

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

The Board of Trustees recognizes that effective management is vital to the success of district students and programs. Management personnel are expected to demonstrate initiative and good judgment in the development, implementation, and oversight of district programs. Supervisors shall promote the productivity, professional growth, and teamwork of district staff.

(cf. 4000 - Concepts and Roles)

The Board shall adopt policies related to administrative and supervisory personnel insofar as they are needed to comply with law and describe terms of employment within the district.

The Board may, by resolution, establish or abolish any or all positions of the senior management of the classified service. Any employee occupying a senior management position abolished by Board action shall become a member of the classified or certificated service in a position to which he/she would otherwise be entitled if he/she had not been in a senior management position. (Education Code 45104.5)

Legal Reference:

EDUCATION CODE

35031 *Term of employment*

45100.5 *Senior management positions*

45104.5 *Abolishment of senior classified management positions*

45108.5 *Definitions of senior classified management employees*

45108.7 *Waiver of provisions of 45108.5*

45128 *Overtime*

45130 *Exclusion from overtime provisions*

45256.5 *Designation of certain positions*

GOVERNMENT CODE

3540 *Purpose*

3540.1 *Definitions*

3543.4 *Management position; representation*

3545 *Appropriateness of unit; basis*

COURT DECISIONS

Auer v. Robbins, (1997) 117 S.Ct. 905

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

Classified Senior Management and Supervisory Employees

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest position not requiring certification in a principal district program area, with districtwide responsibility for formulating policy or administering the program. (Education Code 45108.5)

Employees holding positions designated as classified senior management and supervisory positions are entitled to all of the rights, benefits, and burdens of other classified employees, except that each senior management and supervisory employees shall not obtain permanent status in a senior management position. (Education Code 45100.5, 45256.5)

If assigned to a position within a bargaining unit, classified management and supervisory employees shall be reclassified at the discretion of the Board of Trustees subject to provisions of the applicable collective bargaining agreement or, for districts incorporating the merit system, the rules of the personnel commission.

(cf. 4312.1 - Contracts)

Positions in the senior management of the classified service shall be filled from an unranked list of eligible persons who have demonstrated managerial ability and who have been found qualified for the positions as specified by the Superintendent and determined by the personnel commission. (Education Code 45256.5)

ADMINISTRATIVE STAFF ORGANIZATION

The Board of Trustees authorizes the Superintendent to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations.

(cf. 2110 - Superintendent Responsibilities and Duties)
(cf. 4300 - Administrative and Supervisory Personnel)

The Superintendent shall establish and define job responsibilities for supervisory and administrative personnel. (Education Code 44662)

(cf. 4000 - Concepts and Roles)
(cf. 4315 - Evaluation/Supervision)

The Superintendent or designee may adjust staff responsibilities temporarily or permanently as needed to accommodate the workload and/or individual capabilities.

(cf. 4032 - Reasonable Accommodation)

The Superintendent shall maintain a current district organization chart which designates lines of primary responsibility and the relationships among all district positions. Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.

Legal Reference:

EDUCATION CODE

- 35010 Control of district; prescription and enforcement of rules
- 35020 Duties of employees fixed by **Board of Trustees**
- 35035 Powers and duties of superintendent
- 44662 Job responsibilities and evaluation

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

MANAGEMENT TEAM

The Board of Trustees acknowledges the importance of the establishment of a Management Team. Under the direction of the Superintendent, the Team administers the educational program and operates the schools of the District. Recommendations from the Management Team are subject to approval by the Superintendent who is ultimately responsible for all recommendations. In the delegation of this responsibility. The Board retains its legal responsibility and authority to make final decisions.

The Management Team is composed of Management Staff, Supervisory Staff, and Confidential Staff.

Management Staff

Management Staff consists of employees in positions identified by the Board as those under the direction of the Superintendent assigned the responsibility of formulating, recommending and implementing District policies and administrative guidelines; administering programs; directing and supervising employees, as well as recommending the hiring, promotion, and termination of employees; adjudicating grievances; and negotiating and administering written contracts.

The Management Staff will include, but not be limited to:

1. Superintendent
2. Assistant Superintendents
3. Directors
4. Principals
5. Coordinators
6. Assistant Principals

The goals of the Management Staff are:

1. To create a learning atmosphere in the schools whereby optimum educational opportunities and child growth and development can be realized.
2. To provide leadership in the educational program operations and services of the District.
3. To provide for an open communications system throughout the District/community.
4. To foster a high level of employee morale.

MANAGEMENT TEAM (continued)

5. To work together in an open and democratic manner in the development of policies and in decision-making whenever appropriate and possible.
6. To recognize and encourage the role of parents in the educational process and facilitate same.

Functions and, responsibilities of the Management Staff are:

1. To work with the general staff and the Management Team toward the achievement of District goals.
2. To use management skills needed to operate the school system.
3. To develop, recommend, and implement policies for the operation of the District.
4. To administer District programs as assigned.
5. To provided educational leadership to staff.
6. To be responsible for the assignment and evaluation of employees.
7. To plan and implement professional growth activities for staff.
8. To develop and facilitate a District Communications Program.
9. To develop, recommend, and administer the budget.
10. To conduct employee-employer negotiations.
11. To administer employee-employer written contracts in conformance with District contract interpretations.
12. To hear and adjust grievances.
13. To involve parents in District programs.
14. To support the intent as well as the written Board Policies.
15. To perform other duties as assigned.

MANAGEMENT TEAM (continued)

Supervisory Staff

Supervisory Staff are employees in positions identified by the Board of Trustees as those assigned the responsibility of directing and supervising employees; evaluating employees; adjudicating grievances and administering written contracts, policies, and administrative guidelines.

The Supervisory Staff will include, but not be limited to:

1. Supervisor of Fiscal Services
2. Supervisor of Food Services
3. Food Service Managers
4. Director of School Facilities
5. Supervisor of Custodians
6. Supervisor of Groundworkers
7. Supervisor of Energy Management
8. Supervisor of Transportation
9. Purchasing Agent
10. Personnel Services Supervisor

The goals of the Supervisory Staff are:

1. To create a learning atmosphere in the schools whereby optimum educational opportunities and child growth and development can be realized.
2. To provide for an open communications system throughout the District/ community.
3. To foster a high level of employee morale.

Functions and responsibilities of the Supervisory Staff are:

1. To provide leadership in the operations and services of the District.

MANAGEMENT TEAM (continued)

2. To perform such personnel functions as recommending the employment, assignment, and evaluation of personnel.
3. To adjust grievances of other employees in conformance with District contract interpretation.
4. To direct programs.
5. To develop, recommend, and administer the budget.
6. To work with the general staff and the Management Team toward the achievement of District goals.
7. To support the intent as well as the written Board Policies.
8. To perform other duties as assigned.

Confidential Staff

Confidential Staff are those employees in positions identified by the Board of Trustees as working with management personnel in the employer's interest; and who have access to, possess, process, or assess information to employee-employer relations.

Confidential Staff may include, but not be limited to:

1. Secretary to the Superintendent
2. Secretary to the Assistant Superintendent of Personnel Services
3. Secretary to the Assistant Superintendent of Business Services
4. Secretary to the Assistant Superintendent of Curriculum and Instruction
5. Computer Information Processing Specialist
6. Fringe Benefits Account Clerk
7. Personnel Clerk
8. Reprographics Operator
9. Administrative Clerk

MANAGEMENT TEAM (continued)

The goals of the Confidential Staff are:

1. To create an atmosphere whereby optimum educational opportunities can be realized.
2. To provide for an open communications system throughout the District/ community.
3. To foster a high level of employee morale.

Functions and responsibilities of the Confidential Staff are:

1. To promote positive and supportive employee-employer relations.
2. To maintain in confidence, as appropriate, material or information related to negotiations.
3. To work with the general staff and Management Team toward the achievement of District goals.
4. To support the intent as well as the written Board Policies.
5. To perform other duties as assigned.

MANAGEMENT TEAM

Compensation

The Board of Trustees and the other citizens of this community are interested in attracting and maintaining a qualified Management Team.

