



Date: November 27, 2024 **Agenda Item:** 8.9
To: Board of Trustees
From: Shawna Warren, Superintendent
Originator(s): Lisa Lacroix, Associate Superintendent Human Resources
Subject: **Administrative Procedure 720: Teacher Staffing, Certification and Placement**

Background:

Administrative Procedures are the written directives, procedures and assignment of responsibilities established and approved by the Superintendent that direct the implementation of and achievement of desired outcomes of Board policy, Division Vision, Mission and Values, and the effective operation of the Division ([AP 205 Developing Administrative Procedures](#)).

Administrative Procedures are reviewed and developed on a regularly scheduled basis.

The revisions to Administrative Procedure 720: Teacher Staffing, Certification, and Placement were undertaken as part of the regular review schedule. These changes enhance clarity, streamline processes, and ensure transparency and consistency in teacher staffing, certification, and placement procedures. They are aimed at aligning administrative procedures with current operational needs, ensuring compliance with relevant laws, and maintaining fairness and efficiency within the Division's human resources practices.

Additionally, with the introduction of MyBudgetFile, the processes for yearly staff planning have been slightly modified, and these updates are reflected in the revised Administrative Procedure 720: Teacher Staffing, Certification, and Placement.

Status & Relationship to Superintendent Leadership Quality Standard (SLQS):

This report aligns with the [SLQS](#) in the following way:

- COMPETENCY:** (6) School Authority Operations and Resources
INDICATORS:
- a. providing direction on fiscal and resource management in accordance with all statutory, regulatory and school authority requirements;
 - b. ensuring effective alignment of the school authority's human resources to achieve the school authority's education plan; and
 - h. implementing programs and procedures for the effective management of human resources in support of mentorship, capacity building and succession planning.

Governance Implications:**Education Act**

Transfer of teacher

212(1) A superintendent may, at any time during a school year, transfer a teacher from one school operated by the board to another of its schools.

Policy 221: Role of the Trustee

2.1.7 Respect and support the authority of the Superintendent to direct the work of administration and staff.

Policy 225: Role of the Board

Board/Superintendent Relations

The Board shall recruit the Superintendent and entrust the day-to-day management of the school division to the staff through the Superintendent [Education Act s. 33(1)(j)]. Specifically, the Board:

32. Select the Superintendent and support succession planning as required.
34. Delegate, in writing, administrative authority and identify responsibility subject to provisions and restrictions in the Education Act.
35. Respect the authority of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position.

Policy 700: Superintendent of Schools

The Superintendent directly reports to the Board of Trustees and is accountable to the Board of Trustees on behalf of students and the public, for the total operation of the school system in a manner that is consistent with the requirements of the Education Act, Alberta Education regulations, the Superintendent Leadership Quality Standard, Board policies, Division vision, mission and values, and the Education Plan goals.

Policy 701: Board Delegation of Authority

DELEGATION

1.2 In accordance with Section 52(5)(a) of the Education Act, the Board delegates authority to the Superintendent of Schools to suspend the services of a teacher under Sections 213(1) and (2) of the Education Act.

1.3 In accordance with Section 52(5)(b) of the Education Act, the Board delegates authority to the Superintendent of Schools to terminate the services of a teacher.

1.4 With respect to Section 52(5)(a) and Section 52(5)(b), the Superintendent will:

- 1.4.1 advise the Board of Trustees forthwith in writing of any suspension
- 1.4.2 advise the affected teacher forthwith in writing of the reasons for the suspension and
- 1.4.3 forward a copy of the suspension together with a written statement of facts alleged to the Minister.

1.5 A decision of the Superintendent of Schools to suspend or terminate the services of a teacher is not appealable to the Board.

[Administrative Procedure 205: Developing Administrative Procedures](#)

Administrative Procedures are the written directives, procedures and assignment of responsibilities established and approved by the Superintendent that direct the implementation of and achievement of desired outcomes of Board policy, Division Vision, Mission and Values, and the effective operation of the Division.

Administration is prepared to respond to questions at the November 27, 2024, Public Board meeting.

Attachment(s):

1. AP720: Teacher Staffing, Certification and Placement - [Website Version](#)
2. AP720: Teacher Staffing, Certification and Placement - Tracked Changes

720: Teacher Staffing, Certification and Placement

Responsible Administrator: Associate Superintendent Human Resources

PURPOSE

A major component of the school program planning process is the placement and support of continuous contract teachers and, where necessary, the recruitment/placement of new teachers.

A Division perspective on staffing is essential to ensure that staff are appropriately placed to best meet the programming needs in each school.

An effective certificated staffing process includes formalized timelines for the placement, transfer and hiring of teachers.

It may become necessary to reduce certificated staff in a particular school or across the Division. The reduction of cCertificated staff ~~reduction~~ requires a formalized process.

