

Management, supervisory and confidential positions shall be defined as follows:

1. Management employees are those having significant responsibilities for formulating district policies or administering district programs and who have been legally designated as management by the Governing Board. (Government Code 3540.1)
2. Supervisory employees are those who have the authority to make recommendations to the Superintendent or designee 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. (Government Code 3540.1)

(cf. 2100 - Administrative Staff Organization)

3. Confidential employees are those employees who, in the regular course of their duties, have access to or possess information relating to their employer's employer-employee relations. (Government Code 3540.1)

Board policies and administrative regulations in the 4100 series for certificated personnel apply to certificated management unless otherwise specified by law, Board policies or regulations, or Board action.

Board policies and administrative regulations in the 4200 series for classified personnel apply to classified management and confidential employees unless otherwise specified by law, Board policies or regulations, or Board action.

Policies specifically governing management, supervisory and confidential personnel are provided in the 4300 series.

Senior Management of the Classified Service

The Board may establish or abolish positions designated as senior management of the classified service in accordance with law.

Employees designated as senior management are part of the classified service and have the same rights, benefits and duties except the right to permanent status in these positions. (Education Code 45100.5)

(cf. 4312.1 - Contracts)

Management, Supervisory and Confidential Personnel (continued)

Positions in the senior management of the classified service shall be filled from an unranked list of eligible persons who have demonstrated managerial ability who have been found qualified for the positions as specified by the Superintendent, according to the job qualifications and specifications developed by the Personnel Commission. (Education Code 45256.5)

Legal Reference:

EDUCATION CODE

35031 Term of employment

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definitions of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45256.5 Designation of certain positions

GOVERNMENT CODE

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis