

REDUCTION IN TEACHING STAFF

Background

Due to changing enrolment patterns, financial restrictions, school closures, the restructuring of educational practices, or other reasons affecting educational services, it may be necessary for HPSD to reduce the number of staff in a given location, or in the system as a whole. At all times the primary consideration shall be the efficient administration of the system's educational mandate. The Superintendent has established the following guidelines where staff reductions are deemed necessary.

Procedures

1. If it is necessary to reduce the number of professional staff in a school, the Principal will first endeavor to make such reduction through natural attrition and voluntary attrition [including voluntary resignation, retirement, leave of absence, or changes in employment status: (i.e., full to part time)].
2. If natural or voluntary attrition does not result in sufficient reduction, the Superintendent will effect reduction through transfer of staff to a suitable position if available in another Divisional school. (see Administrative Procedure 416 – Professional Staff Assignments and Transfers).
3. If reduction in staff cannot be fully accommodated through attrition or transfer, the Board will effect reduction through termination of contracts of employment. The selection of personnel to be terminated will be limited to the school where the reduction is necessary; except, in cases involving consolidation of student groupings from one school to another, where personnel to be terminated will be selected from the "pooled" staffs of the affected schools. Selection will be based primarily on the program needs of the school. Other considerations, not ranked in order of preference, may be:
 - a. academic qualifications;
 - b. relative performance; and
 - c. seniority with the school system, based on the following guidelines:
 - i. Division paid leave of absence will be credited as service.
 - ii. Continuous part-time employees are credited for a full year's service for a full school year worked. However, in those cases requiring selection between two teachers with the same number of credited years of seniority, full time equivalency will be considered to have more seniority than part time equivalency.
 - iii. Partial school years of 80 to 129 consecutive days of service will be credited as one half-year seniority; 130 or more consecutive days of service will be

credited as one-year seniority. Any period of service of fewer than 80 consecutive days will not be credited towards seniority.

- iv. Substituting and internship will not be credited.
- v. Any service prior to a resignation or termination of a contract after June, 1994 will not be counted towards seniority.

Note: Teachers on leave of absence will be considered as part of the staff of the school from which they were granted leave.

4. The Board delegates to the Superintendent responsibility for applying these criteria and for recommending to the Board those contracts of employment that should be terminated.
5. Upon application of these criteria and the selection of a teacher to be recommended for termination of contract of employment, the Superintendent shall inform the teacher in writing, of
 - a) the recommendation to terminate the contract of employment;
 - b) the date, time, and location of the Board meeting at which the Board will consider the recommendation;
 - c) the teacher's right to attend the meeting and make representation to the Board; and
 - d) the teacher's right to seek legal counsel.
6. The teacher shall be permitted to appear before the Board prior to its decision regarding termination of contract.
7. If the Board decides to terminate a teacher's contract it shall notify the teacher in accordance with Section 109 of the School Act.
8. A tenured teacher has the right of appeal to a Board of Reference under Section 107 of the School Act.
9. This administrative procedure does not require the Board to assign a teacher to a staffing vacancy when his/her contract of employment may be terminated.

REFERENCES

Section 107, 109, School Act

CROSS REFERENCES

Policy 11 – Role of the Superintendent, Policy 13 – Hearings on Teacher Matters