

ARTICLE VIII

Transfers

A. DEFINITIONS AND CONDITIONS:

1. This Article provides procedures for a change in work location (one school, office, or other District site to another) of an employee.
2. “Vacancy” as defined in this article is an open position which the District intends to fill. This excludes openings that occur during the school year and/or openings that the District determines not to fill.
3. “Seniority” as defined in this article for probationary and permanent employees shall be the first date of certificated contract service. Days/hours in areas including but not limited to pre-service, staff development, substitute teaching or summer employment will not be considered in determining seniority.
4. “Specialized positions” as defined in this article are positions that include one or more of the following:
 - a. Calendar year beyond 184 days;
 - b. Specific certification, experience, and training including but not limited to: Transitional Kindergarten, AP; GATE (Secondary); TOSA; Special Education Autism, ED, and Transition;
 - c. All Eligible bargaining unit members interested in an Elementary GATE opening must indicate their intent on the transfer application. Elementary GATE positions will follow the vacancy guidelines outlined below:
 1. Vacancies at all elementary sites that are non - GATE position in the current year would go through the employee-initiated transfer request process outline in Article VIII, Section B.
 2. Vacancies at all elementary sites that were GATE positions in the current year would be flown as specialized positions;
 - d. Special skills in areas which are paid additional assignments; or
 - e. Non-traditional assignments including but not limited to: Multi-Age; GOC and CDS; Literacy; Dual Immersion; and TOSA.

The District and the Association will collaborate on additions to the list of specialized positions annually no later than two months prior to the March 15 posting date.

5. The District Transfer Committee shall recommend the placement of unassigned unit members to vacancies in accordance with the provisions of this article. The Committee shall attempt to match employee requests against identified vacant positions through the transfer process period commencing March 31 and ending on the seventh student day of the first week of the traditional school year. The recommendations of the Committee shall be advisory to the District. The District reserves the right to make the final determination.

1
2 The District Transfer Committee shall be composed of members appointed by the
3 Association and the District. TALB shall designate: (a) two representatives to each
4 committee, Elementary and Secondary; and (b) one representative representing Special
5 Education to each committee, Elementary and Secondary. The District shall designate: (a)
6 two representatives to the Elementary committee designated by the Elementary Assistant
7 Superintendent; (b) one representative to each committee, Elementary and Secondary,
8 designated by the K-8/Middle Schools Assistant Superintendent; (c) two representatives to
9 the Secondary committee designated by the Assistant Superintendent of High Schools; and
10 (d) one representative to each committee, Special Education Elementary and Special
11 Education Secondary designated by the Assistant Superintendent Office of School Support
12 Services. The District Transfer Committee shall include members of the Human Resource
13 Services support staff to facilitate the process.
14

15 Placement recommendations for non-specialized positions made by the Transfer Committee
16 shall be based on the criteria listed in Section E in the following order:
17

- 18 a. Employer-Initiated Transfers: Ranked by Permanent, Probationary in
19 order of seniority within each group. When possible, placement
20 recommendations shall be made within each group considering the first
21 three preferred school sites in addition to other site preferences indicated
22 on the Request for Transfer application.
 - 23 b. Employee Initiated Transfers: Ranked same as above
 - 24 c. Return from Leave of Absence: Ranked in order of receipt of Request
25 for Transfer to Human Resource Services.
- 26
- 27 6. To facilitate the staffing process, employees are expected to make known their leave,
28 resignation, or retirement requests by March 1.
29
 - 30 7. Instructional Specialists and Nurses whose regular assignments involve travel between two
31 (2) or more District work sites shall be assigned to schedules by the District following
32 opportunity for advisory input as to employee preferences. These employees may request a
33 transfer for all or a part of their assignment. These assignments shall be reviewed by the
34 District Transfer Committee.
35

36 Resource Specialist Program and itinerant teachers shall not be subject to any employer
37 initiated change in assignment during the work year without an opportunity to meet and
38 consult with the appropriate manager regarding the need for the change.
39

40 **B. EMPLOYEE INITIATED TRANSFER REQUESTS:**
41

- 42 1. Lists of known vacancies for the next school year shall be posted in each school no later than
43 March 15. Postings shall be sent to the TALB Office, to each school site for posting on a
44 designated bulletin board in the faculty lounge, and posted on the District's website. Updates
45 of current openings will be posted in March, April and May. Postings in June and July shall
46 be made for information purposes only. The lists shall include (a) the District elementary or

1 secondary school; (b) grade level or subject matter; (c) or schedule for year-round
 2 assignments; (d) other pertinent credential/special certification and/or job description
 3 information. TALB shall be sent a copy of each list.
 4

- 5 2. On or before March 31, teachers, nurses, and librarians may submit requests for transfer
 6 indicating each position for which they are credentialed and which they would be willing to
 7 accept, whether or not that position appears as a vacancy.
 8