Certificated staff may be transferred in order to meet program requirements in Division schools and, where programs and services are maintained or enhanced and an appropriate vacancy exists, at the request of a certificated staff member.

School enrolment fluctuation, student needs and program changes may result in the need to transfer certificated staff so that program requirements in all Division schools are met. Sturgeon Public Schools recognizes that certificated staff should be advised of impending transfers as soon as possible.

Mobility is beneficial to certificated staff members, the schools, and the School Division.

PROCEDURE

Certificated Staffing

1. The Associate Superintendent, Human Resources will coordinate the annual program planning process to facilitate the placement, transfer and hiring of teachers.
2. In determining whether the Division's ability to provide resources has been affected, the Division may consider conditions including, but not limited to, the following:
 - 2.1 Student enrolments, both current and projected.
 - 2.2 Financial support for education, both current and projected.
 - 2.3 Student educational needs, both current and projected.
 - 2.4 Changes in the function of existing physical facilities, both current and projected.

2.5 New and/or revised curriculum.

Staffing Timelines:

3. In January, the Associate Superintendent, Human Resources, will seek information from those teachers on leave of absence to determine their intentions for the subsequent school year.

~~54. In March the Deputy Superintendent, Education Services ~~February, the Associate Superintendent, Human Resources~~ will provide school profiles and assignable time program planning templates to principals.~~

~~45. In February, the Associate Superintendent, Human Resources will direct a communication to teachers to determine any teacher-initiated transfer requests.~~

~~6. Principals will provide the Associate Superintendent, Human Resources with projected teacher requirements for the subsequent school year once the Resource Planning Tool (RPT) has been provided to Human Resources by the Associate Superintendent, Corporate Services and inputted in the planning templates provided as per 4. above.~~

~~67. At the beginning of March, Human Resources will request information from teachers to determine who will be resigning or retiring.~~

~~78. In mid-April, the Associate Superintendent, Corporate Services will provide Principals with the staffing allocations. ~~budgets in MyBudgetFile.~~ Within those allocations, The Principals will create a draft staff plan to be submitted to the Associate Superintendent, Corporate Services and the Associate Superintendent, Human Resources for review. ~~in MyBudgetFile.~~ provided RPT information is available, ~~†~~ Once the staff plan is approved, the Associate Superintendent, Human Resources will call a meeting with each Principal to discuss the plan in full detail. ~~and of principals to share teacher transfer requests and attempt to accommodate requests.~~~~

~~89. By the end of May, the Associate Superintendent, Human Resources will provide continuing part-time contract teachers with written tentative teaching assignment full-time equivalency (FTE) for the subsequent school year.~~

~~940. During the first week of June, available contracts will be offered to probationary or temporary contract teachers.~~

~~104. By the beginning of June, letters of regret will be sent to temporary or probationary contract teachers for whom no position is projected to be available in the subsequent school year.~~

~~112. By the end of June, advertising to fill expected teacher vacancies will begin.~~

123. After the May 31st resignation deadline, Human Resources will hire to fill any new vacancies caused by resignations or retirements.

134. By the beginning of June, the Associate Superintendent, Human Resources will send letters to those staff members who requested a transfer and did not receive a transfer.

Reduction in Teaching Staff:

145. Should the Division deem a reduction in the number of certificated staff to be warranted, it will endeavour first to effect reduction through voluntary attrition.

145.1 Teaching staff reduction would be completed first through voluntary resignation, retirement, voluntary leave of absence and voluntary changes in employment status (i.e. full time to part time).

156. If voluntary attrition does not result in the certificated staff reduction, then the Division will endeavour to effect reduction through the transfer of staff to other available assignments.

156.1 The Pprimary factor for determining teacher transfers will be the viability of educational programs available for students in the surplus school and in the potential receiving school. School Administration will be consulted in determining which transfers will result in the best educational programs.

167. 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. The following criteria will be used utilized to determine which contracts will be terminated:

167.1 Teachers on temporary contracts.

167.2 Teachers on probationary contracts.

167.3 Notwithstanding the above, teachers on temporary or probationary contracts may be retained and continuous contract teachers released if the teacher with a temporary or probationary contract possesses specialty training and/or experience. These specialty areas include, but are not limited to second languages, inclusive education, LOGOS, counselling, and Career and Technology studies.

167.4 Program considerations and the ability of the teacher to adequately handle a specific teaching assignment will be acknowledged when determining if a teacher, whose contract of employment is being considered for termination, will be reassigned to a vacant position.

167.5 With all things being equal, years of service to Sturgeon Public Schools may be considered when determining which contracts of employment are to be terminated. Years of service are counted from the date a continuous contract began and include maternity leaves, sick leaves, secondments, and educational leaves.

