

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

The Governing Board recognizes that effective management is vital to the success of district operations. Management personnel are expected to demonstrate initiative and good judgment in the development, implementation and oversight of district programs. Supervisors shall promote the productivity, professional growth and teamwork of district staff.

(cf. 4000 – Concepts and Roles)

The Board shall adopt policies related to administrative and supervisory personnel insofar as they are needed to comply with law and describe terms of employment within the district.

The Board may, by resolution, establish or abolish positions of the senior management of the classified service. Any employee occupying a senior management position abolished by Board action shall become a member of the classified or certificated service in a position to which he/she would otherwise be entitled if he/she had not been in a senior management position. (Education Code 45104.5)

Legal Reference:

EDUCATION CODE

35031 *Term of employment*

45100.5 *Senior management positions*

45104.5 *Abolishment of senior classified management positions*

45108.5 *Definitions of senior classified management employees*

45108.7 *Waiver of provisions of 45108.5*

45128 *Overtime*

45130 *Exclusion from overtime provisions*

45256.5 *Designation of certain positions*

GOVERNMENT CODE

3540 *Purpose*

3540.1 *Definitions*

3543.4 *Management position; representation*

3545 *Appropriateness of unit; basis*

COURT DECISIONS

Auer v. Robbins, (1997) 117 S.Ct. 905

Classified Senior Management and Supervisory Employees

Management, supervisory and confidential positions shall be defined as follows:
(Government Code 3540.1)

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest position not requiring certification in a principal district program area, with districtwide responsibility for formulating policy or administering the program.

Employees holding positions designated as classified senior management and supervisory positions are entitled to all of the rights, benefits, and burdens of other classified employees, except that each senior management and supervisory employees shall not obtain permanent status in a senior management position. (Education Code 45100.5,45256.5)

If assigned to a position within a bargaining unit, classified management and supervisory employees shall be reclassified at the discretion of the Governing Board subject to provisions of the applicable collective bargaining agreement.

Administrative Staff Organization

The Governing Board authorizes the Superintendent to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations.

(cf. 2110 – Superintendent Responsibilities and Duties)
(cf. 4300 – Administrative and Supervisory Personnel)

The Superintendent shall establish and define job responsibilities for supervisory and administrative personnel. (Education Code 446620)

(cf. 4000 – Concepts and Roles)
(cf. 4315 – Evaluation/Supervision)

The superintendent or designee may adjust staff responsibilities temporarily or permanently as needed to accommodate the workload and/or individual capabilities.

(cf. 4032 – Reasonable Accommodation)

The Superintendent shall maintain a current district organization chart which designates lines of primary responsibility and the relationships among all district positions. Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.

Legal Reference;

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules
35020 Duties of employees fixed by governing board
35035 Powers and duties of superintendent
44662 Job responsibilities and evaluation

Management Resources;

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School administrators: <http://www.acsa.org>

Contracts

The Governing Board recognizes the importance of attracting and retaining qualified administrative and supervisory personnel to help the district achieve its goals for student learning. To that end, the Board may employ certificated administrative and supervisory personnel and senior management of the classified staff on a contract basis. Prior to entering into any such contract, the Board and Superintendent shall consider the financial and legal implications of the contract in order to protect the district from any potentially adverse obligations.

(cf. 0000 – Vision)
(cf. 2121 – Superintendent’s Contract)
(cf. 3460 – Financial Reports and Accountability)
(cf. 4111/4211/4311 – Recruitment and Selection)
(cf. 4300 – Administrative and Supervisory Personnel)
(cf. 4313.2 – Demotion/Reassignment)
(cf. 4314 – Transfers)

The Board may offer a deputy, associate, or assistant superintendent, or any other person holding a position requiring a supervision or administrative credential, a continuing contract for a period longer than one year but not to exceed four years. (Education Code 35031, 44929.20)

All contracts shall be ratified by the Board during an open session of a Board meeting and reflected in the Board’s minutes. Copies of the contracts shall be available to the public upon request. (Education Code 35031; Government Code 532620)

(cf. 1340 – Access to District Records)
(cf. 9322 – Agenda/meeting Materials)
(cf. 9324 – Minutes and Recordings)

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee’s performance.

