

**ASSIGNMENT; TRANSFER – NON-CERTIFIED STAFF**

The Superintendent shall make non-certificated staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Non-certified (support) personnel are subject to assignment by the Superintendent. If such assignment includes transfer, the Superintendent shall recommend the transfer for 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 (see 2224, 4211 and 4211.1).

- Legal References:**
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| <u>N.J.S.A.</u> 18A:25-1  | Transfer of teaching staff members  |
| <u>N.J.S.A.</u> 18A:27-4  | Power of Boards of education to make rules governing employment of teacher, etc.; employment thereunder |
| <u>N.J.S.A.</u> 18A:27-4.1  | Appointment, transfer, removal, or renewal of officers and employees; exceptions                        |
| <u>N.J.S.A.</u> 18A:59-1 through -3   | Apportionment and distribution of federal funds; exceptions   |
| <u>N.J.S.A.</u> 34:13A-1 <u>et seq.</u><br><i>See particularly:</i><br><u>N.J.S.A.</u> 34:13A-23, -25, -27, -29 | New Jersey Employer-Employee Relations Act  |
| <u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>   | Managing for Equality and Equity in Education   |
| <u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>  | Evaluation of the Performance of School Districts   |
| <u>N.J.A.C.</u> 6A:32-14.1  | Review of mandated programs and services  |
- 42 U.S.C.A. 2000d - 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 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 (September 2002)

**ASSIGNMENT; TRANSFER (continued)**

**Legal References: (continued)**

Comprehensive Equity Plan New Jersey State Department of Education

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*3220/3230	State funds; federal funds
	*4211	Recruitment, selection and hiring
	*41211.1	Nondiscrimination/affirmative action
	*4231/4231.1	Staff development; inservice education/visitations/conferences
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action
	*6141	Curriculum design/development
	*6145	Extracurricular activities
	*6160	Instructional services and resources
	*6171.3	At-risk and Title 1
	*6171.4	Special education

\*Indicates policy is included in the Critical Policy Reference Manual.

**Key Words**

Personnel Assignment, Personnel Transfer, Assignment and Transfer, Assignment, Transfer

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