

## **Davis School District Policy and Procedures**

**Subject: 2HR-112 Administrators Contract Provisions**

**Index: Human Resources – Administrator Employment Provisions**

**Revised: June 6, 2014**

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### **1. PURPOSE AND PHILOSOPHY**

The Board of Education of the Davis School District (Board) establishes this policy to provide uniformity and quality in its employment contract with administrative personnel in the Davis School District (District).

### **2. NOTIFICATION OF SALARY**

The superintendent shall make available to administrators an annual salary schedule which lists the salary, additional stipends, annuity amount, and vacation days for the contract year. Additional stipends provided for extra duty or extended contracts may be withdrawn at any time. Receipt of compensation for extra duty or extended contracts shall establish no right, expectation, or requirement that such assignment and compensation will continue in the future. Extra duty assignments may be modified or changed at any time.

### **3. CONTRACT DISCUSSIONS**

Discussions shall take place each year between administrators and the District administration.

3.1. Items for discussion may include, but are not limited to salary, benefits, professional development, calendar, and policy items.

3.2. Discussion meetings may be held with representatives selected by each of the following groups of administrators:

- 3.2.1. Assistant Superintendents
- 3.2.2. School Directors
- 3.2.3. Secondary Principals
- 3.2.4. Secondary Assistant Principals
- 3.2.5. Elementary Principals
- 3.2.6. District Level Department Heads
- 3.2.7. District Level Program Directors
- 3.2.8. Curriculum and Instruction Supervisors
- 3.2.9. Others

### **4. EXEMPT STATUS UNDER THE FAIR LABOR STANDARDS ACT (FLSA)**

Under federal law, District administrative employees are classified as exempt employees, meaning the minimum wage and overtime pay provisions of the FLSA do not apply. Unless specifically approved by the superintendency, District exempt employees are not eligible for overtime compensation or compensatory time off.

### **5. LEAVE**

The following leaves of absence are provided in accordance with applicable federal law, state law and District policy.

- 5.1. Sick
- 5.2. Emergency
- 5.3. Family Medical
- 5.4. Vacation
- 5.5. Civic Duty
- 5.6. Service in the Legislature

- 5.7. Military
- 5.8. Unpaid Leave of Absence
- 5.9. Professional

**Unless otherwise outlined in this policy, leaves of absence shall be administered as outlined in 8DA-Educators' Agreement, Section 5.**

## **6. PROPER REPORTING OF LEAVE**

It is the policy of the District that all employees, including those exempt under the overtime provisions of the FLSA, report all time off (vacation, sick leave, etc.) taken during each payroll period.

- 6.1. In addition to the electronic reporting system, administrators shall report all time off on a leave reporting card or other signed form showing vacation and sick leave used. They should not rely on other employees to track and report their time off from work for them.
- 6.2. In accordance with state statute, public employees should never let outside employment interfere with the performance of their public job duties. In compliance with this statute, administrators may not conduct outside employment during their regular District work hours unless they use and record vacation hours for all the time involved.
- 6.3. Administrators shall report as vacation, time spent during the regular work day participating in recreational activities such as golf, unless the activity is sponsored or sanctioned by the superintendent.

## **7. SCHEDULING VACATION**

Administrators may schedule vacation, days at any time during the year with approval of their immediate supervisor.

- 7.1. Administrators shall be present during critical times for their school or department.
- 7.2. The immediate supervisor shall approve any exceptions.

## **8. ADMINISTRATIVE VACANCIES**

- 8.1. The Human Resources Department shall announce administrative vacancies, with the following exceptions:
  - 8.1.1. vacancies filled through involuntary transfers or through similar administrative action by the superintendent; or
  - 8.1.2. vacancies filled through voluntary transfers of administrators assigned to similar positions in the District.
- 8.2. District administrators interested in an appointment at a non-comparable administrative level shall complete an application as required by the Human Resources Department and compete with all interested candidates.

## **9. ADMINISTRATIVE TRANSFERS**

The transfer of administrative staff, with Board approval, shall be under the direction of the superintendent or designee.

- 9.1. Voluntary Transfers
  - 9.1.1. Administrators who desire a change in assignment shall submit a request to the superintendent or designee in writing.
  - 9.1.2. As voluntary reassignment or transfer requests are considered, administrator

assignment preferences may be honored when they do not conflict with the best interests of the District.