(cf. 4315 – Evaluation/Supervision)

During the term of the contract and with the consent of the employee, the Board may reemploy, effective on the next succeeding first day of July, a deputy, associate, or assistant superintendent and reelect/reemploy him/her on those terms and conditions mutually agreed upon by the Board and the employee for a new term to begin on the effective date of the termination of the existing term of employment. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 days prior to the expiration of the term of the contract. (Education Code 35031)

Administrative and Supervisory Personnel

BP 4312.1(b)

Contracts (continued)

Employee contracts shall include a provision specifying the legal maximum cash settlement that the employee may receive upon termination of the contract. (Government Code 53260)

(cf. 4117.5/4217.5/4317.5 – Termination Agreements)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

53260-53264 Employment contracts

54954 Time and place of regular meetings

54957 Closed session, personnel matters

Management Resources;

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

DEMOTION/REASSIGNMENT

The Governing Board may authorize the demotion or reassignment of any administrative or supervisory employee upon the recommendation of the Superintendent or designee when such action is determined to be in the best interest of the district.

(cf. 0520.1 – High Performing Schools Grant Program)

(cf. 0520.2 – Title I Program Improvement Schools)

(cf. 0520.3 – Title I program Improvement Districts)

(cf. 4300 – Administrative and Supervisory Personnel)

(cf. 4312.1 – Contracts)

(cf. 4314 – Transfers)

The Superintendent or designee shall ensure that the district complies with all applicable statutory deadlines and due process procedures when an employee is to be demoted or reassigned.

Legal Reference:

EDUCATION CODE

35031 Senior management employee in the classified service: nonreelection

44660-44665 Evaluation and assessment of performance of certificated employees

44850.1 No tenure in administrative or supervisory positions

44896 Transfer of administrator or supervisor to teaching position

44897 Classification of administrator or supervisor to a teaching position

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

52055.5 Meeting or exceeding growth requirements

52055.650 Review by state board

52055.57 Districts identified or at risk of identification for program improvement

UNITED STATES CODE, TITLE 20

6316 School and district improvement

COURT DECISIONS

Jefferson v. Compton Unified School District, (1993) 14 Cal.App. 4th 32

Schultz v. Regents of the university of California, (1984) 160 Cal.App.3d 768

Ellerbroek v. Saddleback Valley Unified School District, (1981) 177 Cal. Rptr. 910

Skelly v. California Personnel Board, (1975) 15 Cal.3d 194

Hentschke v. Sink, (1973) 34 Cal.App. 3d 19

Demotion/Reassignment

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 service as a classroom teacher or site administrator pursuant to Education Code 44893, 44894, or 44956.5.

(cf. 4417.3 – Personnel reduction)

(cf. 4117.6 – Decision Not to Rehire)

End of Year Release/Reassignment of Certificated Administrators

Certificated employees holding an administrative or supervisory credential may be released and placed in a different position for the following year.

By March 15, the 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 employee's signature acknowledging receipt of the notice on shall be obtained 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, on his/her request, a written statement of the reasons for the release/reassignment. If these reasons include incompetency 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)

Classified Management, Supervisory and Confidential Personnel

For personnel in this classification:

Demotion means assignment to an inferior position or status, without the employee's written voluntary consent. (Education Code 45101)

Reclassification means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in such position. (Education Code 45101)

Demotion/Reassignment

If assigned to a position within a bargaining unit, management, supervisory and confidential classified employees shall be reclassified at the discretion of the district subject to provisions of the applicable collective bargaining agreement.

