

BP 7250 Educational Administrators

Reference:

Education Code Sections 66284, 72411 et seq., 87002

subdivision(b), and 87457-87460;

Government Code Section 3540.1 subdivisions (g) and (m);

Title 5 Section 53602

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540, et seq. Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

An educational administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his or her administrative assignment expires or is terminated, if the following criteria are met:

1. The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developed jointly by the Superintendent/President and the Academic Senate and approved by the Board. The Board shall rely primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
2. The requirements of Education Code Section 87458(c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.
3. The District has a vacancy for which the administrator meets minimum qualifications. A vacancy means that a position available within the District and the District has appropriately allocated, budgeted, and prioritized in accordance with District practice.
4. None of the following have occurred:
 - a. The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator is determined in a final administrative decision to have committed sexual harassment;
 - b. The administrator is the respondent in a sexual harassment complaint filed with the District and, before a final administrative decision is made, the administrator resigns from his/her/their current position; and

- c. The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator has entered into a settlement with District.
- 5. The administrator has completed at least two years of satisfactory District service and not released for cause.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Superintendent/President. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Superintendent/President.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Superintendent/President.

Every educational administrator shall be employed by an appointment or contract of up to 4 years in duration.

Educational administrators are considered probationary during initial 6 months of employment.

The Board may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his/her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract, if the contract is silent, notice shall be in accordance with Education Code Section 72411.

The evaluation of educational administrators must include consideration of the employee's demonstrated or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

Letters of Reference

Employees of the District are prohibited from providing an official letter of recommendation for other employees. Requests for an official letter of recommendation are to be routed to the Human Resources department.

The District will not provide an official letter of recommendation if the employee is a respondent in a sexual harassment complaint and any of the following occurred: (1) the District's final administrative determination determined the employee committed sexual harassment, (2) before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position, and (3) the employee enters into a settlement with the District based on allegations arising from the sexual harassment complaint.

See Administrative Procedures 7250