

AMENDED IN SENATE MAY 28, 1999

AMENDED IN SENATE APRIL 15, 1999

SENATE BILL

No. 424

Introduced by Senator O'Connell

February 16, 1999

An act to add Section 44049.5 to the Education Code, relating to certificated employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 424, as amended, O'Connell. Certificated employees.

(1) Under existing law, public school employers are required to negotiate the terms and conditions of employment with the exclusive representative of certificated or classified employees. Existing law excludes persons serving in a management or confidential position from representation by an exclusive representative.

This bill would require each school district and ~~county office of education~~ *superintendent of schools* to develop policies, procedures, and regulations, consistent with current law, ~~regarding demotions and reassignments of certificated school administrators~~ *describing, among other things, certain practices regarding evaluation of certificated employees holding positions requiring an administrative or supervisory credential*. These new requirements for school districts and county superintendents of schools would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs

mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44049.5 is added to the
 2 Education Code, to read:
 3 44049.5. The governing board of each school district
 4 and each county ~~office of education~~ *superintendent of*
 5 *schools* shall develop policies, procedures, and
 6 regulations, consistent with current law, ~~regarding~~
 7 ~~demotions and reassignments of certificated school~~
 8 ~~administrators. The policies, procedures, and regulations~~
 9 ~~shall, at a minimum, establish each of the~~ *describing their*
 10 *practices in the* following:
 11 (a) An evaluation process for certificated ~~school~~
 12 ~~administrators~~ *employees holding positions requiring an*
 13 *administrative or supervisory credential* that includes all
 14 of the following:
 15 (1) ~~Timeline~~ *The school districts' or county*
 16 *superintendent of schools' timeline* for evaluations.
 17 (2) Desired frequency of evaluations.
 18 (3) ~~Standards and instruments~~ *Instruments* to be used
 19 in evaluations.
 20 (4) Designation of individuals responsible for
 21 completing and reviewing evaluations.
 22 (5) Processes, *if any*, for assisting certificated school
 23 administrators in their job performance.



1 ~~(b) A process and timeline for the demotion and~~
2 ~~reassignment of certificated school administrators, as~~
3 ~~necessary, including procedures for providing notice of~~
4 ~~pending action to individuals subject to this subdivision~~

5 *(b) Processes and procedures for providing notice,*
6 *pursuant to Sections 44896 and 44951, to certificated*
7 *employees holding positions requiring an administrative*
8 *or supervisory credential and a description of any rights*
9 ~~that are provided to individuals subject to this~~
10 ~~subdivision, if any, that are provided.~~

11 SEC. 2. Notwithstanding Section 17610 of the
12 Government Code, if the Commission on State Mandates
13 determines that this act contains costs mandated by the
14 state, reimbursement to local agencies and school
15 districts for those costs shall be made pursuant to Part 7
16 (commencing with Section 17500) of Division 4 of Title
17 2 of the Government Code. If the statewide cost of the
18 claim for reimbursement does not exceed one million
19 dollars (\$1,000,000), reimbursement shall be made from
20 the State Mandates Claims Fund.