(cf. 4312.1 - Contracts)

Any decision regarding the demotion of a permanent management, supervisory or confidential classified employee shall be subject to the causes, appeal rights, and procedure set forth in district policy, regulation or collective bargaining agreements for disciplinary action against classified employees. (Education Code 45113)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Board shall provide 45 days' notice before demoting a deputy, associate or assistant superintendent or employee in the senior management of the classified service. (Education Code 35031)

In initiating the involuntary reassignment of a classified manager, the Superintendent or designee shall provide the classified manager with prior written notice of the intent to reassign him/her to a designated position. The notice will inform the manager of the specific reasons for the reassignment, his/her right to a hearing, and the time within which an appeal must be filed. The notice shall also contain a card or paper for requesting a hearing. The classified manager may, within five days after receiving such notice, file a written request for hearing before the Board.

The request for hearing shall be filed in the office of the Superintendent or designee. If the manager 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 reassignment may be made effective immediately.

Demotion/Reassignment

If a request for hearing is filed as specified above, a hearing shall be scheduled before the Board. The Board shall hear the matter, with the party initiating the reassignment bearing the burden of proving the reasons for the reassignment. The hearing shall be recorded by a reporter or tape recording. After the hearing, the Board shall determine whether to approve, modify, or revoke the reassignment. The decision of the Board shall be final.

TRANSFERS

Note; The determination as to whether an action is a “transfer to an identical position” or a “demotion/reassignment” is complex and dependent on the facts of the situation (e.g., placement on the salary schedule). Districts should proceed cautiously and consult legal counsel as appropriate.

The Governing Board recognizes the importance of placing employees in positions that best utilize their skills and talents, help improve student achievement, and provide the most benefit to the district.

(cf. 4300 – Administrative and Supervisory Personnel)
(cf. 4312.1 – Contracts)
(cf. 4313.2 – Demotion/Reassignment)

Upon the recommendation of the Superintendent or designee, the Board shall approve the transfer or rotation of administrative or supervisory personnel to the same position at another location for reasons including, but not limited to, the need to improve student achievement and operational efficiency, utilize the skills and talents of the employee more effectively, provide opportunities for professional growth, provide an opportunity for evaluating employees in different school settings or locations, and best accommodate the overall needs of the district.

(cf. 0520.2 – Title I program Improvement Schools)
(cf. 0520.3 – Title program Improvement Districts)

The Superintendent or designee shall establish procedures to enable administrative or supervisory personnel to request a transfer to a vacant position.

Legal Reference:

EDUCATION CODE

- 35031 Senior management employee in the classified service: nonreelection*
 - 35035 Additional powers and duties of superintendent*
 - 44850.1 No tenure in administrative or supervisory positions*
 - 44896 Transfer of administrator or supervisor to teaching position*
 - 44897 Classification of administrator or supervisor to a teaching position*
 - 44951 Continuation in position unless notified*
 - 45101 Definitions (including disciplinary action, cause)*
 - 45113 Rules for classified service in districts not incorporating the merit system*
 - 52055.57 Districts identified or at risk of identification for program improvement*
- UNITED STATES CODE, TITLE 20
- 6316 School and district improvement*
- COURT DECISIONS
- Hentschke v. Sink (1973) 34 Cal.App. 3d 19*

TRANSFERS

Voluntary Transfer

Requests for voluntary transfers shall be submitted to the Superintendent or designee at the time of the known vacancy. The employee shall be notified in writing of the decision whether or not to grant the transfer request.

Transfer requests may be withdrawn by the employee at any time prior to the final decision.

Involuntary Transfer

Before recommending the involuntary transfer or lateral end-of-the-year rotation of administrators, the Superintendent or designee shall confer with the affected employee and notify him/her of the intent to recommend the transfer or rotation and the specific reasons for the transfer. For transfers effective at the beginning of the school year, this conference shall take place before May 30. Affected employees shall be notified of the final decision, in writing, as soon as practicable.

If, after the conference, the recommendation to transfer or rotate administrators is made, the Superintendent or designee shall so notify the affected employee in writing at least 20 days before the transfer, except in emergency situations. This notice shall stipulate the reasons for the transfer.

