

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries:

GAA

Responsible Division:

Division of Human Resources and Talent Management

Maintenance of Position Classifications

I. PURPOSES

- A. To define the meaning of employee position classification for Montgomery County Public Schools (MCPS)
- B. To establish procedures and designate offices responsible for assigning and updating the duties, responsibilities, and salary grade associated with a position class
- C. To define and establish the processes associated with reclassifying and reconstituting positions
- D. To establish the conditions under which positions may be created, reconstituted, or eliminated

II. DEFINITIONS

- A. An *appropriate officer* means an administrator who is responsible for specific administrative or operational functions of their assigned division, department, or office.
- B. *Incumbent* means the employee currently employed in a position.
- C. *Position class* means a set of jobs with substantially similar levels of responsibilities and compensation, as reflected in salary grades. Jobs within a position class may have different duties or skill requirements.
- D. *Position classification* means the protocol followed to determine salary grades and appropriate job titles for positions.
- E. *Reclassification* means the realignment or correction of a position classification in response to a significant change in the duties and responsibilities that may require additional knowledge, skills, and abilities, new or updated legislation or licensure

requirements, or as otherwise necessary as a result of reorganization, new technologies, program revisions, or other events.

- F. *Reconstitution* means to reformulate or create positions within a work unit, typically, but not exclusively, in a budget-neutral manner and in alignment with restructured responsibilities of or within a work unit
- G. *Study schedule* means a seven-year cycle for considering requests to update duties, responsibilities, and salary grades associated with Service Employees International Union (SEIU) and Montgomery County Business and Operations Administrators (MCBOA) positions on request by an appropriate officer.

III. POSITION CLASSIFICATION AND RECLASSIFICATION

A. Position Classification

- 1. The Division of Human Resources and Talent Management (DHRTM) is responsible for establishing a protocol to classify positions that are substantially similar on the basis of factors that may include, but are not limited to, the following:
 - a) Job duties and responsibilities
 - b) Required education, experience, or licensure
 - c) Requisite knowledge, abilities, and skills as demonstrated on proficiency tests or by other assessment methods
 - d) Review of comparable positions within the same bargaining unit
- 2. Comparable positions within a position class shall be assigned comparable salary grades

B. Maintenance of the Classification System

- 1. To maintain a robust and equitable position classification system that achieves parity among substantially similar positions, the DHRTM shall establish a systematic process for receiving requests for reclassification studies.
- 2. Because a reclassification study is a resource-intensive undertaking, requiring extensive review and participation of supervisors, incumbents, and, as appropriate, bargaining units, a reclassification study is done only with the

approval of the superintendent of schools/designee, based on the recommendation of the chief of the DHRTM.

3. Each May, the DHRTM chief sends a memorandum to appropriate officers, notifying them of positions within their unit that are included in that year's study schedule. The appropriate officer must review the positions included on the study schedule and notify the DHRTM which positions they request to be studied by the established August deadline.
4. The DHRTM accepts requests for position reclassifications studies —
 - a) every seven years, on a rotating basis, in alignment with the study schedule and in response to the DHRTM's annual announcement;
 - b) "out-of-cycle" at the initiative of a supervisor, for any position within their operating unit that is not included in the DHRTM July memo;
 - c) "out-of-cycle" at the initiative of a bargaining unit's joint collaboration committee, for any position within their bargaining unit that is not included in the May memo;
 - d) MCAAP/MCBOA positions (grades G through K and M through Q) may be submitted to the DHRTM for study by the president of MCAAP by submitting a memorandum with pertinent information about the position, detailed rationale for the request and any supporting documentation; or
 - e) as otherwise directed by the superintendent of schools/designee.

C. Requesting a Reclassification Study

1. In a format determined by the DHRTM, each request for a reclassification study must include the current position classification; title and pay grade; name(s) of incumbents; name of the immediate supervisor; work location(s); justification for the request, which must include at least two significant changes to the work of that position; and signature of the unit's chief officer, indicating approval of the request.
2. All requests must be submitted by the August deadline established annually by the DHRTM.
3. The DHRTM will acknowledge each study request and may require the submission of additional information.

