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**ARTICLE VIII**

**Transfers**

**A. DEFINITIONS AND CONDITIONS:**

1. This Article provides procedures for a change in work location (one school, office, or other District site to another) by an employee or employer, without changing the employee’s classification of employment.
2. An “opening” is a position which the District intends to fill. A position currently filled by a temporary contract teacher who will have worked at least seventy-five (75) percent of the school year will not be considered an “opening.”
3. The Association and the District agree that employees are encouraged to serve in a variety of work locations. goal of the parties is that staffing changes be made through employee initiated requests whenever possible.
4. Any employee may initiate a transfer request. Employees whose regular assignments involve travel between two (2) or more District work sites shall be assigned to schedules by the District following opportunity for advisory input as to employee preferences. These employees may request a transfer for all or a part of their assignment.

Resource Specialist Program and itinerant teachers shall not be subject to any employer initiated change in assignment during the work year without an opportunity to meet and consult with the appropriate manager regarding the need for the change.

**B. EMPLOYEE INITIATED TRANSFER REQUESTS:**

1. To facilitate the staffing process, employees are expected to make known their leave, resignation, or retirement requests by March 1. Employees returning from leave shall be assigned in the order their notification of return is received in writing by Human Resource Services.
2. Lists of known openings for the next school year will be posted in each school no later than March 15. The lists shall include (a) the District elementary or secondary school; (b) grade level or subject matter; (c) track or schedule for year-round assignments; (d) other pertinent credential/special certification and/or job description information. TALB shall be sent a copy of each list.

ARTICLE VIII – TRANSFERS (continued)

1           3.     On or before March 31, teachers, nurses, and librarians may submit requests  
2                     for transfer indicating each position for which they are credentialed and  
3                     which they would be willing to accept, whether or not that position appears as  
4                     an opening on the mid-March posting. Such transfer requests shall be made  
5                     on the appropriate District form. If qualified, those who submit requests will  
6                     be considered for all applicable positions as they become available through  
7                     the end of the first seven (7) student days of the following traditional school  
8                     year; however, such requests will not be controlling (see Section D. for  
9                     factors to be considered).

10  
11                     Teachers transferring within the same fiscal year from a year-round  
12                     assignment to a traditional assignment shall be expected, through election for  
13                     additional service, to work the total number of days remaining in the  
14                     traditional calendar.

15  
16                     Teachers transferring from schools on traditional calendars to schools on  
17                     year-round calendars shall be provided the opportunity to work additional  
18                     days during their first year of service in the year-round school to assure they  
19                     earn a full year of State Teachers Retirement System/Public Employees  
20                     Retirement System service credit. Teachers in year-round schools who  
21                     change tracks and need to work additional days to assure a full year of state  
22                     Teachers Retirement System/Public Employees Retirement System service  
23                     credit shall be provided the same opportunity.

24  
25           4.     Additional openings will be acted upon as they occur throughout the spring  
26                     and summer, up to the end of the first seven (7) days of the following  
27                     traditional school year. The District Transfer and Assignment Committee  
28                     will continue to monitor all of these openings until all openings are filled.  
29                     Updates of current openings will be sent to TALB in April, May, June, and  
30                     July for information purposes only.

31  
32           5.     In addition to 2. above, a list of known secondary vacancies for the spring  
33                     semester, will be posted in mid-December. Employees requesting transfer for  
34                     the spring semester must indicate their preferences for specific posted  
35                     openings.

36  
37           6.     As schools convert to year-round calendars, those employees who would  
38                     prefer the traditional school schedule are encouraged to submit requests to  
39                     transfer to schools which have not yet converted to year-round. Such  
40                     requests will receive priority consideration during the transfer and assignment  
41                     process.

