PROCEDURES FOR HIRING AND STAFFING

Certified Employees

Hamilton County Department of Education

Hamilton County Department of Education is an Equal Opportunity Employer.
PROCEDURES FOR HIRING AND STAFFING – Certified Employees

Hamilton County Department of Education

Division of Human Resources

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TABLE OF CONTENTS:

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitions</td>
<td>1</td>
</tr>
<tr>
<td>Posting Vacancies</td>
<td>2</td>
</tr>
<tr>
<td>Superintendent’s Authority</td>
<td>3</td>
</tr>
<tr>
<td>Voluntary Transfer Procedures</td>
<td>3</td>
</tr>
<tr>
<td>Involuntary Transfer Procedures</td>
<td>4</td>
</tr>
<tr>
<td>Reconstitution</td>
<td>5</td>
</tr>
<tr>
<td>Resignation</td>
<td>5</td>
</tr>
<tr>
<td>Index</td>
<td>6</td>
</tr>
</tbody>
</table>

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DEFINITIONS

Teaching Vacancy is defined as a full-time or part-time position, in which the employee is hired as:

- Academic Classroom Teacher
- School Counselor
- Librarian
- Career and Technical Education Teacher
- Exceptional Education Teacher

Transfer is defined as the reassignment of a teacher from one Hamilton County school to another.

- A Voluntary Transfer is the reassignment of a teacher from one Hamilton County school to another into a position for which the teacher has applied, been interviewed, is subsequently offered, and accepts the job.
- An Involuntary Transfer is the transfer of a teacher from one Hamilton County school to another resulting from a reduction in force, reconstitution, staff leveling, or for the efficient operation of the school(s), as determined by the Superintendent.
- An Internal Transfer is the reassignment of a teacher within a school from one grade level and / or subject area to another. Such reassignment must be within the teacher’s area(s) of certification.

Reduction in Force is defined as the abolition of certificated positions due to budget constraints, decrease in student enrollment, opening of a new school, or change in zoning or grade levels of a school.

Affected Area shall be defined as the specific group of teachers impacted by a potential reduction in force. At the elementary level, this includes but is not limited to primary grades (K-3) and intermediate grades (4-5). At the secondary level, this includes but is not limited to grade level, department, content area, or team.

Teacher on Special Assignment (TOSA) indicates a special, temporary assignment of a teacher by the Superintendent. Each TOSA will continue to be paid at their regular salary based on the teacher pay scale, and will return to the same position they previously held – provided the assignment ends within twelve calendar months. If the special assignment exceeds twelve calendar months, the TOSA will be free to apply to other jobs for which he/she is eligible, or he/she will be placed in the first available comparable position.
**POSTING VACANCIES**

Beginning in December each year, principals and supervisors will be given an opportunity to recommend the return of temporary employees into “regular” positions for the upcoming school year. Upon approval by the Superintendent, the employee will be given an opportunity to accept the appointment. Upon this acceptance, the re-appointed employee(s) will be transferred into regular positions for the following school year. Any temporary employee not recommended for return will be notified prior to the advertisement of their current position. All such employees may apply to return to their own position or to any other positions for which they are eligible.

NOTE: No re-appointments may occur in positions that are vacated after January 1 and filled with a temporary teacher for the remainder of the current school year. These vacancies must be advertised and remain open for five business days prior to being filled with a “regular” employee for the upcoming school year.

Vacancies for the upcoming school year will be posted beginning in January to fill existing positions (i.e. resignations, retirements, transfers, etc.) as they are identified by school or district administrators and Human Resources. Positions will be posted online through the web-based applicant tracking system, and will include the job requirements and/or preferences.

Following approval by the Position Control Manager, Human Resources will open the posting. Postings will remain open until a Request to Hire is submitted by the principal or hiring agent. Postings for promotional positions (those not defined within “Teaching Vacancies”) will remain open for a minimum of five business days, with a defined closing date set at the discretion of the supervisor or hiring agent.

Teaching vacancies for the upcoming school year will be posted as “regular” positions through June 1 of any given year. Any “Request to Post” time-stamped in SearchSoft on or before June 1 will be posted as a “regular” position. Vacancies that occur after June 1 will be posted as temporary and filled with a qualified applicant in a “temporary” position until the end of the current school year. Teaching vacancies that are posted prior to the cutoff date, but remain open after the first official day teachers report, will be filled with a qualified applicant in a “temporary” position until the end of the current school year.

**Intra-district transfers** (moving from one school to another) will be made through the cut-off date of June 1. Any request to transfer time-stamped in SearchSoft on or before June 1 will be honored and acted upon.
SUPERINTENDENT’S AUTHORITY

Pursuant to Tennessee law, and notwithstanding any provisions of these procedures to the contrary, the Superintendent reserves the right to transfer any teacher from any position into any other position(s) for which he/she is qualified by reason of education, training, or experience for the efficient operation of the Hamilton County Schools.

VOLUNTARY TRANSFER PROCEDURES

Interested applicants will apply using the electronic “Current Employee Profile Form.” This form must be updated and attached to the posting during the time that it is open for viewing. All certified teachers may apply for any transfer(s) for which they are eligible during any given year.

