

TRANSFER

The board shall be responsible for assigning and transferring teachers to its schools. In assuming its responsibility, the board shall take into account the needs of the school system that it administers, the particular characteristics of its schools or classes and the qualifications, experience and preferences of the teachers in its employ.

No teacher shall be required to accept a transfer to a school situated more than 50 kilometres¹ from the school where he or she was teaching at the time of the notice of transfer and more than 50 kilometres from his or her domicile at the time of the notice of transfer.

However, this provision does not apply to the closing of the school where he or she taught at the time of the notice of transfer if there is no other school within the 50-kilometre radiuses.

For the purposes of applying this clause, "school" designates the building where the teacher provides the major portion of his or her teaching.

The teacher affected by a transfer requested by the board shall be reimbursed for the moving expenses if the transfer necessitates his or her moving.

1 Whenever a 50-kilometre radius is mentioned in this article, the distance shall be calculated by the most direct public route usually used.

TRANSFER PROCEDURE

On or before April 1st of each year, the Principal shall provide each regular teacher in the school, including those on leave of absence with or without salary, with a form upon which the teacher may indicate their preference for assignment and/or transfer for the following school year.

Before May 15th of each year, the Board shall post in each of its schools a provisional list of the staffing needs which remain to be met for the following school year indicating the pertinent information. Before this date, the Board shall inform in writing the teachers who remain excess and who are therefore subject to a transfer.

Within five days of the posting of this list, the teachers who are then subject to a transfer must express in writing, to the School Administration, their preferences in terms of the needs posted by the Board as well as their interest in any other post.

Within these same five days any other teacher may also express their wishes concerning the positions posted.

Proceeding by order of seniority, the Board shall decide on the transfer of teachers declared excess in order to meet the needs posted.

Proceeding in order of seniority, the Board will consider and decide on the transfer of non-excess teachers who have requested transfer in order to meet the needs posted.

As subsequent vacant positions become available, the Board shall continue to consider requests proceeding in order of seniority with due regard for the assignment criteria.

If a vacancy in a school occurs, prior to June 30th, the excess teacher from that school who has been assigned elsewhere shall be returned to that teacher's original school if that teacher meets the requirements of the post and the teacher has expressed their intention in writing to the Board. Between July 1st and the first working day of the school year, the Board will consider returning the displaced excess teacher to their original school if the teacher meets the requirements of the opened post and the teacher has expressed an interest in writing to return.

Two or more teachers may exchange their categories within or between schools or their assignments between schools with the approval of the Principals of the school(s) involved, and the Board.

The following provisions will apply for job exchange:

- a) the exchange will last for one school year; from July 1st to June 30th.
- b) a teacher participating in such an exchange would, for job security and assignment and transfer purposes, be deemed to be teaching in their usual position; that they would retain all the rights to the position and classification that they would have had as a member of the usual staff.

The school board shall draw up a list of teachers who have applied for a transfer. By May 15 at the latest, the school board shall send a copy of this list to the union.

COMPULSORY TRANSFERS

Any compulsory transfer of a teacher shall occur after consultation with the teacher and the Association President.

A teacher being transferred for the following school year shall normally be advised in writing by June 15th.

A teacher being transferred during the months of July and August will be advised by certified mail or equivalent. Failure to receive notification shall not prejudice the applicability of the transfer.

A teacher being transferred during the school year shall be notified in writing where possible at least ten days in advance. Such notification must be dated at least ten calendar days in advance of the effective date of the transfer.