



Cumberland School Department Policy Manual

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PURPOSE

The Rhode Island Department of Education (RIDE) reenacted and updated the Basic Education Program (BEP) as of July 1, 2010. The Cumberland School Committee (Committee) and Administration have a statutory responsibility to follow and implement RIDE's rules and regulations as promulgated in the BEP.¹

This policy is intended to support the overarching requirement of the BEP that:

Student learning must be the primary reference point for all decision making, including personnel assignment and evaluation.²

In order to effectively meet these functions, each LEA shall maintain control of its ability to recruit, hire, manage, evaluate, and assign its personnel.³

PRINCIPLES

Two essential principles of the BEP require the Cumberland School Department enact policies that govern:

1. Recruitment, selection, promotion and retention of only the most highly effective staff; and
2. Assignment, management, support, and evaluation of teachers, administrators and other staff based on student need and educator qualifications.⁴

Under the BEP, the management of a so-called Personnel Assignment system is "essential to the mission of implementing a statewide system of public education."⁵ This policy outlines the educational mission of the Cumberland School District to recruit, select, promote, retain, assign, manage, support, and evaluate highly effective staff.⁴

In accordance with R.I.G.L. § 16-2-18, "Selection of Teachers and Superintendent," the selection and appointment of all school department instructional personnel not requiring a Superintendent's Certificate shall be made by the Superintendent with the consent of the School Committee.

1 R.I.G.L. §16-2-9(a)(3), (14), (15) and §16-2-11(a)(1), (4), (7), (8), and (9).

2 BEP § G-12-4.1. "The LEA shall ensure that learning is at all times the ultimate focus of every individual employed by the agency."

3 BEP § G-15-2.2.

4 BEP § G-15-2.1.

5 BEP § G-15-1.2.



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As the chief executive of the LEA, the Superintendent shall comply with provisions of Federal and State law, including the full implementation of the BEP.⁶ He or she shall have the final authority for the determination and recommendation of personnel to be employed by the Cumberland School District. Such authority may not be delegated in any fashion through the collective bargaining process, and no collective bargaining agreement shall contain any language expressed or implied in derogation thereof.

This policy applies to any and all positions involving the delivery and support of instruction to students, including but not limited to, certified teachers, instructional coaches, certified instructional support staff, and teaching assistants.⁷ In this regard, this policy applies to all personnel decisions, including but not limited to, transfers, promotional positions, reductions in staff and recalls to positions

PROCEDURES

Displacements

- a. Any tenured educator who shall be displaced from their current position shall be notified by the Human Resource Office in writing of this displacement. Displacements occur due to a variety of circumstances (budget, enrollment, etc.), however a displaced educator retains a position within the school department. Displacements shall occur prior to the posting of open positions and the beginning of the Performance-Seniority-Experience (PSE) matrix.
- b. Any educator who has been displaced will participate in the first round of the PSE matrix. This round shall occur prior to the rescission of non renewals for any non tenured educator. If there is an open position in which the displaced educator is certified, he or she needs to submit a letter of intent for the open position. If there are no open positions in which the displaced educator is certificated, then the displaced educator shall be permitted to select a position, in their certification, currently being held by a non tenured educator.

Open Positions/Voluntary Transfers

- a. The School Department will advertise all positions to invite internal applicants. The postings will set forth, at the minimum:
 1. certification and requirements, including any specialized training or particular skills, required or preferred for the position; and
 2. a clear deadline for the submission of applications and application materials.
- b. All postings will remain open for a minimum of six (6) calendar days.



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- c. Educators who desire a change in building and/or grade and/or subject assignment shall file a written statement of such desire to the Human Resource Office during the posting period. Such statement shall include the building and/or grade and/or subject to which the educator desires to be assigned and his or her relevant experience. If the educator lists more than one (1) desired position, he or she shall indicate the order of preference.
- d. All applicants will be initially screened to ensure candidates meet the eligibility requirements. This screening will typically be performed by the Human Resource Office, or by a designee of that office.
- e. Assignments to open positions and voluntary transfers shall be based upon the Performance-Seniority-Experience (PSE) Matrix, see Exhibit A, with the position awarded to the member with the highest PSE Score.
- f. Round 1 of the PSE matrix will place any educator who has been displaced from his or her position. The following rounds shall include non tenured educators who have had their non renewal rescinded. The school department shall rescind as many non tenured educators as possible, given budgetary, enrollment and job performance concerns, so the most number of non tenured educators are able to participate in the PSE matrix.
- g. Where two (2) or more applicants have the same PSE score, ties shall be broken in joint consultation between the Superintendent and the CTA President. In all circumstances, the Superintendent, or his or her designee, will recommend to the School Committee the applicant for the position.
- h. After the aforementioned process, the School Department will advertise all new and unfilled open positions and invite external applicants to apply.