EVALUATION/SUPERVISION

Certificated Management

The Governing Board recognizes the importance of regular and comprehensive evaluations of administrative and supervisory personnel to provide ongoing feedback for continuous improvement of employee performance. Evaluations shall be linked to the district's vision, strategic plan, school improvement goals, professional development plan, and goals for student achievement.

(cf. 0000 – Vision)
(cf. 0200 – Goals for the School District)
(cf. 0500 – accountability)
(cf. 2140 – Evaluation of the Superintendent)
(cf. 4300 – Administrative and Supervisory Personnel)

Certificated Administrative and Supervisory Personnel

The Superintendent shall develop objective evaluation guidelines and standards for use in the district's evaluation system for certificated administrative and supervisory personnel. Such standards may include those of the California Professional Standards for Education Leaders as well as other standards and criteria developed by the Board and Superintendent.

Each certificated administrative and supervisory employee shall be evaluated every other year. However, an employee may be evaluated every five years provided that he/she has been employed by the district for at least 10 years, his/her previous evaluation rated him/her as meeting or exceeding standards, and the evaluator and the employee agree to this schedule. Either the evaluator or the employee may withdraw consent for this schedule at any time. (Education Code 44664)

(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)
(cf. 4116 – Probationary/Permanent Status)

Any certificated administrative and supervisory employee who is new to a position may be evaluated each year for the first two years in the position. Evaluation is a continuous process and may occur between scheduled periods at the request of the employee, his/her supervisor, or the Superintendent or designee.

Evaluations shall be conducted within the timelines specified in law, Board policy, and administrative regulation. The evaluation process for certificated administrative and supervisory personnel shall be the same as for other certificated instructional personnel, as detailed in AR 4115 – Evaluation/Supervision.

(cf. 4115 – Evaluation/Supervision)
(cf. 4312.1 – Contracts)

EVALUATION/SUPERVISION (continued)

Classified Senior Management and Supervisory Employees

Classified senior management and supervisory employees shall be evaluated in accordance with the procedures developed by the Superintendent or designee and approved by the Board.

(cf. 4215 – Evaluation/Supervision)

Evaluations shall be used to recognize the exemplary skills and accomplishments of classified senior management and supervisory employees and to identify areas needing improvement. When the evaluation indicates areas needing improvement, the Board expects such staff to take the initiative to improve their performance and for their supervisors to assist them in obtaining needed job skills.

(cf. 4331 – Staff Development)

The evaluation shall be dated and signed by the classified senior manager or supervisory employee and his/her supervisor. The manager or supervisory employee may respond in writing to the evaluation within a reasonable time after receiving a copy of the evaluation. The response shall be attached to the evaluation and placed in his/her personnel file.

(cf. 4112.6/4212.6/4312.6 – Personnel Records)

Legal Reference:

EDUCATION CODE

33039 *State guidelines for teacher evaluation procedures*

35171 *Availability of rules and regulations for evaluation of performance*

44660-44665 *Evaluation and assessment of performance of certificated employees*

45113 *Rules and regulations for the classified service in districts not incorporating the merit system*

GOVERNMENT CODE

3543.2 *Scope of representation (re evaluation procedures)*

UNITED STATES CODE, TITLE 20

6319 *Highly qualified teachers*

7801 *Definition of highly qualified teacher*

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Standards of Quality and Effectiveness for administrative Services Credentials, 2001

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators; <http://www.acsa.org>

California Department of Education; <http://www.cde.ca.gov>

Commission on Teacher Credentialing; <http://www.ctc.ca.gov>

National Board for Professional Teaching Standards; <http://www.nbpts.org>

STAFF EVALUATING TEACHERS

The Governing Board expects that administrators assigned to evaluate teachers shall:

