

MEMORANDUM OF UNDERSTANDING
BETWEEN TEMECULA VALLEY UNIFIED SCHOOL DISTRICT
AND TEMECULA VALLEY EDUCATORS ASSOCIATION

Nontraditional Assignment Transfers
February 25, 2022

The Temecula Valley Unified School District (“District”) and Temecula Valley Educators Association (“Association”) enter into this Memorandum of Understanding (“MOU”) concerning specialist Assignments. The parties agree to the following:

1. Assignment Types

- a. Traditional Assignment:** Teaching assignments (work site, grade level, and/or subject area) to which a unit member is legally authorized by the Commission on Teacher Credentialing to fulfill his/her contractual duties. Evaluations shall be handled by the site administrator.

In addition, site designated/assigned TOSA’s, 6-12 ELA Specialist, 6-12 Math Specialists, 9-12 Intervention Specialists, Title I - SIS, LCAP Counselors shall will be considered as falling under the transfer language in the Collective Bargaining Agreement (CBA) under Article 12 and the Article 12 February 25, 2022, Transfer MOU.

- b. Program Specific Assignment:** A nontraditional District program assignment, housed primarily on one or more school sites. The following unit members fall under this definition:

- Elementary Literacy Specialists
- Intervention Specialists
- Elementary Physical Education Teachers

Evaluations will be handled by the site administrator with input from the Director of ESS

- c. Support Personnel:** Employees who are assigned to the District Office and who support multiple school sites based on student/program need. The following unit members fall under this definition:

- Instructional Coaches (including K-12 ELA Specialist and K-12 Math Specialist)
- Autism Specialist
- Health TOSA
- Behavior Analyst
- Behavioral Health Support Specialist
- EL TOSA
- Elementary VAPA Teachers
- School Social Workers
- Licensed Clinical Social Workers
- Student Assistance Program Facilitators

- Registered Nurses (RN)
- District Library Media Specialist
- Lead Nurse
- Adaptive Physical Education
- Teacher Deaf and Hard of Hearing
- Supplemental Support Specialist

Evaluations will be handled by the assigned department director/designee.

2. Transfers and Reassignment of Nontraditional Assignments

a. Program Specific Assignments

- i. **Voluntary Transfer:** In the event that a program specific position becomes available at another school site, current unit members assigned to program specific positions within the same job specification may submit a request for transfer to HRD by submitting Appendix J within the posting deadline for consideration.
- ii. All current unit members within the same program specific job specification, who request a transfer will be interviewed and considered before the District considers other candidates. **Involuntary Transfer Criteria:** When an involuntary transfer (12.4.1) is necessary within a Specialist Job specification and a specialist does not volunteer for the needed transfer, District seniority shall prevail when determining which unit member is subject to the involuntary transfer to a traditional assignment.

The District will not displace other unit members in order to implement an involuntary transfer or reassignment of a unit member in a program specific position.
- iii. **Reassignment:** Unit members in program specific assignments may be reassigned to traditional assignments in accordance with section 12.5.3 of the CBA. Specialists who will be reassigned for the upcoming school year shall be notified prior to March 1st.
- iv. **Return Rights:** Unit members in program specific assignments may be returned to their former assignment within one (1) calendar year of assuming the program specific assignment without an interview provided the following:
 1. The unit member submits a transfer request during the annual March transfer window and;
 2. Notifies the Assistant Superintendent of Human Resources in writing (email or hard copy) of their desire to vacate the assignment and;
 3. The former position is available between April and September 1st.
 4. The unit member and the receiving site principal mutually agree and;
 5. The District is able to secure a suitable replacement.

b. Student Support Personnel

- i. **Voluntary Transfer:** As Student Support Personnel are assigned to the District office, site/location transfers within the same job classification are not applicable.
- ii. **Reassignment:** Student Support Personnel may be reassigned in accordance with section 12.5.3 of the CBA. Student Support Personnel who will be reassigned for the upcoming school year shall be notified prior to March 1st.
- iii. **Return Rights:** If applicable, unit members in Student Support Personnel assignments may be returned to their former assignment within one (1) calendar year of assuming the program specific assignment without an interview provided the following:

- 1. The unit member submits a transfer request during the annual March transfer window and;
- 2. Notifies the Assistant Superintendent of Human Resources in writing (email or hard copy) of their desire to vacate the assignment and;
- 3. The former position is available between April and September 1st.
- 4. The unit member and the receiving site principal mutually agree and;
- 5. The District is able to secure a suitable replacement.

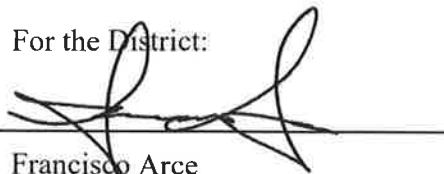
3. The parties shall determine assignment type(s) when negotiating new job specifications. In the event that a position has been inadvertently omitted from the assignment types, the parties agree to meet and designate the assignment type.

4. This MOU shall resolve the disputes contained in the Grievance filed May 27, 2021. Upon execution of this MOU, the Association shall dismiss the Grievance with prejudice.

5. This MOU is a non-precedent setting and may not be cited to support any particular interpretation of the CBA.

6. This MOU will expire June 30, 2023.

For the District:



Francisco Arce
Assistant Superintendent
Human Resources Development

2/25/2022

Date

For the Association:



Brian Balaris
Bargaining Chair
Temecula Valley Educators Association

2/25/2022

Date