

ARTICLE IX

ADMINISTRATIVE ASSIGNMENTS AND TRANSFERS

1.0 Administrative Staffing Procedures

1.1 Application: This Section is generally applicable with the exception of LEARN schools, SBM schools, Charter schools and other schools which have alternative staffing procedures. These schools have administrative staffing procedures based on local decision making which were not the subject of collective bargaining. Staffing procedures for such schools are located in the Local Districts. However, administrators in such schools may elect to use the provisions of this rule to transfer to other schools. The provisions of this Section shall apply to any school within its scope notwithstanding any other Article/Section to the contrary.

1.2 Administrative Vacancies/Openings: Administrative vacancies/openings occur as a result of the following:

- a. Resignations/retirements;
- b. Formal leaves of one semester or more, where the incumbent is not expected to return;
- c. Transfers;
- d. Promotions/demotions;
- e. New/growth positions; or
- f. Reassignments, e.g., return to a former classification or to another position for which qualified.

To assist in the early identification of vacancies/openings, and to ensure a smooth transition as well as to provide for continuity of leadership at the work location, employees shall submit their requests for resignation, retirement and/or leave to the immediate supervisor for forwarding to the Human Resources Division no later than forty-five (45) calendar days prior to the effective date of the resignation, retirement and/or leave.

1.3 Administrative Assignments: When making administrative assignments, the District shall consider qualified employees in the categories listed below with priority categories a – c considered before categories d – f.

- a. Returns from leave;
- b. Transfers (District Initiated and Employee Initiated pursuant to Sec 1.7 and 1.8 below);
- c. Reassignments (change of position at the site);
- d. Eligible list appointments;
- e. Limited Action and Special Class appointment;
- f. Substitute acting appointments.

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1.4 When making administrative assignments, consideration shall be given to local school community instructional program needs, and other district needs. Examples of factors that shall be considered are the employee's background, personal qualifications, special skills, experience and previous assignments. Consideration shall also be given to the employee's personal preference.

1.5 To ensure a smooth and professional transition, the District shall inform administrators as soon as possible of the date and location of their new assignment.

1.6 With respect to non-LEARN/SBM openings which occur after the established posting dates, the District will provide notification to AALA of such openings in a timely manner. Such openings will not be filled earlier than two weeks from the date of notification. Both parties agree that there are certain exceptional vacancies, which the District, based on special circumstances or determined needs, must fill immediately without waiting to consider potentially interested transferees.

1.7 District Initiated Transfers: The District may transfer employees when such action is deemed to be in the best interest of the educational program of the District. The employee shall be informed and definitive reasons for the transfer will be given during the conference held with the employee prior to the change of assignment. Written reason(s) for such transfer shall be supplied to the employee upon the employee's request.

1.8 Employee Initiated Transfers: Employees who have served for three consecutive years at a school in the same classification may request a transfer on the appropriate transfer form. Employees may request a transfer to a specific location or unit/local district. Transfer requests by the employee may be submitted at any time, but no later than May 15 for a Fall assignment and November 15 for a Spring assignment, to the current administrative supervisor who shall forward the request to the Human Resources Division. The request shall then be forwarded by the Human Resources Division to the appropriate administrative supervisor for consideration.

a. Such transfer requests do not require that there be a known vacancy or opening at the time the requests are filed. Such requests shall be retained for assignment during the following semester, but may be renewed by the employee. To assist employees in requesting transfers, the following posting procedures shall be followed:

b. By May 1, the District shall post a list of known administrative vacancies (see e below) for the fall semester.

c. By November 1, the District shall post a list of known administrative vacancies (see e below) for the spring semester.

