



**Santa Barbara
SCHOOL DISTRICTS**

720 Santa Barbara Street, Santa Barbara, CA 93101
Phone (805) 963-4338, Fax (805) 962-3146
www.sbsdk12.org

October 7, 2009

To: Board of Education
From: Elaine Alvarado, Coordinator-Classified Personnel
Re: Completion of first reading of Board Policies and Administrative Regulations in the 4000 series on "Personnel"

Background

On September 29, 2009, the board conducted a first reading of board policies and review of administrative regulations in the 4000 series regarding personnel.

At that meeting the board reached page 262, stopping at Board Policy 4222 "Teacher Aides/Paraprofessionals." The balance of the 4000 series (up to and including Administrative Regulation 4362, "Vacation/Holidays") is submitted for first reading.

Cost

Not applicable.

Recommendation

It is recommended that the board of education complete the first reading of the 4000 series of policies and regulations pertaining to "Personnel."

Attachment(s)?	Yes (if so, please attach)	No	Powerpoint	Overhead	Consultant
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Adams Elementary School Cesar Chavez Charter School Cleveland Elementary School Franklin Elementary School Harding Elementary School	McKinley Elementary School Monroe Elementary School Open Alternative School Peabody Charter School	Roosevelt Elementary School Santa Barbara Charter School Santa Barbara Community Academy Washington Elementary School	Goleta Valley Junior High School La Colina Junior High School La Cumbre Junior High School Santa Barbara Junior High School	Dos Pueblos High School La Cuesta Continuation High School San Marcos High School Santa Barbara High School Home School Santa Barbara
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Santa Barbara School Districts

Board Policy

Classified Personnel

BP 4222

TEACHER AIDES/PARAPROFESSIONALS

The Board of Education recognizes that paraprofessionals support student learning by providing valuable assistance to teachers and other certificated personnel and enabling greater individualized instruction and supervision of students. Such employees may perform instructional and/or administrative tasks in accordance with law, Board policy and administrative regulation.

(cf. 1240 - Volunteer Assistance)

(cf. 4200 - Classified Personnel)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that paraprofessionals possess the qualifications required by law for their positions.

Paraprofessionals shall be under the immediate supervision and direction of certificated personnel.

In determining the assignment of paraprofessionals, the Superintendent or designee shall consider the greatest benefit to students based on such factors as class size, grade levels, student needs, subject matter and teacher workload.

Each paraprofessional shall be provided with a clear definition of his/her roles and responsibilities.

The Superintendent or designee shall ensure that all paraprofessionals receive ongoing support and regular performance assessments. Teachers shall receive training in how to collaborate effectively with an assistant and are expected to assign duties consistent with written job descriptions for paraprofessionals.

(cf. 4131 - Staff Development)

(cf. 4212 - Appointment and Conditions of Employment)

(cf. 4215 - Evaluation/Supervision)

(cf. 4231 - Staff Development)

The Board encourages qualified paraprofessionals to pursue opportunities that lead to attainment of a teaching credential and enable them to increase their skills and experience in the classroom.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

Legal Reference:

EDUCATION CODE

44390-44393 *California School Paraprofessional Teacher Training Program*

44833 *Postsecondary students as nonteaching aides*

44835 *Duties of nonteaching work study aides*

45330 *Paraprofessionals*

45340-45349 *Instructional aides*

45350-45354 *Teacher assistants*

45360-45367 *Teacher aides*

54480-54486 *Special Teacher Employment Programs*

CODE OF REGULATIONS, TITLE 5

12065-12070 *Teacher aides for Special Teacher Employment Programs*

UNITED STATES CODE, TITLE 20

6311 *State plans*

6314 *Schoolwide programs*

6315 *Targeted assistance schools*

6318 *Parent involvement*

6319 *Qualifications for teachers and paraprofessionals*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.58-200.59 *Qualifications and duties of paraprofessionals*

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Roles for Education Paraprofessionals in Effective Schools, 1997

WEB SITES

CTC Paraprofessional Teacher Training Program: <http://www.ctc.ca.gov/para>

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

U.S. Department of Education: <http://www.ed.gov>

California School Employees Association: <http://www.csea.com>

National Resource Center for Paraprofessionals: <http://www.nrcpara.org>

National Clearinghouse for Paraeducator Resources:

<http://www.usc.edu/dept/education/CMMR/Clearinghouse.html>

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: (date) Santa Barbara, California

Santa Barbara School Districts

Administrative Regulation

Classified Personnel

AR 4222

TEACHER AIDES/PARAPROFESSIONALS

Qualifications and Duties of Paraprofessionals

No person shall be initially assigned to assist in instruction as a paraprofessional unless he/she has demonstrated proficiency in reading, writing, and mathematics skills up to or exceeding that required for the district's high school seniors pursuant to Education Code 51220(a) and (f). (Education Code 45330, 45344.5, 45361.5)

A paraprofessional who has passed a proficiency test in another district and was employed in the same capacity shall be considered to have met the district's proficiency standards, unless the district determines that the other district's test is not comparable. (Education Code 45344.5, 45361.5)

Instructional aides shall perform only such duties as, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45344)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Instructional aides need not perform their duties only in the physical presence of the teacher, but the teacher shall retain responsibility for the instruction and supervision of the students in his/her charge. (Education Code 45344)

Additional Qualifications and Duties of Paraprofessionals in Title I Programs

All paraprofessionals working in a program supported by federal Title I funds shall have received a high school diploma or its equivalent. (20 USC 6319; 34 CFR 200.58; Education Code 45330)

(cf. 6171 - Title I Programs)

In addition, at least one of the following criteria shall be met immediately by paraprofessionals hired on or after January 8, 2002, and by the end of the 2005-06 school year by paraprofessionals hired before January 8, 2002: (20 USC 6319; 34 CFR 200.58; Education Code 45330)

1. Completion of at least two years of study at an institution of higher education
In accordance with the definition adopted by the State Board of Education, "two years of study" shall be equal to 48 semester units or equivalent quarter units.
2. Possession of an associate's degree or higher
3. Knowledge of and ability to assist in instructing reading, writing, and mathematics, as demonstrated through a local or state assessment

A paraprofessional who was hired on or before January 1, 2003, shall be deemed to have met the proficiency exam requirements of item #3 above if he/she has previously demonstrated, through a local

assessment, knowledge of and an ability to assist in instructing reading, writing, and mathematics.
(Education Code 45330)

When a paraprofessional has previously worked in another district, the Superintendent or designee may determine whether any assessments conducted by the previous district satisfy the proficiency criteria of item #3 above.

Items #1-3 above shall not apply to any paraprofessional: (20 USC 6319; 34 CFR 200.58; Education Code 45330)

1. Who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title I programs by acting as a translator
2. Whose duties consist solely of conducting parental involvement activities consistent with 20 USC 6318

Paraprofessionals working in a program supported by Title I funds may be assigned to: (20 USC 6319; 34 CFR 200.59)

1. Provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher
2. Assist with classroom management, such as organizing instructional and other materials
3. Provide assistance in a computer laboratory
4. Conduct parental involvement activities
5. Provide support in a library or media center
6. Act as a translator
7. Provide instructional services to students, provided that the paraprofessional is working under the direct supervision of a teacher

Title I paraprofessionals may assume limited duties that are assigned to similar personnel in non-Title I programs, including duties beyond classroom instruction or that do not benefit Title I students, in the same proportion of total work time as non-Title I paraprofessionals. (20 USC 6319; 34 CFR 200.59)

The principal of each school operating a Title I program shall annually attest in writing as to whether the school is in compliance with federal requirements regarding qualifications and duties of paraprofessionals listed above. Copies of attestations shall be maintained at the school and district office and shall be available to the public upon request. (20 USC 6319)

Parental Notification

At the beginning of each school year, a parent/guardian shall be notified that he/she may request information regarding whether his/her child is provided services by paraprofessionals and, if so, their qualifications. (20 USC 6311)

(cf. 5145.6 - Parental Notifications)

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Approved: (date) Santa Barbara, California

