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ARTICLE 9 - TRANSFER AND REASSIGNMENT PROCEDURES

PEA PROPOSAL NO. 2

November 6, 2023

9.1 Employees shall be assigned in the subject field or fields and at the level in which their experience, training and credential qualify them to be placed. Insofar as feasible, each school shall have a balanced staff in terms of years of experience and training, sex and diversity of cultural and ethnic background.

9.2 Definitions

9.2.1 Vacancy: A vacancy shall be considered only as an unfilled full-time or part-time certificated position. Reassignments may be made within a school to fill openings created. The eventual opening shall be considered the vacancy.

9.2.2 Reassignment: Reassignment is the placement of a certificated employee in a different subject area or grade level within the same school.

9.2.3 Transfer: Relocation (school to school) of an employee.

9.2.3.1 Voluntary Transfer: Employee initiated relocation.

9.2.3.2 Involuntary Transfer: District-initiated relocation.

9.3 Transfer Criteria (Voluntary or Involuntary)

9.3.1 Transfers shall be based upon consideration of the following priority: credential; seniority; student, school and District needs; training and experience; balanced staff; ~~and seniority~~. If the employee does not agree with the reassignment or transfer, a right to appeal the subject judgment to the superintendent is permitted. Procedural issues shall be subject to grievance. The employee's request for transfer will remain active until the employee chooses to rescind their transfer request or until July 31st of each school year, whichever is earlier.

9.4 Voluntary Transfer

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9.4.1 The following factors shall be considered in relation to the transfer of employees:

9.4.1.1 Available vacancies, **seniority**, and number of requests for transfer.

9.4.1.2 Grade level, subject field and position for which the employee is best suited by qualification and experience. When a transfer involves a change of subject field, the change may be made only if the employee meets the qualifications required for that **subject field specialty in terms of subject field preparation** and teaching credential.

9.4.1.3 A list of known vacancies shall be emailed to unit members **by March 15 as soon as they become available** and every two weeks thereafter until the end of school. The list shall contain a closing date for submitting request for transfer. No assignment to fill the vacancies shall be made until after the closing date.

9.4.1.3.1 If positions become available after the end of the school year and before July 1, the District shall email to unit members the position(s) and unit members may apply to transfer to such positions within **five (5) ten (10)** business days of the date of the email and shall be considered for **first selection along with before** external candidates. Unit members shall request transfer by written or emailed notification to Human Resources Director.

9.4.1.4 An employee shall submit a request for transfer on available form directly to the Human Resources **Office-Director**. Requests shall be submitted after January 1 and shall be re-submitted each year to maintain transfer request current.

9.4.1.5 Transfers shall not be denied arbitrarily or capriciously or for punitive reasons.

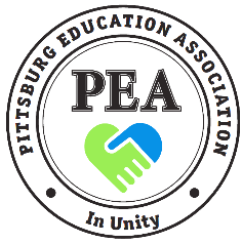
9.4.1.6 If a transfer is denied, the employee shall be given, upon request, written rationale for the denial.

9.4.1.7 Employees requesting to transfer to a year-round school shall be given first consideration.

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9.5 Involuntary Transfer

9.5.1 Involuntary transfer is any District-initiated relocation (school to school) of certificated personnel. The District shall provide written rationale for an involuntary transfer to the affected employee upon request, with a copy to the Association President.

9.5.2 Certificated personnel shall be given, whenever possible, the earliest advance notice of intended transfer. Reasons for transfer shall be slated in writing, ~~if requested by the affected employee~~. Personal preference of ~~the certificated personnel~~ **employee** as to new assignment shall be considered **first**.

9.5.2.1 The District may initiate employee transfers when school or department enrollments make such transfers necessary. All personnel affected shall be notified promptly by letter from the Human Resources Office.

9.5.2.2 Because the District is interested in maintaining balanced, stable faculties, in strengthening them in specific areas, and in providing new environments for individuals, an employee whose work is satisfactory or exemplary may be relocated after appropriate conferences have been held. **Employees with the most seniority will be considered last for relocation.**

9.5.2.3 When the classroom work or the personal relationships of an employee are marginally satisfactory, a principal may request that the teacher be transferred.

9.5.2.4 Employees shall not be transferred arbitrarily, capriciously or for punitive purposes.

9.5.2.5 No vacancy shall be filled by means of an involuntary transfer if there is a qualified volunteer available who shall satisfy the specific need for transfer.

9.5.2.6 Notice of involuntary transfer shall be given to an employee as soon as possible and not, except in unusual cases, later than **June 1-April 1**.

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Involuntary transfers shall not take effect until the new school year unless in compliance with Article 9.5.2.1.

9.5.2.7 An administration-initiated transfer shall take place only after a meeting between the employee and the principal, if such a meeting is requested by the employee.

9.5.2.8 ~~Upon request, the~~ The Association shall be given a list of all certificated personnel transfers for the current year.

9.5.2.9 If an involuntary transfer is to be made after the beginning of the school year, fourteen (14) calendar days' notice shall be given to the employee prior to the effective date of transfer.

9.6 Reassignment

9.6.1 Reassignment shall be arranged through conferences between the building principal and certificated personnel involved.

9.6.2 Criteria for reassignment shall be qualifications and experience of the employee.

9.6.3 Employees shall receive their area of assignment in writing no later than June 1 of each year when possible.

9.6.4 A change in assignment shall not be made without good or sufficient cause.

9.6.5 In the event a change in assignment after June 1 **but not after July 1** is contemplated, the teacher shall be notified and a meeting with the school administrator held, if requested, by the employee.

9.6.6 Provisions shall be made for employees who are reassigned to more than one school to minimize travel time and insure an adequate amount of time for lunch and preparation periods. **Compensation for all travel shall be made by the District. Mileage shall be paid after the commute to the first site and to any other sites within the workday.**

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