

November 18, 2024

Time:

MAD 11-18-24 Assistant Superintendent Personnel Services
Michallo 11-18-24 CUEA Contract Specialist

ARTICLE 11

TRANSFERS AND REASSIGNMENT

11.1 Subject to the approval of the Board, the Superintendent or ~~his/her~~ their designee shall assign unit members of the District to the positions in which they are to serve. Such authority to assign includes the authority to transfer a unit member from one school to another school at which the unit member is certificated to serve subject to the provisions below.

11.1.1 Not less than 30 days prior to the end of the school year, each unit member shall be given written notice of the next year's tentative assignment.

11.1.2 Unit members returning from leave shall be afforded all rights provided under this section.

11.2 Definition

Unit members, ~~department heads/principals or division heads or~~ the District or site administration may initiate transfer or reassignment requests. Transfers or reassignments may be made on the following basis:

11.2.1 A transfer is the movement from one school site to another school site. The transfer may include a change in grade level or subject area as long as the move involves changing school sites.

11.2.2 A reassignment is the movement of a unit member from one grade level to another or to a different subject area at the same school site.

11.2.3 Seniority is the length of service commencing with the unit member's first date of paid service in a probationary position.

11.2.4 A vacancy is any position that does not have a unit member assigned to it after all reassignments at the site have been concluded.

11.2.5 A relocation is a move to another workspace, classroom, or building on the same campus. Relocations are not subject to the transfers and reassignments timeline.

11.3 Timeline Vacancies

No involuntary reassignments nor transfers to fill ~~these~~ known vacancies shall be made until all voluntary reassignments and transfers have been considered. ~~The District will provide electronic notification of anticipated vacancies for the succeeding year beginning on or about March 15 and provide a copy to the Association.~~

11.3.1 Site administrators will notify bargaining unit members on their site of all known vacancies for the subsequent school year by March 15th. No involuntary

reassignment nor transfer to fill these vacancies shall be made until all voluntary reassignments and transfers have been considered.

11.3.2 Members will be notified of the results of their voluntary reassignment requests within 5 working days of March 15th.

11.3.3 District will notify all unit members of remaining and resulting vacancies within the district within five (5) working days of site voluntary reassignments being confirmed.

11.3.3.1 This notice will include all known vacancies at each site, as well as the due date for voluntary transfer requests, and the date by which all voluntary transfer decisions will be confirmed.

11.3.4 Voluntary transfer requests will be due no less than ~~10~~ five (5) working days from the district's announcement of vacancies.

11.3.5 Members will be notified of the results of their voluntary transfer requests within ten (10) ~~five (5)~~ working days of the due date for voluntary transfer requests.

11.3.6 Involuntary transfers will be confirmed within five (5) working days of the confirmation of voluntary transfer requests.

11.4 Requests

11.4.1 A unit member may submit a voluntary transfer request at any time between ~~February 1 and April 1~~ for the following school year to the Personnel Office, whether or not a vacancy exists. An employee may request one or more of the following kinds of changes by submitting a Voluntary Transfer/Reassignment Request Form. (Appendix ~~E~~ F, Forms)

11.4.1.1 Transfer from one school (ECE, TK-5, 6-8, 9-12) to another school.

11.4.1.2 Assignment change to a different ~~room, building,~~ grade, and/or subject, and/or role as enumerated within Article 2.

11.4.1.3 Assignment or transfer to a new (unstaffed) school if any.

11.4.2 Transfer requests are valid for the upcoming school year only and employees wishing to transfer must apply each year for the upcoming school year.

11.4.3 The immediate supervisor will meet with unit members requesting reassignment to a different grade level or subject matter at the same school site and inform them of their decision.

11.4.4 The immediate supervisor at the prospective work location shall interview ~~consider~~ unit members from other school sites requesting voluntary transfers to known vacancies ~~request~~, and explain the nature of the assignments to those employees

~~requesting a transfer whose credential(s) match the available assignments. No assignments of employees new to the District shall be made to the known vacancies until all the appropriate requests for transfers have been processed.~~

11.4.5 No assignments of employees new to the District shall be made to the known vacancies until all the appropriate requests for transfers have been processed.

11.5 Voluntary Transfers

11.5.1 Employees shall be notified concerning the disposition of their transfer requests as promptly as possible.

11.5.2 Filing the application form does not guarantee a transfer. Transfers are contingent upon available vacancies, individual school needs, credentials to perform the required services, training, and qualifications. The final selection of transfer applicants is made by the principal of the school where the vacancy occurs.