4. The DHRTM reviews each request and makes a recommendation to study or not to study based on the information submitted by the requesting office and the position history. By October, the DHRTM chief submits the recommendations to the superintendent/designee for approval.
5. A request for study that was denied can be appealed. A request for reconsideration must be received by the DHRTM within 10 work days of the date of notification, and must include additional information (not previously provided) that might support reconsideration of the decision.

D. Reclassification Study

1. By November, the DHRTM notifies the appropriate officer who submitted the request, all incumbents, and the bargaining unit of the superintendent's decision and will include details in accordance with each bargaining unit's negotiated agreement. Data collected for the study is as follows:
 - a) position description questionnaires (PDQs) completed by incumbents and supervisor(s)
 - b) requirements of other positions in the same classification
 - c) consultation with appropriate officers
 - d) desk audits, which could include interviews (if incumbents and/or supervisors), observations, and review of available documentation
 - e) focus groups if necessary
 - f) additional information submitted by the bargaining unit, as appropriate.
2. By May, study findings shall result in a recommendation from the chief of the DHRTM to the superintendent for approval as follows:
 - a) No change in the classification of the position
 - b) A change in salary grade
 - c) A change in the position title
 - d) A revised job description
 - e) Establishment of a new position by the DHRTM

- f) Recommendation to the requesting office to abolish and reconstitute the position through the budget process.
 - 3. The DHRTM notifies all supervisors, incumbents, and bargaining units of the study results in writing. The contents of the communication will align with all negotiated agreements.
 - 4. The results of the reclassification study will be incorporated in the superintendent of schools' budget for approval by the Montgomery County Board of Education.
 - 5. The typical timeline from submission of the study request to the implementation of approved results is two years. This timeline allows one year for the study request approval process, the study, notification of results, and appeals (as requested). The second year allows for incorporation of the study results into the proposed budget, the completion of the budget process, and implementation of the approved study results as of the start of the new fiscal year.
 - 6. The superintendent may accelerate or delay the implementation of approved actions at their discretion.
- E. Contesting a reclassification finding
- 1. When the DHRTM notifies supervisors, incumbents, and bargaining units of study results, this notification informs interested parties of their right to request further study and reconsideration of the study findings.
 - 2. A request for reconsideration must be received by the DHRTM, serving as the superintendent's designee, within 10 work days of the date of notification, and must include –
 - a) additional information (not previously provided) that might support reconsideration of the decision, and
 - b) the outcome sought.
 - 3. The DHRTM reviews the additional material to determine whether the study will be reopened and responds to the individuals making the request within 30-45 calendar days of receiving their request.
 - 4. The decision of the chief of the DHRTM is final.

IV. RECONSTITUTING A POSITION

- A. The superintendent of schools may authorize chief officers to reformulate or create positions within a work unit, typically, but not exclusively, in a budget-neutral manner and in alignment with restructured responsibilities of or within a work unit.
- B. Positions exempt from reconstitution are established in negotiated agreements.
- C. Budget-neutral approaches to reconstituting positions may include the following:
 - 1. Using existing funding, existing positions may be eliminated to create new positions.
 - 2. Reconstituted positions shall be classified in alignment with substantially similar job classifications.
 - 3. In order to be considered for the reconstituted positions, incumbents in positions that have been eliminated must apply to the reconstituted position, following negotiated contract language and the established MCPS application process.
 - 4. Positions may be eliminated and reconstituted in alignment with the established protocol and budget timeline.
- D. For all new positions, the DHRTM will determine the appropriate position title and position class.

V. ADDING OR ELIMINATING POSITIONS

- A. A permanent position may be eliminated as follows:
 - 1. By the Board, on the recommendation of the superintendent.
 - 2. In review and adoption of the annual operating budget by the Board.
 - 3. As set forth in section IV above.
- B. A permanent position may be established as follows:
 - 1. During the development of the annual operating budget, an appropriate officer may include a request for a new position as part of the budget submission. With the approval of the superintendent, the new position will be included in the proposed operating budget.
 - 2. At other times during the fiscal year to implement program and organizational changes, an appropriate officer may submit a request and justification for the establishment of a new position to the superintendent and/or the

superintendent's designee for consideration. With approval, the request for establishment of a new position will be submitted to the Board as an agenda item for appropriate action.

