected;
ii. The child's unique needs as identified in the IEP are best met in that environment;
iii. Ongoing in-service is provided to classroom teachers and in-school administration;
iv. Information is provided on an ongoing basis to the teacher, staff, students, and parents of students in the class;
v. Professional support services are provided;
vi. Appropriate materials and equipment are provided;
vii. Appropriately trained Education Assistants are provided;
viii. The amount of regularly assigned instructional time is reduced in accordance with teacher and student needs;
ix. Class size is appropriate to the needs of all students (limited to a maximum of 20 weighted students).

h. The Yukon government should provide the necessary funds to meet the costs of:

i. Ongoing in-services for receiving teachers, Special Ed. support staff and in-school administrators;
ii. Appropriately trained EA's;
iii. Trained transportation and support personnel;
iv. Assessment and program implementation services;
v. Specialized equipment and materials;
vi. Barrier free buildings;
vii. Medical and other health related services;
viii. Lowering class size and pupil teacher ratio to allow for integration;
ix. Maintenance of programs for special needs students without jeopardy to the educational programs of other students.

i. That teachers should not be compelled to take into their classrooms particularly hard to serve emotionally behaviourally disordered students whose behaviour consistently disrupts, interferes or hinders the learning of other children in the class and/or poses a physical threat to other students or staff.

Section IV:
Societal Issues

Yukon Association of Education Professionals

DATE APPROVED/AMENDED: May 26, 2014

Childcare

The Yukon Association of Education Professionals believes that:

1. Every Canadian child should have the right of access to supervised quality childcare and early childhood education.
2. Quality childcare programs should be available for all elementary school children before school begins in the morning, during the lunch hours and after school with the understanding that this will not be the responsibility of the teaching staff.

DATE APPROVED/AMENDED: May 26, 2014

Second Languages and Minority Language rights

The Yukon Association of Education Professionals believes that:

1. Opportunity should exist for all English-speaking Canadians to learn French as a second language, and for all French-speaking Canadians to learn English as a second language, through the use of those means of instruction which prove to be the most effective.
2. Those whose mother tongue is neither English nor French should have the right to affiliate with either an English-speaking community or a French-speaking community according to their choice and to have their children educated in the language so chosen.
3. Any resident of Canada belonging to the Francophone minority has the right where numbers warrant to demand that the child under his/her guardianship be educated in French in a homogeneous French language school.
4. Any resident of Canada belonging to the Anglophone minority has the right where numbers warrant to demand that the child under his/her guardianship be educated in English in a homogeneous English-language school.

DATE APPROVED/AMENDED: May 26, 2014

Equal Opportunity

The Yukon Association of Education Professionals believes that:

1. School boards and the Ministry of Education should develop equal employment opportunity policy that will ensure that hiring and promotional practices reflect the multicultural composition of society.

DATE APPROVED/AMENDED: May 26, 2014

Pornography

1. YAEP condemns the manufacture, distribution, sale, and public display of all pornographic materials. Pornography s defined as materials that exploit those it portrays by depicting them as sexual objects or as victims of sexual abuse, humiliation, domination, or murder for sexual stimulation of the consumer.