Guilford County Board of Education
Procedure

Descriptor Term: **Assignment & Transfer - Licensed**		Descriptor: **GBM-P**
Date Issued: **November 13, 2008**		

The Guilford County Board of Education acknowledges that the Superintendent has the authority and responsibility for assignment and transfer of all licensed personnel employed by the school system.
To facilitate the assignment of personnel, the Guilford County Schools provides a process and guidelines for administrative assignment or transfer prior to or during the school year. The initial assignments of employees are based on various criteria, including (a) the needs of the school system or a particular school; (b) the qualifications, experience, licensure and training of the individual; and (c) the preference of the individual to the extent practicable. Reassignments of personnel may be initiated by employee requests or by administrative action according to the procedures listed below. It should be noted that it is inappropriate for a principal/supervisor to contact directly or indirectly any employee to encourage him/her to transfer. (Any exceptions or questions are to be discussed with the Chief Human Resources Officer.)

1. DEFINITION OF TERMS: ASSIGNMENT AND TRANSFER

Assignment means the placing of any employee in a particular position in a specific school or department. Initial assignment of employees will be based on the needs of the school system or of a particular school; the qualifications, experience, licensure and training of the employee; and, to the extent practicable, the preference of the employee.

Transfer means the reassignment of an employee to a new position in which the employee may perform the same duties in a different location, different duties in the same location, or different duties in a different location. Transfers may be classified as self-initiated (granted in response to employee request) or administration initiated (employer directed based on administrative necessity). Transfer does NOT mean a change in class assignment, grade level, course offering or room assignment at the same school to which the licensed personnel is currently assigned.

2. CRITERIA FOR ASSIGNMENT OR TRANSFER

Licensed personnel shall be assigned or transferred according to the following criteria provided that the assignment of personnel displaced by the closing of a school shall occur before the transfer requests of other personnel are honored:

- Anticipated contribution the person may make in the position according to training, experience, and interest of the transferee.
- Qualifications of the person as compared to those of other candidates for the vacant position.
- The recommendation of the interviewing principal and other appropriate individuals who may be involved in a transfer decision.
- The person's desire for opportunities for professional growth.
- The person's length of service.

When the transfer of an individual would have undue impact on the program of the school, the immediate supervisor of the affected personnel may recommend that individual be exempt from transfer. Such exemptions are to be explained in written form to all immediately affected persons in the school where the exemption is made.

Personnel who are in positions resulting from an administrative reassignment shall be exempted from any additional administrative reassignment for two years, unless they agree to the reassignment or unless circumstances compel the move. Personnel who are administratively reassigned are eligible to seek a self-initiated transfer the following school year. Any personnel who have a self initiated reassignment (transfer) will not be eligible to exercise an additional self-initiated reassignment for two years.

Notice of transfer and reassignment shall be given to the staff member by the Superintendent's Office after the decision has been made. Notwithstanding the foregoing guidelines, the Superintendent may approve administratively a transfer, when the best interest of the employee and school system is served by the change in assignment.

3. TYPES OF REASSIGNMENTS AND ACCOMPANYING PROCEDURE: SELF-INITIATED REASSIGNMENT AND ADMINISTRATIVE REASSIGNMENT

A. SELF-INITIATED REASSIGNMENT (TRANSFER)

Definition: A self-initiated reassignment is one which results from an employee request to perform his/her same or similar duties in a different location, different duties in the same location, or different duties in a different location.

Eligibility Criteria

1. Eligible Employees include full-time Probationary or Career Status employees except:

- **a.** those who hold a Probationary contract year 3 of 4,
- **b.** interim or substitute employees,
- **c.** licensed employees on an action plan during the transfer period,
- **d.** licensed employees who have been advised that their contracts may not be renewed.

2. Employees who are considered for a “promotion” or a change of assignment outside of the classroom (i.e. curriculum coaches, curriculum facilitators) may be granted a transfer outside of the transfer period, provided both sending and receiving principals/supervisors are in agreement and pending the securing of a qualified replacement.

Process and Timeline

1. The employee transfer period begins in January and ends on the last business day of January. An employee who desires a transfer shall complete the appropriate on-line form provided by the Human Resources Department which includes personal data (name, etc.), the employee's present job assignment and location, the employee's qualifications, the preferred job assignment and location, and other information as required on the form.

2. Transfers for the upcoming school year will occur between February first and May first. Mission Possible (MP) Schools may accept transfers only into MP incentive positions through June 15.