9 Such transfer requests shall be made on the appropriate District form. If qualified, those who
 10 submit requests will be considered for all applicable positions as they become available
 11 through the end of the first seven (7) student days of the following traditional school year.
 12

- 13 3. Additional vacancies shall be filled by the District as they occur throughout the spring and
 14 summer, up to the end of the first seven (7) student days of the following traditional school
 15 year. The District Transfer Committee shall monitor all vacancies until they are filled.
 16

- 17 4. Factors to be considered for Employee Initiated transfers are contained in Section E of this
 18 article.
 19

20 **C. EMPLOYER INITIATED TRANSFER REQUESTS:**
 21

- 22 1. Changes in staffing other than those made under Section B. above shall be made whenever
 23 the District determines that there is a need (a) to reduce staff because of enrollment loss or
 24 discontinuance of a program, grade level, or school closure; (b) to balance a school staff in
 25 terms of gender, within the secondary PE Department, teaching experience, bilingual needs,
 26 magnet programs and/or co-curricular needs. In addition, employer initiated transfers may
 27 be made for other factors confidential to the employee and Human Resource Services.
 28

- 29 2. When the manager determines the factors related to an employer initiated transfer
 30 necessitated by school, segment, or department enrollment loss, he/she shall ask for a
 31 qualified volunteer. In the event that no one volunteers, the manager shall select for transfer
 32 the probationary employee who has the least districtwide seniority as a certificated employee.
 33 If there are no probationary employees in the school, segment, or department, the manager
 34 shall select the tenured employee who has the least districtwide seniority as a certificated
 35 employee.
 36

37 Probationary and permanent employees may be exempted from employer initiated transfer
 38 if the change would adversely affect any of the following: (a) compliance with state and
 39 federal requirements; (b) balance of numbers of males and females on faculty/department
 40 staff; (c) balance of numbers of male and females in Physical Education (PE).
 41

- 42 3. A manager will hold a conference in a timely manner with an employee who is to be
 43 transferred at employer request to discuss the reasons for the change. Upon request, the
 44 employee may have an Association staff or site representative present at the conference. The
 45 displaced employee shall be given priority consideration and the employee will have the

1 opportunity to submit a transfer request indicating positions for which he/she is appropriately
2 credentialed.

- 3
- 4 4. Notwithstanding the provisions in C.2. above, employees shall not be subject to transfers at
5 employer request if they are fifty-nine (59) years of age or older with twenty (20) or more
6 years of service to the District, have been transferred at employer request within the previous
7 three (3) years, or have volunteered in writing for transfer to their principal and were
8 transferred in lieu of transfer at employer request.
- 9
- 10 5. Displaced employees who are transferred shall have the right to return to their last identical
11 assignment if it is reinstated before the end of the seventh student day of the following
12 traditional school year. Reinstatement may only occur as a result of an increase in student
13 enrollment.
- 14
- 15 6. Factors to be considered for Employer Initiated transfers are contained in Section E of this
16 article.

17

18 **D. RETURN FROM LEAVES OF ABSENCE:**

- 19
- 20 1. Employees returning from leave shall be assigned in the order their Request for Transfer is
21 received by Human Resource Services.
- 22
- 23 2. To facilitate the staffing process, employees are expected to make known their leave,
24 resignation, or retirement requests by March 1.

25

26 **E. FACTORS IN DETERMINING TRANSFERS:**

- 27
- 28 1. One or more of the following factors shall be considered in determining transfers initiated by
29 employees or by the District:
- 30
- 31 (a) Credential(s) including Supplemental Authorization;
- 32 (b) Compliance with state and federal requirements, including but not limited to
33 Education Code 35036;
- 34 (c) Department, grade level, or team-teaching responsibility in the affected schools;
- 35 (d) Staffing needs of the schools (gender, teaching experience);
- 36 (e) Designated elementary schools;
- 37 • Designated Elementary Schools are those where the classroom teacher
38 demographics do not match student demographics.
- 39 • Vacancies due to retirement, resignation, or transfers at designated
40 elementary schools will not be subject to Article VIII, Section B. These
41 vacancies shall be posted in each school no later than March 15. Postings shall
42 be sent to the TALB Office, to each school site for posting on a designated
43 bulletin board in the faculty lounge, and posted on the District's website.
44 Updates of current openings will be posted in March, April and May.
- 45 • All eligible bargaining unit members who request a transfer to a vacant
46 position at any of the designated elementary sites will be given the

1 opportunity to apply for these vacant positions. Site interview teams,
 2 comprised of a majority of unit members, shall provide recommendations for
 3 consideration to the site administrator. The site administrator shall make the
 4 final consideration recommendations to the District Transfer Committee.

