

# Santa Barbara Unified School District

## Board Policy

BP 4114

### Certificated Personnel

#### TRANSFERS

The Governing Board desires that certificated staff be assigned in a manner that equitably distributes highly qualified and experienced teachers, meets the needs of district students, and satisfies staffing requirements at each school. The Superintendent or designee is authorized to assign certificated staff in accordance with district policy and/or the collective bargaining agreement as applicable.

*(cf. 0415 - Equity)*

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4113 - Assignment)*

*(cf. 4141/4241- Collective Bargaining Agreement)*

Subject to the approval of the ~~Governing~~ Board, the Superintendent or designee may transfer a teacher from one district school to another when he/she determines the transfer is in the best interest of the district. (Education Code 35035)

~~*(cf. 4030 - Nondiscrimination in Employment)*~~

~~*(cf. 4113 - Assignment)*~~

~~Such transfers shall be determined in accordance with the district's collective bargaining agreement with certificated employees.~~

~~*(cf. 4141/4241 - Collective Bargaining Agreement)*~~

#### Voluntary Transfers

The Superintendent or designee may establish processes and deadlines for the submission of transfer requests to facilitate staff assignments with minimal disruption to the educational program.

Upon receipt of a written transfer request by a teacher, the Superintendent or designee may consider the input of the principals at the current school and the requested school, alignment of the teacher's qualifications with needs of students and the school(s), the academic performance of the requested school, and opportunities for the professional growth of the teacher.

*(cf. 4112.2 - Certification)*

*(cf. 4112.22 - Staff Teaching ~~Students of Limited English Proficiency~~ Learners)*

*(cf. 4112.23 - Special Education Staff)*

~~*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*~~

~~However, if the principal of a school ranked in deciles 1-3 on the Academic Performance Index refuses to accept a transfer request, the Superintendent or designee shall not transfer the teacher. (Education Code 35036)~~

~~*(cf. 0500 - Accountability)*~~

~~*(cf. 0520.1 - High Priority Schools Grant Program)*~~

~~*(cf. 0520.2 - Title I Program Improvement Schools)*~~

~~(cf. 0520.4 – Quality Education Investment Schools)~~

After April 15 prior to the school year that a transfer would become effective, no teacher who requests to be transferred to another school shall have priority over other qualified teachers who have applied for positions requiring certification qualifications at that school. (Education Code 35036)

### **Involuntary Transfers**

Involuntary transfers may become necessary when programs are reduced or cancelled, when schools are closed, or when otherwise required in order to accommodate the school's staffing needs.

*(cf. 4117.3 - Personnel Reduction)*

If a teacher objects to a transfer, he/she may request a meeting with the Superintendent or designee and the principal. If dissatisfied with the results of this meeting, the teacher may appeal to the Board. The Board's decision shall be final.

#### *Legal Reference:*

##### EDUCATION CODE

35035 Additional powers and duties of superintendent, transfer authority

35036 Voluntary transfers

35186 Complaint process, teacher vacancy or misassignment

37616 Assignment of teachers to year-round schools

~~44395-44398 – Incentives for assigning NBPTS-certified teachers to high-priority schools~~

##### GOVERNMENT CODE

3543.2 Scope of representation

(DRAFT) SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Santa Barbara, California      January 26, 2010; <<DATE>>