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43     **C.     EMPLOYER INITIATED TRANSFER REQUESTS:**

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45           1.     Changes in staffing other than those made under Section B. above shall be  
46                     made whenever the District determines that there is a need (a) to reduce staff

ARTICLE VIII – TRANSFERS (continued)

- 1 because of enrollment loss or discontinuance of a program, grade level, or  
2 school closure; (b) to balance a school staff in terms of gender, ethnicity,  
3 teaching experience, bilingual needs, magnet programs and/or co-curricular  
4 needs. (See Section D. for factors to be considered.) In addition, employer  
5 initiated transfers may be made for other factors confidential to the employee  
6 and Human Resource Services.  
7
- 8 2. When the manager determines the factors related to an employer initiated  
9 transfer necessitated by school, segment, or department enrollment loss,  
10 he/she shall ask for a qualified volunteer. In the event that no one volunteers,  
11 the manager shall select for transfer the temporary contract employee in the  
12 school, segment, or department with the least districtwide seniority. If there  
13 are no temporary contract employees in the school, segment, or department,  
14 the manager shall select the probationary employee who has the least  
15 districtwide seniority as a certificated employee. If there are no probationary  
16 employees in the school, segment, or department, the manager shall select the  
17 tenured employee who has the least districtwide seniority as a certificated  
18 employee.  
19
- 20 Temporary contract, probationary, and tenured employees may be exempted  
21 from employer initiated transfer if the change would adversely affect any of  
22 the following: (a) compliance with state and federal requirements; (b)  
23 balance of numbers of males and females on faculty/department staff; (c)  
24 balance of ethnic minority personnel on staff; (d) ability of the school to  
25 continue to staff quality curricular and co-curricular programs.  
26
- 27 3. Normally by June 1, a manager will hold a conference with an employee who  
28 is to be transferred at employer request to discuss the reasons for the change.  
29 Upon request, the employee may have an Association staff or site  
30 representative present at the conference. The displaced employee shall be  
31 given priority consideration and the employee will have the opportunity to  
32 submit a transfer request indicating positions for which he/she is  
33 appropriately credentialed.  
34
- 35 4. Notwithstanding the provisions in C.2. above, employees shall not be subject  
36 to transfers at employer request if they are fifty-nine (59) years of age or  
37 older, have been transferred at employer request within the previous three (3)  
38 years, or have volunteered in writing for transfer to their principal and were  
39 transferred in lieu of transfer at employer request.  
40
- 41 5. An employee who has received an employer initiated transfer and who was  
42 not placed in a position he/she requested shall be given priority consideration  
43 for placement in the subsequent year.  
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1     **D.     FACTORS IN DETERMINING TRANSFERS:**

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3     One or more of the following factors shall be used in determining transfers initiated  
4     by employees or by the administration: (1) credential(s); (2) compliance with state  
5     and federal requirements; (3) departmental major and minor fields of study; (4)  
6     department, grade level, or team teaching responsibility in the affected schools; (5)  
7     staffing needs of the schools (gender, ethnicity, teaching experience); (6) special  
8     skills in areas which are adjunct to regular duties; (7) recommendation of site  
9     interview team. When the above factors are substantially comparable, seniority in  
10    the District as a certificated employee will determine transfers; except that, in cases  
11    of equivalent seniority in the District, additional consideration will be given to the  
12    employee's length of service at the present school site.

13  
14    As provided in D.(7) above, site interview teams, comprised of a majority of unit  
15    members, may provide recommendations for consideration by the District Transfer  
16    and Assignment Committee(s). Such recommendations will be based upon  
17    interviews conducted with individuals who have submitted a request by March 31 to  
18    transfer to that site. Sites are under no obligation to interview; however, if interviews  
19    are held, all individuals who requested a transfer to that position will be given the  
20    opportunity to participate in the interview process. Schools which choose to conduct  
21    site interviews will so indicate on the lists of openings which will be posted in mid-  
22    March, April, May, June, and July.

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24    **E.     MISCELLANEOUS PROVISIONS:**

- 25  
26    1.     Employees who are to be transferred shall be given notice of tentative  
27    assignment normally prior to the close of the school session year. Those  
28    transferred after the close of the school year shall be notified by mail.
- 29  
30    2.     It may be necessary to make employer/administration initiated transfers or  
31    employee initiated transfers during the school year. Such changes shall be  
32    made at a time and in a manner that the District determines to be least  
33    disruptive to the educational program or support service.
- 34  
35    3.     Employees who are transferred during the school year will be given as much  
36    advance notice as possible. Those who so request shall be allowed one (1)  
37    day of preparation time and assistance in moving the employee's materials to  
38    the new work location.
- 39  
40    4.     Employees who are transferred at employer request at the end of the school  
41    year shall be given assistance, upon request, in moving materials to the new  
42    location.
- 43  
44    5.     Employees who are granted their transfer requests shall not be eligible to  
45    apply for a subsequent transfer for a least four (4) years except with the  
46    consent of the District.