

1 **ISSUE # 2– Involuntary and Voluntary Transfers**

2 2. Article IX – Transfers and Promotions, Section 2 Involuntary Transfers

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4 *What shall be the process and procedures for involuntary transfers of teachers from work*
5 *site to work site?*

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7 **MEA Position:** As a result of new legislation and a prior tentative agreement not ratified by bargaining
8 unit employees, MEA proposed language consistent with the prior TA and to comply with the law.

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10 **MEA Proposal:**

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12 **ARTICLE XI - VACANCIES, TRANSFERS AND PROMOTIONS**

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14 **Section 2 - Involuntary Transfers**

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16 1. Should involuntary transfers become necessary, among other facts, **prior year evaluation,**
17 length of service in the county, certifications, and major and minor fields of study shall be the
18 determining factors as to which teachers shall be transferred. MEA shall be consulted prior
19 to and at every step of the involuntary procedure.
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21 2. Volunteers to transfer shall be requested prior to assigning an involuntary transfer. Each
22 teacher in the affected school will be notified of the positions to be transferred and given a
23 list of the open vacancies, **a thorough description of the vacant positions** and a form to
24 designate transfer positions in which they may be interested. Teachers wishing to be
25 considered for transfer shall return the form as directed on the form within the time deadlines
26 stated on the form.
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28 3. The teacher with most seniority within the area of certification shall have the first option to
29 stay in a position, or transfer, with such option extended to all teachers on a diminishing basis
30 until one elects to transfer or until such time as the teacher with the least amount of seniority
31 is required to transfer. **The Principal may refuse to accept a transfer of a teacher**
32 **receiving a less than effective rating on the prior year's evaluation.**
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35 4. . A written notice of involuntary transfers will be made at least five days in advance of the
36 date of transfer. Upon request the MEA shall be provided the rationale leading to the
37 proposed involuntary transfer(s). **The Principal may refuse to accept a transfer of a**
38 **teacher receiving a less than effective rating on the prior year's evaluation.**
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40 5. Involuntary transfers shall be made only after a meeting between the teacher(s) involved and
41 the Superintendent or his designee, at which time the teacher(s) shall be notified of the
42 reasons for the transfer(s). The Superintendent shall recommend to the Board all transfers of
43 personnel.
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1 6. Teachers involuntarily transferred or reassigned after school begins shall be provided at least
2 one (1) released day to be utilized in preparation of the new assignment.

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4 7. It is understood that nothing in this section shall limit the right of the Superintendent to
5 transfer a teacher for disciplinary reasons or the right of the teacher to due process.
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7 **Section 3 - Voluntary Transfers**
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9 1. During the posting period any teacher possessing the appropriate certification may apply for
10 a posted vacancy.
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12 2. All currently employed teachers who apply for a posted vacancy shall have their file
13 reviewed prior to considering any new applicant for the vacancy. Currently employed
14 teachers will be given strong preference for a vacancy for which they are certified.
15 Vacancies occurring after the first teacher workday through the end of the school year will
16 require consent from the sending and receiving principal prior to allowing the current
17 employee to transfer into the vacant position. Vacancies occurring for the following school
18 year will not require the consent of the sending principal before allowing the employee to
19 transfer.
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21 3. For any posted vacancy, the principal or his/her designee (hiring officer) shall interview a
22 minimum of four direct qualified transfer candidates one of which must be a minority
23 candidate, if available. Should less than four direct qualified transfer applicants apply for a
24 posted vacancy, all shall be interviewed. A candidate who has been interviewed in the
25 previous 15 months at a particular cost center site need not be interviewed again.
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27 4. Applications for a posted vacancy shall be on file in the personnel office within the required
28 posting time. A transfer applicant who is not recommended for the transfer will be notified
29 and may request, in writing, reason(s) for not being selected.
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31 **Section 4 - Promotions**
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33 School personnel are encouraged to prepare themselves for advancement in the profession.
34 Vacancies shall be posted for ten (10) working days. When an employee believes that he meets
35 certification and other requirements for an administrative or supervisory position, the employee
36 should make application through the district's electronic application system (PATS).
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