

ASSIGNMENT,
REASSIGNMENTS AND
TRANSFERS

All School personnel are subject to assignment and reassignment by the Superintendent, or her/his designee, when it is determined that the assignment or reassignment is in the best interest of the School. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract, or for classified employees, reassignment should not affect pay.

Teacher reassignments are approved by the principal, except for reassignments due to enrollment shifts or program changes. Extracurricular or supplemental duty may be reassigned at any time, unless it is part of a dual-assignment contract.

For contract employees, if the terms of the contract specify assignment to a particular position, the teacher has a right to that assignment and cannot be reassigned without due process (reasons and a hearing).

Classified employees may be transferred or reassigned due to a re-organization, or merger mandated by the Legislature. The Superintendent may approve the transfer or reassignment, if it is determined necessary for the proper implementation of the organization.

Tex. Education Code §11.202, Tex. Government Code, § 656.026

A public school employee must have the appropriate credentials for his or her current assignment unless the appropriate permit has been issued. The credentials appropriate to each assignment are set forth in rules of the State Board for Educator Certification (SBEC) at 19 Administrative Code Chapter 231. *19 TAC 231.1* [See DBA]

DEMOTIONS

A contract that specifically names the position where an individual is employed, such as principal or director, affords property rights to the position to the employee. For contract staff, reassignments must be reviewed to determine if the new assignment involves less responsibility, a lesser degree of skill, or a lesser salary (constituting a demotion) and if the employee is being reassigned from a contractually agreed upon position. Under those conditions due process must be provided before reassignment.

In reviewing whether a reassignment is actually a demotion, the School's intent will be considered. If property rights are specified, the School will give the employee the following due-process protections:

- a. The employee will be fairly advised of the reasons for demotion in sufficient detail to enable him or her to show any error that may exist.

- b. The employee will be advised of the names of any witnesses and nature of their testimony against him or her.
- c. At a reasonable time after such advice, the employee will be accorded a meaningful opportunity to be heard in his or her own defense.
- d. The hearing should be conducted before an impartial tribunal.

Demotion for classified staff is a change from one classification title to another classification title in a salary group with a lower minimum salary rate. The salary of a demoted employee in Classification Salary Schedule A will be reduced at least \$30 a month from the base salary for full-time employees. The salary of a demoted employee in Classification Salary Schedule B will be reduced by at least 3.4 percent.

The School may or may not reduce a demoted classified employee's salary if:

- a. The demotion was accepted in lieu of a layoff that resulted from a reduction in force. An employee demoted under these circumstances may not receive a salary rate that exceeds the employee's salary rate before the demotion.
- b. The employee was selected for another position in a lower salary group as a result of applying for the position. An employee under these circumstances may not receive a salary rate that exceeds the maximum rate of the lower salary group.

Tex. Government Code, § 659.257 (c) (f)

OVERTIME WORK

Classified non-exempt employees are not authorized to work in excess of the assigned schedule without approval from their supervisor.

PROMOTIONS

For contract staff, an employee that voluntarily accepts an assignment that requires a different class of certificate than required for his or her previous position may be offered a probationary contract. For example, a counselor employed on a term contract who accepts an assignment as a principal may be initially employed on a probationary contract. If the individual returns to the previous professional capacity, the individual would be entitled to be return to his or her previous contractual status.

For classified staff, a promotion is a change in classification title that provides a higher minimum salary rate, requires higher qualifications, and involves a higher level of responsibility. An employee promoted to a position in Classification Salary Schedule A will receive at least a \$30 per month increase to the base salary

for a full-time employee or the minimum salary rate of the new salary group, whichever is higher. An employee promoted to a position in Classification Salary Schedule B will receive at least a 3.4 percent increase or the minimum salary rate of the new salary group, whichever is higher. In addition, the Superintendent, or their designee may grant a promoted employee a salary amount up to and including the maximum rate of the new salary group.