3. The Human Resources Department shall, upon timely receipt of the completed forms, develop a list of employees requesting a transfer to be utilized by the staff. Principal/supervisor should interview at least one applicant (if available) from the transfer list for each vacancy.

4. An eligible employee may seek a transfer even if his/her name does not appear on the published transfer list. If a principal decides to consider such a transfer, the principal must first consult with the present supervisor. If the employee is eventually nominated, the receiving principal/supervisor shall immediately notify the sending principal/ supervisor of that decision.

5. To ensure school stability, no school shall lose more than 10% of its current licensed staff in one year due to self-initiated transfers without the consent of the Superintendent or Chief Human Resources Officer.

6. In the case of unusual or extenuating circumstances related to timelines or other requirements, the employee can provide a written explanation of those circumstances to the Chief Human Resources Officer. The Chief Human Resources Officer will exercise appropriate discretion.

B. ADMINISTRATIVE REASSIGNMENT

Definition: An administrative reassignment is one which results from the employer directing that an employee perform his/her same or similar duties in a different location, different duties in the same location, or different duties in a different location.

Procedure

Administrative reassignment is a result of any condition or circumstance which may appear to the Superintendent or designee to require a reassignment in the best interest of the school system, including, but not limited to, the following:

1. a school closing,

2. an enrollment decline,

3. a need to reduce class size,

4. a change in the curriculum,

5. a change in the school system's organizational structure,

6. the opening of a new school,

7. the implementation of a new program, an amendment to an existing program, or termination of a program,

8. a reduction in the school system's budget,

9. interpersonal relationships which are detrimental to a school program,

10. a change in school program, course or level of instruction to improve the effectiveness of the employee, or

11. to provide the employee with experience in a different school's program, course or level of instruction in order to enhance that employee's professional growth.

Communication and Follow Up

Principals should first consider employees who have requested reassignment when the need for impending administrative reassignment becomes apparent. If no employee volunteers for an impending administration reassignment then the principal will be provided a seniority and licensure list, and should determine employees to be reassigned decision based on least service seniority at the following levels of priority: district service, school service, or state service. For the purpose of this procedure "service" is defined as continuous employment in the particular job category.

If more than one employee has the same level of seniority, the Human Resources Department will provide additional information regarding application and nomination to the principal. If there is still more than one employee with the same level of seniority, a lottery will determine who is to be displaced.

An employee who is administratively reassigned shall be informed of the reason(s) for the reassignment in a personal conference with a principal/supervisor and/or a staff member designated by the Human Resources Department.

An employee who is administratively reassigned may request a clarification conference with the Chief Human Resources Officer or designee, following the conference with a principal/supervisor and/or a staff member designated by the Human Resources Department.

Normally, an official notification letter shall be mailed from the Human Resources Department to the staff member to be reassigned a minimum of ten (10) working days prior to actual reassignment, unless, in unusual circumstances, there is not sufficient time remaining prior to the time the reassignment is needed.

The reassignment by the Superintendent or designee is not a subject to be formally grieved by the employee.

If an employee is reassigned, Guilford County Schools shall make every effort to provide for a smooth transition.

Other Considerations

The following considerations will govern the exemption of an employee from an administrative reassignment:

- effective and efficient administration of the school system,
- impact on the program needs or diversity of the school, or
- special needs of the school.

The following practice will govern the procedure for exempting an employee from an administrative reassignment:

- The immediate supervisor of the affected employee shall request approval for exemption from his/her supervisor.
- The supervisor's superior shall submit the exemption request to the Superintendent or designee.
- The Superintendent or designee shall approve or deny the exemption request.

Approved exemptions should be explained in written form to all affected persons by principal/supervisor making the request for exemption.

C. OPENING A NEW SCHOOL

The following selection process may occur prior to or during the regular transfer period, with the timeline determined on an annual basis by the Superintendent in consultation with the Chief Human Resources Officer. When opening a new school, the Human Resources Department will conduct an impact study to determine staffing needs and availability of staff.

Factors Influencing Transfer or Assignment of Staff

1. If staffing allotment declines in a feeder school as a result of the opening of a new school, faculty from the feeder school will be given priority placement in the new school.

2. If more than 5% from any school is seeking transfer to the new school, and if the circumstances are not those addressed in C.1, the Chief Human Resources Officer will first review those circumstances and consider:

    a. the criticality of the content area needed and the impact on the sending school. If employees seeking transfer are in a hard to staff school or hard to staff licensure area (math, science, EC), final approval must be given by the Chief Human Resources Officer. Both sending and receiving principals must mutually agree to the move and, upon availability of qualified applicants, the move will be accomplished within a reasonable time.