

PROMOTION/DEMOTION/REASSIGNMENT

Upon recommendation of the Superintendent, the Board of Trustees may promote, demote and reassign management and confidential employees when such action is determined to be in the best interest of the District.

The Superintendent or designee shall ensure that the District complies with all applicable statutory deadlines and due process procedures.

(cf. 4317.3 - Personnel Reduction)

Probationary Period For Classified Administrators and Confidential Employees

Classified management/supervisory and confidential employees shall serve a six-month probation. Such probation may be extended for any length of time, but shall not exceed a total of one year. Classified management/supervisory and confidential employees may be released at any time during the probation period without cause.

Non-Reelection/Reassignment of Administrators

Education Code 44951 indicates that unless a certificated employee holding a position requiring an administrative or supervisory credential is notified by March 15, he/she may be released from their position for the following year, he/she shall be continued in the administrative position. School administrators serve at the pleasure of the Board and may be removed for any reason satisfactory to the Board and nondiscriminatory in nature as long as the notice requirement is met.

In addition, Education Code 44894, 44895 and 44896 state that administrators retain their permanent classification as a certificated classroom teacher. Therefore, actions taken, including notice of reassignment, require that the District place administrators into a classroom assignment. Section 44896 also requires that the governing board of a school District give an employee, if the employee requests, a written statement of the reasons of the transfer from the administrative position to the classroom.

Legal Reference: (see next page)

PROMOTION/DEMOTION/REASSIGNMENT (continued)

Legal Reference:

EDUCATION CODE

35031 Senior management employee in the classified service: non-reelection

44660-44665 Evaluation and assessment of performance of certificated employees

44850.1 No tenure in administrative or supervisory positions

44896 Transfer of administrator or supervisor to teaching position

44951 Continuation in position unless notified (position requiring administrative or supervisory credential)

45101 Definitions (including disciplinary action, cause)

45113 Rules for classified service in Districts not incorporating the merit system

Ellerbroek v. Saddleback Valley Unified School District, (1981) 177 Cal. Rptr. 910

Hentschke v. Sink (1973) 34 Cal.App. 3d 19

Jefferson v. Compton Unified School District (1993) 14 Cal. App. 4th 32