178. The termination of teacher contracts will be carried out with due regard to the requirements of the Education Act.

189. The Board of Trustees delegates to the Superintendent the authority to suspend and terminate the services of certificated staff.

Continuous Teaching Contracts:

The awarding of continuous teaching contracts is a long-term investment in education and requires diligence to ensure our teaching staff are of the highest quality possible.

1920. At least two positive summary evaluation reports on the teacher's performance, which have been written by a principal in accordance with the Guide to Evaluation of Certificated Staff, must be on file in Central Office.

204. The Principal must make a written recommendation to the Superintendent, or designate, to award a continuous teaching contract to the teacher. The recommendation may be part of an evaluation report on the teacher or it may be submitted in a separate formal letter.

212. In addition to the above, the Superintendent, or designate, may require additional evaluative information before considering the awarding of a continuous teaching contract.

223. Once the above requirements have been met, the teacher may be awarded a continuous teaching contract by the Superintendent, or designate, based on program needs for the Division.

Permanent Professional Certification:

234. Prior to a teacher receiving a recommendation from the Superintendent or designate of Sturgeon Public Schools for Permanent Professional Certification, the following documentation is required:

234.1 Completion of two years of full time teaching or the equivalent of two full years of teaching (the equivalent of two full years can be defined as approximately 400 days equivalent)

234.2 Two successful, formal evaluations based on the knowledge, skills and attributes for permanent certification outlined in the Teaching Quality Standards (TQS)

245. Once the required documentation in clause 24 is on file with Human Resources, an Alberta Permanent Professional Certification Recommendation Application will be completed by Human

Resources through the Teacher Workforce Information System (TWINS). The teacher will complete their portion of the on-line recommendation application.

256. The recommendation will be submitted to the Superintendent or designate, Sturgeon Public Schools, for their recommendation to Alberta Education. Once signed by the Superintendent, the recommendation will be forwarded to Alberta Teacher Certification Branch.

267. The teacher will then be required to provide all supporting documents and pay the applicable fees through the Teacher Workforce Information System (TWINS).

278. If the recommendation for permanent certification is approved, the Alberta Teacher Certification Branch will provide a file copy to the teacher, who is then required to forward a copy to the recommending board.

Certificated staff Mobility:

289. All transfers shall be made in accordance with Section 212 of the Education Act.

2930. Transfers will ~~only~~ normally only be considered when they are to be effective at the beginning of the school year. Applications arising out of emergency situations may be considered at any time.

304. Certificated staff-initiated applications for transfer, will be directed to the Superintendent or designate before March 01 of the calendar year in which they will take effect.

312. Principal recommendations for transfers are to be directed in writing to the Superintendent or designate before March 01 of the calendar year in which the transfer is to take effect. The transfer recommendation letter shall include the following:

312.1 Name of the certificated staff member to be transferred.

312.2 The requested effective date of the transfer.

323. The Principal shall discuss the recommendation with the certificated staff member and provide a copy of the transfer recommendation letter to the certificated staff member.

334. A central administrator's recommendation for a certificated staff member transfer may be directed at any time in writing to the Superintendent or designate and shall include the:

334.1 Name of the certificated staff member to be transferred.

334.2 The requested effective date of the transfer.

345. The administrator making the recommendation for the transfer shall discuss the recommendation with the certificated staff member and provide a copy of the transfer recommendation letter to the certificated staff member.

356. All transfer requests made by either the employee or the principal will be discussed during the program planning session.

367. The Superintendent may transfer a teacher in accordance with Section 212 of the Education Act. The teacher may make a written request to the Board to have a hearing before the Board for the purpose of objecting to the transfer. (Appendix A)

378. Certificated staff wishing to apply for a one-year exchange of service will direct their application to the Superintendent or designate before March 01 of the school year prior to the school year for which they are applying.

378.1 Certificated staff members involved in an exchange of service must maintain their contract status.

378.2 Applications may indicate schools of preference, and colleagues interested in engaging in an exchange.

378.3 Each certificated staff member interested must apply separately.

378.4 The Superintendent or designate will consult with the principals involved.

378.5 If all parties, staff members and principals agree to the exchange, and such a change is approved by the Superintendent or designate, Human Resources personnel will make the necessary arrangements and provide a written record of the arrangements to all involved.

378.6 Subject to the terms of this section of this Administrative Procedure, certificated staff will return to their school of origin for the following school year, unless all parties agree to an extension for one additional year or a permanent transfer of the staff. An exchange of service shall not be longer than a two-~~(2)~~-year period.

