

## Administrative Procedure 425

---

### TEACHER TRANSFERS

#### Background

The transfer of Teachers to other sites may be necessary or a Teacher may wish to pursue a transfer to another site.

#### Procedures

1. Teacher Initiated Transfer Requests
  - 1.1 There will be no general transfer requests utilized in the *Staffing Procedures Process*. As per the *Introduction and Timeline, Staffing Procedures Process*, Teachers are encouraged to contact the Principal of any school where a vacancy is posted that may be of interest, and to discuss the possible placement at that site.
  - 1.2 Available teaching positions for internal placements shall be advertised as outlined in the Division Staffing Profile #2 of the *Staffing Procedures Process*, and in accordance with **Administrative Procedure 401 Staff Employment: Recruitment, Selection and Appointment**.
  - 1.3 If a Teacher wishes to be considered for a position that is advertised as outlined in the Division Staffing Profile #2, the Teacher must submit all application information to the Principal specified in the job posting.
  - 1.4 Throughout the competition process, the Principal shall consider the application of the Teachers based on the following:
    - 1.4.1 Type of continuing contract;
    - 1.4.2 Educational services required in Division schools;
    - 1.4.3 Specialized training required for available positions;
    - 1.4.4 Team fit of the Teacher;
    - 1.4.5 Contribution the Teacher can make in a new position;
    - 1.4.6 Opportunity for professional growth;
    - 1.4.7 Information obtained from referees; and
    - 1.4.8 Other considerations deemed relevant by the Deputy Superintendent.

- 1.5 The establishment of a shortlist, the interview process and the recommendation of a successful candidate remain in the domain of the Principal, who shall adhere to the criteria outlined **Administrative Procedure 401 Staff Employment: Recruitment, Selection and Appointment**. The Principal must then contact the successful candidate and the unsuccessful candidates.
2. Principal Initiated Transfer Requests
  - 2.1 A Principal may request, as outlined in Division Staffing Profile #1, that a Teacher be transferred to another Division school when:
    - 2.1.1 There is a surplus of teaching staff on continuous contract at his/her school; or
    - 2.1.2 He/she deems it would be in the best professional interest of a Teacher to be transferred; or
    - 2.1.3 The program needs of students at the school cannot be accommodated/achieved with existing teaching staff.
3. Surplus Situations
  - 3.1 A surplus of teaching staff on continuous contract can only be determined after the School Budget and the school priorities for the School Advancement Plan have been established for the ensuing year.
  - 3.2 If it is determined that downsizing is required, the Principal shall inform teaching staff at the school of the need to reduce the total full time equivalent (FTE) and provide opportunity for the teaching staff to volunteer possible alternatives/solutions.
  - 3.3 The Principal shall make every reasonable effort to reduce teaching staff through attrition, resignations, retirements, leaves of absence and/or voluntary reduction in full time equivalent (FTE) assignment.
  - 3.4 It is the responsibility of the Principal to share with the Deputy Superintendent the names of any staff willing to transfer, interested in pursuing a leave or interested in a reduced assignment.
  - 3.5 In the event that downsizing cannot be achieved through attrition, the Principal shall determine the teaching staff needs of his/her school for the ensuing year, including the required full time equivalency (FTE) total.
  - 3.6 Notwithstanding the above, the authority to make a recommendation that a Teacher be declared surplus and request that he/she be transferred shall remain with the Principal.



- 3.7 The Principal shall inform the potentially affected Unassigned Continuous Contract Teacher that a recommendation and request will be made to transfer to another school in the Division.
- 3.8 As outlined in the *NGPS Staffing Procedures Process* the Principal shall forward in writing to the Deputy Superintendent the names of all Unassigned Continuous Contract Teachers as his/her school.
- 3.9 Upon receipt of Division Staffing Profile #1, Principals will share this profile with their Unassigned Continuous Contract Teachers, who in turn, will inform their current Principal of any posted teaching vacancy they wish to request for re-assignment. The Principal will inform the Deputy Superintendent in writing of such request.
- 3.10 The Deputy Superintendent shall consider the following factors when considering the reasonableness of a transfer request. The following are not listed in any order of priority:
  - 3.10.1 Type of continuing contract;
  - 3.10.2 Educational services required in Division schools;
  - 3.10.3 Specialized training required for available positions;
  - 3.10.4 Team fit of the Teacher;
  - 3.10.5 Contribution the Teacher can make in a new position;
  - 3.10.6 Opportunity for professional growth;
  - 3.10.7 Information obtained from referees; and
  - 3.10.8 Other considerations deemed relevant by the Deputy Superintendent.
- 3.11 The Deputy Superintendent, in consultation with the affected Principals, shall review all relevant information pertaining to the request to determine if there is a reasonable opportunity to transfer the identified Teacher to an open teaching assignment elsewhere in the Division.
- 3.12 The Deputy Superintendent will consult with affected Principals and Teachers about any transfer.
- 3.13 If a consensus cannot be reached, the final decision to declare an Unassigned Continuous Contract Teacher surplus and/or transfer him/her to another school will rest with the Deputy Superintendent.
- 3.14 As per Division Staffing Profile #1 Timeline, unless other timelines are mutually agreed upon, the Deputy Superintendent shall consult with the Unassigned Continuous Contract Teacher prior to issuing a formal notice of transfer.

