



**ADMINISTRATIVE POLICY No. 501**

IMPLEMENTATION FALL 2007

REVISED JANUARY 21, 2013

RECRUITING AND PLACEMENT

All personnel appointed to staff in Prairie Spirit School Division are to be 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 Prairie Spirit School Division's beliefs and guiding principles.

**PROCEDURES**

**1. Teaching Personnel**

a. Role

- i. Prairie Spirit School Division teaching staff are to work toward achieving the vision, mission, and goals of the school division.
- ii. All teaching staff are to model behaviors that inspire students to be effective lifelong learners and positive members of their communities.
- iii. In addition to following the duties of a teacher as prescribed in *The Education Act, 1995*, teachers are to perform those professional duties assigned by the principal. Such duties are to be assigned following consultation with the teacher concerned.
- iv. Teachers are to act in accordance with their codes of conduct and ethics.

b. Recruiting and Placement

- i. The Director or designate endeavors to employ the best-qualified personnel for the division. In all cases, the needs of students, the ability of the teacher, and the job description are to be matched as closely as possible.

- ii. A vacancy exists when there is an opportunity for a teacher to be placed on a temporary, replacement or permanent contract.
- iii. When a vacancy occurs as defined in (ii.) above, the method by which the position is to be filled will be determined by the Superintendent of Human Resources or designate.
- iv. The principal, under the supervision of the Director or designate is responsible for placing and assigning teachers to specific teaching duties in the school.
- v. Principals are to consider all in-school reassignments first when staffing their schools. Reassignments within the school may be initiated by a teacher or the principal. No reassignment within the school is to be made without discussing and informing the teachers involved.
- vi. When a vacancy exists after the start of the school year, the teaching position may be advertised externally and posted internally for information, after consultation with the principal. The Director or designate is responsible for the hiring of all teachers. The recruitment and appointment procedures are determined by the Director or designate.

c. Teacher-Initiated Transfers

- i. A teacher requesting a change in assignment for the subsequent school year is to submit a request to the Superintendent of Human Resources by a date to be determined each year and to notify his/her current principal of such a request.
- ii. Requests for a change in assignment may be granted if:
  - 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.
- iii. A teacher requesting an increase or a decrease in teaching time is to submit a request to the principal and the Superintendent of Human Resources by a date to be determined each year. Factors identified above regarding a change in assignment shall apply.

#### d. Division-Initiated Transfers

- i. Consideration of reassignments of teaching duties through transfer to another school may be initiated by the Director of Education or designate, or by the principal.
- ii. The decision to transfer is to occur following consultation with the 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 through appropriate channels, either administratively, through the local Teachers' Association, or both.
- iv. If the dispute is not resolved, the teacher may refer the dispute for disposition under the provisions of *The Education Act, 1995*.

#### e. Redundant Positions

- i. If teaching positions become redundant in a school, staff from that school will be assigned by the Director or designate to an appropriate assignment within the Division where such an assignment is vacant. Teachers will be retained considering the following criteria:
  - a) 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.
  - b) 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.

c) 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*.

- ii. Attempts to resolve any disagreement resulting from a teacher redundancy are to be in accordance with procedures outlined in (c.ii) and (c.iii) above.
- iii. The Director will consult with the Prairie Spirit Teachers' Association and communicate how this is to be achieved.

f. Early Declaration

- i. 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.
- ii. Staff members who contribute to the Teachers' Pension Plan and who are eligible to retire before May 1<sup>st</sup> of the school year have this initiative available to them.
- iii. In return for voluntarily agreeing to retire as early as December 31 of the current year, the School Division will rehire such teachers on temporary contracts (same assignments) for the remainder of the school year. A teacher, in order to qualify for this program, must provide his/her notice of retirement by December 31<sup>st</sup> of the current year.
- iv. Teachers qualifying for the program will be able to commence their superannuation as early as the last day in December of the current year, but will also be able to continue receiving salary for being employed on a temporary contract until June 30<sup>th</sup>. Prairie Spirit School Division will have a clear knowledge of teaching staff that will not be returning for the following school year and will be better able to make staffing decisions and job offers at an earlier time for the next school year.
- v. This program is strictly voluntary. If a teacher is eligible and wishes to participate, the teacher must provide a letter of resignation to the Superintendent of Human Resources no later than 4:30 p.m., December 31<sup>st</sup> of the current year. The date of retirement must be specified no earlier than the last teaching day in

December, and no later than April 30<sup>th</sup> of the current school year. If a teacher plans to retire, a minimum of 30 days notice of the actual retirement date must be provided in order to ensure there is adequate time to process the teacher's retirement notice. The retirement date chosen must also coincide with the last teaching day of the month in which the retirement will occur.

## **2. In-School Administrators**

### **a. Role of Principals**

- i. All principals are to create environments in their schools that support the pursuit of excellence in the teaching and learning process by encouraging best instructional practices.
- ii. The role of the principal in the first instance is one of instructional leadership. The principal is:
  - To provide leadership in implementing the vision, mission, and goals of the Prairie Spirit School Division in accordance with its beliefs and *Guiding Principles*.
  - To coordinate, facilitate, oversee, and evaluate the instructional program within the school and,
  - To supervise all staff members in the school and encourage their professional development.
  - To act in accordance with the teachers' codes of conduct and ethics.
- iii. The role of the principal in the second instance is one of managerial leadership. The principal is:
  - To perform those duties required by law and by *Administrative Policy*, and as assigned by the Director of Education or designate.
  - To organize staff and delegate duties and responsibilities, following appropriate consultation, with the aim to achieve the best possible education for students and,

- To guide the school toward achieving its goals through good planning, open communication, and effective decision making.

b. Role of Vice-Principals

- i. All vice-principals are to participate in the administration of their schools. As a member of the administrative team, the vice-principal is to demonstrate through actions that he/she works in a professional manner exemplifying the qualities necessary to fulfill the role of educational leader and manager.
- ii. The vice-principal is directly responsible to the principal for performance of assigned duties and responsibilities as established through consultation with the principal.
- iii. The role of vice-principal as educational leader requires that the vice-principal:
  - Provides supportive leadership required to achieve the vision, mission, and goals of Prairie Spirit School Division in accordance with its beliefs and *Guiding Principles*.
  - Participates in coordinating, facilitating, overseeing, and evaluating staff members and encouraging their professional growth.
  - To act in accordance with the teachers' codes of conduct and ethics.
- iv. The role of the vice-principal as an effective manager requires that the vice-principal:
  - Performs the duties assigned by the principal.
  - Participates in the organization of staff, and in decisions related to the delegation of duties and responsibilities, of staff and,
  - Shares in the responsibility of directing the school toward achieving its goals through good planning, open communication, and effective decision making.
- v. In the absence of the principal, the vice principal is to assume the principal's role. In schools not having a

vice principal or in circumstances where both in-school administrators are absent, the principal is to appoint an acting principal from the teaching staff.

c. Recruiting and Placement

- i. The Director or designate is responsible for determining the process that will be used for filling vacant in-school administrative positions.
- ii. Positions may be advertised internally and externally.
- iii. Administrative selections are to be reported to the Board of Education after appointments have been made.
- iv. Principals and vice-principals may request a transfer from their current assignment through written application to the Superintendent of Human Resources or designate by a date to be determined each year.
- v. The Director or designate may initiate transfers of in-school administrators.

**3. Non-Teaching Support Staff – Prairie Spirit Central Office**

a. Role

- i. The non-teaching central office staff provides the support and technical assistance required to maintain the operations and administrative functions of the division.
- ii. The role of Prairie Spirit Central Office non-teaching staff is to be of service and support to the public, to the schools, and to those personnel within their areas of responsibility that they serve directly. Each member of Prairie Spirit Central Office non-teaching staff is:
  - To perform those duties as assigned by his or her supervisor.
  - To be knowledgeable of the operations and services of the school division as to direct inquiries from the public or within the division to the appropriate personnel and,
  - To share responsibilities with fellow members of the staff team when needed because of excessive workloads, absence of others, or training new staff.

b. Recruiting and Placement

- i. The Director or designate is responsible for hiring non-teaching central office staff.
- ii. The recruitment, appointment, and placement procedures are determined by the Director or designate.
- iii. Vacant positions are to be advertised as per Local agreements.
- iv. Staff members are to be employed under the conditions of the applicable employment contract with the division.

**4. Non-Teaching Support Staff – School-Based**

a. Role

- i. The non-teaching school-based support staff provides support and technical assistance to the administrative and instructional operations of the school.
- ii. The role of school-based non-teaching support staff varies widely depending on the needs of the school administration and teachers. Each member of the school-based non-teaching support staff is to:
  - Perform those duties as assigned by the principal or designate.
  - Assist with other responsibilities when requested by the principal or designate.

b. Recruiting and Placement

- i. The Director or designate and principal are responsible for hiring school-based non-teaching support staff.
- ii. The recruitment, appointment, and placement procedures are to be determined by the Director of Education or designate in consultation with the principal.
- iii. Vacant positions are to be advertised as per Local agreements.
- iv. Staff members are to be employed under the conditions of the applicable contract with the division.



## **5. Caretaking and Maintenance**

### **a. Role**

- i. The caretaking and maintenance staff provide services to the Board, its schools, students, employees, and committees.
- ii. The role of caretaking and maintenance staff is paramount to maintaining healthy, safe, and pleasant working and learning environments. Each member of the caretaking and maintenance staff is to:
  - Perform those duties as assigned by the Caretaking or Maintenance Supervisor and principal.
  - To assist with other related responsibilities when requested by the principal, Caretaking or Maintenance Supervisor.
  - To ensure that school, office, and shop facilities are maintained appropriately for the health and safety of all students, staff, and community members using the facilities.

### **b. Recruiting and Placement**

- i. The Facilities Planner or designate is responsible for hiring or contracting caretakers and maintenance staff.
- ii. The Facilities Planner, in consultation with the Superintendent of Human Resources or designate, is responsible for determining appropriate selection, appointment, and placement procedures.
- iii. Vacant positions are to be advertised as per Local agreements. Positions may be advertised externally when necessary.
- iv. Caretakers and maintenance staff are to be employed under the conditions of their applicable employment contract, or through a services contract where applicable.

## **6. Bus Drivers**

### **a. Role**

- i. The bus driver provides an important and essential service to the division, schools, and families.

ii. The bus driver's role in conveying students to and from school provides families safe access to school. Bus drivers are to:

- Perform those duties as assigned by the Conveyance Manager.
- Abide by the directives for drivers contained in the school division's *Bus Drivers Manual*.

b. Recruiting and Selection

- i. The Superintendent of Finance and Administration or designate is responsible for hiring or contracting bus drivers.
- ii. The Conveyance Manager in consultation with the Superintendent Human Resources or designate is responsible for determining appropriate recruiting and selection procedures.
- iii. Vacant positions are to be advertised as per Local agreements.
- iv. Bus drivers are to be employed under the conditions of the applicable employment contract with the division, or through a services contract.

**7. Criminal Records Check**

a. An original, current (within six months) criminal records check, including a vulnerable sector check, is required from:

- Any applicant being recommended for employment with Prairie Spirit School Division.
- Any person who is a non-parent and is acting as a volunteer for school sponsored activities in Prairie Spirit School Division.
- Any person acting as a volunteer for school sponsored activities that have direct or sole responsibility for providing supervision of students.
- Any person acting as a volunteer for school sponsored overnight activities.

Parent volunteers (including grandparents or legal guardians) who are providing services under the direct supervision of a Prairie Spirit employee do not require a criminal records check. Parent, grandparent and legal guardian volunteers may be asked to provide personal

references from known members of the community or, in lieu of meeting these requirements, may be required to provide a criminal record check.

- 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 which 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 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, which include conviction will be assessed by the Director or designate taking into consideration matters such as:

- The nature and particulars of the criminal conviction;
  - The age of the individual when the events in question occurred;
  - Any extenuating circumstances as provided by the applicant;
  - The time that has elapsed between the conviction and the employment application, and the activities of the individual during that interim period;
  - 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,
  - The relationship of the conviction to the position for which the person is applying.
- f. Any appeal of the decision of the Director or designate is to be made in writing to the Director within fifteen 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 question and statement are to be included on all application forms utilized for the recruitment of staff:

Have you ever been convicted of an offence or do you currently have any charges pending under *The Criminal Code of Canada, The Narcotics Control Act, The Controlled Drug and Substances Act, 1996 or The Food and Drugs Act, 1985?*

\_\_\_\_\_ Yes \_\_\_\_\_ 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 which includes a vulnerable sector check.

Signature:

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- k. 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 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 results of the criminal records search are to be submitted before any placement of employment or volunteerism.

## **8. Reporting Criminal Charges**

- a. All employees of Prairie Spirit School 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 working days after having been charged with an offense, any person referenced in this procedural statement is to inform orally, and subsequently in writing, the Director of Education 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 or designate 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 Board 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 of the Board is to be made in accordance with the provisions of the employee's collective agreement, or where no collective agreement applies, within fifteen days of notification of the Board's decision.
- 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 legal advice or 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.

### **9. *Substitute and Casual Staff***

- a. Teachers may be offered employment as substitutes based on requirements of the schools, on a day-to-day basis:
  - i. Recommended applicants are placed on a substitute teacher list which is prepared by the Superintendent of Human Resources or designate.
  - ii. All substitute teachers must hold a valid teaching certificate.
  - iii. Principals are required to report the engagement of substitute teachers as directed by the Superintendent of Finance and Administration.
  - iv. Principals are to monitor and assess the performance of substitute teachers and communicate such information to the Superintendent of Human Resources or designate.
  - v. At the discretion of the principal, substitute teachers are to perform the duties of the teachers they are replacing.
  
- b. Support staff may be offered employment as casual staff based on requirements of the school division, on a day-to-day basis.
  - i. The Superintendent of Human Resources or designate is responsible for establishing a list of available casual support staff.
  - ii. The list will be prepared annually and revised as needed throughout the year.
  - iii. Principals are to monitor and assess the performance of casual support staff and communicate such

information to the Superintendent of Human Resources or designate.

- iv. Principals and immediate supervisors are to engage casual staff as directed by the Superintendent of Finance and Administration.

## **10. Teacher Exchange**

- a. The Director of Education will approve a limited number of applications from division teachers wishing to exchange with teachers from other provinces or countries, as provided through the Ministry of Education program for teacher exchange.
- b. Applications should be prepared in consultation with the Superintendent of Human Resources or designate.

<http://www.education.gov.sk.ca/teacherexchange>

## **11. 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 Superintendent Human Resources.
- 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.

## **12. 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 Department of Learning regulations as stated in *Accreditation (Initial and Renewal): Policies and Procedures*.

<http://www.education.gov.sk.ca/accreditation>

- c. A teacher employed by Prairie Spirit School Division may be considered for accreditation after one year of successful teaching in the division.



- d. Teachers seeking to become accredited are to have completed a professional exchange seminar within one year prior to applying for accreditation status.
- e. Teachers are responsible for ensuring compliance with the *Accreditation (Initial and Renewal): Policies and Procedures*. The Director or designate 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 year after accreditation.
- f. If a teacher is requested by the Board, or in consultation with in-school administration, is requested to become accredited or to renew accreditation, the costs of attendance at an accreditation seminar or accreditation renewal seminar will be covered by the school division.
- g. If a teacher opts to become accredited or renew accreditation, a portion of the costs are the responsibility of the division.



ADMINISTRATIVE POLICY No. 505

IMPLEMENTATION FALL 2006  
REVISED NOVEMBER 3, 2014

HARASSMENT PREVENTION

***Purpose:***

To provide employees with a positive environment for working and learning that is free of discrimination and harassment and to comply with [The Saskatchewan Human Rights Code](#) and with [The Saskatchewan Employment Act](#).

***Principles:***

The Division is committed to creating and maintaining a positive work environment where employees, students and volunteers are treated with respect and dignity. The Board recognizes its responsibility to provide education regarding discrimination and harassment, and to provide the opportunity for training to resolve situations that occur.

***Scope of this Policy:***

This policy applies to all members of the Division community, including individuals employed directly or indirectly within the Division, volunteers and visitors. This policy applies to risks, threats and incidents of discrimination or harassment that occur on Division premises and other work sites under the Division's control, or during the course of any Division-sponsored event.

Situations involving violence or the threat of violence will be handled using the procedures contained in [Administrative Policy No. 512 – Violence Prevention](#).

This policy does not limit or amend the provision of any collective agreement and is not intended to discourage or prevent anyone from pursuing a complaint with the Saskatchewan Human Rights Commission, Occupational Health and Safety, or via any other legal avenues available.

***Policy:***

Prairie Spirit School Division is committed to creating and maintaining a positive environment for working and learning that is free of harassment, as defined in [The Saskatchewan Employment Act](#) as any inappropriate conduct, comment, display, action or gesture by a person:

- 1) That either:
  - a) Is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or
  - b) Adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and
- 2) That constitutes a threat to the health or safety of the worker

To constitute harassment, either of the following must be established:

- a) Repeated conduct, comments, displays, actions or gestures;
- b) A single, serious occurrence of conduct, or a single, serious comment, display, action, or gesture that has a lasting, harmful effect on the worker.

Harassment **does not include** any reasonable action that is taken by an employer, or a manager or supervisor, employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.

Furthermore, both discrimination and harassment are prohibited by law and will not be tolerated. The Division will respond to reports of discrimination and harassment as promptly and effectively as possible and will take appropriate action to prevent and correct behavior that violates this policy.