It shall be the policy of the Board to give consideration annually to the following factors in determining compensation plans for Management Team personnel:

1. The labor market and general economic condition of the Nation, State, and local area;
2. Trends in other professions and sectors of the work force;
3. A salary and fringe benefit program that compares favorably with other districts with similar fiscal, organizational, and geographical characteristics.

The Board of Trustees will establish total compensation programs within the financial resources available to the District.

MANAGEMENT TEAM

Compensation

1. Base Salary Schedule

The Salary Schedules adopted by the Board of Trustees on July 28, 1998, are attached.

The salary for Food Service Managers will be prorated as follows: From one (1) through three (3) years of service:

Food Service Manager I & II: .80

Beginning the fourth (4th) year and beyond:

Food Service Manager I & II: .83

2. Health and Welfare Benefits

The District will provide Management Team members monies for payment of health and welfare premiums; the amount established by the Board effective May 31, 1998, is \$6,250.00 per year.

3. Work Year

The work year for Management Team members established by the Board is listed on the Salary Schedule. The Board may authorize an increase in work year above the prescribed number with resultant increase in compensation at a per diem rate.

The Board may authorize a decrease in work year below the prescribed number with resultant decrease in compensation at a per diem rate.

Note: The work year for Classified Managers (with the exception of Food Service Managers) and Confidential Management Team members will be 225 days.

4. Experience Placement

Previous experience will be evaluated and recommended by the Superintendent (or designee) for initial placement on the salary schedule; maximum initial placement shall be step five. However, initial placement on the Management Team schedule for in-district personnel shall not result in a per diem loss of monies. In-district personnel with a higher per diem shall be "Y" rated on Step 5 at the lower of their current per diem or step 6.

MANAGEMENT TEAM (continued)

5. Requirement and Recognition of Advanced Degrees

A Master's Degree is required to qualify for certificated administrative positions. Administrators who have been awarded a doctorate shall receive additional 3% of base placement.

6. Credential Requirements

Administrators shall possess the credentials required by The California Education Code and by The Administrative Code, Title V.

7. Out-of-Classification Compensation

Management Team members who are temporarily assigned to perform duties in a higher salary classification shall be paid additional compensation, beginning with the first day, equal to the difference between the member's current salary schedule placement and the amount paid at the higher rate at the member's same experience step in the lower salary classification. Days served in the higher classification shall count toward fulfillment of days required to be served in the lower classification.

8. Overtime Pay for Confidential Management Team Members

The normal workday shall be eight (8) hours; the work week, forty (40) hours. Overtime shall be compensated for at the rate of one and one-half times the regular rate for all hours worked in excess of eight (8) hours per day or forty (40) hours per week.

Notwithstanding the provisions of above, the work week shall consist of not more than five (5) consecutive work days for any employee having an average workday of four (4) hours or more during the work week. Such an employee shall be compensated at the overtime rate for work performed on the sixth (6th) and seventh (7th) day.

An employee having an average workday of less than (4) hours during a work week shall, for any work performed on the seventh consecutive day be compensated at the overtime rate.

Whenever a Confidential member of the Management Team is called to return to work outside of his/her normal working hours, weekends, or holidays, without 24 hours notice, he/she will be paid a minimum of two (2) hours time at the applicable rate. Overtime must be authorized in advance by the supervisor.

MANAGEMENT TEAM (continued)

9. Professional Growth Stipend for Classified Management Team Members

The professional growth stipend is \$225 annually (per increment) to be paid in a lump sum in the November 30th warrant, provided that current professional growth qualifications are met in accordance with Policy 4040.

10. Longevity Recognition For Classified Management Team Members Employed Prior to July 1, 1987

Long term service for classified Management Team Members will be recognized and compensated as follows: 4% added to the base salary at the beginning of the sixth (6th) year; 7% added to the base salary at the beginning of the eleventh (11th) year; 10% added to the base salary at the beginning of the sixteenth (16th) year; and 13% added to the base salary at the beginning of the twentieth (20th) year of service to the District. Employees with breaks in service shall be eligible to have all years counted for longevity effective July 1, 1989.

In the event the District reclassifies a position to a confidential position and the position is filled by an incumbent, the incumbent will be eligible for longevity, provided the incumbent was employed prior to July 1, 1987. Beginning September 1, 1993, Classified Management Team Members will receive the same longevity increments as members of the California School Employees Association (CSEA).

