

1 **ARTICLE 12: TRANSFER POLICY**

2 **Section 12.1 - Definition.** A transfer is the relocation of a unit member from one work location/site to
3 another in the District exclusive of transfers within programs with multiple work sites. In addition, a
4 transfer is the change of a unit member’s track assignment who is working in the year-round school
5 program. Transfers are either administrative or initiated by the unit member.

6 **Section 12.2 - Assignments.** Specific grade or class assignments within a school or in programs with
7 multiple work sites, are made by the principal. Re-assignments are the change of a grade or class
8 assignment, for over one-half of the instructional day, at the same site and in programs with multiple work
9 sites. Neither assignments or re-assignments are subject to the transfer policy, except as noted in 12.14
10 and 12.15 of this Article. The District shall make every reasonable effort to restrict the number of re-
11 assignments. All re-assignments shall be approved by the Assistant Superintendent of Human Resources

12 **Section 12.3 - Requests for Transfer.** Unit members may apply for a position whenever an opening is
13 posted. Unit members who wish to have their names published on an annual transfer list must submit a
14 written request on the District form no later than March 15. Upon request, the unit member shall receive
15 a date stamped copy of his/her application for transfer.

16 **Section 12.4 - Posting of Positions.** The District shall have the responsibility to determine when and where
17 there is a vacancy. When a vacancy has been determined to exist, the District will post the position,
18 subject to the following:

- 19 a. Vacancy is defined as any new or existing position represented by the Association in a school or
20 location which the District has determined is to be filled by a regular probationary or permanent
21 employee rather than a substitute.
- 22 b. Vacancies shall be posted when they become known to the Assistant Superintendent, Human
23 Resources.
- 24 c. All vacancies for positions represented by the Association shall be date stamped and posted no
25 later than seven (7) days before the vacancy is filled. A posting is defined as the date the position
26 is placed on the Job Opportunities Board at the District Office. The Association president shall
27 receive a copy of all postings. Said postings shall be sent to all schools and locations in the District
28 for posting. Days under this subsection shall mean days when the District office is open.

29 **Section 12.5 - Unit Member Initiated Transfer.** The unit member shall be considered qualified for a
30 posted vacancy if:

- 31 a. The unit member possesses an appropriate and valid credential for the position posted.
- 32 b. Qualified transfer applicants shall be given the opportunity to be interviewed for vacant positions

1 prior to the District hiring outside applicants.

- 2 c. In the event the unit member does not appear for the interview, he/she automatically removes
3 himself/herself from consideration for that vacant position. A written statement of the decision
4 concerning the unit member's request for transfer along with the reasons for that decision shall
5 be forwarded to the unit member, if said unit member requests in writing that the reasons be
6 given.

7 **Section 12.6 - Conference.** If the decision is unsatisfactory to the unit member, a conference with the
8 administrator who conducted the interview shall be held.

9 **Section 12.7 - Withdrawal.** The request for transfer may be withdrawn at any time prior to official
10 confirmation that the transfer has been effected. A transfer has been effected at the time the receiving
11 site or location administrator, the applicant, and the District have concurred upon the transfer.

12 **Section 12.8 - Administrative Transfers.**

- 13 a. No unit member shall have his/her compensation negatively impacted due to an administrative
14 transfer if that transfer is effected after the end of the first attendance month of school. The unit
15 member shall be entitled to the added compensation only for the balance of that school year in
16 which the administrative transfer was made.

- 17 b. The following are reasons for administrative transfers:

- 18 1. Fluctuations of school enrollment, normally transfers between affected schools or tracks.
- 19 2. Opening or closing of schools.
- 20 3. Elimination or reduction of classes in special areas or programs, to include Year-Round
21 Education, which may revert to traditional school programs.
- 22 4. Certification adjustments.
- 23 5. Requirements of a special project including financial balance (comparability).
- 24 6. Irreconcilable differences between unit members and/or the administration for just cause.

25 A meeting shall take place between the site administrator, the unit member, ACE
26 representative and a representative from Human Resources in an attempt to reconcile
27 the difference prior to the transfer decision. A transfer will be implemented if either the
28 administrator or unit member determines a resolution cannot be met. The affected unit
29 member may request a meeting, prior to the transfer, with the Superintendent and with
30 a representative of the Association in attendance. The Superintendent shall render a
31 decision within 3 work days of the meeting, in which the decision may be implemented
32 immediately. No one other than the affected unit member will be transferred or be

1 reassigned as a result of the implementation of this provision.

2 **Section 12.9 - Selection.** In an administrative initiated transfer of unit members, the following selection
3 system shall be used in the order shown:

4 a. Those unit members volunteering for an administrative initiated transfer.

5 b. A unit member not previously administratively transferred, with the most recent initial date of
6 certificated employment with the District.

7 1. Unit members with the same initial date of employment shall be selected by lot.

8 2. A unit member with the most recent initial date of certificated employment with the
9 District who has been previously transferred.

10 c. A unit member with the most recent initial date of certificated employment with the District.

11 1. Unit members with the same initial date of employment shall be selected by lot.

12 **Section 12.10 - Qualifications.** The unit member shall be considered qualified to be administratively
13 transferred if the unit member possesses an appropriate and valid credential.

14 **Section 12.11 - Comparability Requirements.** When problems arise in the area of Comparability
15 requirements, the District will follow this Transfer Policy as closely as possible, and shall make transfers
16 that involve the least number of unit members; but the District does retain the right to make those
17 transfers that are necessary to insure compliance.

18 **Section 12.12 - Frequency.** A unit member may be administratively transferred no more than once every
19 three years.

20 **Section 12.13 - Legal Compliance.** In situations arising involving a violation of civil or criminal law, the
21 District retains the responsibility to transfer such employees as is deemed to be in the best interest of the
22 School District and those students who may be involved.

23 **Section 12.14 - Notice.** In all cases, notice shall be given in writing and shall contain the reason for the
24 transfer or reassignment and the exact assignment. Notice of transfer or reassignment shall be given to
25 the unit member in writing, either personally, or, if this is not possible, by postal mail. After the start of
26 school, at least three (3) working days notice shall be given to unit members for reassignments and ten
27 (10) working days for transfers. Unit members will be given tentative assignments before the end of the
28 current school year when possible.

29 **Section 12.15 - Assistance.** When there is a transfer from one school or work site to another, or a
30 reassignment at the same school at a different grade level or subject area, the District shall authorize,
31 after the initial (3) three or (10) ten working days notice, two school days substitute time or **one day of**
32 **pay at the members per diem rate**, if requested, for the unit member to move materials and prepare for

