

ARTICLE 6: LAYOFFS/SUSPENSIONS/TERMINATIONS/RETREAT RIGHTS
(Academic Administrators)

6.1 Notice of Non-Renewal/Non-Reemployment

If the Governing Board of the District determines that an administrator is not to be reemployed by appointment or contract in their administrative position upon the expiration of their appointment or contract, the administrator shall be given written notice of this determination by the Governing Board in accordance with Education Code Section 72411. A copy of such notice shall be provided to SCCDAA. If the Administrator is not provided written notice as outlined in Education Code Section 72411, the District shall comply with the requirements outlined in Education Code Section 72411.

6.1.1 At the discretion of the Governing Board, an administrator who receives a notice of non-reemployment may be reassigned to a different administrative position for the next succeeding academic year (Education Code Section 72411).

6.2 Mutual Consent

An administrative contract may be terminated at any time by mutual consent of the Governing Board and the administrator.

6.3 Resignation

An administrator may resign from District employment at any time by giving written notice. The employment contract shall terminate on the date the resignation is effective.

6.4 Suspension or Termination for Cause-Administrators Without Faculty Tenure

The administrator's status as a District employee and all of the administrator's rights under their employment contract, including but not limited to, salary and all benefits, may be terminated, or the administrator may be suspended without pay, for cause, by the Governing Board at any time for, but not limited to: breach of contract, unsatisfactory evaluation, any ground enumerated in Education Code Section 87732 and 87735; or the administrator's failure to perform their responsibilities as set forth in the employment contract, as defined by law, or as specified in the administrator's job description. The Governing Board shall not terminate the employment contract pursuant to this paragraph nor suspend the administrator until a written statement of the ground for termination/suspension have first been served upon the administrator. The administrator shall then be entitled to respond to the notice in writing or at a pre-disciplinary (Skelly) conference within ten (10) days of the delivery of the notice. After review of a timely response, the District will inform the administrator whether proposed action will be presented for approval at a meeting before the Governing Board, at which time the administrator shall be given a reasonable opportunity to address the Governing Board's concerns.

6.5 Early Termination-Administrators Without Faculty Tenure

The Governing Board unilaterally and without cause may terminate an administrator's employment contract at any time upon written notice to the administrator in accordance with Education Code Section 72411. In consideration of the Governing Board's right to terminate the contract without cause, the District shall pay the administrator their then current salary until the expiration of the contract, or for a period of eighteen (18) calendar months after the effective date of the termination, whichever is less.

6.6 Retreat Rights/Assignment to Faculty Service

6.6.1 Administrators with Tenure as Faculty Members – Administrators with faculty tenure receiving notice of non-reemployment, who are not assigned to another administrative position, shall have the right to return to faculty service in accordance with Education Code, Section 87454.

6.6.2 Administrators without Tenure as Faculty members – Refer to District Policy No. 7257 and Education Code, Section 87457.

6.7 Request for Reasons of Assignment

If the employee is assigned to a faculty position, the Governing Board of the District shall give the employee, when requested by the employee, a written statement of the reasons for the transfer (Education Code, Section 87457).

6.7.1 If the employee is assigned to a different administrator position, the District shall give the employee, a written statement of the reasons for the transfer, upon their request.