11. Early Retirement Provisions for Management Team - Premium Contribution For Retirees (Effective May 31, 1998)

- a. The district will contribute toward health benefit premiums as set forth below for Management Team employees who retire at age 55 or older and who meet the service eligibility standards. The dollar amount of the contribution by the district shall not exceed the amount the district contributes for Management Team members.

Years of Service	Premium Payments Maximum Number of Year	Type	Dependents
5	10	Medical & Dental	Spouse
15	10	Medical & Dental	All Eligible Dependents
20*	10	Medical & Dental	All Eligible Dependents

MANAGEMENT TEAM (continued)

*Management Team members retiring at a minimum age of 55 years, with at least 20 years of service in Berryessa Union School District as of July 28, 1998, shall receive a health and welfare fringe benefit allowance equal to the Management Team allowance at the time they retire until the age of 65 which is indicated by the *.

- b. The district's contribution level will be the amount for the lowest cost coverage that existed at the time of retirement from service, or in an amount not to exceed the dollar contribution level as stated in II above.
 - c. The contributions will be made for the maximum number of years listed, or until the employee is eligible for Social Security, or until age 65, whichever event occurs first. Dependent coverage paid by the district will coincide with eligibility of the retiree.
 - d. The retiree may pay additional premiums to the district for coverage for spouse or eligible dependents, to the extent such dependents would be eligible under the current district insurance plans.
 - e. These benefits are subject to the Governing Board's annual review, both as to the level of contribution and the benefit specifications. These benefits are subject to termination and, as such, are not vested in any employee or retiree. These benefits will automatically expire on June 30th of the school year in which they are enacted, unless the Board, by specific resolution, enacts new terms.
12. Term life insurance coverage shall be \$50,000 per year for members of the Management Team.

Regulation

- approved: June 13, 1985
- revised: December 5, 1985
- revised: May 14, 1987
- revised: October 13, 1987
- revised: March 1, 1988
- revised: August 25, 1988
- revised: November 9, 1989
- revised: September 27, 1990
- revised: September 21, 1994
- revised: October 19, 1994
- revised: May 21, 1996
- revised: May 20, 1997
- revised: June 17, 1997
- revised: July 28, 1998
- revised:

BERRYESSA UNION SCHOOL DISTRICT
San Jose, California

CONTRACTS

The Board of Trustees recognizes the importance of employing qualified and competent individuals to manage district programs and to assist the Superintendent in coordinating efforts to achieve district goals and objectives. To that end, the Board may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4313.2 - Demotion/Reassignment)

(cf. 4314 - Transfers)

The Board may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

Prior to entering into any such contract, the Board and Superintendent shall consider the financial impact of the contract on the district. The proposed contract shall also be reviewed by legal counsel to ensure that all legally required provisions are included in the contract and to address any potentially adverse obligations for the district.

(cf. 3460 - Financial Reports and Accountability)

The Board may deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. Discussions regarding salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception") for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the employee. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

The Board shall take final action on an employment contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

CONTRACTS (continued)

Copies of any contract and other public records created or received in the process of developing the recommendation related to the salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

(cf. 1340 - Access to District Records)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9324 - Minutes and Recordings)

Extension of Contract/Reemployment

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

(cf. 4315 - Evaluation/Supervision)

During the term of the contract and with the consent of the employee involved, the Board may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the Board and the employee. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 calendar days prior to the expiration of the term of the contract. (Education Code 35031)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Termination of Contract

The Board may terminate an employment contract prior to its expiration date in accordance with the conditions and process specified in the contract.