### ***Responsibilities:***

#### **Division Responsibilities**

The Division and its officials (director, superintendents, coordinators, principals, vice-principals, managers and supervisors) are responsible for:

- a) taking action to promote a positive, productive environment for working and learning and to correct behaviour that interferes with this goal; and
- b) taking prompt effective action to prevent and address known or apparent incidents of discrimination or harassment whether a complaint is received or not.

Human Resources is responsible for:

- a) providing officials with advice and assistance on dealing with matters involving discrimination or harassment;
- b) determining when a formal investigation will occur;

- c) directing and overseeing formal investigations, as outlined in the procedures.
- d) helping schools and departments create and maintain a positive working environment; and
- e) promoting this policy and ensuring that it is communicated to employees.

### **Employee Responsibility**

In accordance with [The Saskatchewan Employment Act](#), all workers employed by the Division, shall refrain from causing or participating in the discrimination or harassment of another worker or any student, and co-operate with any person investigating allegations of discrimination or harassment.

### ***Non-compliance:***

Following procedural fairness, the Division may take action against anyone whose activities are in violation of the law or of this policy, as being in contravention would constitute discrimination or harassment. The actions taken may include, but are not limited to:

- disciplinary action for employees in accordance with the respective Collective Agreement, up to and including the termination of the employment relationship;
- legal action that could result in criminal or civil proceedings.

The Division may also take action against those who were aware of discrimination or harassment, but failed to report it.

## **HARASSMENT PREVENTION PROCEDURES**

### ***1. Confidentiality***

The Division will protect the confidentiality of information regarding a potential violation of this policy to the fullest extent possible. The Division will not disclose the name of a complainant or an alleged harasser, or the details of a complaint to any person except where disclosure is necessary for the purposes of investigating the complaint, taking corrective action with respect to the complaint, or as required by law. All parties involved in a complaint are expected to act in the same.

### ***2. Reporting***

An employee, who believes that he or she has been subject to behaviour that violates the Policy, should immediately inform the respondent and ask them to stop their behaviour. However, if the behaviour should continue, or be of a

significant nature, the employee should report their concerns immediately to Human Resources, their Administration, their Manager or Supervisor, or their Superintendent.

### **3. Processes**

Allegations of discrimination or harassment may be resolved using informal and/or formal procedures as outlined below.

#### *3.1. Assessment*

Human Resources is responsible for any concerns relating to discrimination and/or harassment and assessing whether the nature of the complaint falls within the Policy. Based on the nature of the concern, Human Resources will work with the individual(s) raising the concern to determine:

- a) if the Employee Family Assistance Program (EFAP) or Saskatchewan Teachers' Federation (STF) Counselling Services are an appropriate alternative or adjunct resource;
- b) if the individual wishes to pursue an informal resolution such as problem solving and/or mediation.;
- c) if the concern warrants, or if the complainant wishes, to pursue formal procedures. This will result in a formal complaint being filed and may result in an investigation;
- d) whether to address the issue using another Division procedure or any other remedy available at law.

None of the above actions prevent the complainant from filing a formal complaint at any time using the [Written Complaint Form](#).

#### *3.2 Informal Process*

Dependent on the nature of the concerns, Human Resources may recommend an informal resolution process.

Informal processes focus on resolving the problem as opposed to determining right or wrong or taking disciplinary action. This type of resolution may include, but is not limited to consultation, counseling, problem solving, or mediation.

### *3.3 Formal Complaint*

A formal complaint of discrimination and harassment may be initiated at any time by filling out a [Written Complaint Form](#) and submitting it to their Administration, Manager or Supervisor, or a Superintendent. The form will then be forwarded to Human Resources, or alternatively, submitted to Human Resources directly.

Human Resources is responsible for:

- a) discussing the allegations or concerns raised by the individual and options available for addressing the concerns;
- b) coordinating the gathering of any available information relevant to the concerns raised; and
- c) Investigation and reporting.

Formal processes focus on establishing the facts and implementing appropriate corrective and/or disciplinary action where appropriate. These approaches, which may include investigations, are typically used to address incidents that involve reports or allegations of serious misconduct, on-going patterns of inappropriate behaviour or situations where the facts of a case are unclear.

The decision to conduct an investigation will be made after the Superintendent of Human Resources has reviewed the written complaint. Human Resources may choose to meet with the complainant and respondent to recommend an attempt to resolve the complaint informally without an investigation.

## **4. Investigation**

If it is determined an investigation is warranted, an investigation process will be initiated.

The purpose of a formal investigation is to determine if there is substance to a complaint and decide upon an appropriate course of action to address the issue. Human Resources shall direct and oversee the investigation or delegate authority to conduct the investigation to a third party.