Santa Barbara School Districts Exhibit

Classified Personnel

E 4222

TEACHER AIDES/PARAPROFESSIONALS

ATTESTATION REGARDING TITLE I PARAPROFESSIONALS

School: _____ Principal: _____

1. I certify that every paraprofessional hired after January 8, 2002, and working in a program supported by Title I funds, unless he/she is exempted by law, has received a high school diploma or its equivalent and has met at least one of the following criteria pursuant to 20 USC 6319:
 - a. Completed at least two years of study at an institution of higher education
 - b. Obtained an associate's or higher degree
 - c. Met a rigorous standard of quality and demonstrated, through a locally determined academic assessment, knowledge of and the ability to assist in instructing either reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness
2. All paraprofessionals working in a Title I program are performing duties consistent with 20 USC 6319.

Signature: _____

Date: _____

Exhibit: SANTA BARBARA SCHOOL DISTRICTS
Version: (date) Santa Barbara, California

Santa Barbara School Districts

Board Policy

Classified Personnel

BP 4231

STAFF DEVELOPMENT

Classified staff shall have opportunities to participate in staff development activities in order to improve job skills, retrain to meet changing conditions in the district, and/or enhance personal growth.

(cf. 4261.3 - Professional Leaves)

The Superintendent or designee shall develop a program of ongoing staff development which may include, but not be limited to, activities related to:

1. General workplace skills and/or skills and knowledge specific to the duties of each classified position

(cf. 1340 - Access to District Records)

(cf. 3515.3 - District Police/Security Department)

(cf. 3542 - School Bus Drivers)

(cf. 4200 - Classified Personnel)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 5148 - Child Care and Development)

(cf. 6300 - Preschool/Early Childhood Education)

2. The role of classified staff in achieving district goals and promoting student achievement

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

3. The use of technologies to improve job performance

(cf. 0440 - District Technology Plan)

4. Effective communication and interaction with other staff, students, parents/guardians, and community members

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

5. Topics related to student health, safety, and welfare

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5146.9 - Hate-Motivated Behavior)

(cf. 5145.7 - Sexual Harassment)
(cf. 5149 - At-Risk Students)

6. Topics related to employee health, safety, and security

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4158/4258/4358 - Employee Security)

7. For classroom instructional aides, staff development activities may also include academic content of the core curriculum; teaching strategies; classroom management; or other training designed to improve student performance, conflict resolution, and intolerance and hatred prevention

(cf. 4131 - Staff Development)

The Superintendent or designee shall involve classified staff, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the district's staff development program is aligned with district goals, school improvement objectives, and school plans.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

(cf. 4215 - Evaluation/Supervision)

The Board of Education may budget for actual and reasonable expenses incurred by classified staff who participate in staff development activities.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to staff and the district and shall regularly report to the Board regarding the effectiveness of the staff development program.

(cf. 0500 - Accountability)
(cf. 9000 - Role of the Board)

Legal Reference:

EDUCATION CODE

41530-41532 Professional Development Block Grant

44032 Travel expense payment

44390-44393 California School Paraprofessional Teacher Training Program

268.

45380-45387 Retraining and study leave (classified)
56240-56245 Staff development; service to persons with disabilities
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
44579-44579.6 Instructional Time and Staff Development Reform Program
GOVERNMENT CODE
3543.2 Scope of representation of employee organization
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
United Faculty of Contra Costa Community College District v. Contra Costa Community College District
(1990) PERB Order No. 804, 14 PERC P21, 085

Management Resources:

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

California School Employees Association: <http://www.csea.com>

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: (date) Santa Barbara, California

269.

Santa Barbara School Districts

Administrative Regulation

Classified Personnel

AR 4231

STAFF DEVELOPMENT

Upon approval of the Superintendent or designee, classified staff members may participate in staff development opportunities which may include, but are not limited to:

1. Orientation and support for new employees
2. Visits to other schools and school districts
3. Attendance at professional conferences or committee meetings
4. Classes and workshops offered by the district, county office of education, institutions of higher education, private organizations, or other appropriate agencies

(cf. 4261.3 - Professional Leaves)

5. Joint staff preparation time and staff meetings
6. Follow-up activities that help staff implement newly acquired skills

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Approved: (date) Santa Barbara, California

