



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

BP 4300  
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## Management, Supervisory and Confidential Personnel

### Management Positions

Management positions shall be defined as follows:

1. Management employees are those persons having significant responsibilities for formulating district policies or administering district policies and programs and whom the Governing Board has legally designated as management.
2. Supervisory employees are those persons having the authority to make recommendations to the Superintendent concerning the employees under their supervision. This authority shall extend to the following areas: hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, discipline, direction, work assignment and discipline.

(cf. 2100 - Administrative Staff Organization)

### Confidential Employees

A "Confidential Employee" is any employee who has access to or possesses information dealing with labor relations. Confidential employees shall be excluded from membership in an employee bargaining unit.

### Senior Management of the Classified Service

The Governing Board may adopt a resolution establishing or abolishing positions designated as Senior Management of the classified service. Senior Management employees are either fiscal advisers to the Superintendent or an employee in the highest program area position not requiring certification, which has districtwide responsibility for formulating policy or administering the program.

Employees who have been designated as Senior Management are a part of the classified service and have the same rights, benefits and duties except the right to permanent status in these positions. If the Governing Board determines a Senior Management employee is not to be reelected upon the expiration of his/her term, the Board shall notify the employee, in writing, at least forty-five (45) days prior to the expiration of the term. If reelection or reemployment is not acted upon and the written notice above has not been given, he/she shall be deemed reelected for

Management Positions (continued)

Senior Management of the Classified Service (continued)

a term of the same length as the one completed and under the same terms and conditions and with the same compensation.

Employees designated as Senior Management shall be chosen from an unranked list of eligible persons, who have demonstrated managerial abilities and qualify for the positions as specified by the Superintendent and determined by the Personnel Commission.

Legal Reference:

EDUCATION CODE

35031 45108.5

45100.5 45108.7

45104.5 45256.5

GOVERNMENT CODE

3540.1

3543.4

3545

National Labor Relations Boards vs. Hendricks (1981)

\_\_\_\_\_ U.S. \_\_\_\_\_. [50 U.S. Law Week 4037]