Every employment contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the contract is terminated prior to its expiration date. (Government Code 3511.2, 53260)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

In addition, all employment contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of his/her office or position, he/she shall fully reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination and for any funds expended by the district in his/her criminal legal defense. (Government Code 53243-53243.4, 53260)

Legal Reference: (see next page)

CONTRACTS (continued)

Legal Reference:

EDUCATION CODE

35030 *Title of deputy, associate or assistant superintendent for certain positions*

35031 *Term of employment*

44842 *Automatic declining of employment*

44843 *Notice of employment to county superintendent*

44929.20 *Continuing contract*

44951 *Continuation in position unless notified*

GOVERNMENT CODE

3511.1-3511.2 *Local agency executives*

53260-53264 *Employment contracts*

54953 *Oral summary of recommended salary and benefits of district executive*

54954 *Time and place of regular meetings*

54956 *Brown Act - Open meeting laws; special meetings*

54957 *Closed session, personnel matters*

ATTORNEY GENERAL OPINIONS

57 Ops.Cal.Atty.Gen. 209 (1974)

Management Resources:

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

California Office of the Attorney General: <https://oag.ca.gov>

MANAGEMENT TEAM

Compensation - Early Retirement

The Board of Trustees wishes to reduce its future unfunded liability for post-retirement benefits by eliminating the provision of retiree medical benefits for Management Team employees hired on or after July 1, 2010, while continuing to provide an Early Retirement benefit for Management Team personnel hired before July 1, 2010.

The benefits provided by this policy shall apply to all Management Team employees as that term is defined in Board Policy 4304, including all Management Staff as defined and/or listed in BP 4304, subsections 1.1 and 1.2, all Supervisory Staff as defined and/or listed in subsections 2.1 and 2.2, and Confidential Staff as defined and/or listed in subsections 3.1 and 3.2.

This policy shall become effective on the date of adoption by the Board, and supersedes all previous Early Retirement policies and administrative regulations for employees who have not yet retired. Employees do not have a vested right to the benefits provided by this policy.

The qualifications and benefits of this policy for members of the Management Team as defined in Board Policy 4304 employed in a Management Team position prior to July 1, 2010 include the following:

1. The District will contribute up to a total maximum of \$1,100 per month toward medical, dental, and/or vision insurance premiums in District-provided plans in which the retiree (including dependants) is eligible to enroll.
2. To be eligible for the District contribution described in number 1 above, the retired District employee must meet all of the following requirements:
 - a. have retired from the District on or after reaching the minimum age of 55;
 - b. have worked in a Management Team position as defined in Board Policy 4304 for a minimum period of five (5) years prior to retirement; and
 - c. not yet have reached his/her 65th birthday.

The Early Retirement benefit will cease on the earliest of the following dates: (a) after ten (10) years, (b) when the retiree reaches age 65, or (c) when the retiree becomes eligible for Medicare.

Employees whose first day of employment in a Management Team position is on or after July 1, 2010 shall not be eligible for any Early Retirement benefit except as provided in this paragraph. Any employee who is promoted into a Management Team position without interruption in service will continue to gain employment credit toward and will be eligible for the early retirement benefits provided to the employees in the bargaining unit from which he/she was promoted. The applicable early retirement benefits shall be the benefits provided to employees in the bargaining unit at the time the Management Team employee retires.

MANAGEMENT TEAM (continued)

It is the intent of the Board of Trustees to develop a defined contribution, employee participation early retirement benefit for all employees prior to the end of the 2012-2013 school year.

DEMOTION/REASSIGNMENT

The Board of Trustees may authorize the demotion or reassignment of any administrative or supervisory employee upon the recommendation of the Superintendent or designee and when such action is determined to be in the best interest of the district.

- (cf. 0520.2 - Title I Program Improvement Schools)*
- (cf. 0520.3 - Title I Program Improvement Districts)*
- (cf. 4300 - Administrative and Supervisory Personnel)*
- (cf. 4312.1 - Contracts)*
- (cf. 4314 - Transfers)*

The Superintendent or designee shall ensure that the district complies with all applicable statutory deadlines and due process procedures when an employee is to be demoted or reassigned.