Santa Barbara School Districts

Administrative Regulation

Classified Personnel

AR 4261.1

PERSONAL ILLNESS/INJURY LEAVE

Purposes of Leave

A classified employee may use personal illness or injury leave granted by the district for the following purposes:

1. Absences caused by accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact during the performance of the employee's duties with other persons having a contagious disease (Education Code 45199)

2. Absences due to pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Cases of personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical or dental appointments, in increments of quarter hours

5. Cases of industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. 4261.11 - Industrial Accident/Illness Leave)

6. Illness of the employee's child, parent, spouse, registered domestic partner, or domestic partner's child, up to the amount of leave that would be accrued during six months for personal illness or injury (Labor Code 233)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district.

Verification Requirements

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or medical practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury.

The Superintendent or designee may require an employee to visit a physician selected by the district and at district expense in order to receive a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the statement concludes that the employee's condition does not warrant continued absence, the Superintendent or designee, after giving notice to the employee, may deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Verification requirements shall not discriminate against any employee on the basis of his/her religious practice.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Accrual of Leave

Any classified employee employed five days a week is entitled to 12 days leave of absence, with full pay, for personal illness or injury per fiscal year. An employee who serves less than a full fiscal year or fewer than five days a week shall be granted comparable leave in proportion to the time he/she works. (Education Code 45191)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new employee shall not be entitled to more than six days of such leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of personal illness or injury leave shall be accumulated from year to year without limitation. (Education Code 45191)

At the beginning of each school year, each employee shall be notified of the amount of leave which he/she has accumulated.

Upon employment with the district, a new classified employee shall receive credit for any personal illness or injury leave accumulated in a previous school district, county office of education, or community college district if he/she left employment with that district within the previous year and had been employed by the previous district for at least one year. If the employee's previous employment had been terminated for cause, the Governing Board may determine whether to accept the transfer of the accumulated leave. (Education Code 45202)

An employee who does not complete a given year of service shall be charged for any unearned personal illness or injury leave used as of the date of termination.

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available personal illness or injury leave, vacation, compensatory overtime, and any other paid leave shall

be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. Total leave so granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be reemployed in the first vacancy in the classification of his/her previous assignment. The employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Compensation

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or injury, including current-year and accumulated days of leave. When the current-year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any such days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled.

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

45202 Transfer of accumulated sick leave and other benefits

LABOR CODE

233 Illness of child, parent, spouse or domestic partner

COURT DECISIONS

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Approved: (date) Santa Barbara, California

Santa Barbara School Districts

Administrative Regulation

Classified Personnel

AR 4261.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

Leave of absence for industrial accidents or illnesses shall be provided to classified employees who have served in the district continuously for at least three years.

In each fiscal year, allowable leave for any single industrial accident or illness shall be for 60 working days. (Education Code 45192)

(cf. 4113.4/4213.4/4313.4 - Temporary/Modified Light-Duty Assignment)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161/4261/4361 - Leaves)

Allowable leave shall not accumulate from year to year. (Education Code 45192)

When a classified employee is absent from his/her duties because of an industrial accident or illness: (Education Code 45192)

1. Industrial accident or illness leave shall start on the first day of absence.
2. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.
3. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a compensation award made under workers' compensation.
4. If an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

Upon expiration of allowable leave for an industrial accident or illness, the employee shall use personal illness and injury leave as provided by Education Code 45191. If the employee continues to receive workers' compensation, he/she shall be entitled to use only as much of his/her accumulated or available sick leave, accumulated compensating time, vacation or other available leave as, when added to the employee's workers' compensation award, will provide for a full day's wage or salary. (Education Code 45192)

(cf. 4261.1 - Personal Illness/Injury Leave)

During any paid leave of absence, the employee shall endorse to the district the workers' compensation checks received on account of his/her industrial accident or illness. In those cases, the district shall issue appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement and other authorized contributions. (Education Code 45192)

When available paid leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request additional leave. (Education Code 45192)

