

DISTRICT CODE: 454

**PROFESSIONAL STAFF TRANSFERS AND
ASSIGNMENT TO VACANCIES**

Policy reflects Minnesota statute and aligns with other District 270 policies

Instructional personnel will be assigned on the basis of their qualifications, the needs of the District, and employees' expressed desires. When it is not possible to meet all three conditions, personnel will be assigned in the following manner:

- first, in accordance with the needs of the District,
- second, where the administration feels the employee is most qualified to serve,
- and third, according to the expressed preference of the employees in order of seniority in the District, all other circumstances being equal.

Transfers and assignments will be processed and accomplished in accordance with Administrative Rules and Regulations attendant to this Policy.

Adopted: March 15, 1984

Revised: April 21, 1985, February 20, 2014

Reviewed: February 20, 2018

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**PROFESSIONAL STAFF TRANSFERS AND
ASSIGNMENT TO VACANCIES**

SECTION A. DEFINITIONS

1. **Vacancy:** A vacancy shall exist when there are more positions than teachers to whom District 270 has a contractual obligation. Vacancies will generally result from a termination, resignation or the creation of a new position.
2. **Open Assignment:** An open assignment shall exist when a reduction-in-force has caused an unassigned position and there are sufficient staff to whom the District has a contractual obligation to fill the position.
3. **Temporary Assignment:** A temporary assignment shall exist when a staff member is granted a leave of absence.
4. **Transfer:** A transfer is a change in assignment which meets one or more of the following criteria:
 - a. A move from one building to another.
 - b. A move of three or more grade levels.
 - c. A move which results in a change of job duties for greater than 50% of contracted time.
 - d. A move from one area of certification to another.
5. **Voluntary Transfer:** A voluntary transfer is a change in assignment which has been requested or implemented with the affected person's consent.
6. **Involuntary Transfer:** An involuntary transfer is a change in assignment made without the consent of the affected staff member.
7. **Qualified Candidates:** Qualified candidates shall be determined by application of the criteria posted for a position.
8. **Job Postings**
 - a. A job posting shall be defined as an announcement of a vacancy, an open assignment, or a temporary assignment. It identifies the nature of the work to be performed, the qualifications (required and preferred), the time, place and manner of application and certifies that a position is open on a competitive basis to all qualified applicants and will be announced internally (current district employees only) and/or externally.

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- b. Job postings which occur during the school year shall be displayed in a designated area accessible to staff members in each school building for a minimum of seven calendar days.
- c. Job postings which occur during summer break periods shall be made available to staff members who request such a notice in writing by June 1 of each year.

SECTION B. FILLING A VACANCY (Assignment process when the District has too few staff members to fill a position.)

1. **Vacancy Definition:** See Section A.1.
2. **Posting:** In accordance with Section A.8.
3. **Application:** Staff members desiring transfer to posted vacancies must submit written requests to appropriate directors within the posting period. Each request will be acknowledged in writing; no request will be carried over from one posting to another.
4. **Procedure for Transfer:** The principal of the school to which transfer is requested will arrange contacts with all applicants.

Reasonable effort will be made to honor a staff member's request for transfer when the person is well qualified for the new position and such transfer is compatible with building/program needs at both ends of the transfer and with the overall staffing needs of the district.

If two or more applicants are considered to be equally suitable, transfer will be awarded to the most senior candidate.

Transfer decisions will be made and applicants notified in writing as promptly as possible.

5. **Transfer Request Denial:** In the event a staff member is not transferred as requested, reasons for the denial shall be given by the appropriate director or a designee. Reasons shall be given in writing, if requested.
6. **Involuntary Transfer:** If there is no well qualified transfer applicant for a vacant position, the District may choose to hire from the outside or to involuntarily transfer from within. When transferring involuntarily, the District will identify all staff members who hold appropriate licensure and then apply the posted criteria to determine who is most qualified.

Transfers must be compatible with building/program needs at both ends of the transfer and with the overall needs of the District.

