



Kern Community College District
Board Policy
Chapter 7 – Human Resources

BP 7250 Educational Administrators

References:

Education Code Sections 66284, 72411 et seq., 87002 subdivision (b), and 87457-87460;
Government Code Section 3540.1 subdivisions (g) and (m);
Title 5 Section 53602

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.

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.

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/their administrative assignment expires or is terminated, if the following criteria are met:

- The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developed jointly by the Chancellor and the Academic Senate and approved by the Board of Trustees. The Board of Trustees shall rely 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 subdivisions (c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.
- 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.
- None of the following have occurred:
 - The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator is determined in a final administrative decision to have committed sexual harassment;

- The administrator is the respondent in a sexual harassment complaint filed with the District and, before a final administrative decision is made, the administrator resigns from his/her/their current position; and
- The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator has entered into a settlement with District.

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 Chancellor. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board of Trustees upon recommendation by the Chancellor.

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 Chancellor.

Every educational administrator shall be employed by an appointment or contract of up to four years in duration.

The Board of Trustees 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 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 when his/her/their appointment or contract expires, notice to an 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.

The evaluation of educational administrators must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

Any administrator or supervisor who elects to provide an official letter of recommendation to a District employee must consult with the District's human resources office to determine if the employee is a respondent in a sexual harassment complaint filed with the District. The District prohibits an administrator or supervisor from providing an official letter of recommendation if the employee is a respondent in a sexual harassment complaint and any of the following occurred: (1) the District's final administrative determination determined the employee committed sexual harassment, (2) before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position, and (3) the employee enters into a settlement with the District based on allegations arising from the sexual harassment complaint.

Also see BP/AP 7120 titled Recruitment and Hiring.