

REGULATION **MONTGOMERY COUNTY PUBLIC SCHOOLS**

Related Entries: GJD-RB
Responsible Office: Executive Assistant
Department of Personnel Services

Promotion, Demotion, Resignation, and Retirement of Supporting Services Personnel

I. PURPOSE

To establish procedures for the promotion, demotion, resignation, and retirement of supporting services employees

II. DEFINITIONS

A. Promotion

Movement of an employee from one classification to another classification with more responsibility at a higher pay grade

B. Demotion

Movement of an employee from one classification to another classification with less responsibility at a lower pay grade

III. PROCEDURES

A. Filling of Vacancies--*Agreement Between Montgomery County Board of Education and the Montgomery County Council Supporting Services Employees, Article 19, Section A-D.*

1. A vacancy is defined as an open position within the bargaining unit which the Board has decided to fill on a permanent basis.

2. Vacancies in the unit will be publicized in the *MCPS Bulletin* or *Employment Opportunities Bulletin*, as appropriate, immediately following the decision to fill such positions within the foreseeable future. The announcement will include a statement of the basic qualifications required for the position. Applicants will be required to complete and submit in writing all qualifying evidence and take any required tests within ten (10) working days following the announcement of the vacancy.
3. Vacancies and assignments involving large numbers of positions and people which occur at or about or shortly after the beginning of the school year or shortly after the close of the school year will be handled in accordance with the procedures adopted in the 1983 Report and Recommendations of the Committee on the Filling of Vacancies (Ross Report).
4. The senior qualified (SQ) and best qualified (BQ) designations for classifications covered by the Ross report shall continue during the life of this Agreement.
5. If and when new classifications are created during the term of this Agreement, the parties will negotiate the designation (SQ or BQ) to be applied. If they are unable to agree on the designation, the matter will be referred to Step 4 (Arbitration) of Article 6(D) of the Agreement. The arbitrator will be governed by the criteria stated in the Ross report.
6. Bus Operator and bus attendant positions will be filled from a list of applicants who have completed successfully the approved training program, subject to the prior observance of the procedures stated in Article 37 (Transportation), Section G, of the Agreement.
7. In the filling of all vacancies . . . , the senior qualified applicant will be selected unless there is a clear and convincing showing by the Board that a junior applicant or candidate possesses such markedly superior qualifications as to be by far the best person for the position. In that event the junior applicant or candidate may be selected.
8. All persons who have applied for a specific vacancy will be notified if they are not selected and will be given the reason or reasons why they were not selected.

9. The provisions of this article may be suspended by agreement of the Board and the Union where considered desirable by the parties to rectify or correct a specific personnel matter.

B. Demotion

1. Any supporting services employee may be demoted: (a) for cause when other adverse personnel action is not appropriate or (b) by seeking a voluntary demotion by applying for advertised positions with lesser responsibilities and lower pay grades or (c) as permitted by MCPS Regulation GFC-RA, *Reassignment of Personnel After 25 Years of MCPS Service or Age 50* or (d) for the benefit of the school system as determined and approved by the assistant director of the Department of Personnel Services (see MCPS Regulation GHD-RA).
2. An appropriate official may, when he/she considers such action to be necessary, recommend to the responsible associate superintendent that an employee be demoted. Upon approval of the associate superintendent, a recommendation for demotion must be submitted in writing, including the reasons for such recommendation, to the director of the Division of Staffing for review and recommendation.
3. An employee who is to be demoted as a result of administrative action shall be notified in writing by the deputy superintendent. The notification of demotion must include the reason for the action.

C. Resignation

1. An employee who wishes to resign in good standing submits his/her resignation either on MCPS Form 480-4: *Notice of Termination of Employment*, or in a letter of resignation, including reason for termination and effective date, through the responsible principal/central or area office supervisor to the director of the Division of Staffing at least two weeks prior to the employee's last duty day. In unusual circumstances, the director of the Division of Staffing may agree to a shorter period of time.
2. An employee who does not submit a resignation in accordance with the procedures set forth in this regulation or whose resignation is not accepted in good standing shall be considered as having resigned not in good standing.

3. An employee who is absent from work for a period of three days or more without notifying his/her immediate supervisor, the principal/department director or the director of the Division of Staffing of the reasons for the absence, or without obtaining approved leave for the absence in advance, may be considered as having resigned without notice and not in good standing, provided that any failure to contact the appropriate official was not caused by unavoidable circumstances. In a questionable case, the director of the Division of Staffing shall determine whether the circumstances were unavoidable. The same procedure shall apply when an employee fails to return to work within three days of the expiration of an authorized leave. An employee who is absent from work without leave for any period may also be subject to discipline or discharge under the provisions of MCPS Regulation GJD-RB.
4. An employee who leaves the service of MCPS without resigning in good standing may be deprived of the opportunity to be considered eligible for reemployment and may be denied a satisfactory reference. An employee whose resignation has not been accepted in good standing may appeal the decision under the provisions of MCPS Regulation GKA-RA.

D. Retirement

1. Supporting services employees who are members of the Maryland Teachers' Retirement System, Employees' Retirement/Pension System of the State of Maryland, and/or the Montgomery County Public Schools Retirement/Pension Plans shall be eligible for retirement when they have fulfilled the requirements for retirement as specified by the appropriate retirement plan. The Board of Education, upon recommendation of the superintendent, acts upon requests for retirement.
2. Employees receiving a Board of Education approved retirement are eligible for continued MCPS Employee Benefit Plan coverage if they have been covered under the MCPS Employee Benefit Plan for at least 75 percent of the time they have been eligible to be covered. Persons enrolled prior to July 1, 1980, may comply with the 75 percent requirement by paying the full cost to meet the 75 percent requirement.

Administrative History: Formerly Regulation No. 415-7, revised October 1982, revised February 1986, amended by the Agreement Between Montgomery County Board of Education and the Montgomery County Council Supporting Services Employees, 1984-87.