

ARTICLE 17

TRANSFER AND REASSIGNMENT

17.1 Filling of Vacancies

17.1.1 The District reserves the right to make placements, assignments, reassignments and to transfer unit members pursuant to the provisions of this Article which shall apply to all unit members except as otherwise provided herein, or as limited by Article 25 of this Agreement relating to summer program and Article 22 relating to adult school teachers.

17.2 Procedures for Assignment and Reassignment.

17.2.1 Each continuing unit member shall be given a tentative written notice no later than the close of the school year of the next year's assignment. New teachers shall be given written notice at the time of hiring or reasonably soon thereafter. When possible, such notice shall specify the teaching location, grade level(s), and subject area to which the unit member will be assigned.

17.2.1.1 Bargaining unit members may appeal to administration for review of their teaching assignment.

17.2.1.2 A unit member shall have the right to discuss changes to their schedule with administration.

17.2.1.3 Administration determines assignments and the master schedule. Upon their discretion, administration shall make a reasonable effort to seek input from department chairs and/or individual members before changes are made.

17.2.2 Reassignment requests. A unit member may request a reassignment from his/her principal.

17.2.3 Involuntary reassignment shall occur only when volunteers are not available.

17.2.4 Unit members affected by a reassignment shall be given five (5) working days prior notice and, upon request, written reasons for the change of assignment.

17.2.5 Unit members who are reassigned after the beginning of the instructional school year shall be granted a duration of instructional duty-free time for preparation and orientation equivalent to one (1) period for each period reassigned.

17.3 Procedures for Involuntary Transfers

Involuntary transfers shall be made only for the following reasons: A decrease in enrollment, elimination of program(s) and/or funding; opening and closing of schools, certification adjustments, or as determined necessary by the superintendent or designee with mutual agreement of ACT, as in Article 13.2.1, in which case the decision would supersede any parameters defined in Article 17.

17.3.1 Certificated staff may not be involuntarily transferred if:

17.3.1.1 A transfer might impact a program negatively and the District and the Association mutually agree;

17.3.1.2 They are serving in the current year and will be continuing in that position for the following year as athletic director, activities director, head varsity coach, yearbook advisor, department chair, special education advisor, or newspaper advisor.

17.4 The involuntary transfer shall be based on the following considerations:

17.4.1 Seniority within the District

The following seniority system shall be considered to identify the involuntary transfer(s):

17.4.1.1 Longest number of years of District seniority as defined by the Education Code

17.4.1.2 Longest number of years of consecutive service at the school or site

17.4.1.3 Longest number of years of service with the department

17.4.2 Credential, major, minor.

17.4.3 Experience in the subject/work area of needs. If all factors are equal, the unit member with the least seniority in the District shall be transferred.

17.5 Unit members with the same initial date of service shall have their seniority number determined by lottery.

17.5.1 The lottery shall be conducted in the presence of at least two (2) Association representatives.

17.5.2 A unit member involuntarily transferred shall not be involuntarily transferred again for a period of five (5) school years.

17.5.3 Unit members being transferred shall be given at least five (5) working days notice and written reasons for the transfer.

17.5.4 Any unit member involuntarily transferred after the commencement of the school year shall be entitled to a District paid substitute for one day to assist the employee in accomplishing the transfer. Any unit employee involuntarily transferred within ten (10) calendar days of the beginning of the school year shall be assisted by the District in the movement of the employee's materials and supplies.

17.5.5 One (1) day of instruction duty-free time for preparation and orientation shall be given to a unit member who is involuntarily transferred unless the transfer occurs prior to the beginning of the instructional school year.

17.5.6 Unit members involuntarily transferred shall have the privilege of first consideration for transfer to the original position or its equivalent.

17.6 Procedures for Voluntary Transfer

17.6.1 Unit members may apply for voluntary transfer by completing the approved District Certificated Transfer Form. The voluntary transfer form shall be kept on file by the Personnel Office until the transfer is accomplished or the applicant, in writing, withdraws the request. The District shall maintain the request on file for one (1) school year, after which it shall be deemed withdrawn. Such transfer may take effect during the school year or at the beginning of the next school year.

17.6.1.1 The District shall not deny a teacher in a special education assignment the right to apply for a transfer to a vacant position for which the unit member has an appropriate credential.

17.6.2 All vacancies shall be announced by local school bulletins, personnel bulletins, or e-mail. Copies shall be sent to the Association. The closing date shall not be less than five (5) working days from the effective date of the posting or announcement and shall contain a closing day for submitting a request for transfer.

17.6.2.1 No assignments to fill the open positions shall be made until after the closing date.

17.6.2.2 Each posting must contain information on work location, subject area(s) to be taught, required credential(s) and special qualification(s), if applicable.

17.6.3 Whenever the District opens a new school, the provisions of this article shall apply only to 80 percent of the positions identified to staff the new site. All other positions shall be filled in accordance with District needs.

17.6.4 Unit members may file an application for transfer with the Personnel Office. Applications of all qualified unit members shall be considered. Unit members will not be eligible for voluntary transfer during the first year of their probationary period.

17.6.5 The following criteria shall be used in selecting an applicant for the posted position to effectively meet the demonstrated needs and efficient operation of the District:

17.6.5.1 Interview

- 17.6.5.2 Seniority
- 17.6.5.3 Appropriate credential authorization; preferably a preliminary or clear credential
- 17.6.5.4 CLAD/BCLAD/CTEL or equivalent
- 17.6.5.5 The recent experience and training of the unit member compared to those of other candidates for the position to be filled
- 17.6.5.6 Review of previous performance evaluations and/or work history and habits
- 17.6.5.7 Extra service
- 17.6.5.8 Site staff balance in terms of gender and/or ethnicity

17.7 Application of Criteria

- 17.7.1 Interview: A unit member shall have an opportunity for an interview
- 17.7.2 Seniority: Years of teaching experience and training related to the subject
- 17.7.3 Major/Minor Credential: Any valid credential which authorizes service in the subject.
- 17.7.4 CLAD/BCLAD/CTEL or equivalent
- 17.7.5 Seniority: Years of teaching experience and training related to the subject
- 17.7.6 Evaluations: The last two (2) performance evaluations must have an overall satisfactory rating.
- 17.7.7 Review of personnel files
- 17.7.8 Extra Service: i.e., coaching, AVID, yearbook, activities, journalism, GATE, WASC, academic decathlon, etc.

17.8 If a unit member's request for a voluntary transfer is denied, the unit members shall, upon request, be granted a meeting with the administrator who denied the request to discuss the reasons for the denial.

17.9 Applications in Absentia

17.9.1 A unit member may apply for voluntary transfer to positions that are not yet vacant where the unit member will be unavailable to school site information due to vacation or leave status. Such application shall be submitted to the Personnel Office and shall include the telephone number and address at which the unit member may be reached. The application shall be effective only for the duration of the vacation or leave. The District shall make reasonable effort to contact the unit member at the address or telephone number listed in the application. The unit member shall be available for personal interview upon request.

17.10 When a vacancy occurs as a result of shifts of pupils from school to school for re-organization purposes, the District shall be required to post notices and consider volunteers.