



## 402.7AP Transfer of Professional Staff

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### LEGAL REFERENCE

- Education Act Section 202, 212

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### PROCEDURES

1. Transfers may be initiated by:
  - 1.1 staff requesting their own transfers (through application for a position).
  - 1.2 principals requesting the transfer of teachers under their jurisdiction.
  - 1.3 central administration requesting staff transfers.
2. Staff Initiated Transfer staff wishing to transfer from one school to another will do so through application to competitions and will be considered through an open and transparent process. The best candidate for the position will be selected based on program need and student learning.
3. Administrator Initiated Transfers - the following criteria will be considered:
  - 3.1 student, program and school needs as perceived by school and division administration.
  - 3.2 experience, interest and training of staff members.
  - 3.3 distance between schools.
  - 3.4 opportunities for personal/professional growth.
  - 3.5 other considerations deemed relevant by the Superintendentcy.
4. Transfer will not be considered for punitive reasons. The transfer of staff will be considered only if their performance is meeting expectations, although employees on remediation plans may be offered an opportunity to implement the plan in a new environment. When this is mutually acceptable, the relocation will not be considered an administrator-initiated transfer.

5. Principal-Initiated Transfers - Principals' recommendations for teacher transfers will be directed in writing to the Superintendent or designate before April 30 of the calendar year in which the transfer is to take effect.

The letter of recommendation shall include the following:

- 5.1 name of teacher to be transferred.
  - 5.2 the rationale for the transfer of this individual.
  - 5.3 the requested effective date of the transfer. The principal shall discuss the recommendation with the teacher and provide the teacher with a copy of the letter recommending his/her transfer.
6. Central Administrator-Initiated Transfer - A Central Administrator's recommendation for a staff transfer may be directed at any time in writing to the Superintendent or designate and shall include:
    - 6.1 name of the employee to be transferred.
    - 6.2 the rationale for the transfer of the individual.
    - 6.3 the requested effective date of the transfer.
  7. The Superintendent, or designate will arrange a meeting with the employee to be transferred as soon as possible for the purpose of discussing the transfer. The discussion will include a review of the employee's options with regard to the new placement.
  8. The Superintendent will notify the employee in writing, stating the position and school to which he/she is to be transferred and the reasons for the transfer.
  9. Notwithstanding any of the above, the Administration may transfer a staff member to another position, as outlined in Section 212 of the Education Act.
  10. Notwithstanding any of the above, principals are teachers as per Section 202 of the Education Act and are thus covered by this procedure.
  11. Transfer of professional staff will usually be undertaken, effective the start of a new school year. Because of the disruption that could occur in the classroom learning situation, transfers during the school year will be considered only if extenuating circumstances are sufficient to support this action.
  12. Notwithstanding any of the above, when the Superintendent initiates a principal transfer to a school with fewer students, the principal will receive, for two years, an administrative allowance based on the number of students in the school the principal was transferred from. At the end of the two-year period, the principal's allowance will be based on the number of students in the school he/she transferred to.
  13. Any Administrator initiated transfers, whereby the distance between schools is greater than 90 kilometers, and requires a change of residence, will necessitate the payment of a relocation allowance as per the collective agreement.
    - 13.1 When determining reasonable moving expenses, the following criteria will apply:
      - 13.1.1 The employee will submit two quotations for moving costs to the employer within 30 calendar days. Quotations of the actual cost of moving shall be the lesser of school to school or residence to school distance.
      - 13.1.2 The employer has the option of obtaining a third quotation. Central Services administration has 30 calendar days to consider the quotations and, if deemed necessary, to obtain a third quotation.

- 13.1.3 The employer will approve the funding based on one of the quotations.
- 13.1.4 Payment of the relocation allowance, based on the chosen quotation, will be made to the staff member within 30 days. 14. An appeal of the transfer may be made in accordance with Section 212 of the Education Act.