- 3.15 Clause 17.1.1 of the *ATA Collective Agreement* applies to transfers that require a change of residence.
4. Transfers Deemed to be in the Best Professional Interest of a Teacher or in the Consideration of the Program Needs of Students
- 4.1 In either situation, a Principal shall gather and collate relevant information for the transfer of a specific Teacher as per the *Timeline* for the *Staffing Procedures Process*.
- 4.2 The Principal shall discuss the circumstances with the potentially affected Continuous Contract Teacher and inform him/her that a recommendation and request will be made to the Deputy Superintendent.
- 4.3 The Principal shall forward in writing to the Deputy Superintendent the recommendation and request for the transfer of a specific Teacher as per the *Timeline* for the *Staffing Procedures Process*.
- 4.4 The Deputy Superintendent shall review all relevant information pertaining to the recommendation and request. The Deputy Superintendent shall consider the following factors when considering the reasonableness of a transfer request. The following are not listed in any order of priority:
- 4.4.1 Type of continuing contract;
- 4.4.2 Educational services required in Division schools;
- 4.4.3 Specialized training required for available positions;
- 4.4.4 Team fit of the Teacher;
- 4.4.5 Contribution the Teacher can make in a new position;
- 4.4.6 Opportunity for professional growth;
- 4.4.7 Information obtained from referees; and
- 4.4.8 Other considerations deemed relevant by the Deputy Superintendent.
- 4.5 The Deputy Superintendent will consult with the Principals and the Teachers about any transfer.
- 4.6 Following a consultation with the Principal and the Teacher, the Deputy Superintendent will determine if there is a reasonable need and opportunity to transfer the identified Teacher elsewhere in the Division.
- 4.7 If a consensus cannot be reached among the parties, the final decision to declare a continuous contract transfer surplus and/or transfer him/her to another school will rest with the Deputy Superintendent.



- 4.8 As per Division Staffing Profile #1 Timeline, unless other timelines are mutually agreed upon, the Deputy Superintendent shall consult with the Continuous Contract Teacher prior to issuing a formal notice of transfer.
- 4.9 Clause 17.1.1 of the *ATA Collective Agreement* applies to transfers that require a change of residence.
5. Procedures Applying to All Transfers – Unassigned Continuous Contract and Continuous Contract Teachers within the *Staffing Procedures Process* and outside the *Staffing Procedures Process Timeline*
  - 5.1 Procedures identified in the *Staffing Procedures Process*, Section D – Procedures for Staffing will be followed, unless Section G – Superintendent’s Discretion is applied.
  - 5.2 After transfers have been identified, the Deputy Superintendent shall notify the affected Teachers in writing.
    - 5.2.1 Unassigned Continuous Contract Teachers will receive a letter identifying their new assignments, FTE and school location with written reassurance that they will be given first opportunity to consider the same positions at their current school should their positions be reinstated in September of the next school year due to increased enrollments or staff changes.
    - 5.2.2 Continuous Contract Teachers will receive a letter identifying their new assignment, FTE and school location.
    - 5.2.3 Communication of the decision to transfer certificated staff shall usually be confirmed in writing as stated in the *Timeline for Staffing Procedures Process* for that particular school year. If this is not possible, such communication will be communicated prior to the end of June.
  - 5.3 Transfers during a school year shall only be considered if extenuating circumstances are sufficient to support this action.
  - 5.4 If a transfer occurs during a school year, the receiving Principal shall normally allow the incoming Teacher appropriate planning and preparation time.
  - 5.5 The Board shall be informed of all teacher staff transfers.
  - 5.6 Teachers wishing to appeal a transfer may do so by following the procedures outlined in **Board Policy 14 Hearings on Teacher Transfers**.
  - 5.7 If it is deemed that a transfer cannot reasonably be accomplished, **Administrative Procedure 426 Reduction of Teaching Positions** shall be followed.



Reference: Education Act 119, 197, 212, 217, 222 NGPS/ATA Collective Agreement NGPS Staffing Procedures Process Administrative Procedure 401 Staff Employment: Recruitment, Selection and Appointment Board Policy 14 Hearings on Teacher Transfers	
	Date Approved: April 1, 2021
	Reviewed or Revised: Executive: April, 2021

References shall be updated as required and do not require additional approval.

