

BOARD COUNTER PROPOSAL #1
ARTICLE VII - WORKING CONDITIONS
December 13, 2018

SECTION F - Involuntary Transfers

1. Staff Reduction

a) – b) SAME

- c) In accordance with Florida Statute 1012.33(5), involuntary transfers as described in paragraph "a" shall be based upon educational program needs and the performance evaluations of employees within the affected areas of assignment on seniority in Pasco County. Within the areas of assignment requiring reduction, the employee with the lowest summative evaluation score shall be the first to be involuntarily transferred; the employee with the next lowest summative evaluation score shall be the next to be involuntarily transferred; and involuntary transfers shall continue in a like manner until the needed number of reductions has occurred. The District may not prioritize the retention of employees based upon seniority. The teacher with the least amount of seniority among those assigned to the school in which the reduction occurs, within the area of assignment affected, shall be first transferred. In grades Pre-K (K)-5 "area of assignment" shall mean: Pre-K and K, or elementary grades 1-5. The District and Union agree to meet at the beginning of each school year to review, if necessary, the areas of assignment used when the involuntary transfer process is initiated.
- d) Teachers transferred under this provision shall not be again subject to involuntary transfer during the same school year in which the transfer occurs.
- e) Should a position become available at the same school from which a teacher was involuntarily transferred due to a staff reduction, the teacher shall have the opportunity to return to such school, subject to all of the following conditions:
- 1) The same or similar position needs to be filled no later than the end of the school year following the school year of the transfer.
 - 2) The position is in the same area of assignment from which the teacher was transferred.
 - 3) The teacher is certified for the position.
 - 4) The teacher is qualified for the position in the judgment of the Superintendent.
 - 5) In cases in which more than one teacher has been involuntarily transferred from the same area of assignment, at the same school, and meet the above conditions, the teacher with the highest summative evaluation score most seniority shall first be given the option to return.
- ~~f) Should it become necessary to reduce the number of staff members at an alternative school for disruptive students the school principal after receiving the recommendations relative to the program needs from the staff, will determine the teacher(s) to be transferred. Teachers selected for involuntary transfers shall be given notice of the involuntary transfers and the reason therefore in writing.~~
- fg) The procedures described in paragraphs "a" through "e" are not intended to apply to individual involuntary transfers related to performance or other problems.

2. – 5. SAME

For the Board

Date

For the Union

Date