

ARTICLE 16 - TRANSFERS

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13 The Parties agree that the Board and its agents have and retain the legal right to transfer employees to
14 carry out its duties and responsibilities under federal and state laws and regulations and court orders
15 subject to the provisions of this article. A transfer may be requested by the employee or may be initiated
16 by the Superintendent or designee. The provisions of Section A shall apply except when transfers are
17 made according to Section F.

18 19 Section A General Procedures

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21 1. On request, the Employer shall electronically provide the Association a list of all known teaching
22 vacancies which need staffing for the forthcoming school year. Prior to any teaching vacancies
23 being posted system-wide, employees within the schools affected shall have first consideration
24 for said positions as per the Assignment Article. All postings shall be placed in prominent
25 positions in the schools.

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27 2. Employees desiring to transfer to another school shall electronically file a request with Personnel
28 Services no later than April 18th. Such requests shall include the organizational level(s) and/or
29 the area(s) for which the employee is certificated and desires to be assigned, the school(s) (a
30 maximum of five (5) in high school, middle school, elementary school, and special schools) to
31 which the employee desires to be transferred in order of preference, and the race of the
32 employee. An employee may list a professional frame of reference on the transfer form. The
33 professional frame of reference shall include only one of the following options:

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35 a. Any position for which the employee is certified
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37 b. Only positions covered by specific area(s) of certification listed by the employee
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39 c. Primary only
40 d. Intermediate only
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42 e. Title I Reading only
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44 f. Title I Math only
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46 g. Instrumental Music only
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48 h. Vocal Music only
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50 3. Employees requesting transfers will be ranked on a list according to their seniority in the
51 Jefferson County Public Schools. Employees must resubmit requests each year by April 18th 51 in
52 order to remain on the transfer list.

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1 4. Any employee who is designated as overstaff or who is returning from leave of absence for which
2 a specific position is not being reserved will be placed in the proper ranking on the transfer list.
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4 5. If a position is not available within the professional frame of reference, the employee will not be
5 voluntarily transferred. A transferred employee will be assured an assignment within the
6 professional frame of reference for one year unless there are changes in the classroom
7 configuration, student enrollment, or teacher allocations at the school center in which case
8 Article 15 - Assignment - shall be implemented.
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10 6. At the time the transfer is processed, the highest preference available will be granted to the
11 employee. The processing of a transfer removes an employee from the transfer list.
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13 7. Transfers will be granted and vacancies staffed from the transfer list according to the needs of
14 the educational program, certification, seniority, employee preference, state laws and court
15 orders.
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17 8. An employee requesting a transfer must accept the transfer made prior to the opening of school
18 unless the employee has previously notified in writing the appropriate administrator in Personnel

19 Services of a desire to withdraw the request.

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21 9. The Association will be provided a transfer list by April 25th of each school year. The list shall
22 include the employee's name, seniority date, race, transfer status, and assignment schools
23 requested.

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25 10. Every reasonable effort will be made to determine programs, including federal programs, and
26 identify the locations to which they are assigned as early as practicable so that employees may
27 take this information into account as they exercise their transfer rights.

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29 11. A voluntary transfer is not available to a teacher on deficiency evaluation.

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31 12. Newly employed ECE teachers will not be eligible for transfer assignment to a non-ECE position
32 for the first three (3) years of their employment.

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34 Section B Teacher Transfer Selection

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36 1. By April 25th 36 of each school year, bargaining unit members shall elect by secret ballot three (3)
37 representatives to serve with the Principal on the Teacher Transfer Selection Committee. The
38 election of this Committee shall be conducted by the JCTA Professional Representative and the
39 Principal at a duly-called faculty meeting.