1. Possess a valid administrative credential
2. Be competent in the instructional methodologies used by the teachers they evaluate
3. Be skilled in the supervision of instruction and in techniques and procedures related to the evaluation of instruction
4. Be familiar with district curriculum priorities, policies and practices, district standards for student progress, and district policies and procedures related to personnel supervision, performance evaluation and staff development
5. Participate in at least one inservice per year in clinical supervision and/or other approved instructional and evaluational techniques

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

The Superintendent or designee shall ensure that administrators who evaluate teachers meet the above criteria and shall observe each administrator while he/she is conducting a teacher evaluation. This observation shall be a factor in the subsequent evaluation of the administrator. The Superintendent or designee also shall discuss his/her observations with the administrator and may develop and implement an appropriate professional improvement program for the administrator.

(cf. 4315 - Evaluation/Supervision)

Legal Reference:

EDUCATION CODE

33039 Guidelines for teacher evaluation

44660-44665 Evaluation and assessment of performance of certificated employees

44681-44689 Administrator training and evaluation

GOVERNMENT CODE

3543.2 Scope of representation (re evaluation procedures)

EARLY RETIREMENT OPTION

When it is beneficial to the district, the Governing Board may offer certificated employees the option to retire early in accordance with law.

2 Years of Service Credit Retirement Incentive

As an incentive to early retirement for certificated employees participating in the State Teachers' Retirement system (STRS), the Board may offer such employees an additional two years of service credit. (Education Code 22714, 44929)

Before taking formal action to approve this service incentive, the Board shall determine that encouraging early retirement would be in the best interest of the district due to the curtailment of services or changes in the manner in which services are performed and that the retirement will result in a net savings to the district. The board shall demonstrate and certify to the County Superintendent of Schools that the formal action taken would result in a net savings to the district. (Education Code 22714, 44929)

The Board may also consider the impact of the early retirement option on the staffing needs of district schools and the ability to satisfy federal requirements for highly qualified teachers pursuant to 20 USC 6319.

(cf.4112.24 – Teacher Qualifications Under the No Child Left Behind Act)

To be eligible for the two years of service credit option, the employee must have five or more years of service credit and must retire during a period of 60 to 120 days after the Board takes formal action to implement the option. (Education Code 22714)

In providing the early retirement option, the district shall meet all conditions as specified in Education Code 22714 and 44929.

2+2 Retirement Incentive: 2 Years of Service Credit + 2 Years of Age Credit

As an incentive to early retirement for certificated employees participating in the State Teachers' Retirement system, the Board may offer an additional two years of service credit and two years of age credit to employees who retire within the "window period" established by the Board in a Memorandum of Understanding or by Board action prior to January 1, 2005 pursuant to repealed Education Code 22714.5.

Legal Reference: (see next page)

Administrative and Supervisory Personnel

BP 4317.13(b)

EARLY RETIREMENT OPTION (continued)

Legal Reference:

EDUCATION CODE

22714 Service credit under STRS; additional two years

44929 Service credit under STRS; additional two years

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

COURT DECISIONS

United Teacher of Los Angeles v. Los Angeles Unified School District (1994) 24 Cal.App. 4th 1510

Management Resources:

CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM PUBLICATIONS

Retirement Incentive Program, Frequently Asked Questions

WEB SITES

California State Teachers' Retirement system: <http://www.calstrs.com>

POSTRETIREMENT EMPLOYMENT

The Superintendent or designee may utilize retired certificated individuals who possess unique knowledge and experience to perform specialized work of a limited duration.