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d. The administrator vacancies shall be posted in the Administrative Assignments Unit in the Human Resources Division. Posting shall include the classification title, work location, assignment basis, salary schedule, effective date of the assignment and the name of the contact person. Copies of the above lists shall be forwarded by the Human Resources Division to AALA at the time of the posting. AALA shall be responsible for disseminating the information to its unit members. In addition, the District shall be responsible for disseminating the information to its unit members. In addition, the District shall inform AALA of known vacancies which occur after the above posting dates but prior to the start of the Fall/Spring semester.

e. When an employee requests a transfer for two consecutive years, a formal review of the application will take place by the Office of the Superintendent, and priority consideration will be given such applicants including individuals serving in locations far from their residence.

f. In granting an employee-initiated transfer request, administrative seniority shall be considered as a factor, and when the District does not transfer the most senior qualified administrator requesting a transfer, the District shall, upon written request from that administrator, inform the administrator in writing of the reason(s) for denying the administrator's request.

g. In order to provide stability and continuity of leadership at school sites, the District may fill unanticipated vacancies without consideration of the above transfer procedures once schools have been staffed for the semester or year.

h. A personalized response will be sent from the Human Resources Division to the applicant with a copy to the Office of the Superintendent when a decision is made not to honor the transfer request or the applicant is not selected for a position at school with staff selection options

1.9 Review Procedure: Any employee who has concerns regarding a transfer may discuss the matter with the administrator making the assignment. The employee may be accompanied by a representative. The administrative staffing procedures described in this article herein are not subject to the grievance/arbitration process.

2.0 Change of Service Assignment

a. A "change of service assignment" shall be defined as a change from the classified service to the certificated service by a classified employee of the District, other than one with relief, substitute, provisional, or part-time status only, who enters the certificated service through the regular competitive procedures.

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b. An employee who is assigned to a position on A basis in the certificated service shall carry over all unused vacation balances earned as a classified employee. Prior service as a classified employee shall be computed in determining eligibility for vacation privileges in accordance with rules for the certificated service.

c. An employee assigned under this Section shall be allocated to the rate of the salary schedule equal to next above the employee's last regular salary rate or the maximum rate of the new schedule, whichever is lower.

d. A classified employee who has permanent status in a class which has been abolished because the services described in the class are determined to require certification qualifications may be assigned without examination to probationary or qualifying status in the class in the certificated service which is determined by the Human Resources Division to be equivalent to the abolished class in the classified service. If such assignment is made, the employee shall receive the benefits provided in this Section.

3.0 Voluntary Return to Former Class: The provisions of this Section apply to a certificated management employee who voluntarily desires to return to a former lower or higher class. Approval of such return may be granted at the discretion of the District.

An employee shall be eligible for reappointment to any former class subject to the following conditions:

a. Status in the class for which requesting reappointment must have been other than substitute acting or limited acting, or other than substitute eligible status unless such substitute eligible status was active for 60 days for which salary was received.

b. The application requesting reassignment shall be properly filed by the employee at least four calendar months prior to the requested date of reassignment and not later than four years and eight months from the last date of status in the class to which reassignment is requested.

c. For voluntary return to a former higher class, the appointment may be made within a period of five years from the last date of status in the class to which reassignment is requested unless two offers of reassignment are not made prior to the expiration of the five-year period. The Superintendent may approve an exception to this five-year period. For voluntary return to a former lower class, such time limit shall not apply.

d. Refusal of two offers of reassignment shall cancel the privilege conferred by this Section.

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4.0 The Release and Subsequent Reassignment of Personnel When Positions are Discontinued Because a Reduction in Force/Reassignment

4.1 Definition: The provisions of this Section shall apply whenever a reduction in force/reassignment occurs. A reduction in force/reassignment is defined as a reduction in the number of incumbents in a class because the number of incumbents exceeds the estimated number of positions in that class.

4.2 Order of Release: Except as provided in Section 4.3. a below, in case of a reduction in force/reassignment among certificated supervisory staff, employees shall be released from a class by status in the class beginning with:

- a. Substitute Acting employees, then
- b. Limited Acting employees, then
- c. Substitute Eligible employees, then
- d. Qualifying I employees, then
- e. Qualifying II employees, and finally
- f. Continuing employees.

