

# Excess Process E1

## Obligations of the board and the union

- 5-21.13 By March 1 of each school year, the board and the union shall meet to determine the timelines for the assignment and transfer process. A copy of the timelines shall be posted in each school/centre.
- 5-21.14 a) By April 1, the board shall post in each school/centre a list of the regular teachers as well a list of regular teachers with special status deemed assigned to the school/centre for the current school year. The lists shall be drawn up by category in decreasing order of seniority. They shall contain the names of the regular teachers as well as regular teachers with special status in service (excluding resignations and retirements), the names of the teachers on leave, with or without pay, as well as the teachers assigned to the school/centre as a result of the application of clause 5-3.09\*.
- i. Following the application of clause 5-21.18, the board and the union shall meet to review the lists of potentially excess regular teachers as well as regular teachers with special status.
  - ii. Beginning with regular teachers, in accordance with the general principle included in clause 5-21.11 a), the board shall offer the potentially excess teacher with the most seniority a full assignment consisting of a fractional need in his or her category greater than or equal to fifty percent (50%) and a fractional need less than or equal to fifty percent (50%) in one or more other categories.
- b) Following the application of a) i) above, the board shall offer to the most senior potentially excess regular teacher a reassignment in his or her school/centre on the condition that there is a full teaching load [one hundred percent (100%)] to be filled in a given category to be filled and that there is no potentially excess regular teacher with greater seniority in that category at the board level.
- c) Following the application of 5-21.14 a) ii) and b), the same process will be repeated for regular teachers with special status who are excess. The Board offers workloads in connection with Appendix XLVII, Section VII\*.

## Obligations of the school administration and the teachers

- 5-21.15 By March 1 of each year, the school administration shall request the input of the Teacher Council in accordance with clauses 4-1.02 d)\* and 4-7.06 (20).
- 5-21.16 Between the date of the request in clause 5-21.15 and the presentation of a tentative organizational plan referred to in clause 5-21.17, the school administration will inform the Teacher Council of all changes concerning the programs of studies as well as any projections in student enrolment or other relevant data that might help the Teacher Council make recommendations to the school administration.
- 5-21.17 By March 31, the school administration shall submit a tentative organization plan for the coming school year to the Teacher Council in accordance with Appendix L-II.
- 5-21.18 By April 15, the board shall notify in writing the regular teacher as well as the regular teacher with special status who is potentially excess because a full teaching load [one hundred percent (100%)] in his or her category is not foreseen for the following school year. A copy of the notice shall be submitted the union.
- 5-21.19 Before April 30 of each school year, the board shall inform in writing the regular teachers as well as the regular teachers with special status who remain in excess following the application of clause 5-21.14. A copy of this notice is forwarded to the union.

- 5-21.20 Within five (5) days of receiving the name(s) of the regular teachers as well as the regular teachers with special status who are declared excess at the school level, the board shall forward to the union a list of the teachers concerned. The list shall be drawn up by category, by seniority, and indicate the school of origin.
- 5-21.21 In accordance with the timelines established in clause 5-21.13, the board shall:
- a) post in each school and on its website a provisional list of needs that remain to be filled for the following school year. The needs shall be identified by school and by category, along with pertinent information (subjects, levels, cycles, etc.), as well as any particular requirements, if applicable.
  - b) following the posting of the provisional needs, convene the regular teachers as well as the regular teachers with special status declared in excess according to clause 5-21.19 to a meeting with at least five (5) workdays written notice indicating the date, time and place. The union shall receive a copy of the notice of meeting at the same time and shall have the right to be present at the meeting. The teacher who is unable to attend because of circumstances beyond his or her control shall so notify the board and the union at least forty-eight (48) hours prior to the meeting.

## Assignment and Transfer Procedure for Regular Teachers

- 5-21.22 By May 7<sup>th</sup>, the meeting referred to in clause 5-21.21 shall be conducted in two (2) steps in the following order of priority:
- a) to choose a full post [one hundred percent (100%)] in the same category, proceeding in decreasing order of seniority,
    - i) the teacher shall choose a full post [one hundred percent (100%)] in his or her category; or
    - ii) the teacher shall choose the fractional need in her/his category if it is greater than or equal to fifty percent (50%) and complement it with other fractional need(s) less than or equal to fifty percent (50%) in one or more of the other categories; or
  - b) to choose a full post [one hundred percent (100%)] in another category, proceeding by decreasing order of seniority,
    - i) the teacher chooses a full post [one hundred percent (100%)] for which she/he is qualified; or
    - ii) the teacher chooses a full post [one hundred percent (100%)] composed of fractional needs from different categories.
- 5-21.23 The excess teacher assigned in accordance with clause 5-21.22 shall have her/his choice confirmed in writing by the board. The union shall receive a copy.
- 5-21.24 If, following the application of clause 5-21.22, a teacher remains excess, the board shall carry out the displacement in accordance with clause 5-3.15\* by category, beginning with the most senior not identified teacher in accordance with clause 5-3.11\* and displacing the least senior teacher in the category who was identified in accordance with clause 5-3.11\*.
- 5-21.25 If, following the application of clause 5-21.22, a teacher remains excess, the board shall carry out the displacement in accordance with clause 5-3.16\* beginning with the most senior not identified teacher in accordance with clause 5-3.11\* and displacing the least senior teacher who was identified in accordance with clause 5-3.11\*.
- 5-21.26 The teacher who remains excess after the application of Article 5-21.00 shall be subject to the application of clause 5-3.23\*.