#### 4.1 Principles

Investigations will be conducted in a reasonable timeframe in accordance with the principles of procedural fairness including:

- a) the right to be fully informed of any allegations and given an opportunity to respond to them;
- b) complainants, respondents and witnesses have the right to be accompanied by an observer, who may be a representative or a support person, except for those employees who are covered by a collective agreement and have the benefit of union representation;
- c) the right to request the assistance of an Occupational Health and Safety Officer;
- d) complainants, respondents and witnesses interviewed will be provided an opportunity to review their statements to ensure accuracy.

#### 4.2 Written Report and Executive Summary

When the investigation is complete, a written report and executive summary will be prepared by the Superintendent of Human Resources or designate. The report will contain:

- a) the relevant background information including a summary of the incidents leading to the complaint and a list of the allegations;
- b) the positions of the parties and a summary of evidence or factual assertions supporting those positions;
- c) a determination as to whether or not, on the balance of probabilities, a violation of the Division's policy has occurred; and
- d) a recommendation of action.

A copy of the executive summary will be provided to the complainant, the respondent, Human Resources, and union representative as appropriate.

## **5. Retaliation and Intentionally False Complaints**

This policy prohibits acts of retaliation including threats, intimidation, reprisals or adverse employment or education action, against a person who has filed a complaint or participated in any manner in the investigation or resolution of a report of discrimination or harassment.

Intentionally-false accusations of discrimination or harassment (complaints that are made in bad faith) are also prohibited under this policy. These complaints occur when a person purposefully misrepresents the facts or makes accusations maliciously, without regard for the truth. Where an investigation finds a complainant has knowingly made a false allegation, the complainant will be subject to appropriate discipline.

Intentionally false accusations do not include reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

## **6. Appeals**

There is no appeal under this policy for complainants or respondents who are members of a bargaining unit. These individuals may grieve any disciplinary action taken by the Division to the Director of Education using the grievance procedure in the relevant collective agreement.

### **6.1 Grounds for Appeal**

For complainants who are employees and are not a member of a bargaining unit, an appeal will be considered only on one or more of the following grounds:

- a) The Superintendent of Human Resources or designate had no authority or jurisdiction to reach the decision they did;
- b) There was a reasonable apprehension of bias on the part of the Superintendent of Human Resources or designate;
- c) The Superintendent of Human Resources or designate made a fundamental procedural error that seriously affected the outcome;  
or
- d) New evidence has arisen that could not reasonably have been presented to the Superintendent of Human Resources or designate that would likely have affected their decision.



## **6.2 Appeal Process**

Complainants may appeal the decision of disciplinary action by submitting a written request to the Director of Education within ten (10) working days of the date that a summary of the written report was delivered to them. The Director of Education will forward a copy of the written request to the Superintendent of Human Resources or designate who originally decided the case and the other party.

Within ten (10) working days of receiving the request, the Director of Education will select a different Superintendent or designate to hear the appeal and determine the outcome. No individual will be selected who has had direct involvement in the case or is from the school or department of either the complainant or respondent.

The Superintendent or designate who heard the appeal will have fifteen (15) working days to determine the outcome of the appeal and prepare a written decision, which will be provided to the Director of Education.

The Director of Education will have ten (10) working days to consider the decision and make a final written determination. He or she will forward a copy of this determination to the parties and the Superintendent of Human Resources or their designate who originally decided the case.

## **7. Records**

Any information pertaining to reports or incidents will be kept by Human Resources in accordance with existing Division policies for a period of fifty-five (55) years and will only be disclosed when required by law or by a legal or official proceeding.

Records pertaining to complaints that result in disciplinary action will be retained in the employee's official file in accordance with existing Division policies and collective agreements and will be held in confidence subject to the exceptions provided in these procedures.

## **8. Procedural Modifications**

Where an exceptional circumstance arises, the Superintendent of Human Resources in consultation with the Director of Education may authorize modifications to these procedures, provided the modification does not compromise procedural fairness.

Complaints under this policy and these procedures should be reported as soon as possible after the occurrence of the alleged incident(s), and must be

made no later than two (2) years after the alleged incident(s) occurred, barring exceptional circumstances.

Complaints of discrimination and harassment will be given a high priority and addressed as expediently as possible. Timelines in these procedures are intended to serve as guidelines and will be followed to the extent possible.