Legal Reference:

EDUCATION CODE

- 35031 Senior management employee in the classified service: nonreelection*
- 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*
- 44897 Classification of administrator or supervisor to a teaching position*
- 44951 Continuation in position unless notified*
- 45101 Definitions (including disciplinary action, cause)*
- 45113 Rules for classified service in districts not incorporating the merit system*
- 52055.57 Districts identified or at risk of identification for program improvement*

COURT DECISIONS

- Jefferson v. Compton Unified School District, (1993) 14 Cal. App. 4th 32*
- Schultz v. Regents of the University of California, (1984) 160 Cal. App. 3d 768*
- Ellerbroek v. Saddleback Valley Unified School District, (1981) 125 Cal. App 3d 348*
- Skelly v. California Personnel Board, (1975) 15 Cal.3d 194*
- Hentschke v. Sink, (1973) 34 Cal. App. 3d 19*

DEMOTION/REASSIGNMENT

Certificated Administrative Employees

Permanent certificated management staff are not entitled to seniority rights in their administrative positions. However, such staff shall earn and/or retain any seniority earned in service as a classroom teacher or site administrator pursuant to Education Code 44893, 44894, or 44956.5.

(cf. 4117.3 - Personnel Reduction)
(cf. 4117.6 - Decision Not to Rehire)

End of Year Release/Reassignment of Certificated Administrators

By March 15, an employee shall be notified by either registered mail or in person that he/she may be released or reassigned from his/her position for the following school year. If the notice is presented to the employee in person, the district shall obtain his/her signature acknowledging receipt of the notice on the district's copy of the written notice. (Education Code 44951)

If the March 15 notice indicates that release or reassignment is only a possibility, the Board of Trustees shall take additional action to release/reassign the employee before the new school year and shall send the employee a second notice by June 30 indicating that he/she has been released or reassigned.

If the employee is to be released or reassigned to a teaching position, the Board shall give the employee, upon his/her request, a written statement of the reasons for the release/reassignment. If the reasons include incompetence as an administrator or supervisor, the district shall have completed an evaluation of the employee within the 60-day period immediately preceding the notice date. (Education Code 44896)

TRANSFERS

The Board of Trustees recognizes the importance of placing employees in positions that best utilize their skills and talents, help improve student achievement, and provide the most benefit to the district.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4312.1 - Contracts)

(cf. 4313.2 - Demotion/Reassignment)

Upon the recommendation of the Superintendent or designee, the Board shall approve the transfer or rotation of administrative or supervisory personnel to the same position at another location for reasons including, but not limited to, the need to improve student achievement and operational efficiency, utilize the skills and talents of the employee more effectively, provide opportunities for professional growth, provide an opportunity for evaluating employees in different school settings or locations, and best accommodate the overall needs of the district.

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

The Superintendent or designee shall establish procedures to enable administrative or supervisory personnel to request a transfer to a vacant position.

Legal Reference:

EDUCATION CODE

35031 Senior management employee in the classified service: nonreelection

35035 Additional powers and duties of superintendent

44850.1 No tenure in administrative or supervisory positions

44896 Transfer of administrator or supervisor to teaching position

44897 Classification of administrator or supervisor to a teaching position

44951 Continuation in position unless notified

45101 Definitions (including disciplinary action, cause)

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

52055.57 Districts identified or at risk of identification for program improvement

COURT DECISIONS

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

TRANSFERS

Involuntary Transfer

Before recommending the transfer or lateral rotation of an employee, the Superintendent or designee shall confer with the affected employee and notify him/her of the intent to recommend the transfer. For transfers effective at the beginning of the school year, this conference shall take place before May 30. Affected employees shall be notified of the final decision, in writing, as soon as practicable.

Voluntary Transfer

The employee shall submit a transfer request to the Superintendent or designee at the time of the known vacancy. The employee shall be notified in writing of the decision whether or not to grant the transfer request.

Transfer requests may be withdrawn by the employee at any time prior to the final decision.

EVALUATION/SUPERVISION

The Board of Trustees believes that regular, comprehensive evaluations designed to hold administrative and supervisory staff accountable for their performance are key to improving their instructional leadership and management skills. Evaluations shall be linked to the district's vision and goals and school improvement plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 4300 - Administrative and Supervisory Personnel)

Evaluations shall be used to recognize the exemplary skills and accomplishments of administrative and supervisory employees, serve as a criterion for contract renewals, and identify areas needing improvement. When the evaluation indicates areas needing improvement, the Board expects employees to take the initiative to improve their performance and for their supervisors to assist them in obtaining needed job skills.

(cf. 4331 - Staff Development)

Administrative and supervisory employees shall be evaluated in accordance with provisions of employee contracts and/or applicable collective bargaining agreements as appropriate.

