

Classified Personnel

Appointment and Conditions of Employment

The Superintendent will recommend the appointment of all regular full-time and part-time and regular hourly employees to the Board. Selection will be based upon competence and will be in accordance with all pertinent Board policies and administrative regulations, laws of the State of California and regulations of the California Fair Employment Practices Commission. Temporary, substitute, short-term and student help may be appointed by the Superintendent or designee.

Appointment Standards

Individuals appointed to the classified staff shall, at a minimum:

1. Submit to fingerprinting as required by law (Education Code 45125)
2. Not have been convicted of a violent or serious felony (Education Code 45122.1)
3. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 45123)
4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 45124)
5. If the individual will be working directly and in an unaccompanied setting with minor children on a more than incidental and occasional basis or will have supervision or disciplinary power over minor children, not be required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)
6. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 45123)
7. Submit to a physical examination or provide proof thereof as required by law and Board policy (Education Code 45122, 49406)
8. File the oath or affirmation of allegiance required by Government Code 3100-3109
9. Submit to drug and alcohol testing as required by Board policy (cf. 4112.42/4212.42/4312.42 Drug and Alcohol Testing for School Bus Drivers)
10. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation

No person shall be initially assigned as an instructional aide without having demonstrated proficiency in basic reading, writing and mathematics skills as required by Education Code section 45344.5.

Healthy Workplaces, Healthy Families Act

Any eligible temporary or substitute employee not exempted by law who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Such an employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. An employee's use of accrued paid sick days shall be limited to 24 hours or three days in each year of employment. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. The District shall not be obligated to provide compensation to an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment, except if an employee separates from the District and is rehired by the District within one year from the date of separation. In such cases, previously accrued and unused paid sick days shall be reinstated. The District may set a reasonable minimum increment, not to exceed two hours, for the use of paid sick leave.

Legal Reference:

EDUCATION CODE

- 35161 Powers and duties
- 44010 Sex offense - definitions
- 44011 Controlled substance offense - definitions
- 44066 Limitation on certification requirements
- 45103 Classified service in Districts not incorporating the merit system
- 45104 Positions not requiring certification qualifications
- 45105 Positions under various acts not requiring certification qualifications; classification
- 45108 Restricted positions
- 45113 Rules and regulations for classified service in Districts not incorporating the merit system
- 45122 Physical examinations
- 45122.1 Classified employees, conviction of a violent or serious felony
- 45123 Employment after conviction of sex offense or controlled substance offense
- 45125 Use of personal identification cards to ascertain conviction of crime
- 45169 Employee salary dates
- 45344.5 Demonstrated proficiency in basic reading, writing and mathematics skills
- 49406 Examination for tuberculosis

GOVERNMENT CODE

- 3109 Oaths or affirmation of allegiance for disaster service workers and public employees
- 12950 Unlawful employment practices

PENAL CODE

- 290 Registration of sex offenders
- 290.95 Disclosure by person required to register as sex offenders
- 667.5 Prior prison terms, enhancement of prison terms
- 1192.7 Plea bargaining limitation
- 1203.4 Discharged petitioner, change of plea

WELFARE AND INSTITUTIONS CODE

- 6300-6332 Sexual psychopaths

LABOR CODE

- 245-249 Healthy Workplaces, Healthy Families Act of 2014