## **9. References**

*Government of Saskatchewan Ministry of Labour Relations and Workplace Safety:* [www.lrws.gov.sk.ca](http://www.lrws.gov.sk.ca)

[\*The Saskatchewan Employment Act\*](#)

## **10. Contacts**

Jarid Brown  
Employee Relations Manager  
(306) 683-2878  
jarid.brown@spiritsd.ca

Bob Bayles  
Superintendent of Human Resources  
(306) 683-2908  
bob.bayles@spiritsd.ca



**ADMINISTRATIVE POLICY No. 511**

IMPLEMENTATION JANUARY 2014

EMPLOYEE ACCEPTABLE USE POLICY

The purpose of this policy is to guide employees in the use of school division technology and resources including but not restricted to telephones, cellular and smart phones, personal devices and all other devices which have access to or may store information obtained from the Board's computer networks (hereinafter collectively referred to as "the computer network").

**Application**

This policy applies to all school division employees.

**Policy Statement**

Employees of the school division shall comply with this policy and any related guidelines and directives to enable reasonable and appropriate use of the computer network and all Board resources.

**PROCEDURES**

**SECTION 1 – USE**

1. Employees who have been granted access to computer networks are expected to use such networks in a legal, ethical, and non-destructive manner consistent with a spirit of respect and in accordance with the policies and procedures of Prairie Spirit School Division and with the laws of Canada and Saskatchewan.
2. Acceptable uses of the computer network shall include but are not limited to:
  - a. Purposes related to the specific functions of each employee's job or purposes required to assist employees in carrying out the duties of their employment;
  - b. Reasonable private purposes which are consistent with this policy.
  - c. Those rules set out in SECTION 2 – Acceptable Uses to this policy.

3. Unacceptable or prohibited uses of the computer network shall include but are not limited to:
  - a. Any use by an employee that interferes with the duties of employment;
  - b. Any use by an employee that exposes the school division to significant cost or risk of liability.
  - c. Those rules set out in SECTION 3 – Unacceptable Uses to this policy.
4. The rules set out in this policy provide general guidance and examples of unacceptable or prohibited uses are for illustrative purposes and should not be construed as being exhaustive of unacceptable use.
5. Employees who have questions as to whether a particular activity or use is acceptable should seek further guidance from their immediate supervisor.

### ***MONITORING***

1. The computer network is owned by the school division and reserves the right to access contents of all files stored on the network and all messages transmitted through its computer network.
2. The school division keeps and may monitor logs of usage of equipment which may reveal information such as:
  - a. Internet sites that have been accessed by employees.
  - b. Email addresses of those with whom employees have communicated.
  - c. The content of communications including emails and instant messages.
3. In cases where information collection that results in an employee investigation, the person concerned will be informed and information will not be disclosed wider than is absolutely necessary.

## **WEB PAGES**

1. Each department will ensure that information they want posted to the Internet meets the following minimum standards:
  - a. Sources must be cited
  - b. Information should be as correct and timely as possible
  - c. Copyright laws apply and copyright notices must be included where appropriate
  - d. Privacy considerations should be addressed
2. Material published to the Board website must be approved by the Director, Superintendent or designate.

## **COPYRIGHT**

1. All computer hardware and software in use is purchased under academic licenses and there must not be any commercial activity of any kind done on school division networks.
2. Software must only be used legally in accordance with both the letter and spirit of relevant licensing and copyright agreements.

## **SECURITY**

1. Confidential information should always be treated in a secure manner appropriate to the media.
2. Employees shall not remove from board premises any laptop, cell phone, personal data device, memory key or other storage device, or any other device on which personal or confidential information may be stored or accessed until ensuring that appropriate security measures have been implemented such as:
  - a. Office cell phones should be locked when not in use
  - b. School division laptops and memory keys should not be left alone in a vehicle or unattended in any public place.
  - c. Hard drives and memory sticks should be encrypted
3. Every employee must immediately report any possible or suspected breach of security to his or her supervisor who in turn shall immediately notify IT support services.

## ***USERNAMES AND PASSWORDS***

1. Employees who require computer network access in order to perform the functions of their employment will be assigned usernames and passwords in order to be able to access required services. Passwords are not to be shared with other employees or students or any agency or individual. The use of generic passwords may be shared where deemed appropriate such as guest wireless access or a library search station.

## ***HARDWARE AND SOFTWARE***

1. All purchases must be approved by the Superintendent or designate.
2. Permission from the Superintendent or designate must be obtained before any software (including public domain software) is installed on any school division computer.

