

Memorandum of Understanding  
between the  
All Faculty Association  
and the  
Sonoma County Junior College District

Transfer Policy  
New Section 31.10 in  
Article 31: Working Conditions – General Conditions of Employment

February 5, 2009

**BACKGROUND**

In order to insure the orderly and equitable movement of faculty from one employment location to another, AFA and the District agree to incorporate District Policy 3.25 and 3.25P into Article 31: Working Conditions—General Conditions of Employment.

The following language will become section 31.10 with the next Tentative Agreement. In the meantime, the District and AFA agree to use this policy in any instances where a faculty member requests a transfer or the District sees a need to move faculty to an alternate location. Future modifications to Policy 3.25 and 3.25P will be reflected in this article. (See Article 3: Association Rights, section 3.01.)

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The District reserves the right to make faculty assignments with regard to days, times, and locations that best serve the needs of the students and achieve the best utilization of District facilities and resources. The District also recognizes that there may be a need to assign regular faculty to locations other than where they have historically performed their assignments. Regular faculty may also express interest in changing the location of their principle duty assignment.

A shift in the campus or location of a regular faculty assignment shall be known as a faculty transfer. Regular faculty transfers shall be based on one of the following descriptions:

1. A NEW POSITION: A transfer initiated by a faculty member to fill an open position that is already approved by the Faculty Staffing Committee and the District Superintendent/President and is under current recruitment as part of the hiring process.
  
2. A FACULTY REQUEST WITHOUT A NEW POSITION: A transfer initiated by a faculty member but where there is no open position that has been approved by the Faculty Staffing Committee and the District Superintendent/President.
  
3. A NEWLY IDENTIFIED DISTRICT NEED: A transfer of faculty in response to a District identified program or location need, but not based on a new open position. It is a voluntary transfer when a qualified faculty member initiates the transfer process by responding to a District announcement of the transfer opportunity. If there are no qualified applicants, the District may transfer a faculty member it deems qualified to fill the position.
  
4. A NECESSITY TRANSFER: When the District has identified a need to transfer a faculty member based on unusual or extenuating circumstances (See section 3 above).

The District shall establish and maintain procedures for faculty transfers between campuses and/or centers in consultation with the recognized bargaining unit and the Academic Senate, including a Transfer Request Form to be used for all Transfers except District Need and Necessity Transfers.

**1. Defining and Initiating Regular Faculty Transfers**

A. New Position Transfer. A new position transfer is initiated by a faculty member who wishes to fill an open position at another location that has already been approved by the Faculty Staffing Committee and the District Superintendent/President. More than one regular faculty member may request transfers to a new position. This request shall occur concurrent with the formal advertisement of the open position.

B. Faculty Request Without A New Position Transfer: A transfer request is initiated by a faculty member who wishes to be relocated to another campus but there is not an open position already approved by the Faculty Staffing Committee and the District Superintendent/President. Any regular faculty member may request this type of transfer.

C. Newly Identified District Need Transfer. The identification by the District of a new need may result in establishment of a faculty position that will be filled by transfer only, i.e., no external faculty recruitment will be sought. Transfer opportunities in this category are initiated by the District and then requested by a regular faculty member. This form of transfer is not based on a new open position and may result in more than one applicant for transfer to a new location. If there are no qualified applicants, the District may transfer a faculty member it deems qualified to fill the position.

D. Necessity Transfer: This form of transfer is initiated by the District when the District has identified a need to transfer a faculty member based on unusual or extenuating circumstances for the well-being of an individual or the College.

**2. Calendar Deadlines**

A faculty member initiating any form of transfer request must submit the request in writing to the appropriate Vice Presidents during the semester prior to the semester in which the faculty wishes to relocate. For instructional faculty, this request must be made by October 15th for the following spring semester transfer and February 15<sup>th</sup> for the following fall semester transfer. In the case of a New Position Transfer (with an open recruitment), the request must be received prior to any candidates being interviewed by a formal hiring committee.

### **3. Transfer Application Review and Process**

Faculty interested in applying for transfer will submit a written request to the appropriate Vice Presidents, using the Transfer Request form. This request will be referred to a Transfer Task Force for review. Applications for transfer shall be processed as follows:

A. The Faculty Transfer Task Force shall consist of the appropriate Campus and/or Center Deans, the AFA president or designee and the Academic Senate president or designee. They shall review all transfer applications and produce a written recommendation for the appropriate Vice Presidents.

