

**PROMOTION/DEMOTION/REASSIGNMENT**

A. Purpose and Scope

To provide guidance and direction to management, supervisory and confidential personnel, the Superintendent or designee, and the Governing Board regarding promotion, demotion and/or reassignment of management or supervisory employees who hold a position requiring an administrative or supervisory credential or who hold a management, supervisory or confidential classified position.

B. General

1. “Promotion” means assignment to a superior position or status.
2. “Demotion” means assignment to an inferior position or status without the employee’s written voluntary consent.
3. “Reassignment” means assignment to an equivalent position with a different job title without the employee’s written voluntary consent.
4. It is the expectation of the Governing Board that if it becomes necessary to demote and/or reassign an employee holding a management, supervisory or confidential position in the best interest of the District, the Superintendent or designee will present a written statement to the Governing Board which states the reasons for the Superintendent’s recommendation, assuring that the rights of the employee are fully observed and that any applicable statutory deadlines are met. The Governing Board shall act on the Superintendent’s recommendation and the decision of the Governing Board shall be final.
5. In the event it is the Superintendent’s recommendation to demote and/or reassign an employee immediately and the Governing Board concurs, the demoted/reassigned employee shall receive pay and other benefits specified in his/her contract for the remainder of the contract period, but after expiration of the contract a new contract, if any, may be negotiated according to the appropriate salary schedule.

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C. Forms Used and Additional References

None.

D. Procedure

1. If the Superintendent or designee determines that a demotion and/or reassignment of an employee is in the best interest of the District, the Superintendent or designee shall provide the employee an opportunity to read any evaluation (if one was required) upon which the recommendation for demotion and/or reassignment is based and an opportunity to comment upon such evaluation by attaching a written statement to it.
2. The Superintendent or designee will communicate any recommendation for demotion and/or reassignment to the Governing Board.
3. The Superintendent or designee shall provide the employee written notice of the intent to demote and/or reassign him/her to a designated position. The notice will inform the employee of the specific reasons for the demotion and/or reassignment, his/her right to a hearing before the Governing Board, and the time within which such hearing may be requested (which shall be not less than five days after service of the notice to the employee). The notice shall also contain a paper, the signing and filing of which by the employee shall constitute a request for hearing. The request for hearing shall be filed in the office of the Superintendent or designee. If the employee fails to file a request for hearing as specified above, he/she will be deemed to have waived the right to a hearing and the demotion and/or reassignment shall be made effective immediately upon approval by the Governing Board.
4. The Governing Board shall approve or reject the Superintendent's recommendation for demotion and/or reassignment. If a request for hearing is filed as specified above, a closed session of the Governing Board will be held to discuss the matter with the employee prior to making a decision on the recommendation. The decision of the Governing Board shall be final.

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5. If any management or supervisory employee who holds a position requiring an administrative or supervisory credential is to be transferred to a teaching position or to a lower management position, the Governing Board shall give the employee, when requested by him/her, a written statement of the reasons for such transfer. If the reasons include incompetency, an evaluation of the employee shall have been completed not more than 60 days prior to giving notice of the transfer.
6. The notice of demotion or transfer to a teaching position shall be sent by registered mail to the employee's last known address by March 15, except that if the notice is presented to the employee in person the signature of the employee must be obtained on the written notice of transfer to a teaching position or demotion, also by March 15.

E. Reports Required

None.

F. Record Retention

Personnel File

G. Responsible Administrative Unit

Human Resources

H. Approved By

Associate Superintendent for Human Resources

Regulation Acknowledged:

TUSD: 10/27/98