



Section: **School Personnel**
Policy #: **2300**
Policy: **Termination of Employee Services**

Date Approved: May 1992
Revision Dates: November 2000
February 2004
November 20 2004
October 27 2007

Policy

Services of an employee may be terminated in the following ways:

- a) At any time by mutual consent between the teacher and the Employer in writing.
- b) On the 30th day of June following the teacher's 65th birth date anniversary (except under special circumstances which prompt the Employer to offer annual renewals beyond this time). The School Council will advise/make recommendations.
- c) By mutual consent upon the Employee providing thirty (30) days written notice requesting a release from contract. Such notice shall not be given in the 30 days preceding, or during a vacation period of 14 or more days duration, i.e. Christmas, Spring Break, summer vacation.
- d) At the end of the school year, by written notice given by either party to the other by April 30.
- e) Summarily, for just cause which shall be specified in writing and which shall consist only of one or more of the following:
 - i) Flagrant professional incompetence.
 - ii) Continuing neglect of professional duties.
 - iii) Wilful defiance of, or insubordination to, legitimate directions or instructions of the Principal.
 - iv) Any action of the teacher which is immoral, illegal, dishonest or disloyal to the school, or any scandalous behaviour which is likely to bring dishonour or discredit upon the school. School Council will make the appropriate recommendations to the Employer.
 - v) Any professional activity or other personal conduct of the teacher, in or outside of the school, which shows a markedly scandalous deviation from the norms of conduct for Catholics as prescribed by the official teachings of the Roman Catholic Church.
- f) A teacher whose job is at risk as a result of pedagogical deficiencies will be subject to the following supervision and monitoring process:

- i) A report indicating less than satisfactory service will be completed by the Principal on the teacher. This will identify the concern areas which require remediation.
- ii) An Action Plan will be developed by the Principal in consultation with the teacher to address the concern areas. This document will be signed by the Principal and teacher and will clearly outline the concern areas and responsibilities of each in addressing these. The Action Plan will also include the date established for review by the Principal. (Four week period).
- iii) The Principal will monitor the implementation of the Action Plan during the four (4) week period.
- iv) Review by the Principal can result in three (3) possible scenarios:
 - 1) Remediation has been successful in which case no further action required.
 - 2) Sufficient remediation has been achieved to warrant a revised action plan to ensure further improvement.
 - 3) Little or no improvement has been evident after the period of remediation.
- v) In the event of iv) 3), the matter is referred to the Superintendent of Schools by the Principal.
- vi) The Superintendent of Schools will prepare a report on the teacher.
- vii) A less than satisfactory report by the Superintendent will result in a recommendation to the Employer for dismissal. School Council will be apprised of the report.

Note: Termination of services of a teacher by simply notifying the other party of non-renewal intentions as noted in c) and d) above does not require of either party that reasons be given for the cancellation of the Agreement. When a teacher is dismissed for cause, however, reasons shall be provided in writing by the Employer through the Superintendent's office. The teacher shall have the right to appeal the dismissal to the Board of Directors of the Society. Any such appeal shall be made in writing within five (5) days of the receipt of the dismissal notification, and the Board shall act on the appeal within the ten (10) days following receipt of the appeal. During any period of appeal, the teacher shall be suspended without pay from his/her teaching position; such pay shall be reinstated only if the appeal is upheld and the dismissal is reversed by the Board of Directors. The decision of the Board shall be final.

(see Policy 2540 for Procedures for Employee Requesting Release from Contract)