

Administrative Procedures

AP-501 RECRUITING AND PLACEMENT	Date of implementation: Fall 2007 Date of update: April 18, 2019
	Related Administrative Procedures: AP-504 Staff Allocation AP-516 General Appeal Procedure AP-807 Transportation in Private Vehicles

Purpose: To ensure that all personnel appointed to staff in Prairie Spirit School Division are of exemplary character and possess competency in the skills required for their positions. It is understood that they have been hired to assist the Board of Education in carrying out its vision, mission and goals in accordance with the Division's beliefs and guiding principles.

Procedure:

1) Vacancies

- a) The Division endeavors to employ the best-qualified personnel for the Division. In all cases, the needs of students, the ability of the employee and the job description are to be matched as closely as possible.
- b) A vacancy exists when there is an opportunity for an employee to be placed on a temporary, replacement or permanent contract.
- c) When a vacancy occurs as defined in (b) above, the method by which the position is to be filled will be determined by the Deputy Director of People and Finance, CFO, and in accordance with the local collective bargaining agreement or employee handbook.
- d) All external postings of employment opportunities will be posted on the Division website. Other types of media, such as newspapers, employment websites of other agencies and any other method deemed appropriate for a particular position, may also be used. All advertisements are subject to the conditions outlined in an applicable collective bargaining agreement or employee handbook.
- e) Information regarding internal postings will be distributed to employees via email.
- f) Applications for posted positions will be received through the online application system.
- g) Human Resources will work closely with the in-school administrator, manager or other supervisor to create the short-list of candidates to be interviewed.
- h) References for the short-listed candidates will be confidentially checked by Human Resources.

2) Placement

- a) In-school administrators and other supervisors, under the supervision of the Director, are responsible for placing and assigning staff to specific duties in the school or work location.
- b) Requests from employees for reassignment within a work unit may be considered by the supervisor in conjunction with the criteria set out in 1(a).
- c) Scheduling arrangements and decisions are to be made in consultation with Human Resources.
- d) Requests for reassignment as a medical accommodation will be adjudicated in conjunction with Human Resources.
- e) When an in-school administrator or supervisor deems it necessary to reassign an employee within the school or work unit, they will first discuss it with and inform the employees involved.

3) Spring School Staffing

In the Spring of each year, a process will be undertaken by Human Resources to ensure Prairie Spirit schools are staffed according to the staffing allocations determined under AP-504 Staff Allocation for the ensuing school year. Prior to recruiting new teachers into vacant positions, Human Resources will receive requests from teachers for either permanent or temporary changes in their assignment in the prescribed manner communicated to teachers at the start of each spring staffing process. Teachers must notify their in-school administrators prior to submitting a request for a change in assignment.

a) Teacher-Requested Changes

A teacher's request for a change in assignment location or full-time equivalency for the subsequent school year may be granted if:

- It addresses the needs of students;
- A suitable vacancy exists or can be arranged;
- A suitable replacement exists for the position vacated; and
- A balance of experience and training is maintained for the school and the Division.

b) Division-Initiated Transfers

- i) Consideration of reassignments of teaching duties at any time of the school year through transfer to another school may be initiated by Human Resources.
- ii) The decision to transfer is to occur following consultation with the principal and teacher. The consultation is to consider:
 - An indication of what is to be achieved through the transfer.
 - Reasons the transfer is selected.
 - Travel distance.

A written record of the discussion items with signatures must be kept on file.

- iii) Any teacher having a disagreement with a Division-initiated transfer is to attempt to settle the disagreement using AP-516 General Appeal Process, which starts with an informal process.
- iv) If agreement has not been reached, the teacher may appeal the decision as per AP-516 General Appeal Process

c) Redundant Positions

- i) If teaching positions become redundant in a school, staff from that school will be assigned by Human Resources to an appropriate assignment within the Division where such an assignment is vacant. Teachers will be retained considering the following criteria:
 - (1) Possession of the most appropriate training, experience and skills for the assignments available. Every effort is to be made to ensure the appropriate staff are retained to effectively deliver the programs in the school.
 - (2) Where the above criteria (criterion) do(es) not determine all the teachers to be retained by the Division, seniority will be the deciding factor. For the purposes of these guidelines, seniority is defined as the length of time of a teacher's most recent uninterrupted service with the Board as defined by the Provincial Collective Bargaining Agreement expressed in full-time equivalent years.
- ii) Where no appropriate assignment is vacant, the teacher's contract will be terminated in accordance with clause 210(1)(b) of *The Education Act, 1995*.
- iii) Attempts to resolve any disagreement resulting from a teacher redundancy are to be in accordance with procedures outlined in 3(a) above.
- iv) Human Resources will communicate with the Prairie Spirit Teachers' Association regarding how this is to be achieved.

