

**Article 6**  
**VACANCIES, REASSIGNMENTS AND TRANSFERS**

- 6.0 **DEFINITIONS:** For purposes of this article the following definitions shall be used.
- 6.0.1 **JOB CLASSIFICATION:** Job classification refers to a teaching position, a counseling position, a library media position, a program specialist, or a school nurse position.
- 6.0.2 **VACANCY:** Vacancy means any certificated position either newly created or currently unoccupied which the District has determined to fill.
- 6.0.2.1 **SITE VACANCY:** Site vacancy means any certificated position either newly created or currently unoccupied which the District has determined to fill and has opened to unit members at the school site only.
- 6.0.2.2 **DISTRICT-WIDE VACANCY:** District-wide vacancy means any certificated position either newly created or currently unoccupied which the District has determined to fill and has opened to unit members throughout the District as well as outside candidates.
- 6.0.3 **ASSIGNMENT:** Assignment means the initial position classification and teaching discipline (courses) assigned at the time of employment with the District. It shall also include the workplace where the new unit member(s) will be assigned.
- 6.0.4 **REASSIGNMENT:** Reassignment means a change in discipline (e.g., English, math, science) a unit member is assigned to teach within the same school upon the completion of the master schedule each semester. The provisions of this Article do not apply to changes of actual courses taught by unit members that are within the same discipline.
- 6.0.4.1 **VOLUNTARY REASSIGNMENT:** A voluntary reassignment shall be defined as a unit member initiated change in discipline taught.
- 6.0.4.2 **INVOLUNTARY REASSIGNMENT:** Involuntary reassignments are those initiated by the District and may be the result of, but are not limited to, enrollment changes, program changes, school closures, changes in curriculum or course offerings, educational needs of the pupils, or staff vacancies.
- 6.0.5 **TRANSFER:** A transfer is a relocation of a unit member between schools or other administrative sites within the same job classification.
- 6.0.5.1 **VOLUNTARY TRANSFER:** A voluntary transfer shall be defined as a unit member initiated change of site, occurring during or between school years.
- 6.0.5.2 **INVOLUNTARY TRANSFER:** An involuntary transfer shall be defined as any District initiated change of assignment between any two work sites within the District occurring during or between school years. Involuntary transfers are those initiated by the District and shall not occur except when required to meet the needs of the District. Such needs may be the result of, but are not limited to, enrollment changes, program changes, school closures, changes in curriculum or course offerings, demonstrable educational needs of the pupils, or staff vacancies caused by death, retirements, resignations or other circumstances.

- 6.0.6 **SENIORITY:** Seniority shall refer to the total number of cumulative years of certificated service to the District. A break in service does not change the total number of years seniority. In circumstances involving layoffs, seniority shall be defined pursuant to Education Code Section 44848.
- 6.0.7 **POSITION RELOCATION:** Position relocation refers to situations wherein a unit member and their position are moved from one site to another as a result of changes in pupil enrollment or other staffing considerations. In these instances the position and its occupant may be moved without the declaration of a vacancy.
- 6.1 **SITE REASSIGNMENT:** Reassignment at the sites of unit members including teachers on special assignment during each school year shall be in accordance with the following procedures.
- 6.1.1 During the second semester of each school year unit members shall be given the opportunity to indicate their preference for assignments on the Assignment Preference form for the following school year.
- 6.1.2 The administrator responsible for developing the master schedule at each school shall meet and confer with the various site specialists before making reassignments to the unit members in that school. The administrator responsible for the master schedule shall consider individual unit member's preferences and the site specialist's recommendation in making these reassignments, and in accordance with the provisions of Section 6.1.7 contained herein.
- 6.1.3 Before involuntary reassignments are made during the school year, the site administrator shall post for three (3) days the site opening for unit member consideration. During the summer, however, the administration shall attempt to contact only those unit members who have provided a written expression of interest in a particular area of the curriculum or a particular job classification.
- 6.1.3.1 The District shall attempt to fill vacancies by voluntary reassignment at the sites when possible prior to posting the vacancy District-wide for transfer consideration.
- 6.1.3.2 Unit members who are being considered for District initiated reassignment or change in job classification in order to fill an announced bargaining unit vacancy shall be given the opportunity to meet with the responsible administrator(s). If the unit member so requests, a conference shall be held with the Superintendent, or his/her designee, to discuss the reassignment or change in job classification.
- 6.1.4 An individual unit member who is dissatisfied with his/her reassignment may consult with the administrator responsible for the master schedule. If the unit member and the administrator responsible for the master schedule reach agreement regarding the unit member's reassignment, the matter shall be deemed finally concluded.
- 6.1.5 In cases where the unit member and administrator responsible for the master schedule disagree as to a unit member's reassignment, the matter shall be referred to the principal for his/her decision. If the unit member so requests, a conference shall be held with the Superintendent, or his/her designee, to discuss the reassignment prior to implementation of the final decision.
- 6.1.6 Mid-year reassignments of unit members to meet unanticipated needs as a result of changes in enrollment, changes in graduation requirements, or changes in the composition of the bargaining unit due to retirements, resignations, dismissals or leaves, may be made by the site administrator for the balance of the school year after consultation with the site specialists and affected unit member(s).

