



# ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 7113

PAGE: 1 OF 2

CATEGORY: **Personnel, Complaints/Grievances**

EFFECTIVE: **11-01-73**

SUBJECT: **Appeals Procedure for Management,  
Supervisory, and Confidential Employees**

REVISED: **6-27-03**

## A. PURPOSE AND SCOPE

1. To outline administrative procedures governing resolution of concerns or complaints of an individual management, supervisory, or confidential employee relating to a specific action or actions affecting that employee.
2. **Limitation.** Actions to change general policies or administrative regulations and procedures of the district must be undertaken under separate processes. This procedure is concerned with possible violation or misapplication of existing policies and procedures.
3. **Related Procedures:**

Adverse action based on performance or conduct, management/supervisory/confidential employees .....	7767
Adverse action resulting from reductions in funding or district programs, or administrative reorganization— management/supervisory/confidential employees .....	7765
Classification of Management Salary Schedule positions .....	7610
Evaluation of management employees .....	7745
Recruitment, selection, promotion, and reassignment/transfer of management employees .....	7640
Selection and appointment of classified employees to confidential positions .....	7407

## B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: I-1050, I-1800, I-7150, I-8700, I-8750, J-1000; Education Code Section 44896.
2. **District Policy.** In the interests of maintaining an effective working environment and unity of district management team, it is incumbent on all management, supervisory, and confidential employees involved in a complaint to make every effort to arrive at reasonable and equitable resolution through informal conferences promptly, and at lowest level possible.

## C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the superintendent.

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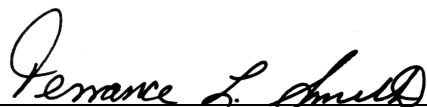
2. **Due Process.** A management, supervisory, or confidential employee is entitled to the following elements of due process in initiating appeals under this procedure:
  - a. Furnishing, upon request, of a written statement of reasons for the action that is being appealed.
  - b. Right to appeal decision of his/her supervisor to next higher level without prejudice and without supervisor's approval, when management or supervisory employee feels the complaint has not been handled in a reasonable and equitable manner.
  - c. Provision of a fair and private conference upon request for the purpose of clarifying reason for an action or of seeking to change, modify, or delay an action.
  - d. Right to be represented by professional school administrators association or other counsel.
  - e. Right to make subsequent appeals through channels to the superintendent.
  - f. Right to appeal to the Board of Education.
  - g. Right to request and receive a written reply to any appeal at any level.
3. Nothing in this section shall be construed as applying to a certificated management employee who receives notification that he/she is being reassigned to a teaching position or other nonmanagement certificated position, pursuant to Education Code Section 44896. Such employee shall be entitled only to request a written statement of reasons for such transfer from the chief human resources officer.

**D. IMPLEMENTATION** (Sections B. and C.)

**E. FORMS AND AUXILIARY REFERENCES**

**F. REPORTS AND RECORDS**

**G. APPROVED BY**



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Chief of Staff, Terrance L. Smith  
For the Superintendent of Public Education