4) Early Declaration of Retirement

- a) The purpose of the early declaration retirement program is to encourage our professional staff to provide early notice of their retirement to allow the Division to hire staff early for the next school year.
- b) Staff members who contribute to the Teachers' Pension Plan and who are eligible to retire on or before April 30 of the school year have this initiative available to them.
- c) In return for voluntarily agreeing to retire as early as the second-last teaching day of December of the current year, the Division will rehire such teachers on temporary contracts (same assignments) for the remainder of the school year.
- d) The date of retirement/resignation chosen must be specified as follows:

- i) The last teaching day of the month in which the retirement will occur, except if the last teaching day is a Friday. If the last teaching day is a Friday, then the retirement date must be the second last teaching day of the month.
 - ii) In December, the retirement date must coincide with the second last teaching day of the month.
- e) This program is strictly voluntary. If a teacher is eligible to retire and wishes to participate, the teacher must provide a letter of resignation to Human Resources no later than 4:30 p.m., as follows:
- i) Notices of retirement that are effective the second last teaching day in December will be accepted up to November 30 of the current school year.
 - ii) Notices of retirement that are effective January to April will be accepted up to December 31.
- f) The Division will communicate details of the Early Declaration of Retirement Program to teachers in September of each school year.
- g) Teachers who are not intending to take advantage of the Early Declaration Retirement Program, but are wishing to retire, must provide a minimum of 30 days' notice of actual retirement date.

5) Creating New Positions

All new positions created to fulfil the needs of the Division will be created in conjunction with Human Resources and are subject to the following steps:

- a) Consult with and recommendation from Human Resources
- b) Approval from the Administrative Council
- c) Creation of a formal Job description
- d) Setting of compensation classification
- e) Determination of employee group
- f) Recruitment for the position
- g) Communication of new position to the system

The steps will be tracked on the New Position Information Sheet.

6) Criminal Records Check

- a) An original and current (within six (6) months) criminal records check, including a vulnerable sector check, is required from:
 - i) Any applicant being recommended for employment with the Division;

- ii) Any person who is a non-parent and is acting as a volunteer for school-sponsored activities in the Division;
- iii) Any person acting as a volunteer for school-sponsored activities that have direct or sole responsibility for providing supervision of students;
- iv) Any person acting as a volunteer for school-sponsored overnight activities; and
- v) Any student teachers and interns placed in Prairie Spirit schools as part of their program.

Parent volunteers (including grandparents or legal guardians) who are providing services under the direct visual supervision of a Prairie Spirit employee do not require a criminal records check. Volunteer drivers transporting students in a private vehicle must provide a criminal records check as per AP-807 Transportation in Private Vehicles.

- b) The criminal records check as it pertains to recommendations for suitability of employment or voluntarism includes:
 - All criminal convictions under *The Criminal Code of Canada*, *The Narcotics Control Act*, *The Controlled Drug and Substances Act, 1996*, and *The Food and Drugs Act, 1985*. Conviction means the final judgment on a verdict or a finding of guilty or a plea of guilty. Conviction does not include a final judgment that has been reversed, set aside or otherwise rendered invalid.
 - A search of the automated criminal records retrieval system maintained by the Royal Canadian Mounted Police (RCMP) to determine if the applicant has been convicted of, and has been granted a pardon for, any of the offences that are listed in the schedule to *The Criminal Records Act*. Failure to cooperate in providing a criminal records check or submission of an inaccurate, false, misleading or incomplete criminal records check, constitutes grounds for termination of employment, refusal to offer employment or withdrawal of any offer of employment or voluntarism.
- c) Applicants may attach a statement of explanation to the criminal records check submitted outlining relevant circumstances.
- d) In situations where the applicant has submitted the original criminal records search form completed by the local city police, Corman Park police or the RCMP, which indicates that a request for a criminal records search by fingerprints has been made and the applicant has provided satisfactory explanation of the need for the fingerprint verification, an extension of time may be granted.
- e) Criminal records checks submitted that include conviction will be assessed by the Director taking into consideration matters such as:
 - i) The nature and particulars of the criminal conviction;
 - ii) The age of the individual when the events in question occurred;
 - iii) Any extenuating circumstances as provided by the applicant;

