

BP 7250 EDUCATIONAL ADMINISTRATORS**References:**

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

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

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.

Retreat Rights

An educational administrator employed pursuant to Education Code Sections 72411 or 72411.5 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 in a faculty service area in which he/she/they meets minimum qualifications or equivalencies upon expiration or termination of his/her/their administrative assignment, if the following criteria are met:

- The educational administrator's first date of paid service in the District as a faculty member or an administrator is on or after July 1, 1990.
- The requirements of Education Code Sections 87458(c) and (d), or any successor statute, are met with respect to minimum years of prior satisfactory service and termination for reasons other than cause. For purposes of this policy, the term "year" shall mean service of at least 75 percent of the number of days the regular schools of the District are maintained.
- Upon expiration or termination of the administrative assignment there is a vacant position in the educational administrator's faculty service area(s) and no other individual has a preferred right to the position under applicable laws and regulations. For purposes of this policy, the term "vacant position" means a position in which the employee is qualified to serve and which is not filled by a regular or contract employee. It does not include a position which would be filled by a regular or contract employee except for the fact that such employee is on leave.
- The District has a vacancy for which the administrator meets minimum qualifications. A vacancy means that a position is available within the District and the District has appropriately allocated, budgeted, and prioritized in accordance with District practice.

Unless otherwise specifically provided by written agreement, educational administrators shall be deemed employed pursuant to Education Code Section 72411.5 and shall serve at the pleasure of the Board of Trustees.

Educational administrators employed under contract with public or private agencies or other categorically funded projects of indeterminate duration shall serve at the pleasure of the Board of Trustees and shall not be entitled to retreat rights except as specifically otherwise provided by written agreement or applicable law.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board of Trustees 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.

Appointment to Interim Position(s)

Service in an interim capacity shall not give the employee any special rights to the position when it is filled on a permanent basis. All interim appointments shall require Board approval.

Also see BP 7251 Educational Administrator Retreat Rights, BP 7260 Classified Supervisors and Managers, and AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies.

Date Adopted: August 21, 2012 *(Replaced College of Marin Policy 5.0010)*

Reviewed/Revised: June 21, 2022