- 9.1.3. Before a transfer decision is finalized it shall be discussed with the administrator involved and his/her direct supervisor.
- 9.2. Voluntary Transfer to Non-Administrative Position
  - 9.2.1. Administrators may request to transfer to non-administrative positions for which they meet all qualification requirements.
  - 9.2.2. Administrators desiring such transfers shall submit requests in writing to the superintendent or designee at any time during the year.
  - 9.2.3. The superintendent or designee may grant such requests pending availability of suitable openings and a determination that the transfer would not be unduly disruptive to the schools or programs involved.
  - 9.2.4. Compensation of administrators accepting non-administrative transfers shall be adjusted to the pay level of the non-administrative positions.
- 9.3. Involuntary Transfers
  - 9.3.1. The superintendent or designee shall review administrative assignments annually and make appropriate transfer recommendations to the Board.
  - 9.3.2. Before finalizing an involuntary transfer of an administrator performing satisfactorily the District shall consider the following:
    - [a] whether the administrator has fewer than three (3) years at the present assignment;
    - [b] whether the administrator has critical goals nearing completion; and
    - [c] how the transfer affects overall compensation.
  - 9.3.3. When administrators are asked to consider a specific transfer, they will normally be given at least two (2) working days to respond.
  - 9.3.4. The administrator is entitled to a meeting with the superintendent or designee and he/she may bring to the meeting a professional association representative or an administrative colleague to discuss concerns relating to the involuntary transfer.

## 10. NECESSARY ADMINISTRATOR REDUCTION IN FORCE

- 10.1. The District may reduce the number of administrators because of the following:
  - 10.1.1. declining student enrollment in the District;
  - 10.1.2. discontinuance of a particular service;
  - 10.1.3. unanticipated revenue shortage following budget adoption; or
  - 10.1.4. school consolidation.
- 10.2. Retention Preference Criteria

When a reduction of administrative staff becomes necessary, administrators assigned in the contract year the reduction is identified in the position(s) identified for reduction (e.g. secondary assistant principal, department director, etc.) shall be identified for a reduction in staff. If a program is eliminated or downsized the administrators assigned to that program shall be identified as subject to reduction in staff and shall not displace administrators in other programs or assignments. The following retention criteria shall apply to individuals thus identified.

  - 10.2.1. First retention preference shall be given to administrators whose overall performance was not rated unsatisfactory on their most recent evaluation.
  - 10.2.2. Second retention preference shall be given to administrators who have received no disciplinary action (including written warnings or unpaid disciplinary suspensions) within the last three (3) contracts years.
  - 10.2.3. Third retention preference shall be given to administrators who possess the

- appropriate licensing and/or experience for their assignments.
- 10.2.4. Fourth retention preference shall be given to administrators on the basis of administrators who have accomplished career status.
- 10.2.5. Fifth retention preference shall be determined by the Superintendent or his/her designee. In making this determination, the Superintendent or designee shall consider criteria including, but not limited to, participation in extra administrative assignments and/or committees, educational degrees, and experience.
- 10.2.6. Administrators subject to reduction in force or non-retention for reasons other than dismissal for cause may apply for transfers to non-administrative positions for which they meet minimum qualifications.

**11. ADMINISTRATOR BENEFITS**

- 11.1. Administrators shall be eligible for benefits in a comparable manner to those offered to other employees. These include, but are not limited to:
  - 11.1.1. medical insurance, including the District Wellness Program;
  - 11.1.2. dental insurance;
  - 11.1.3. long term disability insurance;
  - 11.1.4. short term disability insurance;
  - 11.1.5. life and accidental death and dismemberment insurance;
  - 11.1.6. vision insurance;
  - 11.1.7. workers compensation;
  - 11.1.8. indemnity coverage;
  - 11.1.9. retirement benefits;
  - 11.1.10. early retirement incentives; and
  - 11.1.11. annuity programs and deferred compensation programs.
- 11.2. All administrators shall receive appropriate administrative allowances or reimbursements.
- 11.3. Recognizing the importance of continued training and association with other professionals, the District shall financially participate in professional development.
- 11.4. District employees transferred or promoted to administrative positions shall retain their current accumulated vacation and sick leave balances.
- 11.5. Administrators on a 12 month contract assignment may carry forward a maximum of 40 days' vacation at the beginning of each benefit year (July 1 – July 30). Administrators will need to use days over the annual maximum by the last day of the monthly payroll absence reporting period in October. Unused days over the annual maximum will be forfeited.

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**DEFINITIONS**

**“Administrator”** means an employee other than the District Superintendent or Business Administrator, who holds an administrative position as designated by the Superintendent.

**“Contract term” or “term of employment”** means the period of time an Administrator is engaged by the District under a contract of employment, whether oral or written. Unless expressly identified otherwise, this period is from July 1, through June 30.

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**REFERENCES**

29CFR Title 29 Part 516 – The Fair Labor Standards Act

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**DOCUMENT HISTORY:**

**Adopted: September 21, 1993**

**Revised: November 3, 2009** – As part of a five-year review policy updated to reflect current practice and changes in State law.

**Revised: September 22, 2010 (by consent)** – New five-year review date. Included leave provisions previously in policy 2HR-010 Leave of Absence which was deleted as part of reorganization of Section 2 of the policy manual.

**Revised: June 6, 2014** – Repealed policy 2HR-114 Administrators Dismissal and Reduction of Force Procedures incorporated Reduction of Force Procedures into this policy. Repealed policy 2HR-113 Administrators Evaluation Procedures. All employees are covered under the same discipline and dismissal policy, 2HR-004.