- iv) The time that has elapsed between the conviction and the employment application and the activities of the individual during that interim period;
 - v) The rehabilitative measures undertaken by the individual since the conviction and the commitment the individual has to rehabilitation and to refraining from criminal activities; and
 - vi) The relationship of the conviction to the position for which the person is applying.
 - vii) For volunteers, the Principal may assess the criminal records check and will consult with the Learning Superintendent, as appropriate. If there is a vulnerable sector conviction, the Principal must defer the assessment to the Learning Superintendent.
- f) Any appeal of the decision of the Director is to be made in writing to the Director within fifteen (15) days of the notification of the termination of employment or voluntarism, the refusal to offer employment or the withdrawal of any offer of employment.
 - g) Results of the criminal records check are to be kept in the employee's personnel file.
 - h) The applicant is responsible for any costs associated with the obtaining of the criminal records check.
 - i) Any employee who receives a pardon or who is successful in having a criminal conviction record expunged may submit a new criminal records check. In such cases, the previously submitted criminal records check is to be returned to the employee upon request.
 - j) The following questions and statements are to be included on all application or onboarding forms utilized for the recruitment of staff:
 - Have you ever been convicted of a criminal offence for which no pardon has been granted? Yes or no?
 - If yes, please indicate the nature of the offence(s), the date(s) and place(s) of the sentence(s) imposed (if applicable).
 - I will provide the results of a criminal records check that includes a vulnerable sector check.
 - The applicant shall sign their declaration.
 - k) In situations where the applicant has submitted the original criminal records search form completed by the local city or community police, Corman Park police or the RCMP, which indicates that a request for a criminal records search by fingerprints has been made, and that the applicant has provided satisfactory explanation of the need for the fingerprint verification, a placement may be made prior to verification of the results of the fingerprint analysis.
 - l) Should the finger print analysis contradict the employee explanation this would constitute grounds for disciplinary action, up to and including termination of employment in accordance with the provisions of the employee's contract of employment, or refusal of permission to act as a volunteer for school-sponsored activities.

- m) The initial results of the criminal records search are to be submitted before commencement of employment or voluntarism.

7) Reporting Criminal Charges

- a) All employees of the Division and all persons who have been required to provide a criminal records check are required to sign a statement indicating that they have received a copy of these procedures and that they understand their provisions.
- b) No later than two (2) working days after having been charged with a criminal offense, any person referenced in this procedural statement is to inform orally, and subsequently in writing, the Director of all charges laid.
- c) A submission outlining relevant circumstances may be attached by the person to the written information.
- d) Upon receipt of the information, the Director is to investigate the circumstances.
- e) Failure to disclose charges, provide a written statement or submission of inaccurate, false or misleading statements, constitutes grounds for disciplinary action, up to and including termination of employment, in accordance with the provisions of the employee's contract of employment, or refusal of permission to act as a volunteer for school-sponsored activities.
- f) Subject to the provisions of *The Education Act, 1995*, and the provisions of the relevant collective agreement or contract of employment, the Board may, in its discretion, transfer, reassign or terminate the employment of an employee who is not in compliance with the provisions of the procedures of this policy.
- g) Any action taken by the Division with respect to an employee is to be conveyed to the employee in writing, a copy of which is to be placed in the employee's personnel file.
- h) Any appeal of the decision made by the Division is to be made in accordance with the provisions of AP-516 General Appeal Process and the employee's collective agreement or contract.
- i) If, at the conclusion of all proceedings, a criminal records check confirms no conviction(s) resulting from the incident giving rise to the original charge(s), any documentation which has been placed in the employee's personnel file related to the charge(s) for which discipline has not been effected is, at the request of the employee, to be removed and destroyed.
- j) Notwithstanding any of the above regulations, an employee may, at any time, seek counsel from his/her employee group or from independent sources at the employee's expense. Should the employee so wish, he or she may be accompanied or represented by a representative of the employee or the appropriate employee group at any and all meetings that the employee attends regarding the process.

8) Interns and Field Experiences

- a) Teachers are to cooperate with the College of Education and the Faculty of Education in the placement of student teachers and interns in the schools of the Division.

- b) Arrangements for placement are subject to the approval of the principal and the Learning Superintendent.
- c) Requests for placement by other colleges and post-secondary institutions are to be considered for acceptance and approval if satisfactory arrangements can be made.

9) Accreditation

- a) The Board endorses the accreditation of teachers in order to enhance the teaching-learning process.
- b) Accreditation of teachers is subject to the Ministry of Education regulations as stated in Teacher Accreditation (linked below).
- c) Teachers are responsible for ensuring compliance with the Accreditation: Initial and Renewal - Policies and Procedures (linked below).

The Director will provide each school with notice of accredited status by May 31 of each year. Teachers are to ensure that they submit their applications for accreditation renewal to the principal no later than October 1 in the fifth (5th) year after accreditation.

- d) If a teacher is requested by the Board or in consultation with in-school administration, to become accredited or to renew accreditation, the costs of attendance at an accreditation seminar or accreditation renewal seminar will be covered by the Division.
- e) If a teacher opts to become accredited or renew accreditation, a portion of the costs are the responsibility of the Division.

References:

[*The Education Act, 1995, Section 210*](#)

[*Teacher Accreditation, Ministry of Education, Government of Saskatchewan*](#)

[*Accreditation, Initial and Renewal, Policies and Procedures, Ministry of Education, Government of Saskatchewan*](#)