# Excess Process E2

## Obligations of the board and the union

- 5-21.13 By March 1 of each school year, the board and the union shall meet to determine the timelines for the assignment and transfer process. A copy of the timelines shall be posted in each school/centre.
- 5-21.14 a) By April 1, the board shall post in each school/centre a list of the regular teachers as well a list of regular teachers with special status deemed assigned to the school/centre for the current school year. The lists shall be drawn up by category in decreasing order of seniority. They shall contain the names of the regular teachers as well as regular teachers with special status in service (excluding resignations and retirements), the names of the teachers on leave, with or without pay, as well as the teachers assigned to the school/centre as a result of the application of clause 5-3.09\*.
- i. Following the application of clause 5-21.18, the board and the union shall meet to review the lists of potentially excess regular teachers as well as regular teachers with special status.
  - ii. Beginning with regular teachers, in accordance with the general principle included in clause 5 21.11 a), the board shall offer the potentially excess teacher with the most seniority a full assignment consisting of a fractional need in his or her category greater than or equal to fifty percent (50%) and a fractional need less than or equal to fifty percent (50%) in one or more other categories.
- b) Following the application of a) i) above, the board shall offer to the most senior potentially excess regular teacher a reassignment in his or her school/centre on the condition that there is a full teaching load [one hundred percent (100%)] to be filled in a given category to be filled and that there is no potentially excess regular teacher with greater seniority in that category at the board level.
- c) Following the application of 5-21.14 a) ii) and b), the same process will be repeated for regular teachers with special status who are excess. The Board offers workloads in connection with Appendix XLVII, Section VII\*.

## Obligations of the school administration and the teachers

- 5-21.15 By March 1 of each year, the school administration shall request the input of the Teacher Council in accordance with clauses 4-1.02 d)\* and 4-7.06 (20).
- 5-21.16 Between the date of the request in clause 5-21.15 and the presentation of a tentative organizational plan referred to in clause 5-21.17, the school administration will inform the Teacher Council of all changes concerning the programs of studies as well as any projections in student enrolment or other relevant data that might help the Teacher Council make recommendations to the school administration.
- 5-21.17 By March 31, the school administration shall submit a tentative organization plan for the coming school year to the Teacher Council in accordance with Appendix L-II.
- 5-21.18 By April 15, the board shall notify in writing the regular teacher as well as the regular teacher with special status who is potentially excess because a full teaching load [one hundred percent (100%)] in his or her category is not foreseen for the following school year. A copy of the notice shall be submitted the union.
- 5-21.19 Before April 30 of each school year, the board shall inform in writing the regular teachers as well as the regular teachers with special status who remain in excess following the application of clause 5-21.14. A copy of this notice is forwarded to the union.

- 5-21.20 Within five (5) days of receiving the name(s) of the regular teachers as well as the regular teachers with special status who are declared excess at the school level, the board shall forward to the union a list of the teachers concerned. The list shall be drawn up by category, by seniority, and indicate the school of origin.
- 5-21.21 In accordance with the timelines established in clause 5-21.13, the board shall:
- b) post in each school and on its website a provisional list of needs that remain to be filled for the following school year. The needs shall be identified by school and by category, along with pertinent information (subjects, levels, cycles, etc.), as well as any particular requirements, if applicable.
  - b) following the posting of the provisional needs, convene the regular teachers as well as the regular teachers with special status declared in excess according to clause 5-21.19 to a meeting with at least five (5) workdays written notice indicating the date, time and place. The union shall receive a copy of the notice of meeting at the same time and shall have the right to be present at the meeting. The teacher who is unable to attend because of circumstances beyond his or her control shall so notify the board and the union at least forty-eight (48) hours prior to the meeting.

## Assignment and Transfer Procedure for Regular Teachers with Special Status

- 5-21.30 Once the needs have been met in accordance with clauses 5-21.21, 5-21.22 and 5-21.28, the board that has a regular teaching position to fill shall offer the position in order of seniority to the regular teacher with special status who has a special status contract in accordance with Appendix XLVII\* and clause 5-3.36\*, while respecting the criteria under clause 5-21.05\*. The meeting takes place no later than June 1.
- a) the board shall offer, in order of seniority, regular teachers with special status who have acquired tenure
  - b) failing this, the board shall offer, in order of seniority, to a regular teacher with special status.
- 5-21.31 For regular teachers with special status who are declared in excess, the meeting provided for in clause 5-21.21 shall be held no later than June 1. This meeting shall take place in two (2) parts according to the following order of priorities:
- a) to choose a full post [one hundred percent (100%)] in the same category, proceeding in decreasing order of seniority,
    - i) the teacher shall choose a full post [one hundred percent (100%)] in his or her category; or
    - ii) the teacher shall choose the fractional need in her/his category if it is greater than or equal to fifty percent (50%) and complement it with other fractional need(s) less than or equal to fifty percent (50%) in one or more of the other categories; or
  - b) to choose a full post [one hundred percent (100%)] in another category, proceeding by decreasing order of seniority,
    - i) the teacher chooses a full post [one hundred percent (100%)] for which she/he is qualified; or
    - ii) the teacher chooses a full post [one hundred percent (100%)] composed of fractional needs from different categories.
- 5-21.32 The excess regular teacher with special status assigned in accordance with clause 5-21.22 shall have her/his choice confirmed in writing by the board. The union shall receive a copy.

5-21.33 If, after the application of clause 5-21.31, a regular teacher with special status remains excess, the board shall carry out the displacement prescribed in Appendix XLVII, section VI of paragraph 13\* in order of seniority.

a) regular teachers with special status having acquired tenure

b) regular teachers with special status affected by a change in category or place of work following a revision carried out by the board of the distribution of contracts in accordance with Section III of Appendix XLVII\*;