MIDDLETOWN UNIFIED SCHOOL DISTRICT

Regulation 4313.2: Demotion/Reassignment

Original Adopted Date: 1/17/2024

Certificated Administrative Employees

Permanent certificated management staff are not entitled to seniority rights in their administrative positions. However, such staff shall earn and/or retain any seniority earned in service as a classroom teacher or site administrator pursuant to Education Code 44893, 44894, or 44956.5.

End of Year Release/Reassignment of Certificated Administrators

By March 15, an employee shall be notified by either registered mail or in person that he/she may be released or reassigned from his/her position for the following school year. If the notice is presented to the employee in person, the district shall obtain his/her signature acknowledging receipt of the notice on the district's copy of the written notice. (Education Code 44951)

If the March 15 notice indicates that release or reassignment is only a possibility, the Governing Board shall take additional action to release/reassign the employee before the new school year and shall send the employee a second notice by June 30 indicating that he/she has been released or reassigned.

If the employee is to be released or reassigned to a teaching position, the Board shall give the employee, upon his/her request, a written statement of the reasons for the release/reassignment. If the reasons include incompetence as an administrator or supervisor, the district shall have completed an evaluation of the employee within the 60-day period immediately preceding the notice date. (Education Code 44896)

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	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	**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

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