

ASSIGNMENT; TRANSFER

The superintendent shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

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 assignments and transfers are prohibited. Discrimination in assignment, transfer and promotion shall not be tolerated. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of competence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111, 4211 and 4111.1/4211.1). Efforts will be made to assign staff consistent with district affirmative action goals.

The superintendent shall make support staff assignments and transfers in the manner best calculated, in his/her judgment, to enhance the educational program.

Adopted: March 13, 2008  
NJSBA Review/Update: March 2013  
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Key Words

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

- Legal References:** N.J.S.A. 18A:25-1 Transfer of teaching staff members  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher  
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 through -3 Apportionment and distribution of federal funds; exceptions  
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 - 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 Act of 1988, (Pub. L. No. 100-297) amending Elementary and Secondary Education Act of 1965.

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)

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

**Possible**

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*3220/3230	State funds; federal funds
	*4111	Recruitment, selection and hiring
	*4111.1/4211.1	Nondiscrimination/affirmative action
	*4131/4131.1	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.