

Article 25: Voluntary Transfers

A. General Terms

1. Seniority in **Length of MCPS service, as defined in Article 7 A.7**, will be considered a factor in the transfer process; however, because the parties believe that there are educational benefits for all students to be taught by a diverse staff, MCPS also will consider diversity in the transfer process. "Diversity" for the purposes of this article is defined broadly to include gender, race, ethnicity, ancestry, national origin, nationality, language, or other legally or constitutionally-protected attributes or affiliations.
2. MCPS shall post all vacancies in an accurate and timely manner on MCPS Careers, **within three business days of discovering that there will be a vacancy**. The posting of vacancies will be monitored for accuracy by OHRD and OSSWB or OCAO. Positions that have been filled should be closed within 48 hours on MCPS Careers.
3. Vacancies shall not be held or frozen because a principal is on leave.
4. Transfers usually will not be approved for—
 - a) personnel who are in their first two (2) years of employment in the bargaining unit;
 - b) personnel who are requesting transfer out of their field of preparation and certification; and
 - c) personnel who are included in the PAR Program for the following year by the PAR panel; ~~and~~
5. ~~a~~An individual completing their fourth semester of employment, who has all effective ratings on their most recent evaluation, will be allowed to participate in the Job Fairs and in the voluntary transfer process.
6. If a voluntary transfer **approved for the good of the school system** causes a unit member to move from a field in which they are certificated to a field in which they are not certificated, the unit members will sign a statement of understanding that will verify that the unit member is aware of the following:
 - a) That they will have to take additional coursework or the appropriate certification exam in order to become fully certificated in the field to which they are reassigned.

Commented [W1]: 2023.01.11 TA by MCPS

Commented [C2]: 2023.03.08 - MCEA is maintaining our original proposal. 'Within three business days' would be considered timely. On January 11, MCPS claimed that you do not post all positions. That is counter to our clear and plain language as well as the intent of our agreement. MCEA does not agree to that interpretation of the language. Our proposal is merely intended to take what is already required and create a timeline within which to do so.

If MCPS wants to change what types of vacancies are subject to this provision, MCPS should make a proposal to attempt to get an agreement on what might be considered an exception to our plain language. For example, on January 11, Travis offered the example of internal moves within a building. He shared that for instance, if an administrator has a 0.2 reading initiative that has been allocated and that administrator currently has another reading initiative on that would be within the principal's discretion within the building. Even though that's technically a vacancy, MCPS wouldn't necessarily post that. Does MCPS want to propose language for MCEA to consider to address situations like these?

Commented [W3]: 2023.01.11 TA by MCPS

Commented [W4]: 2023.01.11 TA by MCPS

Commented [W5]: 2023.01.11 TA by MCPS

b) That a reasonable period of time, but in no case more than two years, will be established by the Board of Education to enable each unit member to meet the new requirements.

7. Principals will recommend candidates for hire in MCPS careers as soon as they have determined whom they will request for a given vacancy.

8. MCPS shall notify the unit member, in writing, of the transfer when it is effected. Whenever a unit member transfers, the effective date will be the first full **day of the following** pay period after the unit member is assigned to begin work.

9. No voluntary transfers will be effected after July 20, unless both releasing and receiving principals agree. **Principals shall not arbitrarily withhold agreement.** New vacancies that occur after July 20 will be reviewed by the OSSWB or OCAO and OHRD and will be advertised on MCPS Careers.

10. The process for application and interviews for new schools will be advertised and conducted prior to March of the year in which the school opens.

B. Transfers and Job Fairs

1. Virtual Job Fairs will be held in the second semester of each year. Unit members who apply for positions on MCPS Careers and are selected for an interview will be provided access to interview appointments with the school staff where they are seeking a transfer. All unit members eligible for transfer may participate in the Job Fairs. The Job Fairs are reserved for internal unit members only, whose assignments are determined by principal selection. Those whose positions are not selected by principals (speech pathologists, occupational therapists, and others) should continue to work with immediate supervisors to seek a transfer.

2. A minimum of three Job Fairs will be held: two (2) elementary and one secondary. No job fair will be held concurrent with another job fair. All Job Fairs will be completed at least three (3) weeks prior to the close of the initial voluntary transfer season. Each school will participate in one Job Fair unless there are no vacancies. All schools participating in the Job Fairs will have adequate staff to conduct interviews. Schools will post their vacancies on MCPS Careers and unit members can apply to specific vacancies or to schools at which they are interested in working.

3. Schools may accept interview requests from all levels and subjects. Unit members will make appointments during the week before the Fairs by applying through MCPS Careers.

Commented [C6]: 2023.03.08 - MCEA is maintaining our original proposal.

On January 11, MCPS shared that you all have understood fully how the existing language is currently implemented and didn't see a benefit to the change proposed by MCEA.

MCEA's proposal provides an exact date of the starting position where the current language does not. Existing language can be interpreted to mean it could be any time within that first full pay period.

Is MCPS stating that this already means to MCPS, and is implemented accordingly, to be the first full day of that pay period?