A retired certificated individual who is a member of the state Teachers' Retirement system (STRS) and retained by the district to perform services pursuant to this administrative regulation shall not make contributions to the retirement fund or accrue service credit based on compensation earned from service. (Education Code 24214)

Postretirement Compensation Limitation

A retired individual retained under this program shall be paid at a rate commensurate with that of other employees performing comparable duties. The retired individual may earn compensation for creditable service up to the compensation limitation specified by law. This limit applies only to earnings for service that would be creditable for STRS purposes if performed by a current employee. (Education Code 22119.5,24214,35046)

Upon retaining the services of a retired individual as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement compensation limitation set forth in Education Code 24116,24214, and 24215
2. Maintain accurate records of the retired individual's compensation and report the compensation monthly to STRS and the individual regardless of the method of payment or the fund from which the payments are made

When retaining a retired individual eligible for any of the exemptions from the postretirement compensation limitation stated below, the Superintendent or designee shall submit to STRS all required documentation to substantiate eligibility for the exemption. (Education Code 24216)

Exemption for Providing Specified Instructional Services

Until June 20, 2010, any retired certificated individual employed by the district shall be exempt from the compensation limitation for members of STRS provided that he/she retired from service with an effective date on or before January 1, 2007, and is employed to provide any of the following services: (Education Code 24216.5,24216.6)

1. Direct classroom instruction to students in grades K-12

POSTRETIREMENT EMPLOYMENT (continued)

2. Support and assessment for new teachers through the Beginning Teacher Support and Assessment program pursuant to Education Code 44279.1-44279.7

(cf.4131.1 – Beginning Teacher Support/Induction)

3. Support to individuals completing student teaching assignments

4. Support to individuals participating in an alternative certification program (Education Code 44380-44386) or a school paraprofessional teacher training program (Education Code 44390-44393)

(cf.4112.21 – Interns)

(cf.4222 – Teacher Aides/Paraprofessionals)

5. Instruction and student services to students enrolled in special education programs pursuant to Education Code 56000-56885

(cf.4112.23 – Special Education Staff)

6. Instruction to students enrolled in English language learner programs pursuant to Education Code 400-410 and 430-446

(cf.4112.22 – Staff Teaching Students of Limited English Proficiency)

7. Direct remedial instruction to students in grades 2-12 for the programs specified in Education Code 37252 and 37252.2

(cf.5123 – Promotion/Acceleration/Retention)

(cf.6179 – Supplemental Instruction)

Retired individuals who are exempt from the limitation on compensation shall be treated as part of a distinct class of temporary employees within the existing bargaining unit whose service may not be included in computing the service required as a prerequisite to attainment of or eligibility for classification as a permanent employee of the district.

(Education Code 24216.5,24216.6)

The compensation for the class of retired individuals shall be agreed to in the collective bargaining agreement between the district and the exclusive representative for the bargaining unit. (Education Code 24216.5,24215.6)

POSTRETIREMENT EMPLOYMENT (continued)

Exemption for Emergency Situations or Appointment as a Trustee/Administrator

A retired certificated individual shall be exempt from the postretirement compensation limitation for a maximum period of two years if he/she is appointed by the Superintendent of Public instruction as a trustee or administrator pursuant to Education Code 41320.1, appointed as a trustee pursuant to the Immediate Intervention/Underperforming Schools Program or the High Priority Schools Grant Program, or assigned to a position by the County Superintendent of Schools pursuant to Education Code 42122-42129. (Education Code 24216)

(cf. 0520.1 – High Priority Schools Grant Program)

Until June 30, 2010, a retired individual shall be exempt from the postretirement compensation limitation up to an additional one-half of the full-time position when employed in an emergency situation to fill vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met: (Education Code 24216)

1. The vacancy occurred due to circumstances beyond the district's control.
2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.
3. The employment is reported in a public meeting of the Governing Board.