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 4312.1 - Contracts)

The Superintendent or designee shall make written evaluation procedures available to all administrative and supervisory employees.

(cf. 4112.9 - Employee Notifications)

An employee shall be evaluated annually for the first and second years of employment as an administrator or supervisor in the district, and at least every two years thereafter, unless otherwise provided for in an employee contract or collective bargaining agreement. Evaluations may occur between scheduled periods at the request of the employee, his/her supervisor, or the Superintendent or designee.

The Superintendent or designee shall establish clear, objective criteria for evaluation based on the job responsibilities of each administrative or supervisory position.

Evaluation criteria for certificated school site administrators may be based on the California Professional Standards for Educational Leaders (CPSEL) and also may include, but not be limited to, evidence of: (Education Code 44671)

1. Academic growth of students, based on multiple measures which may include student work as well as student and school longitudinal data that demonstrate academic growth over time

EVALUATION/SUPERVISION (continued)

Assessments used for this purpose shall be valid and reliable and used for the intended purposes and for the appropriate student populations. Local and state academic assessments may include, but are not limited to, state standardized assessments and formative, summative, benchmark, end-of-chapter, end-of-course, Advanced Placement, International Baccalaureate, college entrance, and performance assessments.

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6141.5 - Advanced Placement)

2. Effective and comprehensive teacher evaluations, including, but not limited to, curricular and management leadership, ongoing professional development, teacher-principal teamwork, and professional learning communities
3. Culturally responsive instructional strategies to address and eliminate the achievement gap
4. The ability to analyze quality instructional strategies and provide effective feedback that leads to instructional improvement
5. High expectations for all students and leadership to ensure active student engagement and learning
6. Collaborative professional practices for improving instructional strategies
7. Effective school management, including personnel and resource management, organizational leadership, sound fiscal practices, a safe campus environment, and appropriate student behavior
8. Meaningful self-assessment to improve as a professional educator, which may include, but not be limited to, a self-assessment based on the CPSEL and the identification of areas of strengths and areas for professional growth to engage in activities to foster professional growth
9. Consistent and effective relationships with students, parents/guardians, teachers, staff, and other administrators

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

The evaluation shall be dated and signed by the employee and evaluator. The employee may respond in writing to the evaluation within a reasonable time after receiving a copy of the evaluation. The response shall be attached to the evaluation and placed in the employee's personnel file.

EVALUATION/SUPERVISION (continued)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

35171 Availability of rules and regulations for evaluation of performance

44660-44665 Evaluation and assessment of performance of certificated employees

44670-44671 Principal evaluation

45113 Rules and regulations for the classified service in districts not incorporating the merit system

GOVERNMENT CODE

3540.1 Meeting and negotiating in public educational employment, definitions

3543.2 Scope of representation

3545 Determination of bargaining units

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Educational Leaders

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

PROFESSIONAL STANDARDS

CALIFORNIA PROFESSIONAL STANDARDS FOR EDUCATIONAL LEADERS

Standard 1. Development and Implementation of a Shared Vision: Education leaders facilitate the development and implementation of a shared vision of learning and growth of all students.

- 1A. Student-Centered Vision: Leaders shape a collective vision that uses multiple measures of data and focuses on equitable access, opportunities, and outcomes for all students.
- 1B. Developing Shared Vision: Leaders engage others in a collaborative process to develop a vision of teaching and learning that is shared and supported by all stakeholders.
- 1C. Vision Planning and Implementation: Leaders guide and monitor decisions, actions, and outcomes using the shared vision and goals.

Standard 2. Instructional Leadership: Education leaders shape a collaborative culture of teaching and learning informed by professional standards and focused on student and professional growth.

- 2A. Professional Learning Culture: Leaders promote a culture in which staff engages in individual and collective professional learning that results in their continuous improvement and high performance.
- 2B. Curriculum and Instruction: Leaders guide and support the implementation of standards-based curriculum, instruction, and assessments that address student expectations and outcomes.
- 2C. Assessment and Accountability: Leaders develop and use assessment and accountability systems to monitor, improve, and extend educator practice, program outcomes, and student learning.