Commented [W7]: 2023.01.11 TA by MCPS

12/08/2022: MCEA Opening Proposal
01/11/2023: MCPS Counter Proposal
03/08/2023: MCEA Counter Proposal

Appointments may not be requested prior to the announced date before the Fair and interviews may not be conducted prior to the Job Fair, ~~save~~ **except for** those designated as high impact schools. Interviews will occur at the Job Fair at twenty (20) to thirty (30) minute intervals. Interviews will not be limited to projected vacancies. The process for application and interviews for new schools will be advertised and conducted prior to March of the year in which the school opens.

Commented [W8]: 2023.01.11 TA by MCPS

4. Unit members who are unable to secure an interview or attend the Job Fairs can apply through MCPS Careers for schools to which they would like to transfer. Principals are encouraged to interview at times other than the Job Fairs but are not required to do so.
5. If a staff member is assigned to multiple locations and requests a transfer from one location; that request will not impact the other schools in their assignment.
6. Transfers will be allowed during this first voluntary transfer window across certification areas and school levels, except in previously identified “tight” fields where such transfers will not be approved until all priority placements in that certification area have been cleared. OHRD and MCEA will meet prior to the transfer season to review the data on Priority Placements and vacancies to jointly identify “tight” fields. **The list of identified fields that are considered “open” and “closed” shall be posted on Careers and updated weekly throughout the transfer season. If there are no changes within a week, MCPS shall post the same list with current date.**
7. The voluntary transfer process will close temporarily at the end of the business day three weeks after the last Job Fair and will reopen following completion of comparable priority placements.
8. **Early Window Period for Critical Job Shortages**
 - a) **A “Critical Shortage Job Category” is defined as any job category in which there is a vacancy rate greater than 10%.**
 - b) **For Critical Shortage Job Categories, there will be an early window period.** Positions for ~~Special Education Teacher and School Psychologist~~ **V**acancies may be posted up to one (1) week (seven calendar days) in advance of the opening of the transfer window and interested unit members may apply during that week. After the early window period has lapsed, MCPS may open ~~Special Education Teacher and School Psychologist~~ **these** vacancies to external candidates, provided that there are sufficient vacancies to ensure all unit members on the priority placement list will be able to be placed in a position consistent with their qualifications.

Commented [C9]: 2023.03.08 - MCEA modifies our proposal by adding a 2nd sentence to address MCPS' concern about what to do if there aren't any changes in a given week.

We heard MCPS's interests but want to make sure it is clear that the information online is updated - even if the update is to make it clear there are no changes.

Commented [C10]: 2023.03.08 - MCEA modifies our proposal for the section header. We agree to remove "Difficult to Fill Positions" and propose to add "for Critical Job Shortages" to MCPS' counter proposal language "Early Window Period"

Commented [C11]: 2023.03.08 - MCEA is maintaining our original proposal for B.8.a. and B.8.b. We would like to have more conversation about MCPS's interests.

- c) The parties shall meet prior to the transfer season to jointly identify any additional job categories to include in the early window period. The parties shall meet after the close of the voluntary transfer window to assess the success of the early window period.
- d) Effective school year 2024, Special Education Teacher and School Psychologist shall be considered as critical shortage job categories.

Commented [C12]: 2023.03.08 - MCEA accepts the concept of MCPS' proposal. However, for our counter, we have modified the language breaking it into 2 sentences to provide more clarity.

Commented [C13]: 2023.03.08 - MCEA is maintaining our proposal to capture the reality that Special Education Teacher and School Psychologist positions are hard to fill positions. However, given that we have agreed to remove "hard to fill" from our proposal, we modified our proposal by replacing the phrase "difficult to fill" with "as critical shortage job categories" to match language throughout 8.

C. Twelve-month Job Postings or Teacher Leadership Positions

1. Vacancies for any 12-month positions and teacher leadership positions in the bargaining unit will be posted on MCPS Careers.
2. Interested transfer candidates, along with those seeking a promotion and outside candidates, will interview directly with supervisors for the posted vacancy.
3. If the vacancy occurs during the school year, and an internal transfer candidate is selected, that candidate may be required to remain in the current position for that fiscal year, or until a replacement is identified, whichever occurs first.
4. Leadership positions will be posted for a minimum of one (1) week (seven calendar days) before a recommendation for hire can be made.

D. MCPS Careers

Unit members will be able to share their résumés and job profiles on MCPS Careers for any posted position. Staff who wish to transfer from full-time positions to part-time positions, or vice versa, should apply to positions of interest on MCPS Careers (or its digital equivalent). All vacancies will be posted in MCPS Careers.

E. Monitoring Transfers

1. Each week during the transfer season, OHRD will compile and provide information to MCEA on the number of voluntary transfers from individual schools.
2. The OHRD Chief will present data related to the MCPS Careers and transfer process to the LMCC each year to make recommendations jointly for changes in the process no later than the end of December.

- F. **Best Practices**—OHRD and MCEA will develop a joint communication about “Best Practices” to use during the transfer process. The communication will be posted on the transfer web page. The communication will be available for sent to new principals to review.

12/08/2022: MCEA Opening Proposal
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The best practices to be encouraged will include the critical need to advertise all vacancies **within 3 business days of discovering there will be a vacancy**, and notification of interviewees and interviewers, when vacancies have been filled or when an applicant is no longer interested or available.

Commented [C14]: 2023.03.08 - MCEA is maintaining our proposal but did modify it by changing 'duty days' to 'business days' to use consistent language with our proposal above in A.2..