

**Memorandum of Understanding
Between Downey Unified School District
and the
Downey Education Association**

ARTICLE XVII ~ TRANSFERS

Due to the Early Retirement Incentive being offered this 2022-23 school year, the District and DEA have agreed to change the transfer dates, as stated below, to accommodate the possibility of a large number of known vacancies, which would be available for teacher-requested transfers.

B. Teacher-Requested Transfer:

1. For Vacancies that occur before ~~April 15~~ **February 6, 2023**, the following criteria shall be applied: if two or more permanent classroom teachers apply for the same vacancy, the teachers with an appropriate basic teaching credential allowing him/her to teach the class, and the greatest seniority shall receive the transfer.

Appropriate forms shall be available at the Certificated Human Resources Office and from each building principal's office. Individual transfer requests must be submitted to Certificated Human Resources before ~~April 15~~ **March 2, 2023**. If any provision of this Article or any application thereof to any member of the bargaining unit is held to be contrary to the law, such provision shall be invalid, and the part that was determined to be invalid will be rewritten by the Association and the District in a cooperative manner to comply with current law. Once the determination has been made that the Article was invalid, the two parties will meet within 30 calendar days to correct the Article to comply with current law.

In acting on requests for voluntary transfer, the following criteria will be applied:

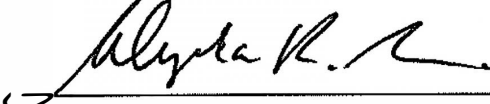
- a. Credentialing requirements
- b. Major/Minor field of study
- c. The most recent evaluation shall be satisfactory in its overall assessment of the teacher's working performance
- d. Teachers on Stull Support, Advisory Teachers, or Intervention Teachers are not eligible for transfer until they have exited the TIP Program, unless mutually agreed upon by the TIP Panel and District.
- e. Previous experience, within the past five (5) years, in the grade/subject area where the transferee is to be placed.
- f. If the above criteria are approximately equal, then first preference in transfer shall be given to the applicant with the greatest seniority. However, for vacancies that occur after ~~April 15~~ **February 6, 2023**, of the current school year

prior to the school year in which the transfer would become effective, all qualified internal applicants who apply for a vacant position at a specific school site shall not be granted priority over external applicants who apply for a vacant position at a specific school site. If no external candidate applies for a vacancy at a specific school site, the same procedures for voluntary transfers shall apply.

2. The Certificated Human Resources Office shall record the request and acknowledge its receipt. Any teacher not receiving said transfer shall receive, upon a written request, a written notice informing them as to those specific reasons why the transfer was not granted.
3. By ~~March 4~~ **February 6, 2023**, and thereafter as necessary, regular lists of all known vacancies for the subsequent school year shall be posted on a bulletin board in workrooms or lounge areas frequented by teachers at each site.
4. A teacher assigned to a special education program at a given school site may submit a transfer request for regular program vacancies that become available at either their present assigned school site or another site.
5. Those teachers whose requests are on file on or before ~~April 15~~ **February 6, 2023**, shall be given consideration for all vacancies before out-of-District applicants are considered or placed.
6. A request for transfer may be withdrawn by the teacher at any time before the appointment.
7. A permanent teacher shall not be required to state reasons for requesting the transfer. The filing of a request for transfer is without prejudice to the employee and shall not jeopardize his/her present assignment.
8. Vacancies that occur during the school year may be filled without utilizing the posting procedures.
9. By ~~June 4~~ **March 31, 2023**, all transfers for the ensuing school year shall be completed. All bargaining unit members shall be notified in writing as to the results of their transfer requests by ~~July 25~~ **June 30, 2023**.
10. After receiving a voluntary transfer, a teacher must remain at the new site for a minimum of two (2) years unless an additional transfer is mutually agreed upon by both the bargaining unit member and the District.

THIS MOU EXPIRES ON JUNE 30, 2023.

For the District:

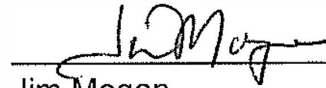


Alyda R. Mir
Assistant Superintendent
Certificated Human Resource

12-20-22

Date

For the Association:



Jim Mogan
President
Downey Education Association

12-20-22

Date