

## ARTICLE 12 VACANCIES AND TRANSFERS

### A. Definitions

1. Transfer: A change in worksite, initiated by either the employee (voluntary) or District (involuntary).
2. Assignment: A bargaining unit position identified by worksite, grade level, subject, or specialist position and FTE.
3. Vacancy: An unoccupied bargaining unit assignment that is to be filled.

### AB. Vacancies and Posting Voluntary Transfers

1. ~~Starting the third Monday in April and continuing every week until August 1, the District will post 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. The posting 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 e-mail system website, updated weekly.~~
  2. ~~An employee may apply for 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. Temporary employees may apply and be interviewed for openings provided the principal interviews two (2) other employees who are contract and/or probationary.~~
3. *For any vacancy, the District will interview at least two current employees who apply and who meet the stated qualifications, unless*

~~there aren't two internal applicants. Temporary employees shall not be considered internal applicants.~~

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 **request a voluntary transfer.** ~~apply for specific openings listed on the vacancy notices.~~
  
2. **Job Expo - Prior to the spring hiring season and after staffing has initially been determined, No later than May 1st, the District shall hold a a minimum of two Job Expos for all building administrators to meet with qualified internal applicants for positions on the known vacancy list. The first Job Expo shall be for the purpose of interviewing/placement of involuntarily transferred employees seeking a new placement, prioritizing employees potentially facing involuntary transfer. The District shall post the known vacancy list at least five (5) days prior to each the Job Expo. Any qualified employee who is interested in a position on the vacancy list shall be allowed to interview with the building administrator/designee. In years when the District is facing potential layoffs for licensed staff, the Job Expo may be waived by mutual agreement with the Association.**
  
3. **Vacancies posted at the Job Expo shall be filled by an internal applicant provided that at least 2 employees have interviewed for the position.**

#### B. Specific 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.~~

~~3. 2. After completion of the last Job Expo,~~To be considered, applications for a *transfer to another building* specific vacancy must be received by the Human Resource Department no later than *March 15<sup>th</sup>* the 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. After completion of the Job Expo, hiring season will open for internal and external candidates. Applications for a specific vacancy must be completed through the online application system. Postings will follow the published timeline, and each position will be posted for no fewer than five days. All vacancies must be posted until August 1st. Positions may be posted after August 1st by discretion of the hiring supervisor. After August 15, an employee may only take a new position with the concurrency of the building principals.**

**4-3. An employee who files timely applications for such specific a **voluntary** transfers, after the final Job Expo, will be given consideration 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.**

**5. 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 24 hours following acknowledged notification by the District. Any such offer made by the Human Resource Department will be confirmed in writing.**

**C. Involuntary (District Initiated) Transfers:**

1. **~~The District can involuntarily transfer a unit member to another building for these reasons: loss of building FTE, program need, or curriculum changes. For involuntary transfers that occur after the licensed hiring season has commenced, 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. The District's decision to involuntarily transfer a member shall not be arbitrary or capricious.~~**
2. **Administrators will survey staff about assignment preferences during the spring of each year so that employee input can be considered before any transfers are made. In making an involuntary transfer, factors will be considered including but not limited to: every effort will be made to consider the following factors:**
  - a. **Grade/subject level experience**
  - b. **Licensure**
  - c. **Relevant training**

- d. Bilingual ability (as determined using the same process as is used for the bilingual stipend)
  - e. Recency of previous involuntary transfers - ~~the District will make every attempt to not involuntarily transfer any employee more than twice in any six year period.~~
  - f. Impact on an employee's federally subsidized grant
3. ~~At least five days prior to the beginning of the first Job Expo, unit members who will be involuntarily transferred from their current worksite/building will be notified.~~
  4. 3. During the ~~first~~ Job Expo, per request to Human Resources, involuntarily transferred employees will be given priority to interview for vacancies within matching areas of licensure and qualifications. If not selected through the Job Expo season, employees will be placed by Human Resources. Employee preferences will be considered.
  5. ~~Educators who are the recipients of federally subsidized grants shall not be involuntarily transferred to an assignment that will prevent them from completing the requirement for loan forgiveness under the grant.~~

C. Administrative Involuntary Transfers

1. Employees may request an administrative transfer through their administrator or the Administrators for Licensed Personnel.
  2. ~~Administrators will survey staff about assignment preferences during the spring of each year so that employee input can be considered before any transfers are made. 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 administrative transfer process. For involuntary transfers that occur after the licensed hiring season has commenced, 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.~~
- 6.4. If an individual transfer is initiated by the administration employee is 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.

7. 5. An employee shall be notified of a transfer between schools 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.
8. 6. When employees are transferred 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.

#### 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 involuntarily transferred or have their grade level or subject area changed** shall be allowed released time or extended contract for 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,** ~~t~~The District shall transport the employee's books, materials and other personal belongings related to the assignment.

### **G. Trading Worksites**

**Two qualified employees may express an interest in trading worksites by submitting a request by July 15th. To initiate a worksite trade, the involved employees must:**

1. **Receive the approval of the supervising administrators at the respective worksites.**
2. **Send written notice to the Human Resources Department, which includes the names of the employees, their respective licensure, the worksites involved in the trade, and a description of the specific assignments.**
3. **Worksite trades must have the approval of the Human Resources Department.**