

ASSIGNMENT/TRANSFER

The Board of Education and the Superintendent reserve the right to assign and transfer non-certified employees to the positions for which they are qualified and in which their service will best serve the operation of the District. In addition, the Superintendent will make non-certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program of the District, and as well contribute to the delivery of a through and efficient public education to the District's pupils.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the Superintendent and approval by the board of education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

Disciplinary transfers are prohibited. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of staff among the schools.

Discrimination in assignment, transfer and promotion shall not be tolerated.

Employees will be given written notice of their annual assignment, but may be given notice of reassignment at any time during the year.

Employees may not transfer duties from one position to another, nor may one employee perform the duties of another employee with the prior approval of the Superintendent or his/her designee

Date: May 8, 2006

Date Revised: April 26, 2010

Legal References:

N.J.S.A. 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
N.J.S.A. 18A:27 4.1	Appointment, transfer, removal, or renewal of officers and employees; exceptions
N.J.S.A. 18A:59-1 <i>et seq.</i>	Apportionment and distribution of federal funds; exceptions

Legal References: (continued)

N.J.S.A. 34:13A-1 *et seq.* New Jersey Employer Employee Relations Act
See particularly:
N.J.S.A. 34:13A-23, -25, -27, -29

N.J.A.C. 6A:7-1.1 *et seq.* Managing for Equality and Equity in Education
N.J.A.C. 6A:30-1.1 *et seq.* Evaluation of the Performance of School Districts
N.J.A.C. 6A:32 14.1 Review of mandated programs and services

42 U.S.C.A. 2000d through 2000d4 - Title VI of the Civil Rights Act of 1964
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 *et seq.* -- Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 *et seq.* - Individuals with Disabilities Education Improvement Act

Hawkins Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100 297)

34 CFR 200.1 to 200.89 - Part 200
34 CFR Part 204

Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78
N.J. 144 (1978)

Manual for the Evaluation of Local School Districts

The Comprehensive Equity Plan, New Jersey State Department of Education Division

Possible
Cross References:

2224 Nondiscrimination/affirmative action
2224R Nondiscrimination/affirmative action
3220/3230 State funds; federal funds
4111 Recruitment, selection and hiring
4111.1 Nondiscrimination/affirmative action
4113/4114 Assignment/Transfer
4131/4131.1 Staff development; inservice education/ visitations/
conferences
4211 Recruitment, selection and hiring
4211.1 Nondiscrimination/affirmative action
5145.4 Equal educational opportunity
6121 Nondiscrimination/affirmative action
6141 Curriculum design/development
6145 Extracurricular activities
6160 Instructional services and resources

Possible
Cross References: (continued)

6171.31	Title I – Parental Involvement
6171.4	Special Education
4171.4R	Special Education
6171.41R	Special Education -- Location, Identification and Referral
6171.42R	Special Education – Free Appropriate Education
6171.43R	Special Education – Transition from Early Intervention to Preschool
6171.44R	Special Education – Instructional Materials to Blind or Print Disabled