

**EL DORADO UNION HIGH SCHOOL DISTRICT
BOARD POLICY**

**Management, Supervisory
and Confidential Personnel**

**MANAGEMENT,
SUPERVISORY, AND
CONFIDENTIAL PERSONNEL
BP 4300**

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)*

SENIOR MANAGEMENT OF THE CLASSIFIED SERVICE

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest program area position not requiring certification, with districtwide responsibility for formulating policy or administering the program. *(Education Code 45108.5)*

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

(cf. 4312.1 - Contracts)

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.

**MANAGEMENT, SUPERVISORY
AND CONFIDENTIAL PERSONNEL (continued)**

BP 4300

Policies specifically governing management, supervisory and confidential personnel are provided in the 4300 series and the "Conditions of Employment" adopted by the Board.

(cf. 4312.1 - Contracts)

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

45128 Overtime

45130 Exclusion from overtime provisions

45256.5 Designation of certain positions

GOVERNMENT CODE

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis

COURT DECISIONS

Auer v. Robbins, (1997) 117 S.Ct. 905