



Department of Education and  
Early Childhood Development

# Human Resources

**Contract Renewal  
Principal Class  
(Assistant Principal)**



# CONTRACT RENEWAL

## PRINCIPAL CLASS

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## OVERVIEW

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The employment of members of the principal class is subject to Division 3 of Part 2.4 of the *Education and Training Reform Act 2006*. To be employed in the Principal Class an individual is required to enter a [contract of employment](#). The contract of employment is for a fixed period of up to five years. At the expiration of the contract of employment there is provision for renewal of a contract of employment for a further period subject to agreement between the principal class officer and the Department of Education and Early Childhood Development.

**A revised principal contract renewal process is under development. Until any new process is implemented normal contract renewal policy as set out in this guide applies.**

## CONTRACT RENEWAL - PRINCIPALS

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At the expiration of the contract of employment there is provision for renewal of a contract of employment for a further period subject to agreement between the principal and the Department.

The contract of employment is a matter between the principal and the Department. However, like the principal selection process, the contract renewal process will involve the key stakeholders - the principal, the Department and the school council. The Department expects that a further period of up to five years will be available in most cases.

Any concerns about the performance of a principal would normally be known and should have been addressed well in advance of contract renewal considerations.

A principal's contract can be renewed at or below the principal's current classification level. Where the classification level of a principal's position would otherwise be at a higher classification level, based on the school's Student Resource Package, the contract may only be renewed at the principal's current classification level. If the principal's contract is renewed in these circumstances the principal's remuneration will not be less than the remuneration range determined by the school's Student Resource Package each year.

In determining whether a principal's contract is to be renewed the following process will apply:

- Not less than six months prior to the expiration of the principal's existing contract of employment (unless otherwise agreed) the Secretary's nominee, will meet face-to-face with the principal to confer with the view to reaching agreement as to whether the principal shall be re-appointed for a further period.
- Prior to this meeting, the Secretary's nominee will contact the school council president to determine whether there are any factors in relation to the principal's performance that the Secretary's nominee should take into account in the contract renewal discussion with the principal. It is the Department's expectation that any issues of concern that are identified will have been previously raised at the local level.

- Any advice given to the Secretary's nominee by the president will be in writing and shall be tabled by the president at the next available school council meeting after the matter has been discussed between the principal and the Secretary's nominee.
- The outcome of the discussion between the Secretary's nominee and the principal will be:
  - The contract of employment will be renewed for a specified period of time of up to five years, or
  - Issues of concern have been identified which may affect contract renewal and that the principal has the opportunity to respond to those issues. In this case the advice provided by the Secretary's nominee to the principal will be in writing and will outline the issues which are of concern. The principal will have an agreed period to respond in writing to the issues raised by the Secretary's nominee. The Secretary's nominee will, in deciding whether to renew a contract, consider the issues raised and any response of the principal to these issues, or
  - The Secretary's nominee and the principal cannot agree on renewal and the position will be advertised.
- In accordance with the contract of employment the principal and the Secretary's nominee will, no later than 4 months (or such other time as agreed) prior to the expiration of the contract, inform each other of their decision.
- Where the Secretary's nominee determines not to renew the contract or, is unable to reach agreement on the duration of the contract the Secretary's nominee will advise the principal of the decision in writing and provide reasons for that decision.
- As soon as possible after the principal is informed of the contract renewal decision the Secretary's nominee will advise the school council president in writing of the decision.

## CONTRACT RENEWAL – ASSISTANT PRINCIPALS

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Principals are responsible for the contract renewal process for assistant principals. An assistant principal's contract can be renewed at or below the assistant principal's current classification level but not at a higher classification level.

The principal's course of action may be influenced by a number of factors including changes:

- in the workforce plan
- in the structure of the school's staffing profile
- to the school strategic plan
- in the work value of the position

Any concerns about the performance of an assistant principal would normally be known and should have been addressed by the principal well in advance of contract renewal considerations.

In determining whether an assistant principal's contract is to be renewed the following process will apply:

- Not less than six months prior to the expiration of the assistant principal's existing contract of employment (unless otherwise agreed), the principal will meet face-to-face with the assistant principal to confer with the view to reaching agreement as to whether the assistant principal shall be re-appointed for a further period.
- The outcome of this meeting will be:
  - The contract of employment will be renewed for a specified period of time of up to five years, or
  - The principal advises that the position no longer exists. This situation would occur where the principal determines not to have the position or the role of the position is substantially altered and the position will be advertised, or
  - The principal advises that issues of concern exist which may affect contract renewal and that the assistant principal has the opportunity to respond to these issues. In this case the advice provided by the principal to the assistant principal shall be in writing and will outline the issues which are of concern. The assistant principal will have an agreed period to respond in writing to the issues raised by the principal. The principal will, in deciding whether to renew a contract, consider the issues raised and any response of the assistant principal to these issues, or
  - The principal and the assistant principal cannot agree on renewal and the position will be advertised.
- In accordance with the contract of employment the principal and the assistant principal will, no later than 4 months (or such other time as agreed) prior to the expiration of the contract, inform each other of their decision.

Where there is no substantive principal or a principal is not in charge of the school the Regional Director will make appropriate arrangements for the contract renewal process for the assistant principal.

## **CLASSIFICATION ON EXPIRATION OR TERMINATION OF CONTRACT**

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Where a principal class officer's contract of employment expires or is terminated and the officer does not enter into a further contract of employment, he or she shall be employed as:

- an assistant principal and paid within the first classification level specified for the principal class for a period of three years where the remuneration of the principal class officer was at or above the second classification level specified for the principal class; or

- a leading teacher for a period of three years where the remuneration of the principal class officer was in the first classification level specified for the principal class.

Note: where the principal class officer entered a contract prior to 30 July 2008, classification on expiration or termination of contract will be in accordance with the terms of that contract or as set out above or whichever provides a better outcome for the employee.

Where a principal class officer's contract of employment expires or is terminated, that employee must be accommodated within the Student Resource Package of the employee's substantive school.

## GRIEVANCES

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Under the terms of the contract of employment a principal class officer may seek a review of the renewal decision through the [Merit Protection Boards](#) in accordance with the appropriate [Ministerial Orders](#). The only grounds for review of a non-renewal decision are that the renewal process was procedurally deficient or that the decision is demonstrably inconsistent with the evidence presented. The Merit Protection Board will either:

- disallow the grievance and confirm the renewal decision; or
- uphold the grievance and direct that the procedural deficiency in the renewal process be corrected; or
- uphold the grievance and direct that the decision be reconsidered.