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41 2. The Teacher Transfer Selection Committee shall receive from Personnel Services the names of
42 the three (3) most senior teachers requesting a transfer and agreeing to interview at that school.
43 The Teacher Transfer Selection Committee shall interview those seeking the transfer and based
44 on those interviews shall select, by majority vote, the teacher to be offered the transfer. Should
45 the teacher offered the transfer decline, the Committee may offer the position to one of the
46 remaining interviewed applicants. The Teacher Transfer Selection Committee shall comply with
47 all applicable state and federal statutes as well the JCPS Singleton Ratio in their selection
48 process.

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50 3. A teacher declining an interview or a transfer offer from their voluntary list of transfer choices will
51 have their voluntary list destroyed and will be removed from the transfer list if their transfer is a
52 voluntary choice only.

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55 The Employer reserves the right, in compliance with the JCTA/JCBE Agreement, 1 to veto the
56 Teacher Transfer Selection Committee's decision should there be certified staff under contract
57 which would remain surplus if not assigned.

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59 5. Schools utilizing the Teacher Transfer Selection process will have from April 25th to June 10th 5 to
60 make their selections in accordance with the above procedures.

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62 Section C From June 11th through July 31st8 , the Teacher Transfer Selection process will not be utilized
63 to fill vacancies. Vacancies filled during this time frame will be granted from the transfer list according to
64 the needs of the educational program, certification, seniority, employee preference, state laws, and court
65 offers.

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67 After July 31, any employee who would have received a transfer based on the procedures herein shall
68 be granted the position at the beginning of the following school year.

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70 Section D Transfers Resulting From Overstaff

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72 1. Employees may be declared overstaff in a school as a result of reduced pupil enrollment,
73 educational program changes, or adjustments in staff allocations. Employees in schools which
74 are closed or where the existing program is closed and a new program implemented may be
75 considered overstaff.

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77 2. Principals or school heads shall have the responsibility and authority to designate employees
78 who are overstaff according to certification and seniority. Employees serving as athletic
79 directors, head football, and head basketball coaches in the senior high schools shall be exempt
80 from this provision.

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3. Overstaffed employees will be offered an opportunity to return to vacancies in the school from which they were overstaffed within the first two weeks after school begins or be transferred back the following school year.

4. Classroom teachers transferred involuntarily after the beginning of the school term shall be provided one day to set up the classroom when it has not previously been organized.

5. When the number of resource employees is reduced, the affected employees shall be overstaffed according to their certification and seniority by program area.

6. The District shall not use Section F of the contract to create a vacant position (i.e., overstaff a teacher) for a coach.

Section E Transfer of Itinerants

1. When the composition of a grouping of schools changes because of fluctuation in pupil enrollment, school closings, educational programs, or adjustments in staff allocations, any employee who was assigned to a school in the previous grouping(s) shall be considered for the new grouping(s) according to needs of the educational program, certification, seniority, and employee preference.

2. School groupings not staffed by Section E 1 shall be considered vacancies.

3. Employees not assigned to schools according to Section E 1 or employees applying for a voluntary transfer shall be placed on the transfer list.

4. The Parties agree that stability of itinerant pairings is important. To assist in achieving this goal, the Employer shall form a committee to develop the yearly pairings. Teacher representatives on any such committee shall be nominated by the Association.

5. Itinerant art, music, computer and physical education teachers will be offered the opportunity for assignment to a full-time art, music, computer or physical education position which has become available in their specific school grouping.

This action will be taken prior to declaring the opening vacant and available for staffing according to Article 16, Sections A, B, C, D, E or F.

Itinerant teachers who decline the opportunity will be assigned according to Article 16, Section E.

The provision applies only to art, music, computer and physical education itinerant groupings in the elementary schools.

Section F The Superintendent or designee for good cause and extenuating circumstances will execute transfers as may be necessary for the efficient operation of the school district.

Section G The District could Section F a coach into a building.

A coach transferred into a building to accept a coaching responsibility would be subject to being overstaffed to create a new vacancy for a newly assigned coach when the employee is no longer coaching.

Coach for this provision means head football, head basketball and athletic director.