If two or more staff members are equally suitable, the least senior shall be involuntarily transferred.

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7. **Reconsideration:** Involuntary transferees may request written rationale for the transfer or a meeting with the appropriate director to petition reconsideration and to seek or provide additional information. Request must be made in writing within three (3) working days of receipt of notice of involuntary transfer.
8. **Short-Term Vacancy:** Vacancies which occur during the school year may be filled by the District until the end of that school year without invoking conditions outlined in this document.

SECTION C. FILLING AN OPEN ASSIGNMENT (Assignment process to be followed when the District has sufficient staff members to fill all positions.)

1. **Open Assignment Definition:** See Section A.2.
2. **Annual Staffing:** No later than May 1 or the first workday thereafter, the District shall post in all buildings all assignments known at that time to be open for the next school year.
3. **Posting:** In accordance with Section A.8.
4. **Application:** See Section B.3.
5. **Procedure for Transfer:** All applications will be given consideration by a staffing committee.

Reasonable effort will be made to honor a staff member's request for transfer when the person is well qualified for the new position and such transfer is compatible with building/program needs at both ends of the transfer and with overall staffing needs of the District.

Transfer decisions will be made and applicants notified in writing as promptly as possible.

6. **Transfer Request Denial:** In the event a staff member is not transferred as requested, reasons for the denial shall be given by the appropriate director. Reasons shall be provided in writing, if requested.
7. **Involuntary Transfer:** If there are no well qualified applicants for vacant positions, the district will identify all staff members who hold appropriate licensure and then apply the posted criteria to determine who is most qualified. Transfers must be compatible with building/program needs at both ends of the transfer and with the overall needs of the District.

If two or more staff members are considered to be equally suitable, transfer will be assigned to the least senior person.

Staff members who are identified for involuntary transfer during the regular spring staffing process will be notified in writing of the reasons for the transfer prior to June 1 preceding the school year in which the transfer is to become effective. Those who are

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involuntarily transferred after June 1 will be notified within a reasonable amount of time.

8. Reconsideration: Staff members who are notified of an involuntary transfer may request an opportunity to meet with the appropriate director or members of the staffing committee to seek reconsideration of the transfer decision and to provide additional information. Such request must be made to the appropriate director within three (3) working days after receiving notice of involuntary transfer.

SECTION D. FILLING A TEMPORARY ASSIGNMENT

1. Temporary Assignment Definition: See Section A.3.
2. Procedure: In filling a temporary assignment, the District may follow the appropriate steps as outlined for filling a vacancy or an open assignment.
3. Duration: A temporary assignment will cease upon return of the incumbent to the School District. A staff member returning from an approved leave of absence shall be reemployed in the position held prior to taking the leave or to another position for which the staff member is qualified.

The staff member holding the temporary assignment may then be subject to a voluntary or involuntary transfer to a vacancy or open assignment provided that the School District has a contractual obligation to provide continued employment.

SECTION E. PREPARATION FOR TRANSFER

A staff member subject to transfer may be granted, upon request, an appropriate amount of leave with pay, not to exceed three (3) days, to visit the school for orientation at the transfer location.

SECTION F. LIMITATIONS ON TRANSFER

Normally, only one transfer, whether voluntary or involuntary, in a two-year period shall be permitted, with the following exceptions:

1. Mutual agreement between the parties
2. Circumstances related to school closing, grade restructuring or other forms of boundary changes.
3. In those circumstances in which staff members are filling temporary assignments.
4. Situations identified under Section G. EXEMPTIONS.

SECTION G. EXEMPTIONS

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The District will not be required to follow provisions of the document under the following circumstance:

Transfers resulting from formal evaluations of staff members whose levels of performance are less than satisfactory. Formal evaluations must have begun no less than six months prior to transfers invoked under this clause.

SECTION H. ASSIGNMENT CRITERIA

The District will determine appropriate criteria to be utilized in assigning staff to positions.