



# Huntington Beach Union High School District Board Policies and Administrative Regulations

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## Management and Confidential Personnel

### Promotion/Demotion/Reclassification

Nothing in the administrative regulations following are intended to limit or impair the district's abilities to reorganize management services, or to eliminate or reduce services, when determined to be in the district's best interest.

#### Promotion - All Personnel

The Board of Trustees may promote management and confidential employees at its discretion.

#### Demotion/Reclassification - Certificated Management (excluding superintendents)

1. "Demotion" means reassignment to a position or job class whose salary range is less than that previously received and for which the employee holds the appropriate credentials.
2. "Reclassification" means the removal of an employee from one position and reassignment to another position at the same salary range but with a different job title.
3. Reassignment means a demotion or reclassification of an employee.
4. Certificated employees holding an administrative or supervisory credential may be demoted or reclassified according to the following procedures.
  - A. On or before the deadlines specified below, the Board shall meet and determine whether the identified employee may be released from his/her position and reassigned elsewhere.
  - B. The employee shall be notified on or before March 15 of the Board's action by registered mail or in person. If the notice is presented to the employee in person, the employee's signature acknowledging receipt of the notice shall be obtained on the district's copy of the written notice. (Education Code 44951)

Promotion/Demotion/Reclassification (continued)

Demotion/Reclassification - Certificated Management (excluding superintendents) (continued)

- C. If, prior to the above deadlines, the Board determines and gives notice that the employee may be reassigned, the Board shall take additional reassignment action prior to the next July 1 to actually bring the demotion or reclassification into effect for the end of the school year.
- D. After receiving notice of reassignment or possible reassignment, the employee may request review of this decision by the Assistant Superintendent for Personnel Services. If the concern is not resolved to the employee's satisfaction, the employee may then request review of this decision by the Superintendent. If not satisfied with the response of the Superintendent, the employee may request to meet with the Board of Trustees in closed session. The Board of Trustees' determination shall be final and shall not be subject to judicial review.
- E. The Board shall give the employee, if requested, a written statement of the reasons for the demotion or reclassification. If the reasons for the demotion include incompetency as an administrator or supervisor, the district shall have completed an evaluation of the employee within the sixty (60) day period immediately preceding the notice of demotion to a teaching position. (Education Code 44896) This evaluation shall include recommendations for the improvement of employee performance.
- F. An employee demoted for incompetency shall, after receiving a written statement of the reasons for demotion, be entitled to request a review of the decision before the Board of Trustees in closed session. The Board of Trustees' determination shall be final and shall not be subject to judicial review.

Demotion and Reclassification - Classified Management and Confidential Personnel (except senior management of the classified service)

1. "Demotion" means assignment to an inferior position or status, without the employee's written voluntary consent. (Education Code 45101)
2. "Reclassification" means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in such position. (Education Code 45101)

Promotion/Demotion/Reclassification (continued)

Demotion and Reclassification - Classified Management and Confidential Personnel (except senior management of the classified service)

3. Any decision regarding the demotion of a permanent management or confidential classified employee shall be subject to the causes, appeal rights, and procedure set forth in the Personnel Commission Rules/Regulations for disciplinary action against classified employees.
4. Management and confidential classified employees shall be reclassified at the discretion of the district subject to provisions of the Personnel Commission Rules/Regulations.

Legal Reference:

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