

MEDICINE HAT SCHOOL DISTRICT NO. 76

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF

BACKGROUND

The Board of Trustees believes that the public's trust accorded education in general, and the jurisdiction's educational services in particular, are preserved, if not enhanced, by the conduct and performance of its professional staff. The Board of Trustees, in meeting its responsibility, may need to suspend or dismiss professional staff.

POLICY

The Board expects professional staff to provide satisfactory service; seek to improve their level of performance; and conduct themselves in a manner which will encourage greater public respect for education and for the teaching profession.

The Board authorizes the Superintendent to suspend a teacher, whose presence in their opinion, jeopardizes the welfare or safety of student.

GUIDELINES AND PROCEDURES

Suspension:

1. The Board authorizes the Superintendent to suspend a teacher from the performance of the teacher's duties without prior notice if the Superintendent is of the opinion that the welfare of the students is threatened by the presence of the teacher (*Section 105 of the School Act*). The Superintendent will:
 - 1.1 inform the employee of the suspension in writing and advise the Board of the suspension within 24 hours of imposing the suspension; and
 - 1.2 provide the Board with a report at the next scheduled in camera meeting of the Board;
 - 1.3 forward a copy of the notice of suspension of a teacher, along with a written statement of the alleged facts, to the Minister of Education.
2. The suspended teacher may appeal to the Board of Trustees and/or the Board of Reference (*Section 105 of the School Act*).
3. The Board may suspend from their duties, any teacher who has been served with a notice of termination of contract or of a designation (*Section 107 of the School Act*).
4. The Board may suspend a teacher from the performance of their duties where the Superintendent has reasonable grounds for believing that the teacher has been guilty of gross misconduct, neglect of duty or refusal or neglect to obey a lawful order of the Board (*Section 105 of the School Act*).

Dismissal of Instructional Staff:

1. Where in the opinion of the Superintendent there is reasonable ground(s) to believe that the presence of a teacher or a teacher designated to an administrative position is:

- 1.1 detrimental to the health and/or safety of students and/or employees; or
- 1.2 detrimental to the educational welfare of the students; or
- 1.3 detrimental to the safe and efficient operation of the property and/or equipment;
or
- 1.4 that the teacher has been guilty of gross misconduct, neglect of duty or refusal or neglect to obey a lawful order of the Board; or
- 1.5 where the Superintendent has determined that the performance of a teacher is unsatisfactory;

the Superintendent may recommend to the Board the termination of the contract of employment or designation.

2. Where the Superintendent intends to recommend termination, the Superintendent shall advise the teacher in writing of:
 - 2.1 the reasons;
 - 2.2 the date, time and site at which the recommendation will be presented to the Board;
and
 - 2.3 the teacher's right to be present and to make representation, either personally and/or through counsel, prior to the Board's determination of the recommendation.
3. Upon receiving the Superintendent's recommendations to terminate the contract of employment or designation, the Board shall convene a meeting to:
 - 3.1 receive the evidence leading to the recommendation for the termination;
 - 3.2 provide the teacher with the opportunity to make representation, either personally or through counsel; and having considered the information placed before it, shall render a decision.

Approved:
January 24, 2017

REFERENCES

[Policy 516](#): Administrative Appointments

[Policy 520](#): Teacher Growth, Supervision and Evaluation

[Policy 525](#): Administrator Growth, Supervision and Evaluation

[School Act](#): Sections 61, 105, 107