- 6.1.7 The Association and the District recognize that a number of factors must be considered by the administrator in making a decision regarding an individual unit member's reassignment. The goal of the District is to develop and maintain the best educational program at each school given the resident student population and faculty resources at each school. To accomplish this goal, flexibility in making reassignments is necessary. In making the judgmental decisions necessary to meet the needs of students, while at the same time giving due regard to the interests of each unit member, consideration should be given to factors which include, but are not limited to, unit member preferences, recent teaching experience, credentials, training, length of service, and opportunity for professional growth.
- 6.1.8 Where all criteria considered are deemed equal by the District between two or more unit members who may be subject to involuntary reassignment, the unit member with the least seniority in the District will be reassigned.
- 6.1.9 Reassignments shall not be made on arbitrary grounds or for punitive reasons.
- 6.2 **DISTRICT-WIDE VACANCIES:** After site level vacancy reassignments have been completed, the District shall continue to have the sole authority to determine when and where an opening exists for purposes of declaring a District-wide vacancy. The Superintendent, or his designee, may transfer unit members from one school to another school site in accordance with the procedures set forth in this Article.
- 6.2.1 **NOTIFICATION OF VACANCIES:** The District shall develop and send to the Association, and post at each school, a notice of each vacancy as soon as the District determines the need to fill the vacancy. Each notice shall state a deadline for applications which shall be not less than seven (7) working days after the first date of posting, a description of the position and duties, and a list of all qualifications and requirements for the position. The vacancy shall not be filled prior to the posted deadline date. Such announcements will be posted on a bulletin board mutually agreed to by the Association school site representative and the school site administrator. The District and the Association may mutually agree to shorten the above posting period in unique circumstances. If the parties agree to shortening the posting period, the administration shall attempt to contact all the site unit members in order to provide consideration. Between August 1st and September 20th this posting period may be as short as three (3) days.
- 6.2.1.1 During the summer vacation, notices of all vacancies shall be mailed to those unit members who have made a request in writing and submit it to the Personnel Services Office. This shall provide all unit members with sufficient notification and opportunity to apply.
- 6.2.1.2 If any unit member expresses an interest in a transfer, the unit member must respond within two (2) working days by filling out the Certificated Transfer Request form. Those unit members requesting consideration shall be interviewed by the site administration. The District may fill the position immediately if no unit member has expressed an interest in the transfer.
- 6.2.1.3 The announcement of vacancies shall include position, title, work site (subject to change), tentative subject matter assignment, credential requirements, a complete list of all qualifications and other special requirements, and closing date for applications.
- 6.2.1.4 No assignment to fill the vacancies shall be made until after the closing date for applications on the notice of vacancy.
- 6.2.1.5 Upon request by the Association, the District shall make available a list of unit members transferred during the current school year.

