

ARTICLE 12 VACANCIES AND TRANSFERS

Definitions:

1. Assignment: A bargaining unit position identified by worksite, grade level, subject, or specialist position and FTE.
2. Vacancy: An unoccupied bargaining unit assignment that is to be filled.
3. Voluntary Transfer: A change in assignment which is employee-initiated (voluntary).
4. Involuntary Transfer: A transfer initiated by the District because of drop in enrollment, or as the result of school or District reorganization.
 1. ~~Transfer: A change in worksite, initiated by either the employee (voluntary) or District (involuntary):~~

A. Vacancies and Posting

1. Starting the third Monday in April and continuing every week until ~~August 1~~ a week before the start of pre-service week, the District will prepare a list of all known vacancies for any bargaining unit position which exist on that date due to employee resignation, retirement, or an approved leave of absence or new position to be filled. The list shall include the assignment, as defined above, as well as any special qualification that might be required for the position. ~~Between April 1 and the third Monday in April, the District may hire a temporary employee into the position held by that employee unless the position is to be filled by an employee returning from leave or an employee being reassigned due to enrollment decline. If the temporary employee is hired into the position, the position will not be posted. If the position is not filled by the temporary employee, by an employee returning from leave, or by an employee being reassigned due to enrollment decline, it will be posted.~~ The list will be posted on the District intranet e-mail system on a weekly basis.
2. ~~An employee may apply for transfer to any vacancy that appears on the list described in A.1; or all categories of transfers set forth in Sections B and C of this Article, provided the employee meets the requirements for each type of transfer. Continuity of evaluation will be a factor in considering transfer applications by probationary employees.~~
3. Only contract and probationary employees are eligible to be transferred between buildings. ~~for transfer.~~ Temporary employees may apply and be interviewed for openings vacancies and will be considered internal applicants if no contract or probationary employees have applied. ~~provided the principal interviews two (2) other employees who are contract and/or probationary.~~

B. Specific Voluntary Transfers

1. An employee not on a Plan of Assistance, or Plan of Awareness who has or will have the appropriate certification on the date the assignment begins, may apply for specific openings listed on the vacancy notices.
2. To be considered, applications for a ~~transfer to another building~~ specific vacancy must be received by the Human Resource Department no later than ~~March 15th~~. the 2nd Monday following the date of the vacancy notice. Employees may apply for specific vacancies through August 30; however, after August 15, the employee must have the concurrence of the building principal. Before the end of the school year, applications must be sent via the building principal. After the end of the school year, the Human Resource Department will send a copy of the application to the building principal.
3. An employee with appropriate skills and certifications who files timely applications for a voluntary such specific transfers will be given priority consideration over other equally skilled and certified applicants from outside the District. ~~for openings that exist as of March 15th along with other qualified applicants. An employee who is not granted a voluntary transfer request may apply for vacancies that occur during the regular posting period set forth in A.1.~~ However, the principal must interview at least two (2) employees who have requested a specific transfer to that position unless fewer have applied. Priority consideration shall result in an internal applicant being offered the vacant position unless there are no qualified internal applicants. In cases where internal applicants are equally qualified the applicant with greater seniority shall be offered the transfer.
4. When the Human Resource Department makes an offer of a voluntary transfer specific position, the employee will be notified in writing. Any such offer made to an employee by the Human Resource Department must be accepted or rejected by the employee within three workdays 24 hours following acknowledged notification by the District. Any such offer made by the Human Resource Department will be confirmed in writing.

C. Administrative Involuntary Transfers

1. ~~Employees may request an administrative transfer through their administrator or the Administrators for Licensed Personnel.~~

2. When transfers are initiated by the administration, each principal shall notify employees of the needs and criteria for anticipated staff transfers in their building prior to commencing the involuntary administrative transfer process. Volunteers shall be requested and considered before administrative transfers are initiated unless the reason for the involuntary transfer is specific to the individual being transferred. In the case of involuntary transfers occurring as part of staffing prior to April 1, the requirement to solicit volunteers will be carried out via the February staffing preference survey. The individual with the most seniority in the district who volunteers and who holds the necessary skills and certification shall be granted the identified change in assignment. If there are no volunteers or no volunteer meets the identified criteria, then the involuntary transfer process may be initiated.

3. If an individual transfer is initiated by the administration employee is to be involuntarily transferred, a conference with the initiating principal will be arranged if requested by the employee to discuss the reasons for the transfer. If requested, the reasons for the transfer will be reduced to writing by the initiating principal, signed by all parties at the conference, and a copy given to the employee.

4. Administration will look at recency when involuntarily transferring specific members to specific positions. In an effort to avoid transferring employees into positions for which they may be licensed but have no recent experience the Human Resource Department will use seven (7) years as the guideline for determining recency. This guide will apply only when transferring employees who are not being considered for layoff, into endorsement areas in which they have not taught within the last seven (7) years. Exceptions may be made for employees who have documented their willingness to transfer.

5. An employee shall be notified of a transfer between schools change of assignment as soon as possible but at least ten (10) days prior to the effective date of the transfer, except in the case of an emergency or changes in student enrollment.

6. When employees are transferred to a new assignment into a new school or expected to deliver a program in which they have little or no experience, the principal and the employee will plan for professional development for the employee to be implemented throughout the first year. Such a plan shall not infringe upon the

employee's plan time and shall include at least five (5) days of paid release time to implement the plan.

7. No employee shall be involuntarily transferred more than once in five (5) years unless the involuntary transfer is the result of an unavoidable situation such as a school closure.

8. Employees that have been involuntarily transferred shall have the right to return to the assignment from which they were transferred if the assignment becomes available within the next five (5) years after their transfer.

9. Educators who are the holders of TEACH grants shall not be involuntarily transferred to an assignment that will prevent them from completing the requirement for loan forgiveness under the grant.

D. Selection of Candidates

Selection of a candidate for each position, whether within or from outside the District, shall be at the discretion of the school administration.

E. Information Opportunities

1. The Human Resource Department will establish a yearly meeting for employees who are considering a transfer. The purpose of this meeting will be to provide helpful hints for interviewing and for file review. Such a meeting will be entirely voluntary on the part of employees.
2. Upon request by an employee, the Human Resource Department will also make available an individual meeting for any employee who has applied for transfer and has not been successful. The purpose of this meeting is to provide the employee feedback as to the reason(s) the employee did not receive a transfer. It is understood that this meeting will be an attempt to counsel the individual employee. The subject of this meeting will not be subject to just cause and/or the grievance procedure. Any request by an employee for such a meeting shall be within a reasonable time after the transfer process is completed.

F. Assistance

1. Employees who are voluntarily or involuntarily transferred or have their grade level or subject area changed shall be allowed two (2) days-released

time or extended contract for relocation and preparation. moving to a new assignment as follows:

- a. If notified of the transfer by June 30, then no time for relocation.
- b. If notified of the transfer by August 14, then one day of time for relocation.
- c. If notified of the transfer or change in grade level/subject area after August 14, then two days of time for relocation and preparation.

2. If an employee is moving to a new classroom or workspace, the District shall transport the employee's books, materials and other personal belongings related to the assignment.