

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

The Governing Board recognizes that effective management is vital to the success of district students and programs. 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 any or all 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

ADMINISTRATIVE AND SUPERVISORY PERSONNEL

Classified Senior Management and Supervisory Employees

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. (Education Code 45108.5)

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 or, for districts incorporating the merit system, the rules of the personnel commission.

(cf. 4312.1 - Contracts)

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 53262)

(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)

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 and when such action is determined to be in the best interest of the district.

- (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*
- 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*
- 52055.57 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) 125 Cal. App 3d 348*
- 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 in service as a classroom teacher or site administrator pursuant to Education Code 44893, 44894, or 44956.5.

(cf. 4117.3 - Personnel Reduction)
(cf. 4117.6 - Decision Not to Rehire)

End of Year Release/Reassignment of Certificated Administrators

By March 15, an 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 signature acknowledging receipt of the notice 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, upon his/her request, a written statement of the reasons for the release/reassignment. If the reasons include incompetence 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)

TRANSFERS

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 I 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

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

EVALUATION/SUPERVISION

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)

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.

EVALUATION/SUPERVISION (continued)

(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*

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>

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

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Yreka Union School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

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: (see next page)

STAFF DEVELOPMENT (continued)

Legal Reference:

EDUCATION CODE

44510-44517 *Principal training program*

44681-44689.2 *Administrator training and evaluation*

60119 *Instructional 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

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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. 4161/4261/4361 - 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 44513)

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

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

STAFF DEVELOPMENT (continued)

(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)

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

STAFF DEVELOPMENT (continued)

- (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
- (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 44510)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 4112.2 - Certification)