(cf. 9320 – Meetings and Notices)

The above exemptions shall not apply to any individual who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any California district, community college district, or county office of education. (Education Code 24216)

(cf. 4117.13/4317.13 – Early Retirement Option)

Consultancy Contracts

A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations. (Education Code 35046)

POSTRETIREMENT EMPLOYMENT (continued)

To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the district or the County Superintendent for at least 10 years and be at least 55 years of age. (Education Code 35046)

Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first. (Education Code 35046)

Legal References:

EDUCATION CODE

- 400-410 English language acquisition program*
- 430-446 English Learner and immigrant Student Federal Conformity Act*
- 22119.5 Creditable service, definition*
- 22461 Notice of earnings limitation*
- 22714 Encouragement of retirement*
- 22714.5 2+2 service and year credit option under STRS*
- 22715 Additional service credit*
- 22716 Unpaid services*
- 24116 Service at California State university*
- 24214 Creditable service by retiree*
- 24215 Service at California State University*
- 24216 Payments to retirants in excess of limitation*
- 24216.5 Exemption from earnings limitation*
- 35046 Consultancy contracts*
- 37252-37254.1 Supplemental instruction*
- 41320.1 Appointment of trustee*
- 42120-42129 Budget completion*
- 44279.1-44279.7 Beginning Teacher Support and Assessment Program*
- 44380-44386 Alternative certification program*
- 44390-44393 School paraprofessional teacher training program*
- 44830 Employment of certificated employees*
- 44830.3 Employment of district interns*
- 44929 Service credit under STRS; additional two years*
- 44929.1 2+2 service and year credit option under STRS*
- 52053-52055.55 Immediate Intervention/Underperforming Schools Program*
- 52055.600-52055.662 High Priority Schools Grant Program*
- 56000-56885 Special Education*

Management Resources:

WEB SITES

California state Teachers' Retirement system: <http://www.calstrs.com>

PROFESSIONAL STANDARDS

**CALIFORNIA PROFESSIONAL STANDARDS FOR
EDUCATIONAL LEADERS**

Preamble

The administrator(s) at a school site have numerous responsibilities that ultimately lead to the improvement of the performance of all students in the school. By acquiring the skills, attitudes and behaviors as outlined in the following Professional Standards for School Leaders, students have the best opportunity to achieve the mission and vision of the district and to meet the expectations of high standards for student learning.

Standards

A school administrator is an educational leader who promotes the success of all students by:

1. Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community
2. Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth
3. Ensuring management of the organization, operations, and resources for a safe, efficient and effective learning environment
4. Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources
5. Modeling a personal code of ethics and developing professional leadership capacity
6. Understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context

Source: California Professional Standards for Educational Leaders, 2001

STAFF DEVELOPMENT

The Governing Board recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management, supervisory and confidential personnel shall be designed to guide instructional improvement, build leadership skills, and enhance overall management efficiency.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

The Superintendent or designee shall develop a plan for administrator support and development activities based on a systematic assessment of the needs of district students and staff and aligned to the district's vision and goals. The Board desires that all administrators participate in planning activities that are pertinent to their specific areas of responsibility.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Within budget parameters, the Superintendent or designee may approve participation in activities that will benefit individual administrators and enhance their contributions to the district.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

44510-44517 *Principal training program*

44681-44689.2 *Administrator training and evaluation*

60119 *Instruction materials funds*

Management Resources:

CDE PUBLICATIONS

California Professional Standards for Educational Leaders, 2001

WEB SITES

CTC: <http://www.ctc.ca.gov>

CDE: <http://www.cde.ca.gov>

Association of California School Administrators: <http://www.acsa.org>

California School Leadership Academy: <http://www.csla.org>

STAFF DEVELOPMENT

Staff development activities may include but are not limited to:

1. Professional education conferences or committee meetings
2. Courses offered by institutions of higher education
3. Workshops offered by the district, county office of education or state
4. Small-group activities
5. Self-directed learning
6. Observation of other schools
7. Follow-up activities that help staff implement newly acquired skills

(cf. 3350 - Travel Expenses)

(cf. 4361 - Leaves)

Administrator Training Program

The Superintendent or designee shall approve, for principals and vice principals, a staff development program which meet the following conditions:

1. The training shall have a duration of at least 80 hours of intensive individualized support and professional development. To the extent practicable, the institute training portion of Modules 1, 2, and 3 shall be held outside of the regular school day. An additional 80 hours of intensive individualized support and professional development may be completed over a period of up to two years once the initial 80 hours of training commences. (Education Code 445120)

