

- 8.1.10 A **LONG TERM SUBSTITUTE** as referred to in the Application and Placement section of this Article is a substitute who the District anticipates will remain employed for more than 90 consecutive work days and who is so informed by the District at the time of hiring or at the time of change from day-to-day substitute status.
- 8.1.11 A **DAY-TO-DAY SUBSTITUTE** as referred to in the Application and Placement section of this Article is a substitute who is hired as needed to fill a certificated position.
- 8.1.12 **IN-DISTRICT PERMANENT PERSONNEL** as referred to in the Application and Placement section of this Article are those who have gained tenure in the District; or in the case of application for positions to be filled in the next school year, persons who will gain tenure the beginning of that next school year.
- 8.1.13 **IN-DISTRICT PROBATIONARY PERSONNEL** as referred to in the Application and Placement section of this Article are those in probationary status except as referred to in 8.1.12.

8.2 GENERAL PROVISIONS

- 8.2.1 No teacher shall be transferred nor denied a transfer request arbitrarily, capriciously or without basis in fact.
- 8.2.2 Applications for voluntary transfer may be filed whenever a Notice of Vacancy is posted by the District. Application forms for transfer shall be available online ~~or in the Human Resources Office.~~ **No classroom teacher may voluntarily transfer August 15th to May 30th for a position for the current school year. All transfers inside of this period must be for positions for the upcoming school year. This provision does not apply during the Step 1 process 8.5.1.**
- 8.2.3 If an applicant is not selected for a specific position for which he/she applied, school site or administrative unit shall, upon written request, provide the applicant with a written statement of the reasons therefore.
- 8.2.4 Any teacher may submit an application for transfer at any time directly to the Human Resources Office without being required to notify or receive approval from the building principal or other administrator in charge.
- 8.2.5 Application for transfer to any type of position or location shall be made to the Human Resources Office on forms provided for this purpose. Verification of the receipt of application can be obtained in person from the Human Resources Office.
- 8.2.6 If a teacher requests an interview with the Human Resources Office, or if the District desires an interview, it will be scheduled.
- 8.2.7 If a teacher desires to be considered for future vacancies a new application for transfer must be filed with the Human Resources Office as each new vacancy is posted.
- 8.2.8 The teacher shall be transferred to a position which is consistent with major(s), minor(s), experience, certification, qualifications, and insofar as possible, with desires and interests of the teacher.
- 8.2.9 All transfer applicants, upon receipt of the offer of a position shall respond by 4 p.m. of the next business day. Within this time constraint, the person may request information regarding the status of any other position(s) for which he/she applied, and the Human Resources Office shall comply with such request.
- 8.2.10 If an applicant fails to accept or respond to a tentative assignment, or when all available means of communications prove unsuccessful in contacting that applicant, the Human Resources Office may proceed.

- 8.2.11 Any teacher transferred during the times that schools are in regular session shall be provided one (1) non-teaching day prior to the beginning of the new assignment for the purpose of relocation, orientation and lesson planning.
- 8.2.12 No teacher shall be involuntarily transferred more than once during any one (1) school year.
- 8.2.13 Full-time probationary personnel may not apply for a voluntary transfer.
- 8.2.14 All positions filled by a person on a temporary contract, on a limited term assignment, or long term substitute which are to be continued, shall be declared vacant the last day of the second semester and shall be made a part of the vacancy list for Step 1 placements unless the position is being held for a permanent teacher on leave or a limited term assignment who has return rights.
- 8.2.14.1 If the termination date of the limited term assignment is extended during the school year the assigned teacher shall continue in the position unless there is a need for a surplus teacher to be placed in the position.
- 8.2.15 No regular position shall be reserved as a limited term assignment in excess of one (1) school year, while a teacher is voluntarily filling another assignment.
- 8.2.16 Positions involving classifications other than classroom teacher and/or positions which provide additional pay shall be filled as per Step 1 criteria except that posting and placement may occur throughout the year. Any other qualifying position(s), or any new position(s) created by the District or any changes in existing job specifications which would be controlled by this section must be mutually agreed to by the District and the Association. These positions include the following: Counselor, Program Specialist, Vocational Specialist, Department Chairperson, Librarian, Psychologist, Resource Specialist, School Social Worker, Student Activities Advisors, Training Specialist.
- 8.2.17 In order to provide services for students with limited English proficiency ("LEP students"), positions which an approved school plan defines as requiring specialized Bilingual credential services to LEP students will be filled in the following manner:
- 8.2.17.1 Prior to Step 1, the new, created or open positions in the District and schools requiring teachers holding Bilingual credentials for the following school year will be identified for posting and made known to SCTA upon its request. The District will determine the type of credential(s) required for each position.
- 8.2.17.2 All such positions shall be posted with their requirements, and shall be filled in accordance with the procedures of Steps 1 and 2.
- 8.2.17.3 Teachers with LDS or SB 1969 certification and those in a verifiable continuous training program for a Bilingual or CLAD certificate(s), the length of which training program shall be as approved in the District's Plan to Remedy, but not require a period of less than two years, and whose continued progress in that training program is documented, shall be considered equal to CLAD/BCLAD credentialed teachers except that among such a group seniority shall prevail.
- 8.2.18 No teacher **unit member** may voluntarily transfer more than once each fiscal/school year (July 1st to June 30th).
- 8.2.19 The District and SCTA will collaborate on a teacher recruitment and review process to increase the quality of teacher applicants.