When more than one application for a position is received, the Task Force report shall address the suitability of all candidates for the transfer. The Task Force is required to interview the applicant and the department chair, but may choose to consult with other appropriate program supervisors, deans, or department chairs they feel would contribute to the successful completion of their review. All proceedings of the Task Force are to be considered confidential.

B. The Faculty Transfer Task Force shall submit their written opinion to the appropriate Vice Presidents, based on the following criteria:

- Experience teaching the courses or performing the allied duties envisioned for the position
- Willingness to participate in department, cluster and campus programs and activities
- Satisfactory evaluations
- Impact on program or department educational plan of the campus to which the faculty member is currently assigned
- Other information the Task Force deems appropriate to the request

C. Transfer applications from instructional faculty, librarians, and counselors will all be reviewed in the Task Force process. The VP – Petaluma and the VP for Academic Affairs shall read committee opinions regarding teaching and library faculty and develop a final, joint recommendation. The transfer applications for Student Services faculty shall also be reviewed by the Task Force, but the committee opinion for these applications shall be forwarded to the VP for Student Services and the appropriate VP from either Petaluma or Academic Affairs. In all cases, a joint recommendation will be made by the appropriate VPs to the College Superintendent/President.

D. The final decision of the College Superintendent/President will be conveyed to the faculty member, the committee members, the department chair and the appropriate Vice Presidents. When possible, transfers shall be finalized in time for the faculty member's name to appear in the class schedule.

E. The approved transfer of a faculty member from one campus or site to another is considered permanent; however, all regular faculty, regardless of location, have the right to request a new inter-campus transfer throughout their regular faculty career in the District.

**4. New-position transfers and staffing balance**

New regular faculty positions, identified by the Faculty Staffing Committee and approved by the District Superintendent/President, represent an approval to hire a net-new faculty member for a District discipline. Any approval for existing faculty to transfer to a new location in order to assume a net-new position will *not* result in the loss of that position for the department. Rather, the location of an existing faculty member's assignment will change with the transfer, and the net-sum of regular faculty in the Department shall remain the same (assuming the need is justified by the PRPP data and verified by the Faculty Staffing Committee recommendation).

**5. Transfer need identified by the District with application initiated by a faculty member**

If the appropriate Vice President and/or the Superintendent/President identify a position or need within the District that can only be filled by the transfer of existing regular faculty, the following process shall be followed:

A. A written description of the position shall be distributed to all eligible regular faculty in the discipline or department where faculty have appropriate expertise and experience. Only tenured faculty will be eligible to apply for transfer unless the District determines special circumstances. The transfer description shall include a list of potential courses to be taught and/or duties to be performed.

B. An informational meeting for all interested and eligible faculty shall be arranged by a campus administrator. This meeting shall be held on the Campus/Center to which the transfer is being planned and include a tour of the facilities.

**6. Transfer based on necessity when no regular faculty apply to meet a newly identified District need**

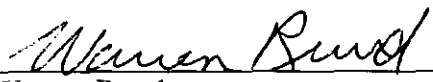
A. The District shall notify eligible faculty that a Necessity Transfer Procedure is being initiated.

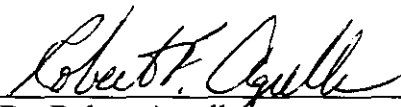
B. A list of eligible faculty members shall be compiled by the Human Resources Office working in cooperation with the appropriate Dean, Supervising Administrator, and/or Department Chair for the campuses/centers.

C. A written description of the position shall be distributed to all eligible regular faculty within the department. The description will include a list of potential courses to be taught and/or duties to be performed. Only tenured faculty will be considered for this form of transfer unless the District determines special circumstances.

D. The Transfer Task Force process described above (See Section 3, Parts A through E) shall be the model for reviewing all appropriate candidates for this review and transfer. All faculty under consideration will be given the opportunity to submit a written statement regarding their circumstances for consideration by the Vice President(s) as part of the decision process.

**7. The District may initiate the transfer of a faculty member for reasons that may be defined as "unusual or extenuating circumstances."** The reasons are primarily defined as related to the health and safety of the faculty member or in the best interests of the District.

  
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Warren Ruud  
President, All Faculty Association

  
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Dr. Robert Agrella  
Superintendent/President, Sonoma  
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