

Regulation 4200: Classified Personnel

Exemption from Classified Service

~~Individuals~~ **Persons** hired solely for the following purposes are exempt from the classified service: (Education Code 45103) ¶

- ~~1. Substitute or short-term employees, as defined, who are employed and paid for less than 75 percent of the school year.~~ ↵

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~~Substitute employee means any person employed to replace any classified employee who is temporarily absent from duty. In addition, if the district is then engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position, the Board of Education may fill the vacancy through the employment, for not more than 60 calendar days, of one or more substitute employees, except to the extent that a collective bargaining agreement then in effect provides for a different period of time.~~ ↵

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~~Short-term employee means any person who is employed to perform a service for the district, upon the completion of which the service required or similar services will not be extended or needed on a continuing basis.~~ ↵

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~~Seventy-five percent of the school year means 195 working days, including holidays, sick leave, vacation and other leaves of absences, irrespective of the number of hours worked per day.~~ ↵

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- ~~2. Part-time playground positions (noon duty aides), when the employees are not otherwise employed in classified positions in the district.~~ ↵

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~~Apprentices and professional experts employed~~ purposes which are exempted from the classified service shall nevertheless fulfill the obligations of classified employees related to physical examinations pursuant to Education Code 45122, fingerprinting pursuant to Education Code 45125, and tuberculosis tests pursuant to Education Code 49406. (Education Code 45106)

OPTION 1: Districts Not Incorporating the Merit System

Individuals hired solely for the following purposes shall not be part of the classified service: (Education Code 45103)

1. Substitute or short-term employees who are employed and paid for fewer than 195 work days per year, including holidays, sick leave, vacation, and other leaves of absences, irrespective of the number of hours worked per day
2. Apprentices and professional experts employed on a temporary basis for a specific project regardless of length of employment
3. Full-time students employed part time
4. 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 Education Code 51760-51769.5 that is financed by state or federal funds

OPTION 1 ENDS HERE

OPTION 2: Merit System Districts

Individuals hired solely for the following purposes shall not be part of the classified service: (Education Code 45256)

3. Apprentices

4. Professional experts employed by the Governing Board or the personnel commission on a temporary basis for a specific project regardless of length of employment

5. Full-time students employed part time

6. 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, and which pursuant to Education Code 51760-51769.5 that is financed by state or federal funds

Persons hired solely for purposes which are exempted from the classified service shall nevertheless fulfill the obligations of classified employees related to physical examinations pursuant to Education Code 45122, fingerprinting pursuant to Education Code 45125, and tuberculosis tests pursuant to Education Code 49406. OPTION 2 ENDS HERE

Restricted Positions

Persons employed in restricted positions pursuant to Education Code 45105 or 45108 shall be classified employees for all purposes except that they shall not be subject to the provisions of

Education Code 45272 and 45273 related to promotional examinations and the filling of vacancies, and shall not acquire permanent status or seniority credit. Such persons shall be eligible for promotion into the regular classified service only after completing six months of satisfactory service and satisfactorily completing the qualifying examinations required of all other persons serving in the same class in the regular classified service. (Education Code ~~45106~~45105, 45108)