Management and Confidential Personnel

PROMOTION/DEMOPTION/RECLASSIFICATION

The Governing Board may promote, demote, and reassign management and confidential employees when such action is determined to be in the best interest of the District. The Board shall consider the recommendation of the Superintendent or designee when making decisions related to promotion, demotion, or reassignment.

Prior to any recommendation by the Superintendent or designee to the Board to demote a management or confidential employee, an evaluation process which includes the following should typically be followed:

1. Pre- and post-evaluation conferences.
2. The right of the affected management or confidential employee to respond in writing within a limited period of time.
3. A program of assistance to help correct any noted deficiencies.
4. A probationary period in which to correct the deficiencies.

The Superintendent or designee shall ensure that the District complies with all applicable statutory deadlines and due process procedures.

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
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

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

Policy
Adopted: 11/13/90 CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Revised: 12/06/05 Chula Vista, California