

PROFESSIONAL STAFF REDUCTION

Background

The Division recognizes that a variety of factors may necessitate the reduction of professional staff in a particular school, in a geographic region, or in the school division as a whole. Relocation of teaching staff or termination of employee contracts should be carried out in a manner that is sensitive to program needs of students and to the principle of “fairness” for employees.

The Division will consider such factors as it may deem appropriate in determining whether or not its ability to provide educational services has been affected and, without limiting the generality of the matters to be considered by the Division, the Division may consider the following:

- a. Student enrollments, both current and projected.
- b. Financial support for education, both current and projected.
- c. Student educational needs, both current and projected.
- d. Changes in the function of existing physical facilities, both current and projected.
- e. New and/or revised curricula.

In the opinion of the Division, should changes in one or more of the factors noted above be of sufficient significance, then the Division may deem that reduction in the number of professional staff is warranted.

Should the Division be of the opinion that any of these factors warrant a reduction in the number of professional staff positions, this administrative procedure may be applied at the Division’s discretion, to a particular school, geographic area, or the school division as a whole.

If one or more of the above factors result in the need to reduce staff at a school, or in a geographic region of the school division, every effort will be made to alleviate the problem through the transfer of staff. Transfers will be carried out in accordance with the terms of the Collective Agreement.

Procedures

1. Should the Division deem a reduction in the number of professional staff employees to be warranted, it will endeavour first, to effect such reduction through voluntary attrition.
 - a. voluntary resignation
 - b. retirement
 - c. voluntary leave of absence

- d. voluntary changes in employment status (i.e. full time to part time)
2. If voluntary attrition does not result in the necessary reduction, the Division will then endeavour to effect reduction through the transfer of staff to other appropriate assignments.
 - a. The primary factor for determining teacher transfers will be the viability of educational programs available for students in the surplus schools and in the potential receiving schools. School administration will be consulted in determining which transfers would result in the best possible educational programs.
 - b. Student and program needs, and not employee seniority, will be the primary criteria for enacting teacher transfers.
 - c. All other factors being equal, seniority may be considered when making decisions about teacher transfers.
 3. If reduction cannot be fully achieved through voluntary attrition and/or transfer to other assignments, the Division will endeavour to effect reduction through termination of contracts of employment.
 4. The following criteria may be utilized to determine which contracts of employment will be terminated:
 - a. Seniority based on years of service with the Livingstone Range School Division, will be the primary consideration when determining which contracts of employment are to be terminated. To determine years of seniority, the following principles will be used:
 - i. The date when the continuous contract was signed will be used to determine years of service with the Division. Maternity leaves, sick leaves, and educational leaves will be included as years of service with the Division. Leaves for personal reasons, of a duration of 30 days or longer, will not be counted for years of service.
 - ii. Employees who are on part-time contracts will be treated in the same manner as employees who are on full-time contracts. Full-time equivalent years of service will not be used to determine years of service.
 - b. Teachers on temporary or probationary contracts will be the first to be released.
 - c. Notwithstanding the above, teachers on temporary or probationary contracts may be retained and continuous contract teachers released if the teacher possesses a specialty that is required. For example, in the areas of second languages, learning support, counselling, specialized Career and Technology Studies programs and essential core subjects at the grade eleven and twelve levels, it may be necessary to retain teachers on temporary or probationary contracts in order to maintain these programs.
 - d. The needs of each school with regard to "specialized teaching assignments" that may include areas such as CTS specializations, second languages, music and learning support will be carefully considered, and a teacher placed in a "specialized teaching assignment" may be considered temporarily exempt from staff reduction.
 5. Program considerations and the ability of the teacher to adequately handle a specific teaching assignment will be taken into account when determining if a teacher, whose

contract of employment is being considered for termination, will be reassigned to a vacant position.

6. The Superintendent will apply these criteria and will carry out any resulting termination of services of teachers.
7. Termination of services of teachers will be carried out with due regard to the requirements of the *Education Act*.

December, 2003

Updates: July, 2008; January 2020

References

Section 33, 52, 53, 68, 196, 197, 204, 212, 213, 215, 217, 218, 219, 222, 225, 232 Education Act
Board Policy 12 – Role of the Superintendent