References:

Board Policy: 700; Superintendent of Schools

Administrative Procedure: 700; ~~Hiring~~—Certificated Staff

Education Act: Sections [33](#), [52](#), [53](#), [212](#), [213](#), [222](#)

ATA Collective Agreement

Guide to Evaluation of Certificated Staff

Alberta Teacher Certification

Appendix A: Hearings on Teacher Transfers

History

2020 Jan 29 Initial Approval

2021 Jan 13 Amended

2023 Jan 25 Amended

[2024 Nov 27 Amended](#)

720: Appendix A: Hearings on Teacher Transfers

Responsible Administrator: Associate Superintendent Human Resources

PURPOSE

In accordance with Section 212 of the Education Act, the Superintendent may transfer a teacher. The teacher may make a written request to the Board to have a hearing before the Board for the purpose of objecting to the transfer.

In accordance with Policy 701: Board Delegation of Authority, and with Section 52(5)(a) of the Education Act, the Board delegates authority to the Superintendent of Schools to suspend the services of a teacher under Sections 213(1) of the Education Act.

In accordance with Section 52(5)(b) of the Education Act, the Board delegates authority to the Superintendent of Schools to terminate the services of a teacher.

The Superintendent may terminate the probationary, temporary or interim contract of a teacher during the term of such contract. The power to terminate the contracts of employment referenced in the preceding sentence may not be delegated by the Superintendent.

1. Transfers

1.1 A teacher who has received a notice of transfer may, within seven (7) days from the day on which the teacher receives the notice of transfer, make a written request to the Board to have a hearing before the Board for the purpose of objecting to the transfer.

1.2 The request for a hearing before the Board must be submitted in writing by the teacher to the Associate Superintendent, Corporate Services with a copy provided to the Superintendent.

1.3 The Board may set a date and time for the hearing requested, not earlier than fourteen (14) days after the teacher receives the notice of transfer, unless the teacher agrees in writing to an earlier date.

1.4 The Associate Superintendent, Corporate Services, shall advise the teacher in writing of the date, time, and location of the hearing.

1.5 When the teacher makes a request to have a hearing before the Board, the teacher must not be transferred until after the hearing is held.

2. Provision for Information

2.1 Any written materials the teacher or the Superintendent wishes the Board to consider must be submitted to the Associate Superintendent, Corporate Services not less than four (4) days prior to the scheduled meeting date. The Associate Superintendent, Corporate Services, will provide copies of all documentation to the Board and the parties prior to the hearing, where possible, or during the hearing.

2.2 The teacher or the Superintendent may be accompanied by legal counsel or other representatives and may bring witnesses if, not less than 4 days prior to the scheduled date of the meeting. The following is to be provided in writing by the teacher or the Superintendent, the names of:

2.2.1 counsel

2.2.2 other representatives;

2.2.3 any witnesses.

2.3 The Board Chair shall reserve the right to receive further documentation as deemed relevant.

3. Procedure at Hearings

3.1 The hearing shall be conducted at an in-camera session of the Board and chaired by the Board Chair, or in the Chair's absence, the Vice Chair.

3.2 The Chair will introduce all parties. The parties and their representatives shall introduce all witnesses at the hearing.

3.3 The sequence of the hearing shall be as follows:

3.3.1 An opening statement made by each of the parties;

3.3.2 Written and oral presentations by the Superintendent or designate, including any evidence by witnesses where appropriate.

3.3.3 Written and oral presentation by the teacher, including any evidence by witnesses where appropriate;

3.3.4 Superintendent or designate provided an opportunity for a response to the teacher's presentation;

3.3.5 Teacher provided an opportunity to respond to the Superintendent or designate's presentation;

3.3.6 An opportunity for the Board to ask questions of both parties or any witnesses for clarification;

3.3.7 An opportunity for the Superintendent or designate to make final comments;

3.3.8 An opportunity for the teacher to make final comments; and

3.3.9 No cross examination of witnesses shall be allowed unless the Chair deems it advisable.

3.4 The Board will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The Board may have the Corporate Secretary and/or legal counsel in attendance.

3.5 If the Board requires additional information or clarification in order to make their decision, both parties shall be recalled to appear before the Board and the request for information shall be made in the presence of both parties. If the information is not readily available, the Chair may request a recess, or if necessary, an adjournment of the hearing to a later date. In the case of an adjournment, members of the Board are prohibited from disclosing the evidence presented and matters raised at the hearing, either amongst themselves or with the parties and their representatives or witnesses until the hearing is reconvened.

3.6 When the Board is ready to decide on the matter, both parties will be advised that the Board is reconvening and will consider a motion to move into a regular or special Board meeting in order to consider the resolution.

3.7 The Board decision will be communicated to the teacher, in writing, following the hearing.

3.8 If a teacher does not wish to comply with the decision of the Board, the teacher may resign from the teacher's employment with the board after giving the Board 30 days' written notice of the teacher's resignation.

References:

~~Education Act: Sections 33, 52, 53, 212, 213, 222~~

~~Admin Procedure 720—Teacher Staffing, Certification and Placement~~