
REDUCTION OF CERTIFICATED STAFF

Background

The Division recognizes that it may become necessary to reduce certificated staff providing services to students within its jurisdiction. If it becomes necessary to reduce certificated staff, this Administrative Procedure will provide a process for such a reduction.

Procedures

1. Decisions regarding the application of resources made available to a school are school based decisions and are the responsibility of the principal.
 - 1.1 The principal, as part of the school-based management mandate given by the Division, will determine the certificated staff requirements for their school and will identify surplus certificated staff to the Human Resources Department.
 - 1.2 Some of the factors that may result in the need to reduce certificated staff include:
 - 1.2.1 Student enrollments, both current and projected;
 - 1.2.2 Government and/or local financial support for education, current and projected;
 - 1.2.3 Student education needs, current and projected;
 - 1.2.4 New or revised curricula, current and projected;
 - 1.2.5 Changes in the function of existing physical facilities, current and projected; and
 - 1.2.6 Other circumstances, current and projected.
 - 1.3 Principals will, to the extent considered advisable, consult with the certificated staff of the school and Human Resources Department regarding program needs and budgetary concerns.
 - 1.4 Prior to the principal determining the need for staff reduction and the identification of certificated staff considered to be surplus to the needs of the school, the principal will consider the following:
 - 1.4.1 Seniority of certificated staff within the school;
 - 1.4.2 Department needs in junior/high schools;
 - 1.4.3 Consideration will be given to teachers who have at least a minor and ideally a major in relation to the instruction of specific courses including mathematics, science, languages, English Language Arts, social studies, and CTS courses that require a specialization.
 - 1.4.4 The expiration of temporary and/or probationary contracts and/or assignments;
 - 1.4.5 Voluntary resignation;
 - 1.4.6 Voluntary retirement;

- 1.4.7 Voluntary leaves of absence;
 - 1.4.8 Voluntary changes in employment status (i.e. full time to part time); and
 - 1.4.9 Voluntary transfer of staff between schools.
 - 1.5 In the event that a reduction in the number of certificated staff is deemed to be necessary by the principal, the principal will communicate to the Human Resources Department the identity of certificated staff that the principal determines are surplus to the needs of the school.
 - 1.6 In addition to determining the identity of certificated staff deemed to be surplus, the principal will identify to the Human Resources Department the factor or factors that in the opinion of the principal have given rise to the need to reduce certificated staff and how those deemed to be surplus have been identified. The principal will share this same information with those certificated staff directly affected by the principal's determination.
 - 1.7 In applying this Administrative Procedure the principal and the Human Resources Department may in their discretion determine that a teacher assigned to one (1) or more CTS areas, French, Inclusive Education or other programs requiring special training and qualifications may be considered exempt from the application of this Administrative Procedure. The needs of each school with regards to specialized teaching assignments will be carefully considered.
2. The Human Resources Department is responsible for recommending to the Superintendent those contracts of employment which are to be terminated.
 - 2.1 The Human Resources Department will discuss with the principal:
 - 2.1.1 The principal's conclusion that staff reduction is warranted,
 - 2.1.2 The factors considered by the principal as giving rise to the need for staff reduction including those identified in the procedures of this Administrative Procedure,
 - 2.1.3 The determination of the number of certificated staff to be reduced, and
 - 2.1.4 The persons identified as being surplus to the needs of the school.
 - 2.2 The Human Resources Department will, on the basis of information provided by all principals, construct a list of teachers requiring placement as a result of having been identified as being surplus to the particular school in which they are located and a list of vacancies, existing or anticipated.
 - 2.3 Teachers identified on the surplus list will be informed of all positions on the vacancy list.
 - 2.4 If a teacher on the surplus list applies for a position on the vacancy list and the principal of the school at which the vacancy exists and the Human Resources Department is of the view that the teacher is suited by experience and qualifications for the job, the teacher will, upon the teacher's written request to the Human Resources Department, be transferred to the vacant position.
 - 2.5 If more than one (1) teacher on the surplus list applies for a position on the vacancy list, seniority will govern if experience and qualifications are considered relatively equal by both the principal and the Human Resources Department.
 - 2.6 The procedure described in clauses 2.3, 2.4 and 2.5 will be undertaken prior to any vacancies being advertised externally. There will be as much time as the Human Resources Department considers reasonable allowed for the placement process to be

carried out.

- 2.7 Vacant positions for which no requests for transfer have been received by April 30 will be advertised externally. Teachers on the surplus list will nevertheless be able to apply for such positions but will not necessarily be afforded any preference.
 - 2.8 The Human Resources Department will recommend to the Superintendent that the contract of individuals not placed pursuant to the application of clauses 2.3, 2.4, 2.5 and 2.6 by April 30 be terminated in accordance with the provisions of the Education Act.
 - 2.9 The Human Resources Department will inform the teacher, in writing, of:
 - 2.9.1 The recommendation to terminate the contract of employment;
 - 2.9.2 The process for the Human Resources Department's decision.
 - 2.10 Notice of termination, if that is the Superintendent's decision, will be given in accordance with the Education Act.
3. Staff reduction will be considered to arise at the school level and will be dealt with on a school-by-school basis.
 4. In any circumstances not specifically dealt with by this Administrative Procedure, the discretion of the principal and the Human Resources Department, will govern.

Reference: Section 33,52,53,68,196,197,204,212,213,215,217,218,219,222,225,232 Education Act
Employment Standards Code
Labour Relations Code
Collective Agreement

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