



Rationale

All CISVA schools are mandated to provide the best possible educational program for students and to treat all employees with justice. When an employee's contract must be terminated due to financial reasons, a fair, just and consistent procedure must be followed which should also provide opportunities for the terminated employee to be reinstated if they so desire.

Policy

When the decision for non-renewal or termination of a teacher contract is due to economic/financial reasons, Education Committees and Pastors of schools, with the input of the Principal, shall examine the educational program and mission of the school and retain those teachers required to provide the best possible instructional program. Thus the decision to terminate a teacher due to financial circumstances will be based on which teachers are best able to provide for the needs of the educational program and the mission of the school; not on years of experience, age or gender.

Seniority itself cannot take precedence over the quality teaching. CISVA schools will be expected to ensure that all employees are treated with justice by maintaining a criteria-referenced procedure with respect to reduction in teaching staff. This will insure the integrity of any termination due to financial circumstances and assist with potential appeals.

The terminated teacher will be due a Notice of Termination or Severance as outlined in Policy 304 (Dismissal and non-Renewal of Teachers' and Principals' Contracts). Any severance will be paid monthly. However, if a teacher who is terminated for financial reasons finds a position in the same or another CISVA school during the period of specified severance, the employee waives the right to the remaining severance payments once a new contract has been entered into.

The provisions of this policy do not supersede Policy 304 (Dismissal and non-Renewal of Teachers' and Principals' Contracts) and contract provisions.

Procedure

1. When a decision is made to not renew and/or terminate a teacher contract at the end of a school year due to financial circumstances, the school must submit its rationale for termination to the Superintendent for approval by March 15th by submitting an "Application for Termination due to Financial Circumstances" form to the Superintendent's Office on or before this date.
2. Applications must include supporting documentation including financial information and be signed by the Pastor, Chairperson and Principal.
 - a) If it is known which teacher's contract is to be terminated, the name of the teacher will be included in the application and the teacher will be advised that an "Application for Termination due to Financial Circumstances" has been submitted to the Superintendent's Office.

- b) If work assignments are not yet confirmed and it is not possible to know which teacher will be terminated, the school will inform the Superintendent’s Office of the need to terminate a contract without submitting names. All school teachers must be informed that the “Termination due to Financial Circumstances” has been submitted.
3. The Superintendent’s Office will review the evidence provided by the school and may request more information in order to make a determination whether or not the request will be approved.
 4. The Superintendent will give notice of whether or not the application was approved as soon as possible and no later than April 14th.
 5. The local Education Committee/School will provide a letter of termination to the teacher whose contract it intends to terminate.
 6. Any Teacher who feels that he or she has been treated unfairly may appeal to the Board of Directors. An aggrieved teacher must notify the Board of Directors in writing of their intent to appeal within ten working days from receipt of non-renewal or termination. The Appeal Committee of the Board will act as expeditiously as possible to hear the appeal.
 7. The Board of Directors’ decision in the matter will be final.
 8. Teachers whose contracts are not renewed or are terminated through this policy will be placed on the active list of teachers wishing to change schools if they so desire to obtain another position with a CISVA school.
 9. If and when the school that has terminated a teacher due to financial reasons is able to hire additional teachers, the school must place the terminated teacher(s), who is not on contract with another school, on the short list of candidates to be interviewed. This requirement will be in effect for two years after the teacher has been terminated or until they have declined two positions offered for which they were qualified.

Note: This Policy does not apply to the Teachers’ Continuing Contract (2016).

<p><i>References</i> This policy replaces Policy 309 Teacher Layoffs adopted by the Board 13 April 2004.</p>	<p><i>Approved</i> CISVA Board of Directors Date 13 April 2004</p> <hr/> <p><i>Last Revised</i> 5 July 2016</p>
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