ARTICLE VIII

 TRANSFERS

This Article VIII only applies to permanent and probationary unit members. Transfers fall into two categories; (1) voluntary transfers that are initiated at the request of the unit member, and (2) involuntary or administrative transfers that are initiated by the District. The following procedures apply to transfer situations:

Definition:

 A **transfer** is defined as a change from the unit member’s assigned work location to a different school or facility.

 A **reassignment** is defined as a change of assignment within the same site.

 **Assignment** shall be defined as a placement of a bargaining unit member within the scope of the member’s certification qualifications.

A. Posting of Vacancies

1. A vacancy is created upon the retirement, resignation, or death, or by any newly created position. This does not include a leave of absence.
2. The District shall notify the unit member via email of each vacancy as they occur. Each notice shall state a deadline for applications which shall be not less than five (5) school days after the date the notice is posted. The District shall not fill openings before the expiration of the application deadline.
3. Unit members request for voluntary transfer shall be considered, as described in Section B prior to the consideration for advertising and considering applications from non-unit members. Unit members shall receive written notification within 5 working days of the District’s acceptance or denial of the transfer request.
4. All known vacancies for the following school year shall be posted by June 1st.
5. During the summer recess the District shall email a notice of each vacancy as it occurs to the Association President and to each unit member.
6. All vacancies for which a stipend or hourly wage is paid, except lead teacher, shall be emailed to each unit member . Selection criteria shall be based on B.3 below.

B. Voluntary Transfers

1. Whenever any vacancy occurs any unit member is eligible to apply fo a transfer to any vacant position within by his/her credentials.

2. Request for Transfer forms are available at the District Office and within the email notifying unit member of any vacancy

3. If more than one unit member applies for a voluntary transfer to a single opening, the District shall select the unit member based upon legitimate education program-related needs of the District and shall not be made for vindictive, capricious or arbitrary reasons. The following criteria shall be considered in the following order:

a) Proper Credential

b) Satisfactory evaluations

c) Where applicable, subject area major/ minor

d) Where applicable, certification, specific expertise in a particular discipline or specific abilities in an area required for the opening

e) District seniority

f) Interview when above factors are substantially equal.

4. If a transfer is denied, the unit member shall be given, upon request, a written rationale for the denial by the Superintendent or designee. The unit member may request and shall be granted a meeting with the Superintendent or designee to discuss the matter. The unit member may have an Association representative present at such a meeting.

5. The filing of a Request for Transfer shall be without prejudice to the unit member, and shall not jeopardize his/her present assignment. The Request for Transfer may be withdrawn at any time prior to being approved A transfer has been approved at the time the receiving administrator, the applicant, and the Superintendent agree to the transfer.

C. Involuntary or Administrative Transfers

1. When the District must select a unit member for an involuntary transfer, the District shall apply the following criteria:

a) Proper Credential

b) Satisfactory evaluations

c) Where applicable, subject area major/ minor

d) Where applicable, certification, specific expertise in a particular discipline or specific abilities in an area required for the opening

e) District seniority when above factors are substantially equal

2. A unit member shall not be subject to an involuntary transfer more than once in any three year period.

3. A unit member may be involuntarily transferred without regard to 1 or 2 above, if his/her assignment is eliminated.

4. A unit member in prescriptive evaluation status may be involuntarily transferred without regard to 1 or 2 above.

5. When an involuntary or administrative transfer is effected, the initiating administrator will submit a written rationale to the Superintendent with a copy to the affected unit member. An opportunity must be provided for the unit member to meet with the administrator recommending the transfer prior to effecting the proposed transfer. The unit member may file a written response to the reasons given. This response shall be placed in the unit member's personnel file for record purposes upon written request of the unit member.

6. When the District initiates a transfer because an assignment is eliminated, any unit members being thus administratively transferred shall have first consideration for existing vacancy . When a choice of assignment is possible, unit members may indicate an order of preference for appropriate consideration.

7. Involuntary transfers shall be based upon legitimate education program-related needs of the District and shall not be made for vindictive, capricious or arbitrary reasons. No unit member shall be transferred solely because he/she has applied for any type of leave of absence.

8. When a unit member is involuntarily transferred or reassigned, a letter shall be placed in the unit member's personnel file stating the reasons for the transfer. If the unit member has rendered satisfactory service in his/her previous assignment it shall be so stated. A signed copy of the letter shall be given to the unit member. The unit member will be given consideration if an appropriate vacancy exists at the school from which the unit member has been transferred.

D. Consultation Regarding Reassignment

1. Prior to making any final decision, regarding the reassignment in a unit member's current grade level or subject matter assignment within a school or administrative division, the immediate administrator or his/her designee shall discuss the proposed change with the unit member and an Association representative if the unit member desires.
2. For information purposes and to aid unit members' class preparation, notice of intended reassignment shall be given by the immediate administrator to the unit member as soon as practicable and normally prior to the end of the preceding school year, and notice of any change, therein shall be mailed to the unit member's address of record if it occurs during the summer. If the unit member objects to the proposed reassignment , the unit member's suggested alternative ways of handling the situation shall be considered. The District shall not act arbitrarily or capriciously in making reassignments .

E. Preparation Time and Assistance

1. If a transfer or` reassignment of grade level or subject matter is effected during the school year, one day of released time shall be afforded the unit member for preparation purposes.

2. If any change in school site or resident room is required during the school year, two (2) days of released time shall be afforded. In addition, the District shall provide reasonable assistance in moving the unit member's instructional materials. For purposes of this Article only, the term "school year" shall be defined as the 186 pupil and non-pupil duty days.