

# Santa Barbara Unified School District

## Administrative Regulation

AR 4212

### Classified Personnel

#### APPOINTMENT AND CONDITIONS OF EMPLOYMENT

Upon recommendation of the Superintendent, the Governing Board shall approve the appointment of all classified employees. The position and the pay rate shall be reported to the Board at a regular meeting.

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)  
*(cf. 4212.5 - Criminal Record Check)*
3. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 45123)  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*
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)  
*(cf. 3515.5 - Sex Offender Notification)*
6. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 45123)
7. Dependent on job classification, submit to a physical examination or provide proof thereof as required by law and Board policy (Education Code 45122, 49406)  
*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*
8. File the oath or affirmation of allegiance required by Government Code 3100-3109  
*(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)*
9. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation  
*(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)*

## **Notification of Classification and Compensation**

When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor. (Education Code 45169)

(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)

(cf. 4151/4251/4351 - *Employee Compensation*)

### *Legal Reference:*

#### EDUCATION CODE

35161	<i>Powers and duties</i>
44010	<i>Sex offense - definitions</i>
44011	<i>Controlled substance offense - definitions</i>
44066	<i>Limitation on certification requirements</i>
45103	<i>Classified service in districts not incorporating the merit system</i>
45104	<i>Positions not requiring certification qualifications</i>
45105	<i>Positions under various acts not requiring certification qualifications</i>
45108	<i>Restricted positions</i>
45113	<i>Rules and regulations for classified service in districts not incorporating the merit system</i>
45122	<i>Physical examinations</i>
45122.1	<i>Classified employees, conviction of a violent or serious felony</i>
45123	<i>Employment after conviction of sex offense or controlled substance offense</i>
45125	<i>Use of personal identification cards to ascertain conviction of crime</i>
45169	<i>Employee salary data</i>
49406	<i>Examination for tuberculosis</i>
60850-60856	<i>High school exit exam</i>

#### GOVERNMENT CODE

3100-3109	<i>Oaths or affirmations</i>
12940-12950	<i>Unlawful employment practices</i>

#### PENAL CODE

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

#### WELFARE AND INSTITUTIONS CODE

6300-6332	<i>Sexual psychopaths</i>
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SANTA BARBARA UNIFIED SCHOOL DISTRICT

Santa Barbara, California      January 26, 2010