

DISTRICT ISSUE #3—ARTICLE 23—POSTING AND TRANSFERS

Article 23 addresses Posting and Transfers of bargaining unit employees. Because students who have paraprofessionals assigned to them change classroom and building assignments or leave the District altogether, the District's operation and management requires flexibility in assigning staff members in order to serve students and to avoid inefficiency or waste. The District proposes to revise Article 23 as shown in the below redlined and struck-through edits. These edits are being proposed in order to restore to the District's Administration its managerial right to assign staff in the positions where they are needed. At present, there are severe and unavoidable limitations placed on that right to assign staff. Namely, only those staff with specialized training can be reassigned, and only under the very limited circumstances set forth in the current language, regardless of whether the student they were originally assigned to serve is still in the same classroom or class building. The current language further disfavors transfers during the school year, when student reassignment or entry into or departure from attendance in the District often occurs during the school year.

The District proposes to revise Article 23 as follows:

ARTICLE 23 – Posting and Transfers

The Board shall inform the Federation at least five (5) days prior to the effective date of any change of assignment involving Bargaining Unit Members unless such time limit would interfere with the continuity of the program as a result of circumstances beyond the control of the District.

So that all Bargaining Unit Members may be aware of new positions which may become available, such positions will be posted prior to being filled or promised for filling. Commencing with the end of the school year to the beginning of the next school year, the District shall provide on its existing telephone "hot line" a list of unit vacancies. The listing for a vacancy shall continue for the same term as the required posting.

Employees will have one (1) week from the time of posting of the available positions to make application for such positions. ~~; however, such transfer as may be necessitated will not normally be made during the course of the school year.~~ The final decision on all transfers will be made by the administration.

Copies of all postings shall be provided to the President of the Federation.

Written requests for transfer by an employee shall be formally acknowledged.

Requests for transfer by any regularly appointed employee who is qualified and who has followed the proper procedure will not arbitrarily or capriciously be denied.

In the case of coincidental requests for transfer, and all other factors being equal, the regularly appointed employee with the longest continuous service in the School District shall be given preference.

Involuntary transfers for ~~any bargaining unit member in any classification~~ **Special Education Paraeducators** from one building to another **and from one classification to another at any time** may be made by the District **at the Administration's discretion and are not subject to the grievance procedure.** ~~under the following conditions:~~

~~1. A paraeducator has previously received specialized training from an outside agency that has been provided and paid for by the District.~~

OR

~~2. The District has provided specialized training to the Paraeducator that is specific to the needs of a particular student.~~

~~Conditions 1. or 2. shall apply only when the receiving building does not have a Paraeducator with the same or similar training for the particular student's specific needs.~~

~~Transfers of this nature shall occur when a student moves from an elementary to elementary school, elementary level to Neil Armstrong Middle School, from Neil Armstrong to Independence Middle School, or from Independence Middle School to the High School. In the event specialized training can be provided at no cost to the District to the receiving school's paraeducator staff before the student arrives at the new school (i.e. ie over the summer months, during the new school year's inservice training days, etc.), the involuntary transfer shall not occur.~~

~~For purposes of involuntary transfers, "student" is limited to a student receiving educational services under an IEP or an accommodation plan under Section 504.~~