

1 **MEA proposes the following modifications in negotiations. MEA reserves the right to make**
2 **additional proposals in future negotiations.**

3
4 **TEACHER BARGAINING UNIT**

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

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8 **Section 2 - Involuntary Transfers**

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10 1. Should involuntary transfers become necessary, among other facts, **prior year evaluation,**
11 length of service in the county, certifications, and major and minor fields of study shall be the
12 determining factors as to which teachers shall be transferred. MEA shall be consulted prior
13 to and at every step of the involuntary procedure.

14
15 2. Volunteers to transfer shall be requested prior to assigning an involuntary transfer. Each
16 teacher in the affected school will be notified of the positions to be transferred and given a
17 list of the open vacancies, **a thorough description of the vacant positions** and a form to
18 designate transfer positions in which they may be interested. Teachers wishing to be
19 considered for transfer shall return the form as directed on the form within the time deadlines
20 stated on the form.

21
22 3. ~~The teacher with most seniority within the area of certification shall have the first option to~~
23 ~~stay in a position, or transfer, with such option extended to all teachers on a diminishing basis~~
24 ~~until one elects to transfer or until such time as the teacher with the least amount of seniority~~
25 ~~is required to transfer.~~ **The principal/administrative designee in the school where a vacancy**
26 **exists will be given a list of all volunteers who selected his/her school. From that list, the**
27 **principal/administrative designee will select a minimum of three (3) teachers to be**
28 **interviewed. Once interviews have taken place, the principal/administrative designee must**
29 **narrow the list to a minimum of two (2) of the interviewed teachers. The teacher who fills the**
30 **vacancy will be the teacher with the most seniority who is still interested in the position after**
31 **the interview. The Principal may refuse to accept a transfer of a teacher receiving a less**
32 **than effective rating on the prior year's evaluation.**

33
34 **In cases where there are fewer than three (3) applicants, all applicants must be interviewed**
35 **and the position will be filled based on seniority and continued teacher interest. The**
36 **Principal may refuse to accept a transfer of a teacher receiving a less than effective**
37 **rating on the prior year's evaluation.**

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39 4. **An involuntary transfer will be necessary when there are no volunteers from a school with**
40 **displaced unit(s) or when a volunteer is unable to be placed in one of the choices indicated on**
41 **his/her selection form.** A written notice of involuntary transfers will be made at least five
42 days in advance of the date of transfer. ~~Upon request the MEA shall be provided the~~
43 ~~rationale leading to the proposed involuntary transfer(s).~~ **During the involuntary transfer**
44 **process, a list of vacancies along with a thorough description of the vacant positions will be**
45 **provided to the least senior teachers in certification areas from which an involuntary transfer**
46 **is needed. After talking to the principals where the vacancies exist, each least senior teacher**

1 will have the opportunity to select up to three (3) positions from the vacancy list. Teachers
2 will have five (5) days once the list is distributed to make their selections and return the
3 forms to Human Resources. Teachers who are involuntarily transferred will be placed based
4 on seniority. **The Principal may refuse to accept a transfer of a teacher receiving a less**
5 **than effective rating on the prior year's evaluation.**
6

- 7 5. ~~Involuntary transfers shall be made only after a meeting between the teacher(s) involved and~~
8 ~~the Superintendent or his designee, at which time the teacher(s) shall be notified of the~~
9 ~~reasons for the transfer(s).~~ Any teachers not placed during the involuntary process will be
10 placed on a case by case basis. The Superintendent shall recommend to the Board all
11 transfers of personnel.
12
- 13 6. Teachers involuntarily transferred or reassigned after school begins shall be provided at least
14 one (1) released day to be utilized in preparation of the new assignment.
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- 16 7. It is understood that nothing in this section shall limit the right of the Superintendent to
17 transfer a teacher for disciplinary reasons or the right of the teacher to due process.
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19 Section 3 - Voluntary Transfers

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- 21 1. During the posting period any teacher possessing the appropriate certification may apply for
22 a posted vacancy.
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- 24 2. All currently employed teachers who apply for a posted vacancy shall have their file
25 reviewed prior to considering any new applicant for the vacancy. Currently employed
26 teachers will be given strong preference for a vacancy for which they are certified.
27 Vacancies occurring after the first teacher workday through the end of the school year will
28 require consent from the sending and receiving principal prior to allowing the current
29 employee to transfer into the vacant position. Vacancies occurring for the following school
30 year will not require the consent of the sending principal before allowing the employee to
31 transfer.
32
- 33 3. For any posted vacancy, the principal or his/her designee (hiring officer) shall interview a
34 minimum of four direct qualified transfer candidates one of which must be a minority
35 candidate, if available. Should less than four direct qualified transfer applicants apply for a
36 posted vacancy, all shall be interviewed. A candidate who has been interviewed in the
37 previous 15 months at a particular cost center site need not be interviewed again.
38
- 39 4. Applications for a posted vacancy shall be on file in the personnel office within the required
40 posting time. A transfer applicant who is not recommended for the transfer will be notified
41 and may request, in writing, reason(s) for not being selected.
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43 Section 4 - Promotions

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45 School personnel are encouraged to prepare themselves for advancement in the profession.
46 Vacancies shall be posted for ten (10) working days. When an employee believes that he meets

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- 1 certification and other requirements for an administrative or supervisory position, the employee
- 2 should make application through the district's electronic application system (PATS).
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