

Chapter III POSITION-CLASSIFICATION PLAN (RULES 516 to 560)

516 THE CLASSIFICATION PLAN

Education Code 45104

Every position not defined by this code as a position requiring certification qualifications and not specifically exempted from the classified service according to the provisions of Section 45103 or 45256 shall be classified as required by those sections and shall be a part of the classified service. Such positions may not be designated as certificated nor shall the assignment of a title to any such a position remove the position from the classified service, nor shall possession of a certification document be made a requirement for employment in any such position.

Nothing in this section shall be construed to prohibit the employment of any individual in a position described by this section as part of the classified service who is in possession of certification qualifications, nor shall the possession of certification qualifications be grounds for the elimination of an individual for consideration for employment in such a position.

This section shall apply to districts which have adopted the merit system in the same manner and with the same effect as though it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45256

(a) The commission shall classify all employees and positions within the jurisdiction of the governing board or of the commission, except those that are exempt from the classified service, as specified in subdivision (b). The employees and positions shall be known as the classified service. "To classify" shall include, but not be limited to, allocating positions to appropriate classes, arranging classes into occupational hierarchies, determining reasonable relationships within occupational hierarchies, and preparing written class specifications.

- (b) All of the following are exempt from the classified service:
- (1) Positions which require certification qualifications.
 - (2) Full-time students employed part time.
 - (3) Part-time students employed part time in any college work-study program, or in a work experience education program conducted by a community college district pursuant to Article 7 (commencing with Section 51760) of Chapter 5 of Part 28 and that is financed by state or federal funds.
 - (4) Apprentice positions.

CHANGE:

To reflect changes made to the Education Code to limit the exemption of part-time playground positions from the classified service to only those that are not otherwise employed in a classified position.

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- (5) Positions established for the employment of professional experts on a temporary basis for a specific project by the governing board or by the commission when so designated by the commission.
 - (6) Part-time playground positions, where the employee is not otherwise employed in a classified position. Part-time playground positions shall be considered part of the classified service when the employee in the position also works in the same school district in a classified position.
- (c) (1) Employment of either full-time or part-time students in any college work-study program, or in a work experience education program shall not result in the displacement of classified personnel or impair existing contracts for services.
- (2) Nothing in this section shall prevent an employee, who has attained regular status in a full-time position, from taking a voluntary reduction in time and retaining his or her regular status under the provisions of this law.
- (d) No person whose contribution consists solely in the rendition of individual personal services and whose employment does not come within the scope of the exceptions listed above shall be employed outside the classified service.
- (e) A part-time position is one for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than 87-1/2 percent of the normally assigned time of the majority of employees in the classified service.

Education Code 45258

In addition to the exemptions authorized in Section 45256, there shall be exempt from the classified service positions established for the employment of community representatives in advisory or consulting capacities for not more than 90 working days, or a total of 720 hours, in a fiscal year, provided that:

- (1) The authorized duties are not those normally assigned to a class of positions in the classified service.
- (2) The authorized duties are approved by the personnel commission in advance of employment.
- (3) A regular classified employee of the school district shall not receive a concurrent appointment to such a position.

CHANGE:

To reflect changes made to the Education Code to limit the exemption of part-time playground positions from the classified service to only those that are not otherwise employed in a classified position.

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LAW AND RULES

(Reissue) June 23, 1986

- A. Prior to any appointment to exempt positions under the provisions of Education Code Section 45258, the duties and responsibility of such positions or groups of positions shall be reported to the Personnel Commission for review and approval.
- B. To expedite the assignment of personnel in emergency situations, the Personnel Director is delegated responsibility for the approval of duties and responsibilities as exempt from the classified service in accordance with criteria approved by the Personnel Commission in this rule. Approvals so given are subject to ratification by the Personnel Commission at its next regular meeting.
- C. In order to be designated as exempt from the classified service as a community adviser or consultant, positions shall meet the following criteria:
 - 1. The duties are not normally assigned to a class of positions in the classified service.
 - 2. Assignments shall not exceed 720 hours in any fiscal year.
 - 3. A regular classified employee of the school district shall not receive a concurrent assignment to such a position.

CHANGE:

Deleting Paragraph D.

Remove: June 23, 1986, page 3 of 4 and page 4 of 4. Add: (Reissue) June 23, 1986, page 3 of 3.