3. For all new positions, the DHRTM will determine the appropriate position title and position class.
- C. A conditional or temporary position may be created to support a special project when monies are available from a source other than the operating budget. The position shall be automatically eliminated when the funds are no longer made available.

V. CONDITIONS FOR PLACING INCUMBENTS FROM POSITIONS THAT HAVE BEEN ELIMINATED

- A. For incumbents in positions that are represented by a bargaining unit, the following rules will be followed, unless otherwise addressed in the approved association negotiated agreement.
1. When applying for new positions, employees on the involuntary transfer list have explicit guarantees afforded to them, as outlined in the approved association negotiated agreements.
 2. The DHRTM shall place a displaced incumbent from a position represented by a bargaining unit –
 - a) in a vacant position,
 - b) of a position class equivalent to or lower than the position class that the employee previously occupied,
 - c) for which the employee qualifies, as determined by the DHRTM.
 3. In the event that there is no vacant position for which the employee qualifies, the DHRTM is not obligated to place that employee.
 4. If the DHRTM places an employee in a lower position class, the employee will be paid as follows:
 - a) If the employee's hourly rate of pay on the last day of service in the eliminated position is higher than the last step of the new position, the employee's salary will be "frozen" and the employee will not be entitled to further salary increases, excluding longevity, until the rate of pay for the new position exceeds that "frozen" rate.
 - b) If the employee's hourly rate of pay on the last day of service in the

eliminated position is within the pay range of the new position, the employee will be placed on the step in the new position that is closest to but not less than the hourly rate had the employee remained in the eliminated position.

5. If the employee applies for an advertised position and is hired, the employee's rate of pay will be commensurate with the new position into which they were hired, unless agreed upon otherwise in the employee's association negotiated agreement.
- B. For incumbents in positions that are not represented by a bargaining unit (off-scale positions), the following rules apply:
1. If the employee seeks a Board-appointed position, the employee must apply and be selected for the position
 2. If the employee holds COMAR-recognized certification, the DHRTM will seek to place the displaced incumbent
 - a) in a vacant position,
 - b) in a position that is not Board appointed, or
 - c) in a position for which the employee qualifies, as determined by the DHRTM.
 3. If the employee holds COMAR-recognized certification, in the event that there is no vacant position for which the employee qualifies, the DHRTM is not obligated to place that employee.
 4. In the event that the DHRTM places an employee in a lower position class, the employee will be paid at the hourly rate commensurate with the position into which they were placed.
 5. If the employee applies for an advertised position and is hired, the employee's rate of pay will be commensurate with the new position into which they were hired.

Related Sources: Negotiated agreements: MCAAP Articles 19 and 25; SEIU Articles 15 and 19; MCEA Articles 25, 26, 27, and 30

Regulation History: Formerly Regulation No. 445-1, revised October 1982; revised February 1986; revised January 27, 1997; revised June 7, 2006; revised October 18, 2013; revised September 9, 2025.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal *Civil Rights Act of 1964*; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

For inquiries or complaints about discrimination against MCPS students***	For inquiries or complaints about discrimination against MCPS staff***
Director of Student Compliance and Appeals Division of Equity and Organizational Development 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973	For staff requests for accommodations under the Americans with Disabilities Act
Section 504 Coordinator Division of Specialized Support Services, School Counseling Services Unit 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-987-8031 504@mcpsmd.org	ADA Compliance Coordinator Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***	
Title IX Coordinator Division of Equity and Organizational Development, Student Compliance and Appeals 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*This notification complies with the federal *Elementary and Secondary Education Act*, as amended.

**This notification complies with the *Code of Maryland Regulations Section 13A.01.07*.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, OCR.Atlanta@ed.gov, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpainterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.