- 5 • The District and TALB have entered into a Memorandum of Understanding
 6 (MOU) – Implementations of Changes to Transfer Process. This MOU will
 7 guide the implementation of the designated elementary schools transfer process
 8 outlined in Section E.1.e. This MOU will be revisited and renewed each
 9 negotiation process.

10 (f) Skills, experience, certification, and/or training; and

11 (g) Recommendation of site interview team.

- 12
- 13 2. When the District determines that the above factors are substantially comparable, seniority
 14 in the District as a certificated employee will determine transfers; except that, in cases of
 15 equivalent seniority in the District, additional consideration will be given to the employee's
 16 length of service at the present school site. A final tie-breaker will be determined by the
 17 higher last four digits of the employees' randomly generated identification number allowing
 18 that employee to stay at the site.
 19
- 20 3. The superintendent of a school district may not transfer a teacher who requests to be
 21 transferred to a school offering kindergarten or any grades 1 to 12, inclusive, that is ranked
 22 in deciles 1 to 3, inclusive, on the Academic Performance Index if the principal of the school
 23 refuses to accept the transfer pursuant to Education Code, Section 35036.
 24
- 25 4. Under E.1.f above, a selection process shall be required for specialized positions as defined
 26 in section A.4 posted by the District. All individuals who requested a transfer to that position
 27 will be given the opportunity to participate in the selection process. Site interview teams,
 28 comprised of a majority of unit members, shall provide recommendations for consideration
 29 to the site administrator. The site administrator shall make the final recommendations for
 30 consideration to the District Transfer Committee(s) in accordance with A.5 above.
 31
- 32 5. Any employee is eligible to initiate a transfer request or volunteer for displacement when
 33 his/her most recent final evaluation is effective in all areas. Employees with one
 34 "Developing" rating will also be eligible for the opportunity to initiate a transfer request if
 35 they receive approval from their current principal.
 36

37 **F. MISCELLANEOUS PROVISIONS:**

- 38
- 39 1. Employees who are to be transferred shall be given notice of tentative assignment normally
 40 prior to the close of the school session year. Those transferred after the close of the school
 41 year shall be notified by mail.
 42
- 43 2. It may be necessary to make employer/administration initiated transfers or employee initiated
 44 transfers during the school year. Such changes shall be made at a time and in a manner that
 45 the District determines to be least disruptive to the educational program or support service.
 46

1 Employees who are transferred during the school year will be given as much advance notice
 2 as possible. Those who so request shall be allowed one (1) day of preparation time and
 3 reasonable custodial assistance in moving the employee's materials to the new work location.
 4

- 5 3. Employees who are transferred at employer request at the end of the school year shall be
 6 given reasonable custodial assistance, upon request, in moving materials to the new location.
 7
- 8 4. Employees who are granted their transfer requests shall not be eligible to apply for a
 9 subsequent transfer for at least three (3) years except with the consent of the District.
 10
- 11 5. An employee who has received an employer initiated transfer and who was not placed in a
 12 position he/she requested shall be placed in the first priority grouping of employee initiated
 13 transfers for placement in the subsequent year if the employee submits a Request for
 14 Transfer.
 15
- 16 6. Teachers who are assigned to sites with multiple campuses such as Poly/PAAL are
 17 considered to be assigned to the same site. Movement between the two campuses shall not
 18 be defined as a transfer.
 19

20 **G. REASSIGNMENTS:**
 21

22 The Long Beach Unified School District and the Teacher Association of Long Beach have
 23 entered into a Memorandum of Understanding for implementing reassignments dated March
 24 24, 2025. This MOU will expire on June 30, 2028.
 25

26 The memorandum of Understanding in part states, in the event a unit member has concerns
 27 with the reassignment, the teacher will have ten (10) working days to request a review
 28 meeting with the Director of Employee Relations Office with a clear, concise statement of
 29 the extenuating circumstances. Thereafter a review meeting will be held with the Principal's
 30 Supervisor and Human Resources Administrator. Based on schedule availability of both
 31 parties, every effort will be made to have the review meeting scheduled to occur within ten
 32 (10) working days of the written request.
 33

- 34 **H. GUIDELINES FOR CHANGE OF ASSIGNMENT – TEACHER SUPPORT:** The
 35 Long Beach Unified School District and The Teacher Association of Long Beach have
 36 entered into a Memorandum of Understanding (MOU) – Guidelines for Change of
 37 Assignment – Teacher Support dated March 24, 2025. This MOU will expire on June 30,
 38 2028.
 39

40 Note: TALB and LBUSD agree to forma an ad-hoc committee to address the transfer process for
 41 Counselors.
 42

43 The Memorandum of Understanding reviews assistance teachers will receive from sites to
 44 support a smooth adjustment period for affected teachers who are transitioning to a new
 45 content area/grade level, and/or moving schools.
 46