11.5.3 In the event that vacancies occur after the March 15 notification of anticipated vacancies, and before the opening of the traditional school year, employees who have submitted transfer requests shall be considered for vacancies, in their area of interest and qualification, at schools to which they have applied.

11.5.4 In the event an opening occurs after the start of the school year, the position may be filled temporarily with either a Temporary Contract Teacher or a Long Term Substitute Teacher, with such position then to be considered open at the end of the school year. The temporary teacher will be considered ~~may then interview~~ for the position along with transfer applicants; or the position may be filled with a new probationary employee, provided the vacant position is in a District-identified area of priority need.

11.6 Involuntary Transfer

11.6.1 If an involuntary transfer becomes necessary, the District will first seek volunteers. In the event no volunteers come forth, the unit member with the least seniority and the appropriate credential shall be transferred.

11.6.2 In the event of an involuntary reassignment, District will take into account such things as subject and/or grade level, credential authorizations, and seniority. An administrator shall confer with a unit member regarding the reasons for a reassignment prior to its effectuation. Whenever practicable the administrator shall be the on-site supervisor.

11.6.3 A unit member who is transferred shall be allowed two (2) days of paid release time prior to the effective date of the transfer to oversee the packing up and establishing of the new classroom. A unit member who is reassigned and the reassignment includes a room change shall be allowed two (2) days of paid release time prior to the effective date of the reassignment. The District shall provide assistance in moving a unit member's materials. Assistance as defined in the article includes

adequate moving supplies, packing, physically moving, and safely delivering materials.

- 11.6.4 An involuntary transfer or reassignment shall not be for a discriminatory reason as prohibited by Article IV, Non-Discrimination, nor shall it result in the reduction of a unit member's regular contract salary.

11.7 Reassignments

- 11.7.1 The criteria for considering all reassignments shall include school needs, credentials, training, qualifications, and personal preferences of the employees. It is understood that reassignment decisions are based upon administrative judgment and discretion, but such judgment and discretion shall not be exercised in an arbitrary or capricious manner.

- 11.7.2 An employee may file a written request with the site administrator for an assignment preference within the employee's school for the following school year. Each request shall include, but not be limited to, the following: credential(s) held and requested grade level, department, courses, and classroom language. Each request shall be given consideration as assignments are made. Initial voluntary reassignments for the following school year shall be completed prior to the granting of any transfer requests.

- 11.7.3 When assignments have been determined within the school, employees shall be notified as promptly as possible. If a reassignment request is denied, the employee shall be provided with the specific reasons for the denial, upon request.

- 11.7.4 When the District finds it necessary during the school year to reassign an employee to a different grade level, subject field, or classroom at the same school, the District shall provide two (2) days of paid release time prior to the effective date of the reassignment. The employee shall have the option of taking the two (2) paid days during non-instructional time. A unit member whose reassignment includes a room change shall be provided assistance in moving the unit member's materials. Assistance as defined in the article includes adequate moving supplies, packing, physically moving, and safely delivering materials.

- 11.7.5 A unit member who is required to change classrooms outside of the school year, shall be allowed two (2) days of paid per diem release time prior to the effective date of the move to oversee the packing up and establishing of the new classroom. The District shall provide assistance in moving a unit member's materials. Assistance as defined in the article includes adequate moving supplies, packing, physically moving, and safely delivering materials.

11.8 School Closure

- 11.8.1 If a particular site is to be closed unit members at that site shall be afforded first priority for filling new or vacant positions within the District. The District will

meet with representatives of the Association to negotiate transfer and staffing procedures.

- 11.8.2 A unit member who is required to change classrooms unrelated to transfer or reassignment, shall be allowed two (2) days of paid release time prior to the effective date of the move to oversee the packing up and establishing of the new classroom. The District shall provide assistance in moving a unit member's materials. Assistance as defined in the article includes adequate moving supplies, packing, physically moving, and safely delivering materials.

11.9 Committee on Assignments

- 11.9.1 A Committee on Assignments shall be established as provided for in the Education Code to approve teachers, who volunteer to do so, to teach an assignment outside of the teacher's credential authorization. The Association will select one (1) middle school and one (1) high school teacher to serve on this committee. The District will select two (2) administrators to serve on this committee.