4.3 An employee on position leave from another supervisory class shall be subject to release from such leave class pursuant to the provisions of this Section. Except as provided in Section 4.3 below, within each of the above class status groups, an employee with a later date of election to the status group shall be reduced before those with earlier dates of election. If a tie develops in determining the order of release, the employee shall be retained who has the earlier date of continuous assignment to a supervisory class. If a tie still exists, the employee shall be retained who has the earlier District seniority date. Remaining ties shall be broken by using the District seniority number.

- a. In the case of substitute acting employees, those who have served for less than 130 days may be released within the substitute acting category based upon other than a later date of election provided, however, that all such employees will be released prior to substitute acting employees who have served for 130 days as well as all other status employees.

4.4 Reassignment/Displacement Rights: An employee who is released from a class shall be: (a) reassigned to a vacant position in the highest existing class in which the employee formerly held status (including substitute acting or limited acting status but only if service was for a period of 130 days of full-time paid satisfactory service); or (b) reassigned to a former class based on an earlier seniority date thereby displacing the most recently assigned incumbent in such class. Moreover, a released employee may be assigned from an Administrative Reassignment Pool to another position pursuant to Section 4.5 below.

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4.5 Administrative Reassignment Pool: Those released employees not assigned pursuant to Section 4.4 above shall be placed in an Administrative Reassignment Pool for a period not to exceed 39 months from the date of release or until an assignment consistent with this process has been accomplished, whichever occurs first. While in the Administrative Reassignment Pool, an employee shall have access to the master list of administrative vacancies which shall be posted by the Human Resources Division no later than June 1 and which shall be updated on a monthly basis and more often as peak staffing periods throughout the school year. Administrative vacancies shall include the class title and salary schedule and designated contract person. Qualified employees in the Administrative Reassignment Pool, along with other qualified personnel may submit letters of interest to the designated contact person. All such applicants shall be considered (which may or may not include an interview). In making staffing decisions, first consideration shall be given to employees currently serving in certificated supervisory positions, including those in the Administrative Reassignment Pool. Upon approval of the appropriate unit/section/branch/division head, and after consultation with the employee, assignment may be in any unit in which there is a vacant position for which the employee is qualified. All applicants shall be notified as to the disposition of their application.

a. Employees in the Administrative Reassignment Pool may also be assigned, consistent with the above-referenced approvals, in any unit in which they can displace the most recently assigned incumbent of a class over which the employee has exercised supervision. Such displacement is to be on the basis of an earlier seniority date in a class paid on the same or higher salary schedule than that of the incumbent with a later seniority date.

If there is not sufficient time to determine an assignment or if no appropriate assignment match can be located, pursuant to Sections 4.4 and 4.5 above, before the beginning of the released employee's new assignment basis, the employee shall retain the right to have access to the Administrative Vacancies list and application process but shall be assigned in the appropriate tenure classification until additional assignment actions can be processed.

If the employee refuses to accept an assignment offered under this Section, the employee shall be assigned in the appropriate tenure classification until additional assignment actions can be processed.

4.6 Recall Rights to a Class: Employees who have served for 130 days of full-time satisfactory service in substitute acting status or in limited acting status and employees in substitute eligible, qualifying, or continuing status who are released from a class shall be placed on a reassignment list for the class in reverse order of release. Except as provided below, such list shall be used for assignments to the class before the use of any other list, and any name shall remain on the list for not more than 39 months from the date the employee was released from a position in the class. Employees in substitute acting status and limited acting status who are placed on a reassignment list

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shall not have preference for reassignment to a class if an eligible list is established unless they are on the eligibility list. The time between a layoff and return within the return-limit of 39 months will not constitute a break in service.

Each offer of assignment from this list shall be made to one of the first five available candidates except that a candidate whose name has reached the head of the list may not be passed more than four times before the candidate is offered an assignment. The name of a candidate will be deleted from the list immediately following the refusal of two offers of assignment.

If assignments are made in accordance with this Section to a class for which an eligible list exists, such list shall continue in effect after its expiration date until as many additional regular assignments have been made from the list as were employees appointed under this Section before the expiration date of such list. If an employee is assigned to a position in a special class and is later, without a break in service, placed in the corresponding regular class, the employee shall be considered to have been in such regular class from the first date of assignment in such special class.