

**ARTICLE VII
TRANSFERS**

**Section 1.
DEFINITIONS**

- A. **Vacancy**
 - a. **Temporary** - A temporary vacancy is one created by a unit member on leave of absence for one or two semesters and is to be filled during such absence.
 - b. **Permanent** - A permanent vacancy is one created by new positions or by a unit member who leaves the position by promotion, retirement or termination and is to be filled by the District.

- B. **Transfer**
A change of assignment of a unit member from one school to another.

- C. **Voluntary Transfer**
A transfer requested or initiated by unit member.

- D. **Involuntary Transfer**
A transfer initiated by the District.

- E. **Seniority**
A Unit member's seniority is established by the first date of paid probationary service (Education Code 44844, 44845, 44918) in the District.

The seniority of unit members with the same seniority date shall be determined by lot, when necessary, with an Association representative present at the drawing. A unit member's seniority is not changed by an authorized leave of absence. The seniority date and number no longer applies to a unit member upon resignation, termination and/or retirement.

**Section 2.
NOTIFICATION OF VACANCIES**

A list of all vacant positions, if any, should be posted when known but at least by May 15, June 15, September 1, and December 15. The Association shall receive all such announcements when posted or published. During the summer, unit members who have requested transfer or reassignment within the same school shall leave self-addressed envelopes with the Assistant Superintendent, Human Resources prior to July 1. Vacancy announcements shall indicate tentative or certain information regarding the school, grade level and subject assignment of the vacant position, and credential requirement, if necessary. Such posting shall be for at least ten (10) working days. If a vacancy occurs on or after June 1 but before August 15, the District and the Association shall agree on the length of posting time. However, if a vacancy occurs on or after August 15th, the ten (10) day posting shall be waived and the District will be allowed to fill the vacancy at its discretion. Waiver of the posting period does not alter the existing consideration for

filling vacancies given unit members by the District. If such a vacancy is filled by a unit member, the posting of said unit member's position is waived and the District may fill the unit member's previous position at its discretion. Any vacancy filled in this manner shall be considered a temporary placement and shall be subject to the normal posting in the school year following the year in which the vacancy was so filled.

Section 3.

GENERAL CONSIDERATIONS

A unit member may complete and submit a transfer request form at any time. Such a request shall be valid for one year.

- A unit member may discuss temporary transfer opportunities or desires with the Assistant Superintendent, Human Resources at any time without filing a formal request. The District shall make every effort, within normal interview procedures for a vacant position, to give first consideration to such requests. If two unit members are qualified and other considerations or factors are equal, seniority shall be the determining factor in selecting an in-District candidate.
- When a unit member is a candidate for a temporary or permanent vacancy, the principal of the school where the vacancy exists shall chair the interview committee. If the unit member is not selected, he/she may request the reasons in writing from the Assistant Superintendent, Human Resources.
- A permanent unit member who applies for a transfer to a permanent vacant position shall be entitled to an interview by the principal and/or the appropriate interview committee for the vacant position.

The District shall fill vacancies based upon the following criteria:

- The educational needs of the District
- Qualifications and credentials of the transferee
- Recent teaching experience or university work of the transferee
- The desires of the transferee
- Seniority in the District

In the case of a District-initiated transfer, the District shall first seek volunteers prior to making any involuntary transfers. If no volunteers exist, the District may fill a vacant position by involuntarily transferring a unit member based upon the following criteria:

- The educational needs of the District
- Qualifications and credentials of the transferee
- Recent teaching experience or university work of the transferee
- Least seniority in the District

The unit member shall:

- Have immediate notice of such a decision indicating the Superintendent has reviewed all factors involved.

- Have up to two (2) days of released preparation time if the transfer occurs during the school year, and assistance in moving materials to the new work location.
- Be presented, upon request, a written statement indicating that all factors listed above have been considered and all reasons for the transfer stated.

Every effort shall be made to limit a District-initiated transfer of a unit member to one transfer within a three (3) year period.

Social, family or residence relationships shall not be a factor in transfer requests except where one certificated person in this relationship has a supervisory role over the other.