

Santa Barbara Unified School District

Board Policy

Management and Confidential Personnel

BP 4300

MANAGEMENT AND CONFIDENTIAL PERSONNEL

Management employees are those employees having significant responsibilities for formulating district policies or administering district programs. Government Code 3450.1 excludes management employees from collective bargaining procedures that are provided to recognized employee organizations.

The Governing Board recognizes that effective management is vital to the success of district operations. Management personnel are expected to demonstrate initiative and good judgment in the development, implementation and oversight of district programs. Supervisors shall promote the productivity, professional growth and teamwork of district staff.

Confidential employees are those employees who, in the regular course of their duties, have access to or possess information relative to their employer's employer-employee relations.

The Board shall adopt policies related to management and confidential personnel insofar as they are needed to comply with law and describe circumstances of employment within the district.

Board policies and administrative regulations in the 4100 series for certificated employees apply to certificated management unless otherwise specified by law, Board policies or regulations, or Board action.

Some policies which apply to all categories of employees are found in the 4000 and 4100 sections of the policy manual. Policies for employees of the classified service only are located in the 4200 section of the policy manual.

Policies pertaining specifically to the management, supervisory or confidential employees are placed in the 4300 section. Cross references to related information in other sections of the manual are provided as appropriate.

Legal Reference:

EDUCATION CODE

35031	<i>Term of employment</i>
45100.5	<i>Senior management positions</i>
45104.5	<i>Abolishment of senior classified management positions</i>
45108.5	<i>Definitions of senior classified management employees</i>
45108.7	<i>Waiver of provisions of 45108.5</i>
45128	<i>Overtime</i>
45130	<i>Exclusion from overtime provisions</i>
45256.5	<i>Designation of certain positions</i>

GOVERNMENT CODE

3540.1	<i>Definitions</i>
3543.4	<i>Management position; representation</i>
3545	<i>Appropriateness of unit; basis</i>

COURT DECISIONS

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

SANTA BARBARA UNIFIED SCHOOL DISTRICT
Santa Barbara, California January 26, 2010