Tex. Government Code, § 659.256

REASSIGNMENT AT
END OF CONTRACT
YEAR

A contract employee is entitled to serve in the same professional capacity as in prior years unless the School gives formal notice that it is proposing to non-renew the contract. The School may non-renew an administrator in his or her administrative position before reassigning him or her to a teaching position. Alternatively, the administrator may resign his or her administrator contract and be reemployed by the School on a teacher contract.

HOLIDAYS

State Holidays for classified staff are established by the General Appropriations Act each legislative session. The School may require classified staff to work on state holidays based on the School calendar.

Employees wanting to request state or optional holidays off must submit a leave request in advance and approval is given by supervisor discretion and based on school need.

SUPERINTENDENT
APPROVAL

The Superintendent shall approve all teacher and staff appointments for the School from a pool of applicants selected by the School or of applicants who meet the hiring requirements established by the School, based on criteria developed by the Human Resources Director after informal consultation with the faculty.

Tex. Education Code § 11.202, Atty. Gen. Op DM-27 (1991)

SUPPLEMENTAL
DUTIES

Non-contractual supplemental duties for which supplemental pay is received may be discontinued by either party at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying their supervisor or division director, or designee, in writing. Paid supplemental duties are not part of the School's contractual obligation to the employee and an employee holds no expectation of continuing assignment to paid supplemental duty.

TEACHER VOLUNTARY
REASSIGNMENT

Requests from teachers wishing to transfer to another position are handled by the principal(s) and the Director of Instruction. Principals are responsible for communicating changes to Human Resources.

TEMPORARY ASSIGNMENTS

To facilitate the work of state agencies during emergencies or special circumstances, a classified employee may be temporarily assigned to other duties for a period not to exceed six months. During that time, the employee will receive at least the same amount of pay he or she received prior to the reassignment. An employee may not be temporarily assigned to a position with a lower minimum salary rate. Temporary assignments will not exceed 6 months in a 12-month period.

Tex. Government Code § 659.260.

WORK SCHEDULES

For classified employees, the School's workweek is Sunday through Saturday. The 40-hour workweek begins Sunday at 12:00 a.m. and ends at 11:59 p.m. on Saturday. The School allows standard and non-standard work schedules, see the Alternative Work Schedule procedure.

Professional contract employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the School work schedules. A school calendar is adopted each year designating the work schedule for teachers and all school holidays.

WORK SCHEDULE NO SHOW

Employees who are absent for two consecutive work schedule shifts without notifying their supervisor will be presumed to have abandoned the position and may be terminated from employment.

EMERGENCY PERMITS

A Superintendent or designee who cannot secure an appropriately certified and qualified individual to fill a vacant position may activate an emergency permit for an individual who does not have one of the appropriate credentials for the assignment.

The Superintendent or designee must:

1. Document the efforts the School has taken to employ a fully certified individual in the position for which an emergency permit is activated;
2. Apply for an emergency permit when a vacant position is filled with an uncertified or inappropriately certified individual who will serve as the teacher of record or will serve in the assignment for more than 30 consecutive instructional days. The application must be submitted to TEA within 45 instructional days of the date of assignment;
3. Verify that the School maintains a support system, has assigned a trained mentor, and will provide release time as needed to assist the individual serving on an emergency permit. However, the School shall not be required to provide a mentor for a degreed, certified teacher assigned on an

emergency permit if the teacher has one or more creditable years' experience within the School, as defined at 19 Administrative Code Chapter 153, Subchapter CC; and

4. Verify that the individual for whom the emergency permit is activated has been advised of the SBEC rules regarding permits and permit renewal requirements in 19 Administrative Code Chapter 230, Subchapter F.

19 TAC 230.71(b)

PRINCIPAL
APPROVAL

The principal, with concurrence from the Director of Instruction, shall make all teacher and staff appointments for the department from a pool of applicants who meet the hiring requirements established by the School, based on criteria developed by the principal after informal consultation with the faculty. The Superintendent or her/his designee has final placement authority for a teacher transferred because of enrollment shifts or program changes.

Adopted:05.29.82

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