



---

### **Rationale**

The Board of Directors believes that its mandate to provide educational services to students enrolled in its schools requires that it recognize the primacy of this responsibility.

The Board of Directors recognizes that there are occasions when it is necessary to terminate the employment of a teacher for just cause.

Just cause includes, but is not limited to, actions on the part of the teacher that are contrary to the aims and objectives of the Catholic School.

Should the Board of Directors determine that its ability to provide educational services has been affected, or will reasonably be affected in the foreseeable future, then it may deem a reduction in the number of professional staff employees to be warranted.

In keeping with the legal requirements and with the Church's teachings on social justice, it is important that procedures are in place to ensure that individuals are treated fairly and justly and provided with an appeal mechanism.

### **Policy**

The employment of a teacher may be terminated for just cause, or where, as a result of declining enrolment or other operational reasons, the services of the teacher is no longer required.

No teacher will be terminated until after an investigation by the Superintendent or his/her designate.

In all cases of termination of employment, the teacher will have the right of appeal.



## Regulations

The following regulations do not apply to those teachers who are employed under the terms of the CSTA Collective Agreement.

### A. Termination of Employment Procedure

1. The Employer may terminate the employment of a teacher for just cause, subject to the teacher's right of appeal as set out in the Terms and Conditions of Employment.
2. Just cause includes, but is not limited to, actions on the part of the teacher that are contrary to, or non-compliant with, the aims and objectives of the Catholic school.
3. The termination of a teacher for reasons other than *just cause* shall follow a formal performance evaluation process in accordance with Policy #404, where the teacher will be given sufficient notice of the reasons for concern and be given an appropriate amount of time to correct the situation.
4. Immediate termination or suspension may take place where, in the opinion of the Superintendent of Schools, or the school Principal, in the absence of the Superintendent, the grounds are sufficiently serious that the continued presence of the teacher in the school may be detrimental to the well-being of the school.
5. Except as outlined in #4, no teacher shall be terminated until after an investigation by the Superintendent of Schools or his/her designate.

### B. Termination of Employment: Performance Evaluation Process

1. Subject to paragraph A.4 the teacher must be given written notification of when performance and/or professional behaviour is unsatisfactory.
2. The Principal will meet with the teacher and develop an assistance program to rectify the problem(s). This program should include but not be limited to:

## STAFF PERSONNEL



Island Catholic Schools

### TEACHERS TERMINATION OF EMPLOYMENT

405

- the identification of expected performance/behavioural goals
  - assistance to achieve these goals
  - regular evaluations of performance/behaviour followed by written reports
  - a timeline for achievement of established goals.
3. If the teacher's performance/behaviour is still unsatisfactory the Principal will notify the Superintendent in writing with a recommendation for termination.
  4. The Superintendent will review the recommendation and if all necessary steps have been taken in accordance with B1 and B2 will inform the Local School Council.
  5. Written notice of termination in accordance with length of service will be given to the teacher by the Superintendent no later than November 30th for termination on December 31st; no later than May 31st for termination on June 30<sup>th</sup>. Notice is not required for just cause.
  6. Where it is deemed to be in the best interests of the school the teacher may be released with equivalent salary in lieu of notice.
  7. A Termination may be appealed in accordance with the grievance policy (Policy #414).

Reference:	Approved
	Date Approved: June 1994
Cross-reference:	Date(s) Revised: March 1998