

Policy 4313.2: Demotion/Reassignment

Status: ADOPTED

Original Adopted Date: 07/01/1986 | **Last Revised Date:** 03/01/2007 | **Last Reviewed Date:** 03/01/2007

CSBA NOTE: The following optional policy and administrative regulation do not address the "transfer" of an administrative or supervisory employee to an identical position at a different location. Such transfers are addressed at BP/AR 4314 - Transfers. 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.

When an administrator is to be returned to the classroom the following year, courts have held that the Governing Board must authorize the reassignment and notice must be given in accordance with Education Code 44951, as specified in the accompanying administrative regulation.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 35031	Term of employment
Ed. Code 44660-44665	Evaluation and assessment of performance of certificated employees
Ed. Code 44850.1	No tenure in administrative or supervisory position
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44897	Classification of administrator or supervisor to a teaching position
Ed. Code 44951	Continuation in position unless notified; administrative or supervisory personnel
Ed. Code 45101	Definitions; disciplinary action and cause
Ed. Code 45113	Notification of charges; classified employees

Management Resources References

	Description
Court Decision	Ellerbroek v. Saddleback Valley Unified School District (1981) 125 Cal. App 3d 348
Court Decision	Hentschke v. Sink (1973) 34 Cal. App. 3d 19
Court Decision	Jefferson v. Compton Unified School District (1993) 14 Cal. App. 4th 32
Court Decision	Schultz v. Regents of the University of California (1984) 160 Cal. App. 3d 768
Court Decision	Skelly v. California Personnel Board (1975) 15 Cal.3d 194
Website	CSBA District and County Office of Education Legal Services

Cross References

	Description
4117.3	Personnel Reduction
4300	Administrative And Supervisory Personnel
4300	Administrative And Supervisory Personnel
4312.1	Contracts
4314	Transfers

Cross References

4314

Description

[Transfers](#)