## ***REMOTE ACCESS***

1. The school division provides for all staff to access their email and network information remotely and staff are strongly encouraged to use this resource to reduce the chances of confidential data being lost or stolen on a laptop or memory key. Employees are permitted to use remote access to the school division computer network subject to the following:
  - a. Access must be strictly controlled, using password authentication;
  - b. It is the responsibility of employees with remote access privileges to ensure that a connection to the school division is not used by non-employees to gain access to the computer network resources; and
  - c. The employee must take every reasonable measure to protect the school division's assets and information.

## **SECTION 2 – ACCEPTABLE USES**

Acceptable uses of the computer network include, but are not limited to, the following:

1. Staff may use Prairie Spirit computing facilities and services for personal purposes as long as personal use does not compromise the business of the School Division, will not increase the School division's costs, will not expose the School Division to additional risk, will not damage the School Division's reputation and is not part of an activity that the account holder does for personal profit.
2. Work-related purposes
  - a. An employee may use the computer network if access is required to perform any portion of work duties assigned unless specifically directed otherwise.
  - b. All work related uses must be in accordance with the terms of this policy.
3. Incidental Purposes
  - a. Employees may also use the computer network for reasonable private purposes such as sending and receiving personal messages as long as such usage does not interfere with the duties of employment.
  - b. Employees shall comply with the following rules in any incidental use of school division resources:
    - i. Incidental use must not impede the employee's work or the work of others, or affect the school division's ability to carry out its work;
    - ii. The personal use is to be limited to coffee breaks and lunch hour whenever possible;
    - iii. The personal use does not incur significant cost for the school division;
    - iv. Employees shall restrict personal communications during office hours to pressing matters only, and such communications must be brief; and
    - v. Employees are encouraged to log on to their personal email to send and receive personal messages.

### **SECTION 3 – UNACCEPTABLE USES**

Unacceptable uses of the computer network include, but are not limited to, the following:

1. Unauthorized release of information:
  - a. Giving out personal information about another person;
  - b. Providing information about, or lists of employees to outside parties;
  - c. Providing confidential information about the school division or its operations to outside parties.
  
2. Unauthorized personal use:
  - a. Use of the school division's name, computers or other equipment for a personal business or commercial or for-profit purposes;
  - b. Downloading entertainment software (e.g. Music, videos, and games) or other files not related to objectives of the school division for transfer to a user's home computer, personal computer, or other media.
  - c. Any activity that might disrupt or block internet access for other users through the use of bandwidth compromising activities such as peer-to-peer software e.g. torrents.
  
3. Misuse of Passwords:
  - a. Revealing a password to any unauthorized person
  - b. Allowing use of employee's account by an unauthorized party when work is being done at home
  - c. Circumventing user authentication or security of any host, network or account
  - d. Misrepresenting other users on the network
  - e. Writing a password on physical media where it may be discovered (e.g. sticky note under keyboard).
  
4. Unauthorized use or modification of equipment or software:
  - a. Intentionally modifying or damaging any school division hardware, software, files, mailbox, web page, other data, or passwords belonging to other users
  - b. Unauthorized installation of software, including shareware and freeware
  - c. Effecting security breaches or disruptions of network communication, including but not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access.



5. Improper, objectionable or unethical actions:
  - a. Using school division computers or other resources for offensive activities such as circulating hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviours
  - b. Use of the computer network to access or process pornographic material or other inappropriate text files (as determined by the system administrator or school administrator), or files dangerous to the integrity of the local area network
  - c. Sending forged or anonymous e-mail or postings.
  
6. Misuse of Copyright:
  - a. Downloading, copying, or otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner, except when permitted for educational purposes
  - b. Installation or distribution of products that are not appropriately licensed for use by the school division.

### ***ENFORCEMENT***

1. It is important that all employees adhere to this policy. Standard terms and conditions of employee behavior and consequential discipline apply.



Learners for Life

***New Employee Declaration of Compliance and Understanding***

I, being an employee of Prairie Spirit School Division No. 206, have received and read a copy of the following policies.

- Administrative Policy No. 501, Sections 7 & 8 – Criminal Record Checks
- Policy 505 – Harassment Prevention
- Policy 511-Acceptable Use Policy and Data Access and Security Policy

I understand the provisions provided and my responsibilities as stated in each policy.

I am aware that my name and photograph will be listed in the protected Prairie Spirit Staff Directory and that this data may be used to populate other protected Prairie Spirit Databases in the future. This information is governed by Policy 511.

The Prairie Spirit employee communication expectation is that staff will check and respond to e-mail at least once every two working days.

Date: \_\_\_\_\_ Full Name (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Please return the completed form to Prairie Spirit School Division.