8.3 NOTICES OF VACANCIES

- 8.3.1 It is the intent of these procedures that every reasonable effort shall be made to provide employees with information regarding the establishment of new positions as well as vacancies in existing positions when

time permits. Positions shall be posted for a period of not less than four (4) work days. A notice of vacancy shall list all objective criteria which shall serve as the basis for selection.

8.3.1.1 After internal assignment changes, if any, vacancies for the ensuing year shall be identified and reported to the Human Resources Office and SCTA by site/program administrators in sufficient time to meet the posting timelines. Exceptions may be made for extenuating circumstances which can be documented.

8.3.1.2 To assist in early staffing, any unit member who submits his or her retirement or resignation prior to February 1 for a retirement or resignation effective at the end of that same school year, shall be paid a one-time stipend of fifteen hundred dollars (\$1500) upon Board acceptance of the retirement or resignation. By mutual agreement, the parties may agree to increase the retirement/resignation incentive. Additionally, the District and SCTA agree to the following efforts based on mutual agreement for retirees and resignees:

- a. A program that provides for substituting opportunities at the teacher's last site(s) for the purpose of continuity and in-

and an involuntary transfer where the total number of District positions has not been reduced. This provision would apply only if the total number of counseling positions have been reduced.

- 8.4.9.1 When the number of elementary counselor positions is reduced in a non-lay off situation (school closure, consolidation, or overstaffing), the least senior elementary counselor(s) who is/are credentialed and

inclusion in the Step 1 process, the position will be posted and awarded according to the step 1 procedures set forth in this section, regardless of the time of year.

For Step 1 "qualified applicants" are defined as in-District permanent and surplus personnel. Probationary employees are also allowed to apply to any position during the closed period that would

~~_____ process (February 15 - March 15).~~ For Step 1, "additional applicants" or "additional teacher applicants" are defined as ~~temporary, seventy five percenters, new offers, new applicants and substitutes,~~ and all other currently employed personnel, including student teachers, teacher residents, or other District teacher pipelines.

- 8.5.1.1 ~~If there are five (5) or more qualified applicants, the five (5) most senior shall be referred. One (1) shall be selected and placed.~~ If there are qualified applicants, then those qualified applicants shall be referred. If there are additional applicants, then they may also be referred.
- 8.5.1.2 ~~If there are four (4) qualified applicants, the four (4) shall be referred. One (1) shall be selected and placed.~~
- 8.5.1.3 ~~If there are only three (3) qualified applicants, all three (3) shall be referred, and the District may refer one (1) additional applicant. One (1) shall be selected and placed.~~
- 8.5.1.4 ~~If there are only two (2) qualified applicant, both shall be referred, and the District may refer two (2) additional applicants. One (1) shall be selected and placed.~~
- 8.5.1.5 ~~If there is only one (1) qualified applicant that applicant shall be referred, and the District may refer two (2) additional applicants. One (1) shall be selected and placed.~~
- 8.5.1.6 If there is no qualified or additional applicant, the District will hold the position for placement in the surplus process. If there is no one qualified for the positions in the surplus pool, the position shall be posted under Step 2.
- 8.5.1.7 After the beginning of the school year, placement in positions must be made within fifteen (15) working days after the final posting date of the position. For positions commencing the following school year, selection shall be made within ten (10) working days, or as soon as possible, after the final posting date.
- 8.5.1.8 If all those referred for a position decline the offer for the position leaving no placement possible, then the position ~~will be incorporated into the surplus process~~ may be posted under Step 2.
- 8.5.1.9 Selection from among the candidates shall be made by the District/principal or designee(s), based on and following the recommendation from the interview panel. The interview panel or designee(s) shall include:
 - a. The principal or designee;
 - b. bargaining-unit member(s), from the school site, selected by the bargaining unit staff assigned

