BP 7250  EDUCATIONAL ADMINISTRATORS

An administrator is a person employed by the Board of Trustees in a supervisory or management position as defined in Government Code Sections 3540 et seq.

It is the responsibility of the Superintendent/President and Board of Trustees to create and fill administrative positions at their discretion. The creation and filling of positions will be reviewed through the shared governance process.

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.

Any provisions for retreat rights shall be in accordance with the following:

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/her administrative assignment expires or is terminated, if all of the following criteria are met:

- The process by which the Board reached the determination shall be developed and agreed upon jointly by representatives of the Board and the Academic Senate and approved by the Board. The agreed upon process shall include reasonable procedures to ensure that the Board relies primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.
- 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.
- An educational administrator who had previously acquired tenure within the district shall retain retreat rights to that previously held instructional or service faculty position per Education Code Section 87454.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment not to exceed four years duration. 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.

For educational administrators, 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 in another administrative assignment on any terms and conditions as may be mutually agreed upon by the Board of Trustees 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 in any administrative position when his/her contract expires, notice to an educational 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.

Also see BP/AP 7120 titled Faculty Hiring as well as BP/AP 7260 titled Classified Administrators.

References: Education Code Sections 72411 et seq., 87002(b), 87457-87460, 88013, and 88027-88029;
Government Code Section 3540.1(g) and (m);
Federal Fair Labor Standards Act

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Revised: 1/4/95
Revised: 1/20/04
Revised: 5/19/15
(Replaces Board Policies 2010, 2040, and 2200)
The following procedures will be followed in creating and filling administrative positions:

1. When the establishment of a new administrative position is under consideration, the Academic Senate Executive Committee and College Council shall be invited to consult and make recommendations prior to the time such position is presented to the Board of Trustees for formal action.

2. When there is to be any major change or reassignment in any existing administrative position directly affecting the relationship of that administrative position to the certificated staff, College Council shall be invited to consult and make recommendations.

3. In all hiring procedures involving administrative personnel, Administrative Procedure 3420 titled Staff Diversity/Equal Employment Opportunity section IV, Employment Procedures, will be followed.

It is recognized that emergencies may make it impossible to adhere to all aspects of the above procedures. In these instances, the administration will work with the Academic Senate Executive Committee and College Council and make every effort to follow the procedures as closely as possible. Also the provisions of the California Education Code and all other applicable laws shall prevail if found to be in conflict with these procedures.

Educational Administrator Retreat Rights
An administrator not part of the classified service hired after June 30, 1990, who was not previously tenured in the District, shall have the right to become a first-year probationary faculty member at the conclusion of the administrative assignment if all of the following apply:

1. The administrator has completed at least three years of satisfactory District service, including any prior district service as a faculty member.

2. The termination of the administrative assignment is for any reason other than dismissal for cause (Education Code Section 87732).
3. The administrator is determined to have met the minimum qualifications for the discipline to be assigned.

4. The district determines a need or vacancy exists.

**Administrator Assignment to a Faculty Position**

The following procedures shall be followed:

1. At least ninety days prior to reassignment by the Board of Trustees, the Superintendent/President shall confer with the President of the Academic Senate to discuss the areas(s) of reassignment based on district need.

2. If the administrator initiates the reassignment request, the request shall be made to the Superintendent/President in writing and include assignment preferences.

3. If reassignment is initiated by the District because of reduction in force, every effort will be made to reassign the administrator to another administrative position.

4. If the administrator possesses minimum qualifications for more than one discipline, he/she may prepare a statement indicating his/her preference for assignment.

5. The President of the Academic Senate shall confer with the department chair (or equivalent) of the discipline to verify minimum qualifications in the discipline.

6. The department to which the administrator may be assigned may provide the Academic Senate with its views regarding the effect of the reassignment on programs and staffing, including the availability of sufficient assignments in the discipline or service to accommodate an additional full-time faculty member.

Based on the qualifications and preference of the administrator and the availability of teaching or service areas, the Academic Senate may recommend the discipline to which the administrator should be assigned.

If updating/reeducation in the discipline is determined to be necessary by the appropriate vice president and department chair, a plan not to exceed six months in length shall be proposed by the department chair (or equivalent) in consultation with the dean and approved by the Superintendent/President or designee. The date of hire as a faculty member will commence at the beginning of the semester in which teaching responsibilities are assumed.

The recommendation of the Superintendent/President, accompanied by documentation of endorsement by the Academic Senate President and the department chair (or equivalent) for the discipline, shall be forwarded to the Board of Trustees for formal action. If the Academic Senate or the department does not endorse the proposed assignment, objections may be presented in writing to the Board of Trustees.
The written record of the Board of Trustees' decision, including the views of the Academic Senate, shall be maintained and be available for review.

Subsequent review of performance and granting of tenure shall follow District policy for evaluation and tenure of faculty.

Also see BP/AP 7120 titled Recruitment and Hiring.

References: Education Code Sections 72411 et seq., 87002(b), and 87457-87460; Government Code Section 3540.1(g) and (m)

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