

**PROMOTION/DEMOTION/REASSIGNMENT**

Personnel Demotion/Reassignment in the best interest of the District

The Governing Board may promote, demote, and/or reassign management, supervisory and confidential certificated and classified employees of the District when such action is in the best interest of the District. 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.

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, will be negotiated according to the appropriate salary schedule.

The Superintendent or designee is directed to develop regulations and procedures for evaluation of management, supervisory and confidential personnel which, in addition to accomplishing the usual goals of evaluation, will facilitate the demotion and/or reassignment of management personnel as appropriate in the best interest of the District.

Personnel Demotion/Reassignment Because of Layoff Necessity

If, because of declining enrollment or other lawful reasons, it becomes necessary to demote or reassign management, supervisory or confidential personnel, the procedures in administrative regulations 4117.3 & 4217.3 will be followed.

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Legal Reference:

EDUCATION CODE

35031	Senior management employee in the classified service: non-reelection
446601-44665	Evaluation and assessment of performance of certificated employees
44850.1	No tenure in administrative or supervisory positions.
44896	Re: Transfer of administrator or supervisor to teaching position.
44897	Classification of Administrator or supervisor as classroom teacher.
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
72411	Employment of administrators

Ellerbrook 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

Policy Adopted

TUSD:10/27/98