

REDUCTION IN PROFESSIONAL STAFF

Background

The Division has a mandate to provide quality education services to students enrolled in schools and programs operated by the Division within a fiscally responsible framework. A variety of factors may necessitate the reduction of professional staff in a particular school, in a geographic region, or in the Division as a whole.

Definition

Attrition is defined as:

- Voluntary resignation;
- Retirement;
- Voluntary leave of absence; and
- Voluntary changes in employment status such as full-time to part-time.

Procedures

1. When a reduction in the number of professional staff is warranted, the Division will endeavor to effect such reduction through attrition.
2. If attrition does not result in sufficient reduction, the Division will endeavor to effect reduction through the transfer of staff to other assignments.
3. If reduction cannot be fully achieved through attrition and transfer to other assignments, the Division shall effect reduction through termination of contracts of employment based upon seniority.
4. The following criteria shall apply in determining the contracts of employment that will be terminated:
 - 4.1 Seniority with the Division unless seniority does not enable the Division to retain staff with special skills, knowledge or experience, and academic qualifications to meet program needs.
 - 4.1.1 In such cases, the Division will retain the first person lower on the seniority listing who possesses the appropriate skills, knowledge or experience.

- 4.1.2 Leaves of absence for other than educational upgrading will be excluded in calculating years of service with the Division.
- 4.2 Total teaching experience, where two (2) staff members are equal with respect to seniority, an individual's total length of service to the teaching profession will be the determining criterion.
- 4.3 Teaching performance as determined on the basis of summative evaluations from the previous year's service with the Division.
- 5. In cases where circumstances beyond the control of the Division result in the termination of a program during the course of the school year, the provisions of this administrative procedure will apply.
 - 5.1 If sufficient reduction cannot be achieved in this manner, the contract of employment of staff affected by the program changes shall be terminated in accordance with this administrative procedure.
- 6. It is the desire of the Division that recommendations to terminate contracts of employment be formulated at least sixty (60) calendar days prior to the conclusion of a semester or school term. However, emergency situations may arise which will preclude strict adherence to the sixty (60) day time period. In such cases, the Division will consider such recommendations provided that the recommendations comply with the provisions of statute.
- 7. Upon application of the criteria of this administrative procedure and the Superintendent's recommendation of a termination of a contract of employment, the Superintendent shall inform the teacher in writing, of:
 - 7.1 The recommendation to terminate the contract of employment;
 - 7.2 The date, time, and location of the Board meeting at which the Board will consider the recommendation;
 - 7.3 The right to attend the meeting and make presentation to the Board; and
 - 7.4 The right to seek legal counsel.
- 8. As positions become available in the Division, the Superintendent will review the knowledge, skills, and experience of teachers whose contracts have been terminated under this administrative procedure for the positions that become vacant.

Reference: *Education Act*, SA 2012, c E-0.3, ss. 33, 52, 53, 68, 196, 197, 204, 212, 213, 215, 217, 218, 219, 222, 225, 232
Employment Standards Code
Labour Relations Code, RS 2000, c L-1
Collective Agreement