

BP 7251 EDUCATIONAL ADMINISTRATOR RETREAT RIGHTS**References:**

Education Code Sections 87458 and 87477

- A. District policy and procedures governing the reassignment of educational administrators shall comply with all applicable provisions of the California Education Code, statutes and collective bargaining provisions

Definitions:

- 1) Administrator: any person who is employed by the Board of Trustees in a supervisory or management position as defined by Government Code.
 - 2) Educational Administrator: an administrator who is employed in an academic position designated by the Board of Trustees as having direct responsibility for supervising the operation of, or formulating policy regarding the instructional or student services program of the District. Educational administrators include, but are not limited to, chief executive officers, and the other supervisory or management employees designated by the Board as educational administrators.
 - 3) Classified Administrator: an administrator who is not employed as an educational administrator. The employment of classified administrators is governed by applicable sections of the California Education Code relative to the Classified Service.
- B. Persons who are employed as educational administrators must hold the established minimum qualifications for a California Community College discipline, or the equivalent, as established by statute and implemented through Board policy and procedures for faculty members. Educational administrators shall have the appropriate Faculty Service Area(s) confirmed by the Academic Senate and approved by the Board, pursuant to California Education Code statutes and Board policy.
- C. A person who is employed as an educational administrator shall have the right to become a first-year Contract (probationary) faculty member should his/her administrative assignment expire or otherwise terminate, except when the employee 1) has previously acquired tenure as a faculty member in the District; 2) is employed in a categorically-funded project of indeterminate duration; or, 3) is employed under contract in a program or project to perform services conducted under contract with public or private agencies.
- D. The educational administrator must have served in the District for a minimum combined total of two years of satisfactory service as an administrator, faculty member, and/or an administrator who, at the time of hire was certified by the Academic Senate as possessing qualifications in a

specific program offered at College of Marin, equivalent in experience and preparation to what would be expected of a newly-hired faculty member.

- E. The District shall comply with the minimum qualifications that are established by the Board of Governors as requirements for the employment of individuals to hold educational administrative positions.
- F. Educational and classified administrators whose assignments are terminated for cause are not eligible for reassignment into other District academic or non-academic positions.
- G. The educational administrator shall be reassigned to faculty status in a discipline for which he/she meets minimum qualifications in an established Faculty Service Area. Academic Senate representatives will consult with department faculty and management staff to establish a department interview committee that will evaluate the background and qualifications of the employee and confirm the Faculty Service Area, pursuant to pre-determined criteria and ratings. The committee, after determining the expected performance criteria and ratings, shall conduct an evaluation of the administrator, employing all the evaluative instruments or techniques currently used by that department to evaluate applicants for tenure track positions, including an optional interview. The results of the departmental evaluation process, together with the degree and/or certificate qualifications shall form the basis of the department's recommendations of the Academic Senate, which shall forward its recommendation to the Superintendent/President.
- H. The Board shall review the recommendations of the Superintendent/President that will have been developed through consultation with Academic Senate and department representatives, and make a final determination regarding the employee reassignment to faculty status in the designated discipline(s). The Board shall provide the Academic Senate with an opportunity to present its views before making the determination. Written record of the Board determination, including the views of the Academic Senate, shall be available for review by the State Chancellor Minimum Qualifications Committee upon request, pursuant to Education Code Provisions.
- I. Educational administrators who were hired into and tenured in a District academic position prior to July 1, 1990, shall be required to hold the appropriate California Community College credential authorizing academic service in a discipline or meet minimum qualifications for a Faculty Service Area. Educational administrators hired prior to July 1, 1990, who do not meet State minimum qualifications for a Faculty Service Area shall be required to complete the District equivalency process as established by Board Policy
- J. Employees who are employed into educational administrative positions shall be provided with Board policy and procedural information regarding administrator retreat rights.

Date Adopted: December 13, 2011

(Re-numbers and re-titles College of Marin Policy 5.0006.2)