Classroom positions that become available or open as a result of in-District permanent classroom teachers accepting positions at other sites/departments, per 8.5.1 will, after any local assignment changes, be incorporated into the surplus pool.

8.5.3 **Step 1B - Surplus Placement**

- 8.5.3.1 a. Unless by mutual agreement between the Association and the District, surplus placement shall be completed by no later than ~~April 30th~~, March 30th. If the Parties are not able to reach a mutual agreement on the dates described immediately above, then the Di

8.5.4 **Step 2 - Open Period (~~May 1 to January 31~~) (April 1 February 14)**

Step 2 shall begin on ~~May~~ April 1 and shall continue through ~~January 31st~~ February 14th. Candidates may include all qualified in and out of District applicants ~~except full 1.0 FTE~~ probationary employees.

8.5.4.1 ~~During this step, a maximum of seven (7) persons from among the qualified applicants for any position shall be referred to the site or unit administrator for selection. Up to three of the referred applicants shall be those with the greatest seniority among the qualified applicants, if three or more qualified represented employees apply. If one or more qualified substitutes apply, at least one (1) shall be referred. The remaining referred applicants may be referred from any source.~~ **During this step, internal and external applicants may be referred.**

8.5.4.5 ~~Positions that become vacant after January 15th and filled subsequently for the remainder of that school year shall be designated as limited term assignments and become available during Step 1 for the following school year.~~

8.5.4.5.1 Notwithstanding, Child Development teachers may be placed year-round as regular assignments in clear, open, and vacant positions.

8.5.4.6 Selection from among the candidates shall be made by the District/principal or designee(s), based on and following the recommendation from the interview panel. The interview panel or designee(s) shall include:

- a. The principal or designee;
- b. bargaining-unit member(s), from the school site, selected by the bargaining unit staff assigned at the school site; priority shall be to include grade level and/or subject area, where applicable.
- c. At newly opened sites, SCTA will appoint panel members.
- d. Other participants mutually-agreed upon by the principal and SCTA-representatives on the committee.

8.6 INTRADISTRICT EXCHANGE

8.6.1 Should two (2) or more teachers desire to exchange positions on a temporary basis, said teachers shall be responsible for making all of the arrangements. Such arrangements shall be reduced to writing and shall include the following:

- a. The name of the teacher(s) involved.
- b. The subject areas the teachers are qualified to teach.
- c. The written approval of the site administrators.
- d. The written approval of the Human Resources Office.
- e. All arrangements must be completed at least 30 days before the exchange is to occur.

8.6.2 Such an intra-district exchange shall be limited to a duration of one (1) school year and can be effected only once in four (4) years.

8.7 ADMINISTRATIVE TRANSFERS

8.7.1 Transfers necessitated as a result of a substandard performance or other problems encountered by an employee, shall be recommended to the superintendent and Board of Education by the Human Resources Department, upon the recommendation of staff level instructional administrators. The reasons for any recommended transfer other than for reasons of surplus shall be delineated in writing by the staff level instructional administrators and delivered to the Human Resources Office which shall provide a copy to the affected teachers. Such personnel shall be transferred into an existing vacancy in which they will be able to perform more effectively.

As soon as an administrator transfer is being considered by the Human Resources Department, but no less than thirty (30) working days from the initiation of the administrative transfer, the site administrator or Human Resources representative (only by direction of the Human Resources Department) will meet with the employee to:

- a. Inform the employee of the problem;

