

## 2026 CAPSLE PD Report- Waldron

As always, the 2026 CAPSLE Conference in Montreal was a very informative and thought-provoking series of seminars. The theme of the conference was asking if the “Grass is Really Greener,” which meant that several of the seminars compared education law issues between the USA and Canada. The relevancy of the seminars can vary depending on the topic covered, but this also falls into the strength of the conference, which includes stakeholders from a variety of facets of education, including labour reps, administration, school boards and teachers.

There were several highlight sessions throughout the conference and rather than just summarizing them, I will bring in my thoughts on how the topics discussed could directly impact our members and positions within the Winnipeg Teachers Association.

### **Freedom of Expression in Canadian Schools: Who Decides, Who Is Heard, and Where the Lines Are Drawn**

This session looked at the tension of neutrality and expression within the public education sector. As the nature of these presentations are often void of speculation, and instead focused on the facts of law, I found this to create more questions than answers for the impact on our members. From my understanding, the presentation was very cautionary about using the position of educator to push personal activism. While we all hold personal opinions on topics, there is an unspoken expectation that teachers are to not engage in any actions that could bring disrepute upon their employer. The presenters included examples of acceptable political stances vs not, though these could often be as subtle as wearing a pin with one phrase vs another.

There was a real caution against ever organizing a political event as curriculum where the teacher presses an issue for the kids to directly be involved in. This does not mean that political events cannot happen, but they should be student driven. My thoughts are that this has the potential for discomfort if students choose to demonstrate on an issue that contradicts the personal position of the teacher.

How this affects our personal life is also in question. Social media usage of educators is often judged differently by the public, and teachers seemingly do have the potential of jeopardizing their reputation and in some cases, employment, by taking an aggressive stance on issues. An example that seems very black and white is the idea of not inciting violence. Most teachers would not ever argue that it is acceptable. The presenters warned that even suggesting that a country should declare on another country could be seen as inciting violence.

## 2026 CAPSLE PD Report- Waldron

While I don't know what the answer is, I do believe that we do have a duty to get clarity from our employer about this seemingly grey area. Our members should be cautioned that there is a potential for a tense relationship between expressing freedom and real consequences for choosing to do so. However, my question is whether we should push the division to develop a policy in order to get ahead of this before a teacher gets caught in the crosshairs or avoid the division to implement a policy that ends up restricting teachers' personal voice even more. We may want to discuss with MTS/lawyers.

### **School Based Investigations and Working with External Investigators**

This was another very relevant session that looked at best practice investigations from a legal perspective. My key thinking points focused mainly on the recommendation that any airtight investigation should be conducted by a fully outside source, removing the perception or lure of bias. If a member is being accused or investigated, we should be pushing for an outside party to make sure that the said member is being treated fairly.

I have very little practical knowledge of this, but from my understanding, our employer's hr department has previously been quite hands on. This might be something worth looking at.

Secondly, there was a comment made about reporting to police any criminal activity that has been found at the point it is discovered. While I have no doubt that our employer is aware of this, our membership should be aware that a SHARP report does not have to be the end of their own reporting if they have been subject to violence in the classroom. I was able to confer with MTS staff who confirmed that teachers are able to make calls to authorities if they feel like they have been assaulted. As violence in the workplace continues to be an increasing concern in our profession, this seems like relevant information for all members who sometimes feel like they have little agency and/or their concerns have not been taken seriously. I think this is worth discussing as an executive over the next while.

### **Is the Grass Greener Over the Border: Comparing Issues in Education in Canada and the U.S.**

This was another fascinating session that looked at issues of educational law across the border. What was clear immediately was that the fiscal stakes in the USA are much higher than in Canada when it comes to addressing student concerns about bullying. The cases presented where the school had a responsibility to intervene appropriately showed awarded amounts of a few thousands to students and family found victimized in Canada vs hundreds of thousands in the USA. This would explain why teacher decisions in the classroom are more highly scrutinized

## 2026 CAPSLE PD Report- Waldron

in the USA. While most teachers feel a good level of autonomy in the classroom, if numbers like this increase, there could be reactionary affect of higher levels of scrutiny of our materials in the future.

The presenters also painted a picture of the way Canada has been following the American approach to creating social change through school board elections. We have talked about this many times before, but this is another strong reminder that we should continue our practice of political action in our candidate surveys, as this has direct bearing on our members.

### **How are students using AI at school? Towards empirically informed education law and policy**

While this issue has been more and more discussed recently, this session brought up some interesting points from a survey that seemed to imply that as many as 1/3 of students at the University level are using AI extensively for creating assignments. This would be considered a monumental shift in academic integrity and will have implications as teachers going forward. Will the definition of academic integrity shift in the near future? Will there be stricter consequences for using it? Will this apply to teachers who are using it for assignment creation and marking? These are key things to ask and consider going forward and should be kept in mind as we deal with our employer going forward.

While not directly addressed, I cannot help but feel like we are inching towards a real professional/employment issue with AI going forward.

If we shun AI, are we robbing our students of the ability to understand and use a powerful tool that will help them going forward?

Vs

If we embrace AI too closely, do we risk making (parts of) our employment irrelevant?

As we see a shift now in the world of AI replacing human capital (Rogers and Amazon as examples this last week), we may be naïve to assume that we are immune from this shift. As advocates for our members, this might be a discussion we want to have going forward. Maybe we should consider member seminars put on by the WTA that invite teachers to explore these questions by allowing discussion or bringing in a speaker. It may be a very effective form of engagement with a group of teachers that our recent engagement events haven't targeted.

## 2026 CAPSLE PD Report- Waldron

In all, I am very grateful for this opportunity to attend the 2026 CAPSLE conference. As hopefully can be seen from this report, it has spurred many thoughts, ideas and questions through the education that was received.

Dan Waldron