Except in the case of a promotion, only one transfer will be granted per hiring season. Acceptance of an appointment from a temporary position to a regular position for the upcoming school year will be recorded as the employee’s one allowable transfer for that hiring season.

The principal or supervisor will determine which candidates to interview. The reason(s) for this determination may include but not be limited to:

- A review of the candidate’s application
- Confidential references
- Professional recommendations
- Previous interviews
- Personal knowledge of the candidate
INVOLUNTARY TRANSFER PROCEDURES

In the event there is a reduction in force at a school site due to budget cuts, program changes, decrease in student enrollment, or other good cause, the principal shall first identify the Affected Area from which a reduction can be taken. The principal will meet with impacted teachers and ask if anyone volunteers to be transferred.

If no eligible volunteers are identified, the principal will make a recommendation to the Superintendent as to which staff in this area should remain. This decision will be made according to which will have the least detrimental effect on children, and pursuant to HCDE School Board Policy #5.116. In addition to the criteria noted therein, the following may also be considered:

- Certification
- Highly Qualified status
- Consideration of diversity within the school
- Extra-curricular assignment experience and needs
- Other specialized training

In order to maintain the consistency of instructional supports already in place, any teacher currently on a Performance Improvement Plan (PIP) or an Intensive Assistance Plan (IAP) is not eligible to be involuntarily transferred.

Any employee who is transferred involuntarily after the beginning of the 201-day school year shall be given written notice of transfer a minimum of five days prior to the effective date. The last three of these five days shall be scheduled with no classroom responsibilities in order to allow the teacher to move classrooms and prepare for the new assignment. After the start of a school year for students, if a teacher is internally transferred and the reassignment requires the teacher to be re-located to a different physical location within the same building, he/she shall have a minimum of one day without classroom responsibilities to move. The principal is responsible for providing class coverage using current building-level employees.

A teacher who is involuntarily transferred from a school due to an expected enrollment decline shall be permitted to transfer back to that school if the expected enrollment decline does not materialize and the position is again available on the tenth day of student enrollment.

If the employee objects to the involuntary transfer or reassignment, he/she may request a meeting with the Superintendent or designee. Except in extenuating circumstances, no employee will be involuntarily transferred more often than every three years.
**RECONSTITUTION**

**Reconstitution** shall mean a process whereby all or a portion of the current positions at one or more school(s) shall be declared by the Superintendent to be vacant and the current faculty members at that school shall have to reapply to the principal for a position at the school.

**Unassigned teacher** shall mean a tenured teacher at a reconstituted school who was neither selected by the principal to remain at that school nor recommended for hire by any other principal in the district.

All available positions in the reconstituted school will be advertised in accordance with the guidelines found in the POSTING VACANCIES section. Teachers will be selected to fill the vacancies at the reconstituted school in accordance with the guidelines found in the VOLUNTARY TRANSFER PROCEDURES section.

Unassigned tenured teachers will be given consideration to interview for advertised vacancies for which they apply. The Superintendent will assign any tenured teacher who is unable to secure a position through the normal voluntary transfer process.

**RESIGNATION**

Please note that – for the purpose of this section – the term **resignation** is not synonymous with **retirement**.

Pursuant to TCA: 49-5-411, teachers shall give the Superintendent at least a thirty calendar-day written notice of their intent to resign. If school is in session, teachers are expected to report to work until the effective date of their resignation.

Unless there are extenuating circumstances, an employee resigning from HCDE must adhere to a waiting period of one full academic year prior to being eligible to reapply to any full-time certified positions.
INDEX

- Affected Area .............................................................................................................. 1
- Closing Dates on Postings ......................................................................................... 2
- Eligibility to Transfer ................................................................................................. 3
- Internal Transfer – Defined ....................................................................................... 1
- Internal Transfer – Timelines and Procedures .......................................................... 4
- Interview Selections ..................................................................................................... 3
- Intra-District Transfers / Cut-Off Date ...................................................................... 2
- Involuntary Transfer – Defined .................................................................................. 1
- Involuntary Transfer – Timelines, Procedures, and Limitations .............................. 4
- Posting Vacancies ........................................................................................................ 2
- Promotional Vacancies .................................................................................................. 3
- Reconstitution ............................................................................................................... 5
- Reduction in Force ......................................................................................................... 1
- Resignation – Required Notice and Waiting Period ................................................ 5
- “Regular Position” Cut-Off Date ................................................................................. 2
- Superintendent’s Authority ........................................................................................... 3
- Teacher on Special Assignment (TOSA) .................................................................... 1
- Teaching Vacancy – Defined ....................................................................................... 1
- Temporary Positions / Cut-Off Date ............................................................................ 2
- Temporary Positions / Re-Appointments .................................................................... 2
- Transfer – Defined ......................................................................................................... 1
- Unassigned Teacher ...................................................................................................... 5
- Voluntary Transfer – Defined .................................................................................... 1
- Voluntary Transfer – Timelines and Procedures .......................................................... 3