



Regulation of the Chancellor

Category: PERSONNEL

Number: **C-770**

Subject: ASSIGNMENT OF SUSPENDED EMPLOYEES

Issued: 09/05/00

SUMMARY OF CHANGES

This regulation supersedes C-770 - dated 03/16/81.

This regulation establishes procedures for the temporary reassignment of suspended personnel during the period of their suspension and for monitoring such assignments.

New Provisions:

- The reassignment of staff away from contact with children, reflects the new ability of districts to maintain information on reassigned staff using the Board's website and eliminating any requirement for the Division of Human Resources to maintain a tickler file.
- It includes references to the Monitoring Unit of the Division of Human Resources as the Office to contact for questions regarding this issue.



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1. Introduction

It is important that accurate information on the status and assignment of suspended employees be readily available. This regulation is issued to establish clear procedures to monitor the temporary reassignment of personnel during the period of their suspension and to ensure that up-to-date records are maintained.

2. Authority for Disciplinary Action and Suspension

- a. Procedures for the imposition of disciplinary action against tenured pedagogical personnel are contained in Sections 2573, 2590-j and 3020-a of the State Education Law. In addition, the matter is governed by Article 5.3 of the Bylaws of the Board of Education.
- b. Article 5 – Title B – Section 75 of the Civil Service Law covers disciplinary action against administrative personnel. It should be noted that non-managerial administrative employees may be suspended without pay for the first thirty (30) days. If the trial of charges has not been completed by that time, such an employee is to be returned to the payroll and placed in an appropriate position. This should be done in consultation with the Office of Legal Services.

3. Chancellor's Authority

The authority to suspend all Board of Education employees, pending a trial of charges, rests solely with the Chancellor. For community school district personnel, the Community Superintendent recommends suspension to the Chancellor.

4. Procedures for Monitoring Assignments of Suspended Employees

a. Responsibility for Monitoring Assignments

The Division of Human Resources has the responsibility for monitoring the temporary reassignment of employees during the period in which they are under suspension.

b. Procedures

When employees are reassigned to a location other than their regular work site, the appropriate superintendent's office must notify the Monitoring Unit within five days. Information about each newly reassigned employee must be faxed to the Monitoring Unit in the Division of Human Resources at **(718) 935-2035**. A form for this purpose can be downloaded from the website. The Monitoring Unit will maintain this information on its website (<http://www.nycenet.edu/dhr/monitor/monitor.asp>). Once this information is posted on the website by the Monitoring Unit, any updated information concerning the reassignment of a staff member must be made by the



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appropriate superintendent's office directly on the website by following the instructions provided on the site.

5. Assignments for Suspended Employees

It should be noted that, during the period of suspension, all individuals are expected to perform duties appropriate to their regular assignments, insofar as possible. The duties will depend, of course, upon the circumstances surrounding the suspension.

Suspended employees are to be assigned within their own districts or divisions. Requests for a temporary change of assignment because of extraordinary circumstances must be directed in writing to the Executive Director of the Division of Human Resources, with supporting statements for the request. The Executive Director shall confer with the Office of Legal Services regarding this request. The employee is not to be reassigned from the district or division until written authorization has been granted.

6. Inquiries

Inquiries concerning this regulation should be directed to:

Telephone
(718) 935-5180

Director, *Monitoring Unit*
New York City Board of Education
65 Court Street - Room 700A
Brooklyn, New York 11201

Fax
(718) 935-2035