6 BEP § G-15-1.2.

7 R.I.G.L. § 16-11.2-1 et seq.



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- i. After the aforementioned process, the School Department will advertise all new and unfilled open positions and invite external applicants to apply.
 - a. The postings will set forth, at the minimum:
 - 1. certification and requirements, including any specialized training or particular skills, required or preferred for the position; and
 - 2. a clear deadline for the submission of applications and application materials.
- j. All postings will remain open for a minimum of ten (10) calendar days.
- k. An Interview Committee consisting of the Director of Human Resources, representatives from administration, staff and any other individual whom the administration deems of value in the interviewing process will be formed. This committee will select the candidates for interview. The interviews will follow a consistent format for all applicants with a written set of questions. The Director of Human Resources shall serve as Interview Committee Chair for all interviews.
- l. The Interview Committee will identify specific criteria and indicators that all new hires must demonstrate at an acceptable level before the candidate is recommended for an assignment. The Interview Committee will create a selection process that allows candidates opportunities to demonstrate the identified criteria. The interview process may include, but is not limited to:
 - 1. A demonstration of an instructional lesson
 - 2. Evidence and/or artifacts in the form of a data analysis task with a demonstration of its application to improved student achievement and academic growth
 - 3. Samples of student work with task criteria and teacher feedback
 - 4. Interview questions
- m. Selection shall be based on the following criteria, which are listed in no particular order:
 - 1. Educational background and certification;
 - 2. Work experience (classroom and administrative);
 - 3. Contributions made to the profession both within and outside of the district;



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4. Past job performance as demonstrated by evaluations, references and other pertinent information;
 5. Interview performance;
 6. Professional artifacts;
 7. Evidence of teacher effectiveness as measured by student academic growth. This evidence may include but not be limited to: standardized test scores on state and local assessments; examples of student work and other examples of student achievement in the academic area.
 8. Content knowledge and demonstration of best instructional practice
 9. Knowledge of District programs
 10. Student and District need
- n. After the selection process has been implemented, the Interview Committee Chair shall recommend a candidate or candidates to the Superintendent for his/her review.
 - o. The Superintendent, or at his/her sole discretion with other staff members, will interview the final candidates. If satisfied that all factors with regard to the final candidate are in order, the Superintendent may recommend the appointment of the final candidate for School Committee confirmation. In the event the Superintendent is not satisfied that any of the recommended candidates are appropriate for the position, the Superintendent shall consult with the Director of Human Resources and request to review other non-recommended candidates or call for re-advertising of the position.

Involuntary Transfer

- a. The Superintendent shall have the right to involuntarily transfer any employee in the best interest of the students and/or school. No teacher shall be transferred involuntarily without good and just cause.
- b. Whenever possible, notice of involuntary transfer within the school year shall be given to the teacher not less than thirty (30) days prior to the effective date of such transfer.



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Non Renewals/Dismissals

- a. In the event of layoff, employees shall be laid off based on one (1) or more of the following criteria: non tenured, program elimination, financial exigency and/or mutual consent of the union leadership and the Superintendent. In accordance with the above, the Superintendent retains the right to consult with the District Administrative team to determine which staff members will be most effective in meeting student needs based on the above-stated criteria. Notice shall be provided to employees as prescribed by R.I.G.L. § 16-13-2, as it may be amended from time to time.
- b. At all times, the District maintains its right not to renew non-tenured teachers based upon a good-faith assessment by Administration that better teachers are available. Reductions in force for other reasons will take certification, qualifications, and final effectiveness rating into account.
- c. Suspensions of staff due to a decrease in school population will be made in accordance with R.I.G.L. §16-13-6.
- d. If a non tenured educator is not recalled by the beginning of the following school year, that educator shall be treated as a non renewal and his or her teaching contract shall expire.

Recalls

In the event of recall, the recall shall be determined by the Committee on the recommendation of the Superintendent, after having consulted with union leadership, using the Performance-Seniority-Experience (PSE) matrix. If a tenured teacher is not recalled by the beginning of the following school year, that educator shall be placed on a recall list for a period of two (2) years and be recalled in the event any position opens during the school year.

Rescind of Non Renewal/Dismissal

- a. In the event of the rescission of non renewal, the rescind shall be determined by the Committee on the recommendation of the Superintendent, after having consulted with union leadership, using the Performance-Seniority-Experience (PSE) matrix. Rescind of non renewals shall take place after all displaced educators have selected a position.
- b. In the event of the rescission of dismissal, the rescind shall be determined by the Committee on the recommendation of the Superintendent, after having consulted with union leadership, using seniority and certification.



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This policy shall be in strict conformance with the rules and regulations promulgated by the Rhode Island Department of Education and the Rhode Island Board of Regents for Elementary and Secondary Education, as well as the relevant Federal and State law, as amended from time to time. In the event of a conflict between the stated terms of this policy and such rules and regulations, this policy shall be considered automatically amended to be in conformance therein.

Approved by Policy & Procedures Sub-Committee: 4/23/2013

1st Reading/Amended by Cumberland School Committee: 5/9/2013

Amended & Approved by Policy & Procedures Sub-Committee: 6/23/2013

1st Reading by Cumberland School Committee: 6/25/2013

2nd Reading and Approval by Cumberland School Committee: 7/11/2013

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Exhibit A

Performance-Seniority-Experience (PSE) Matrix

Final Effectiveness Rating	Points	Seniority (in Years)	Points	Relevant Experience	Points
Highly Effective	5	20 or more	4	Three (3) or more of the last five (5) years utilizing certification at same level (elementary/secondary)	4
Effective	3	11 to 19	3	Three (3) or more of the last five (5) years utilizing certification, but at a different level	3
Developing	2	6 to 10	2	Less than three (3) years of the last five (5) years utilizing certification at any level	2
Ineffective	1	0 to 5	1	No experience utilizing certification in last five (5) years, but with some previous experience	1