

ARTICLE V - TRANSFER AND REASSIGNMENT

A. Transfer:

1. A transfer is defined as the movement of an employee from his/her assigned work site to a vacancy at another school in the District. Transfers may be made by the District on an involuntary basis or may occur as a result of the voluntary application by an employee for a vacant position at another school or work site in the District.
2. A vacancy for the purpose of this Article is defined as an unfilled position at any District work site which has occurred as a result of attrition or the need for additional staff, but which has been subjected to any and all reassignments which have been deemed necessary by the Principals and/or other responsible managers. Such reassignment shall have been made in accordance with Section D. herein.

B. Voluntary Transfers:

1. Solicitation:
 - a. Between February 1 and March 1 of any year, employees wishing to voluntarily transfer within the District may file a written request for voluntary transfer in the District Human Resources Office. The District shall compile a list of the requests, which shall include the employee's name, major/minor and assignment preference. The list shall be effective from March 1 through June 30 of the current school year. Nothing contained herein shall limit the District in soliciting voluntary transfers at other times for teachers to serve as Teacher on Special Assignment (TSA). Site-based TSAs may apply and be appointed at any time, provided the District has secured a qualified replacement. Three (3) instructional days shall be allotted for the TSA and the replacement unit member to facilitate a transition supportive of student learning.
 - b. When vacancies occur, the District shall post such vacancies for a period of three (3) business days, except that in the period beginning ten (10) business days before the first teacher workday and

ending twenty (20) workdays thereafter, and for the first ten (10) business days before and after the start of the second semester, the posting period shall be two (2) business days. Employees wishing to be considered for such positions shall notify the Human Resources Office in writing prior to the end of the posting period. A copy of the vacancy notice shall be provided to the Federation.

- c. The District shall also consider for all vacancies the employees whose names appear upon the voluntary request for transfer list referred to in Sub-paragraph a. above. Transfers shall be effected as soon as vacancies and schedules are determined by District.
- d. Nothing contained herein shall preclude the District from soliciting candidates for vacant positions from sources outside the District.

2. Interview and Selection:

The District may include in any group of candidates to be interviewed for any vacant position, current District employees who have requested consideration for voluntary transfer, either by responding to posting or by being on the voluntary transfer list. Certificated employees who are permanent and who have received an overall "Proficient" or better and with no area indicated as "Unsatisfactory" on their last evaluation shall be granted an interview for vacancies which occur between March 1 and June 30 as specified in section B.1.a. Employee interviews shall be scheduled by the appropriate manager during non-instructional hours. On-site certificated managers shall select for interview those employees from the voluntary transfer request list who are the best qualified for the vacant position on the basis of criteria specified in Section 3. below. Employees not interviewed, or not selected for a vacant position, shall, upon request, be entitled to a conference with the responsible manager to discuss the reasons for his/her non-selection.

3. General:

Employees applying for vacant positions on a voluntary basis during the period as specified in section B.1.a shall be selected upon the following criteria:

- a. Possession of a major and/or minor in the subject for the assignment needed to be filled.
 - b. A California teaching credential authorizing service in the assignment being transferred to.
 - c. Record of teaching and/or other applicable educational experience.
 - d. Current performance evaluations.
 - e. Preparation beyond the Bachelor's degree in the subject area(s) of the assignment needed to be filled.
 - f. Special job related skills or talents.
 - g. The constraints of Title Nine (IX) and affirmative action laws and regulations.
 - h. The best interest of the instructional program / District.
 - i. District-wide seniority. District-wide seniority for the purpose of Article V., Section B., is defined as the total number of years in paid status in the District. District-wide seniority shall be applied only to resolve transfer decisions when two (2) or more persons in the District are rated equally according to the criteria listed herein.
4. The District and Federation agree to work to facilitate the voluntary transfer of qualified certificated staff who wish to transfer from a middle school to a high school. Such an agreement is intended to promote the overall quality of programs at both sites.

C. Involuntary transfers:

1. Involuntary transfer is defined as a transfer determined necessary by the District for the good of the

instructional program and in the best interest of the District as a whole.

1. An involuntary transfer shall be initiated by the District and shall normally be promulgated after the District has solicited volunteers from a specific department or certificated staff at large, and has reviewed a list of qualified persons who have requested transfer. Such transfers shall be based upon the criteria for transfer contained in Section B. 3., a.-h., herein, and departmental seniority. Departmental seniority for the purpose of Article V., Sections C. and D., is defined as the total number of years in paid status within a school department. Departmental seniority shall be applied to resolve transfer decisions when two (2) or more persons eligible to be transferred cannot be differentiated based upon the criteria contained in Section B. 3., a.-h., herein.
2. The District may initiate an involuntary transfer for reasons other than a vacancy at another school site provided that the following criteria are met:
 - a. The unit member has been evaluated as outlined in Article IX - Evaluation Procedures, and has received two (2) consecutive "Unsatisfactory" yearly evaluations.
 - b. The unit member has been provided a Plan of Assistance according to Article IX., subsection H.3.d., after each "Unsatisfactory" evaluation.

In these cases, criteria as contained in Section B.3, a-h herein and seniority would not apply.
4. Employees involuntarily transferred shall, upon request, be entitled to a conference with the responsible manager to discuss the reasons for his/her transfer.
5. Employees involuntarily transferred after the work year begins may, upon request, receive up to two (2) days of released time for preparation purposes prior to beginning the new position.
6. Those to be involuntarily transferred between schools may indicate a preference of schools involved to the Assistant Superintendent of Human Resources.

D. **Reassignment:**

1. Reassignment is defined as a movement of an employee from one (1) department to another department within the same school.
 - a. Reassignments shall be made in accordance with the criteria stated in Section B. 3., a.-h., herein and departmental seniority. Departmental seniority shall be applied only to resolve reassignment decisions when two (2) or more persons in the department are rated equally according to the criteria listed herein.
 - b. Employees selected for involuntary reassignment within the school shall, upon request, be granted a conference with the Principal who shall explain the reasons for the employee's reassignment.
 - c. Employees involuntarily reassigned after the work year begins may, upon request, receive up to two (2) days of release time for preparation purposes prior to beginning the new position.
 - d. If two (2) employees mutually agree to switch assignments and the District concurs, such change shall be allowed, and shall not constitute a transfer.