Training shall include instruction in the following areas: (Education Code 44511)

- a. School financial and personnel management, including hiring, recruitment, and retention practices and mis-assignments of certificated personnel

(cf. 4111 – Recruitment and Selection)

(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 – Assignment)

- b. Core academic standards

(cf. 6011 – Academic Standards)

STAFF DEVELOPMENT (continued)

c. Curriculum frameworks and instructional materials aligned to the state academic standards, including ensuring the provisions of textbooks and instructional materials as defined in Education Code 60119

(cf. 6141 – Curriculum Development and Evaluation)

(cf. 6161.1 – Selection and Evaluation of instructional materials)

d. The use of student assessment instruments; specific ways of mastering the use of assessment data from the standardized Testing and Reporting program, including analyzing achievement of specific subgroups including English language learners and individuals with disabilities; and school management technology to improve student performance

(cf. 6162.5 – Student Assessment)

(cf. 6162.51 – Standardized Testing and Reporting Program)

(cf. 6162.52 – High School Exit Examination)

e. the provision of instructional leadership and management strategies regarding the use of instructional technology to improve student performance.

(cf. 0440 – District Technology Plan)

f. Extension of the knowledge, skills, and abilities acquired in the preliminary administrative preparation program that are designed to strengthen the ability of administrators to effectively and efficiently lead an organization and build the capacity of staff to enhance the academic performance of all students, including special emphasis on providing additional support for students identified as English language learners and individuals with disabilities

(cf. 6159 – Individualized Education Program)

(cf. 6174 – Education for English Language Learners)

g. Leadership training to improve the academic achievement of all students including, but not limited to, capacity building in all of the following areas:

(1) Pedagogies of learning

(2) Motivation of student learning

(3) Instructional strategies to teach essential content in ways that address the varied learning needs of students, with special emphasis on English language learners and individuals with disabilities

(4) Collaboration

(5) Conflict resolution, including reduction of racial tensions

STAFF DEVELOPMENT (continued)

- (6) Respect for diversity
- (7) Parental involvement
- (8) Employee relations
- (9) Creation of an effective, safe, and inclusive learning and workplace environment
- (10) Single plan for student achievement

(cf. 0420 – School Plans/Site Councils)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 5138 – Conflict Resolution/Peer Mediation)

2. For purposes of this program, the Superintendent or designee shall select a staff development provider approved by the State Board of Education. (Education Code 44513)

The Superintendent or designee shall give highest priority to training administrators assigned to, and practicing in, high-priority or hard-to-staff schools.

A high-priority school is a school in the bottom half of all schools statewide based on Academic Performance Index rankings. A hard-to-staff school is a school in which teachers holding emergency permits or credential waivers make up 20 percent or more of the teaching staff. (Education Code 445100)

(cf. 0520.1 – High Priority Schools Grant Program)

(cf. 0520.2 – Title I Program Improvement Schools)

(cf. 0520.3 – Title I Program Improvement Districts)

(cf. 4112.2 – Certification)

LEAVES

The Governing Board recognizes the need to provide for leaves which management and confidential personnel may take for justifiable reasons. Such leaves shall be authorized pursuant to Board policies and/or administrative regulations.

Certificated management and supervisory employees shall be entitled to those leave provisions provided in the certificated agreement unless otherwise specified in Board policy, administrative regulations or individual contract.

Classified management, supervisory and confidential employees shall be entitled to those leave provisions provided in the classified negotiated agreement unless otherwise specified in Board policy, administrative regulations or individual contract.

*Legal Reference:**EDUCATION CODE**44036 Leaves of absence for judicial and official appearances**44037 Unlawful to encourage exemption from jury duty**44940 Sex offenses and narcotic offenses; compulsory leave**44962-44988 Leaves of absence (certificated)**45190-45210 Leaves of absence (classified)**12/88 3/09*