

Regulation 4313.2: Demotion/Reassignment

Status: ADOPTED

Original Adopted Date: 07/01/1986 | **Last Revised Date:**
03/01/2007 | **Last Reviewed Date:** 03/01/2007

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.

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 Governing Board 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)

State	Description
Ed. Code 35031	<u>Term of employment</u>
Ed. Code 44660-44665	<u>Evaluation and assessment of performance of certificated employees</u>
Ed. Code 44850.1	<u>No tenure in administrative or supervisory position</u>
Ed. Code 44896	<u>Transfer of administrator or supervisor to teaching position</u>
Ed. Code 44897	<u>Classification of administrator or supervisor to a teaching position</u>
Ed. Code 44951	<u>Continuation in position unless notified; administrative or supervisory personnel</u>
Ed. Code 45101	<u>Definitions; disciplinary action and cause</u>
Ed. Code 45113	<u>Notification of charges; classified employees</u>
Management Resources	Description
Court Decision	Ellerbrook v. Saddleback Valley Unified School District (1981) 125 Cal. App 3d 348
Court Decision	Hentschke v. Sink (1973) 34 Cal. App. 3d 19
Court Decision	Jefferson v. Compton Unified School District (1993) 14 Cal. App. 4th 32
Court Decision	Schultz v. Regents of the University of California (1984) 160 Cal. App. 3d 768

Court Decision
Website

Skelly v. California Personnel Board (1975) 15 Cal.3d 194
CSBA District and County Office of Education Legal Services

Code

4117.3
4300
4300
4312.1
4314
4314

Description

Personnel Reduction
Administrative And Supervisory Personnel
Administrative And Supervisory Personnel
Contracts
Transfers
Transfers