

TRANSFERS

4.100 Definition

4.110 Transfer

A transfer is a change in school or work site but within a position classification in a field covered by the unit member's credentials. All transfers shall be made for just cause.

4.120 Seniority

For the purpose of this transfer section, the term seniority shall be defined as the first date of paid service as defined by the Education Code for lay off purposes. The District shall maintain a current seniority list.

4.130 Assignment

Assignment is the placement of a unit member in a course for which they hold an appropriate credential.

4.140 Re-assignment

Re-assignment is the movement of a unit member from one course or subject area to another.

4.150 Incumbent unit member

Incumbent unit member is a currently employed, credentialed unit member.

4.160 Vacancy

A vacancy is any position that does not have a unit member assigned to it. This includes any vacated, promotional or newly created position whose work is part of the bargaining unit.

4.170 For purposes of this section, any administrative person who is reassigned to a unit position shall have equal rights and opportunities for transfer under these provisions when being reassigned into the bargaining unit.

4.200 On or before April 30th of each year, the ~~Charter Board~~ *Orange Unified School District* will distribute to all unit members a notice of intent to return. On or before *June 30th* of each year all bargaining unit members must sign a notice of intent to return in order to assure assignment with Santiago Charter for the following school year. Members who indicate that they do not intend to return may change their election until *June 30th* of each year and will be assured an assignment for the following year. ~~The unit member and Santiago Charter may extend the _____ deadline by mutual written agreement.~~

~~4.220 In determining initial assignments for the following year for teachers desiring a change within their existing department the following procedure shall be followed.~~

~~4.230 On or before _____ of each year, the Charter Board shall provide each Department with the list of classes for the following year. Each Department shall meet to mutually determine initial assignments for the~~

~~following year. The Department shall present the list of initial assignments to the Principal on or before _____ of each year, including any positions remaining open.~~

~~4.240 Following the posting of open positions and the initial hiring of new certificated personnel, the initial assignments may be reviewed. Department members will consult with the goal of reaching mutual agreement on final assignments for the following year.~~

~~4.250 In the event that mutual agreement is not reached in either of the preceding sections, the Charter Board shall make the final determination on assignments using the following criteria:~~

- ~~-- Legal requirements and qualifications~~
- ~~-- Satisfactory evaluation~~
- ~~-- Expertise and relevant experience~~

~~In the absence of substantial distinguishing differences in the above criteria, length of service at the site shall be the determining factor.~~

4.400 Assignments

Unit members shall be notified of their *tentative* ~~final~~ assignments for the next school year on or before May 31.

~~In determining initial assignments for the following year for Teachers desiring a reassignment outside their existing department the following procedure shall be followed.~~

- 1) The opening shall be posted as part of the open hiring process
- 2) Preference shall be given to incumbent unit members with satisfactory performance and appropriate credentialing.

If a request for reassignment is denied, the unit member, upon request, shall be granted a meeting with the administrator discuss the reason(s) for the denial. Following the meeting the unit member shall, upon request, receive written reason(s) for the denial.

4.410 Unit members who are reassigned to a different classroom shall be granted, upon request, two (2) days release time to effect the change. The unit member may be given 12 hours at the miscellaneous hourly rate to effect the change in lieu of the two (2) days release time. The **Charter** shall provide assistance from non-teacher personnel for packing and transporting supplies and materials of the unit member.

4.500 Vacancies

~~Upon knowledge of vacancies, the Charter Board shall deliver to the Association and post a list of all vacancies for the next school year that they are aware of. The list shall contain:~~

- ~~— A closing date, which is at least ten (10) working days following the posting date.~~
- ~~— A job description~~
- ~~— Credentials and qualifications necessary to meet the requirements of the position~~

Unit members shall, upon request, be notified by mail or e-mail of any vacancies which may arise during the summer recess or a period of leave. The unit member's request must be in writing and must include a mailing address.

Vacancies shall be filled using the process described in section 4.400 above.

The Board or Board Designee shall, upon request of the unit member, deliver in writing, the reason(s) that the unit member was not selected to fill the vacancy

4.700 Layoff

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4.711 ~~For purposes of this provision, layoffs shall be pursuant to Education Code Section 44955 and which may be necessary to assure the retention of certificated unit members with seniority greater than those being laid off. This definition specifically excludes any transfer or change in program assignment which does not result from the Charter's obligation to reassign pursuant to the Education Code.~~

For purposes of this provision, layoffs shall be pursuant to California Education Code provisions relating to layoffs.

4.712 Upon request, the site administration will meet and negotiate with the Association regarding any impact that a layoff pursuant to the Education Code may have upon mandatory subjects of meeting and negotiation. Specifically excluded from this requirement shall be the decision itself to layoff and any of the procedural or substantive requirements set forth in the Education and Government Codes.

4.800 School Closure

The Charter and the Association will negotiate the impact on the mandatory subjects of bargaining on the school closure, if applicable.

4.900 School District Restructuring/Reorganization Transfers

The Charter and the Association will negotiate the impact on the mandatory subjects of bargaining of restructuring or reorganization concurrent with the implementation of any restructuring and/or reorganization.