**6.2.2 PROCEDURES FOR FILLING VACANCIES**

- 6.2.2.1 The District shall decide whether a vacancy exists for any certificated positions.
- 6.2.2.2 Once the District determines a vacancy exists, it shall publicly announce the vacancy.
- 6.2.2.3 A unit member may apply to fill an announced vacancy by requesting a transfer or a change in job classification.
- 6.2.2.4 Employment shall not be offered to outside candidates for an announced bargaining unit position until all unit members who have expressed an interest have been interviewed by the District, with the exception of those situations wherein the unit member is not available or cannot be reached.

**6.3 UNIT MEMBER INITIATED (VOLUNTARY) TRANSFERS**

- 6.3.1 A unit member's request for transfer shall be submitted on the Certificated Transfer Request form, available in either the office of the site administrator or the District Personnel Services Office. The transfer request forms shall be filed with the District Personnel Services Office.
- 6.3.2 All transfer request forms received by the Personnel Services Office by the closing date contained in the vacancy announcement shall be considered for that opening. Unit members may file a request for transfer for general consideration in the District Personnel Services Office each year on or after September 15th.
  - 6.3.2.1 The request shall include preference of assignment, location desired, and the unit member's qualifications for such assignment.
  - 6.3.2.2 Such requests shall be considered for vacancies occurring during the current school year up to September 14 of the following school year and shall be invalid thereafter.
  - 6.3.2.3 The unit member must be available for an interview upon reasonable notice if and when requested.

**6.4 DISTRICT INITIATED (INVOLUNTARY) TRANSFERS**

- 6.4.1 When vacancies are to be filled, current unit members will be given the opportunity to request voluntary transfers. The District will fill the vacancy with a voluntary transfer if the needs of the District can be met prior to the District implementing an involuntary transfer.
- 6.4.2 All unit members who are being considered for District initiated transfers shall be informed. Prior to the recommendation for transfer, the unit member being considered shall be given an opportunity to meet with an administrator of the sending school. If the unit member so requests, a conference shall be held with the Superintendent, or his/her designee, to discuss the transfer.
- 6.4.3 Unit members who are involuntarily transferred or whose position has been relocated due to changes in pupil enrollment or other staffing considerations, shall be given priority consideration for return to their original work location.

**6.5 CRITERIA FOR TRANSFERS:** The unit member who meets the qualifications in the posted vacancy notice described in Section 6.2.1 shall not be denied the position in favor of an outside applicant.

Transfer decisions shall be governed by the following criteria in the order of their appearance.

- 6.5.1 Meets qualifications in posting.

- 6.5.2 Length of service in the District.
- 6.5.3 Training, including major and minor fields of study, experience and performance evaluations of the unit members.
- 6.5.4 Staff diversity, including racial, ethnic and gender considerations.
- 6.5.5 Opportunity for professional growth of the unit member.
- 6.5.6 Permanent status in the District unless otherwise agreed to by the District and Association.
- 6.5.7 Transfers initiated by unit members are limited to one (1) per school year unless otherwise agreed to by the District and Association.

**6.6 DENIAL OR IMPLEMENTATION OF TRANSFER**

- 6.6.1 If a unit member's request for a voluntary transfer is denied, the unit member shall be granted, upon request, a meeting with the administrator who denied the request in order to discuss the reasons for the denial. These reasons shall be put in writing to the unit member within ten (10) days if requested by the unit member.
- 6.6.2 Transfers shall not be made or denied on arbitrary, capricious or discriminatory grounds or for disciplinary reasons.
- 6.6.3 Employment will not be offered to outside candidates for announced positions until all transfer requests of unit members have been considered by the District.

6.7 **MOVING OF MATERIALS:** The District will provide assistance in moving personal materials to the new work location when requested by a transferred unit member.

6.8 **STORAGE OF MATERIALS:** Upon unit member request, the District shall provide those on leave or on vacation, with suitable storage to ensure, to the extent possible, the safekeeping of District instructional materials.