



PERSONNEL – MANAGEMENT AND SUPERVISORY EMPLOYEES

BOARD POLICY – CONTRACTS

BP 4312.1

The County Board of Education and the County Superintendent of Schools recognize the importance of employing qualified and competent individuals to manage SBCEO programs and to assist the County Superintendent of Schools in coordinating efforts to achieve SBCEO goals and objectives. To that end, the County Superintendent of Schools or designee may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

The County Superintendent of Schools or designee 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 County Superintendent of Schools or designee shall consider the financial impact of the contract on the SBCEO.

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

Extension of Contract/Reemployment

A contract shall be extended only by County Superintendent of Schools or designee subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

During the term of the contract and with the consent of the employee involved, the County Superintendent of Schools or designee 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 County Superintendent of Schools or designee and the employee. (Education Code 35031)

If the County Superintendent of Schools or designee decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of the employee's term, it shall notify the employee in writing 45 calendar days prior to the expiration of the term of the contract. (Education Code 35031)

Termination of Contract

The County Superintendent of Schools or designee 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)

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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Attorney General Opinion
Website
Website
Website

Description

57 Ops. Cal. Atty. Gen. 209 (1974)
[CSBA](#)
[California Office of the Attorney General](#)
[Association of California School Administrators](#)

State

Ed. Code 35030

Ed. Code 35031

Ed. Code 44842

Ed. Code 44843

Ed. Code 44929.20

Ed. Code 44951

Gov. Code 3511.1-3511.2

Gov. Code 53260-53264

Gov. Code 54953

Gov. Code 54954

Gov. Code 54956

Gov. Code 54957

Description

Title of deputy, associate or assistant superintendent for certain positions
Term of employment
Reemployment notices, certificated employees
Notice of employment to county superintendent
Continuing contracts (not to exceed four years - ADA under 250)
Continuation in position unless notified, administrative or supervisory personnel
Local agency executives
Employment contracts
Oral summary of recommended salary and benefits of superintendent
Time and place of regular meetings
Special Meetings
Complaints against employees; right to open session

ADOPTED BY COUNTY BOARD: November 3, 2022
REVISED: