



WINDHAM SCHOOL
DISTRICT

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April 24, 2001

SUPERINTENDENT DIRECTIVE

SUBJECT: EMPLOYEE TRANSFERS AND REASSIGNMENTS

AUTHORITY: WBP-02.00, Windham School District Board of Trustees Responsibilities; WBP-03.02, Windham School District Superintendent Responsibilities and Authority; Texas Education Code, Chapter 19, Section 19.009

APPLICABILITY: Windham School District (WSD or District) employees, Project Re-Integration of Offenders (RIO) employees

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The District reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the Superintendent's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the District and **do not** create any legally enforceable interest or limit the Superintendent's authority to terminate an employee at will.

POLICY:

The transfer and/or reassignment of employees within the Windham School District (WSD) shall be in accordance with the provisions of this directive. The WSD reserves the right to transfer or reassign employees within the District to best meet the needs of the WSD. It is the intent of the WSD that current employees be given first consideration for positions via the transfer process. To give employees access to this benefit, transfer requests will be given priority consideration before vacant positions are opened to other applicants.

DEFINITIONS:

“Administrative Reassignment” is a reassignment initiated and approved by the designated WSD authority when it has been determined that the reassignment will be in the best interest of the District. The employee must meet the minimum qualifications of the position to which the employee is being reassigned. The administrative reassignment can be a lateral transfer, demotion or promotion. An administrative reassignment may or may not be for the imposition of a penalty through disciplinary action.

“Demotion” is a change in duty assignment of an employee from one position to another position in a salary group with a lower minimum salary rate. Employees must meet the minimum qualifications established for the position to be filled.

“Lateral Transfer” is a change in duty assignment from one position to another position in a salary group with the same minimum salary rate with similar levels of responsibility. Employees must meet the minimum qualifications established for the position to be filled.

“Promotion” is a change in duty assignment of an employee from one position to another position that a) is a salary group with a higher minimum salary rate; b) requires higher qualifications, such as greater skill or longer experience; and c) involves a higher level of responsibility. Employees must meet the minimum qualifications established for the position to be filled.

“Reassignment” is a change in assignment into a lateral position under the same immediate administrative supervisor. Employees must meet the minimum qualifications established for the position to be filled. Reassignments do not apply to Principal positions and above.

“Transfer” is the voluntary demotion or lateral transfer of an employee from one position to another under a different immediate administrative supervisor within the WSD. A current employee in a non-teaching position requesting a teaching position will also be considered a transfer.

“Voluntary Demotion” is an employee-requested change in duty assignment from one position to another position in a salary group with a lower minimum salary rate. Voluntary demotions are requested by employees for personal reasons and are not due to the imposition of a penalty through disciplinary action. Employees must meet the minimum qualifications established for the position to be filled.

PROCEDURES:

I. Submitting and Processing a Request

- A. An employee seeking a **transfer** must send a completed *Windham School District Voluntary Transfer Request Form* and provide copies to the affected administrators. Transfers will be accepted for all positions.

- B. An employee seeking a **reassignment** must provide a written notice to the affected administrators within the region or division.
 - C. The Human Resources Department will evaluate the requesting employee's eligibility as defined by Section II of this policy. If the employee's eligibility is in question, the Human Resources Department will contact the affected administrator for clarification. If the employee is deemed ineligible, then the Human Resources Department will send written notification to the employee with a stated reason for ineligibility. If the employee is deemed eligible, the Human Resources Department will enter the request into the appropriate database in order to compile the official transfer list and provide written notification to the employee.
 - D. The official transfer list will be sent periodically to each Division Director and Regional Administrator or is available upon request. The official transfer list shall detail employees with active transfer requests, the current and requested units of assignment, the current and requested job assignments, certifications if applicable, and the date of the request.
- II. Eligibility – the following factors may be considered in determining eligibility for transfer:
- A. Minimum qualifications established for the position requested;
 - B. Neglect or unsatisfactory performance of job duties during the past 12 months;
 - C. A Teacher in Need of Assistance plan in progress;
 - D. Interpersonal conflicts with other employees or students during the past 12 months;
 - E. Pending charges of rules violations;
 - F. Probationary period in progress;
 - G. Refusal of an offer of transfer within the last 12 months;
 - H. Employment, transfer or administrative reassignment within the past 12 months; and/or
 - I. WSD nepotism policy.
- III. Selection – the following factors will be considered in the selection process:
- A. Needs of the campus/District;

- B. Results of the interview with the receiving administrator; and
- C. Date of transfer request.

IV. Approvals

The sending Regional Administrator may authorize teacher, campus support staff and paraprofessional transfers between units and reassignments under the same supervisor with approval of the Director for Human Resources or designee. Transfers for Principals shall be approved by the Superintendent. The Superintendent shall approve all administrative reassignments. Principals do not have the sole authority to transfer, demote, promote or reassign staff.

V. Cancellations

- A. If an employee who has an active transfer request promotes, transfers, voluntarily demotes or is reassigned, the transfer request shall be cancelled effective the date of assignment change.
- B. If an employee who has an active transfer request does not accept an offer of transfer, the employee shall decline in writing. This document shall be forwarded to the affected administrators and the Human Resources Department. The active transfer request shall be cancelled upon receipt of the document. The employee may be ineligible for transfer for up to 12 months.

VI. Reassignments

A supervisor may request a reassignment for staff under their supervision when the reassignment will improve the instructional program or improve school operations. Reassignments shall not affect an employee's eligibility to utilize the transfer process under this policy.

VII. Administrative Reassignments

- A. Employees may be administratively reassigned by the Superintendent at any time the Superintendent deems such reassignment necessary. If an employee is involuntarily demoted, prior to the end of the school year, the Superintendent may allow the employee to retain the higher salary until the end of the school year.
- B. Administrative reassignment of Principals shall be as described by this policy. Principals may be moved to campuses employing equal, larger or smaller number of staff.
- C. The following are examples of reasons that an employee may be considered for administrative reassignment. This list is not inclusive:

1. To provide an approved, reasonable, accommodation under the Americans with Disabilities Act;
2. To resolve nepotism violations; and
3. To impose disciplinary action based on established employee misconduct.

VIII. Announcements

The Human Resources Department shall announce transfers and reassignments by e-mail or other appropriate means to affected administrators and divisions. Administrative reassignments shall be communicated to the necessary administrators only. Documentation of all transfers, reassignments and administrative reassignments shall be kept on file in the Human Resources Employee File as a record of the event.

Debbie Roberts, Superintendent
Windham School District