Standard 3. Management and Learning Environment: Education leaders manage the organization to cultivate a safe and productive learning and working environment.

- 3A. Operations and Facilities: Leaders provide and oversee a functional, safe, and clean learning environment.
- 3B. Plans and Procedures: Leaders establish structures and employ policies and processes that support students to graduate ready for college and career.
- 3C. Climate: Leaders facilitate safe, fair, and respectful environments that meet the intellectual, linguistic, cultural, social-emotional, and physical needs of each learner.

PROFESSIONAL STANDARDS (continued)

- 3D. Fiscal and Human Resources: Leaders align fiscal and human resources and manage policies and contractual agreements that build a productive learning environment.

Standard 4. Family and Community Engagement: Education leaders collaborate with families and other stakeholders to address diverse student and community interests and mobilize community resources.

- 4A. Parent and Family Engagement: Leaders meaningfully involve all parents/guardians and families, including underrepresented communities, in student learning and support programs.
- 4B. Community Partnerships: Leaders establish community partnerships that promote and support students to meet performance and content expectations and graduate ready for college and career.
- 4C. Community Resources and Services: Leaders leverage and integrate community resources and services to meet the varied needs of all students.

Standard 5. Ethics and Integrity: Education leaders make decisions, model, and behave in ways that demonstrate professionalism, ethics, integrity, justice, and equity and hold staff to the same standard.

- 5A. Reflective Practice: Leaders act upon a personal code of ethics that requires continuous reflection and learning.
- 5B. Ethical Decision-Making: Leaders guide and support personal and collective actions that use relevant evidence and available research to make fair and ethical decisions.
- 5C. Ethical Action: Leaders recognize and use their professional influence with staff and the community to develop a climate of trust, mutual respect, and honest communication necessary to consistently make fair and equitable decisions on behalf of all students.

Standard 6. External Context and Policy: Education leaders influence political, social, economic, legal, and cultural contexts affecting education to improve education policies and practices.

- 6A. Understanding and Communicating Policy: Leaders actively structure and participate in opportunities that develop greater public understanding of the education policy environment.

PROFESSIONAL STANDARDS (continued)

- 6B. Professional Influence: Leaders use their understanding of social, cultural, economic, legal, and political contexts to shape policies that lead all students to graduate ready for college and career.
- 6C. Policy Engagement: Leaders engage with policymakers and stakeholders to collaborate on education policies focused on improving education for all students.

STAFF DEVELOPMENT

The Board of Trustees recognizes that professional development enhances employee effectiveness and contributes to personal growth. Staff development for administrative and supervisory personnel shall be designed to guide institutional improvement, build leadership skills, and enhance overall management efficiency.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

The Superintendent or designee shall develop a plan for administrator support and development activities that is based on a systematic assessment of the needs of district students and staff and is aligned to the district's vision, goals, local control and accountability plan, and other comprehensive plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

The district's staff development program for district and school administrators may include, but is not limited to, the following topics:

1. Personnel management, including best practices on hiring, recruitment, assignment, and retention of staff

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4113 - Assignment)

2. Effective fiscal management and accountability practices

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

3. Academic standards and standards-aligned curriculum and instructional materials

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

4. Leadership training to improve the academic achievement of all students, including capacity building in pedagogies of learning, instructional strategies that meet the varied learning needs of students, and student motivation

STAFF DEVELOPMENT (continued)

5. The use of student assessments, including analysis of disaggregated assessment results to identify needs and progress of student subgroups

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

6. The use of technology to improve student performance and district operations

(cf. 0440 - District Technology Plan)

7. Creation of safe and inclusive school environments

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5137 - Positive School Climate)

8. Parental involvement and community collaboration

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

9. Employee relations

10. Effective school and district planning processes

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

(cf. 4315 - Evaluation/Supervision)

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

STAFF DEVELOPMENT (continued)

Legal Reference:

EDUCATION CODE

44681-44689.2 *Administrator training and evaluation*

52060-52077 *Local control and accountability plan*

Management Resources:

WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS

California Professional Standards for Educational Leaders, 2001

WEB SITES

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

California School Leadership Academy: <http://www.csla.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

WestEd: <http://www.wested.org>