

**SECTION 4000  
PERSONNEL**

**BOARD POLICY  
BP 4313.2**

**PROMOTION/DEMOTION/RECLASSIFICATION/RELEASE**

The Governing Board may promote, demote, reassign, and release 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, reassignment and non-reelection/release.

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

(cf. 4317.3 - Personnel Reduction)

Legal Reference:

**EDUCATION CODE**

|            |  |
|------------|--|
| 35031      | Senior management employee in the classified service: non-reelection                                   |
| 4466-44665 | 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                           |

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

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

Jeffereson v. Compton Unified School District (1993) 14 Cal. App 4<sup>th</sup> 32

This policy and regulation do no relate to the movement of an employee from one position to another at the same salary level at a different location.

Adopted: March 24, 1999