When all available leaves of absence, paid or unpaid, have been exhausted and the employee is not medically able to assume the duties of his/her position, the employee shall be placed either in another position or on a reemployment list for a period of 39 months. If during this time the employee becomes medically able, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other available candidates, except for a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with appropriate seniority regulations. An employee who has been placed on a reemployment list and has been medically released for return to duty, but fails to accept an appropriate assignment, shall be dismissed. (Education Code 45192)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the State of California unless the Board of Education authorizes travel outside the state. (Education Code 45192)

During this leave, the employee may return to his/her position without suffering any loss of status or benefits. Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee. (Education Code 45192)

Legal Reference:

EDUCATION CODE

45191 Leave of absence for illness or injury

45192 Industrial accident and illness leaves for classified employees

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Approved: (date) Santa Barbara, California

275.

Santa Barbara School Districts

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 Board of Education 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 *Term of employment*

45100.5 *Senior management positions*

45104.5 *Abolishment of senior classified management positions*

45108.5 *Definitions of senior classified management employees*

45108.7 *Waiver of provisions of 45108.5*

45128 *Overtime*

45130 *Exclusion from overtime provisions*

45256.5 *Designation of certain positions*

GOVERNMENT CODE

3540.1 *Definitions*

3543.4 *Management position; representation*

3545 *Appropriateness of unit; basis*

COURT DECISIONS

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

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

276.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4300

MANAGEMENT AND CONFIDENTIAL PERSONNEL

Classified Senior Management and Supervisory Employees

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest position not requiring certification in a principal district program area, with districtwide responsibility for formulating policy or administering the program. (Education Code 45108.5)

Employees holding positions designated as classified senior management and supervisory positions are entitled to all of the rights, benefits, and burdens of other classified employees, except that each senior management and supervisory employees shall not obtain permanent status in a senior management position. (Education Code 45100.5, 45256.5)

If assigned to a position within a bargaining unit, classified management and supervisory employees shall be reclassified at the discretion of the Board of Education subject to provisions of the applicable collective bargaining agreement.

(cf. 4312.1 - Contracts)

The Board may, by resolution, establish or abolish positions designated as senior management of the classified service.

Confidential Employees

Confidential employees are those who are required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Regulation: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

277.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4301

ADMINISTRATIVE STAFF ORGANIZATION

The Board of Education authorizes the Superintendent to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations.

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 4300 - Administrative and Supervisory Personnel)

The Superintendent shall establish and define job responsibilities for supervisory and administrative personnel. (Education Code 44662)

(cf. 4000 - Concepts and Roles)

(cf. 4315 - Evaluation/Supervision)

The Superintendent or designee may adjust staff responsibilities temporarily or permanently as needed to accommodate the workload and/or individual capabilities.

(cf. 4032 - Reasonable Accommodation)

The Superintendent shall maintain a current district organization chart which designates lines of primary responsibility and the relationships among all district positions. Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35020 Duties of employees fixed by governing board

35035 Powers and duties of superintendent

44662 Job responsibilities and evaluation

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

278.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4312.1

CONTRACTS

The Board of Education recognizes the importance of attracting and retaining qualified administrative and supervisory personnel to help the district achieve its goals for student learning. To that end, the Board may employ certificated administrative and supervisory personnel and senior management of the classified staff on a contract basis. Prior to entering into any such contract, the Board and Superintendent shall consider the financial and legal implications of the contract in order to protect the district from any potentially adverse obligations.

(cf. 0000 - Vision)
(cf. 2121 - Superintendent's Contract)
(cf. 3460 - Financial Reports and Accountability)
(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4300 - Administrative and Supervisory Personnel)
(cf. 4313.1 - Load/Scheduling Hours of Employment)
(cf. 4313.2 - Demotion/Reassignment)
(cf. 4314 - Transfers)

The Board may offer a deputy, associate, or assistant superintendent, or any other person holding a position requiring a supervision or administrative credential, a continuing contract for a period longer than one year but not to exceed four years. (Education Code 35031, 44929.20)

All contracts shall be ratified by the Board during an open session of a Board meeting and reflected in the Board's minutes. Copies of the contracts shall be available to the public upon request. (Education Code 35031; Government Code 53262)

(cf. 1340 - Access to District Records)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9324 - Minutes and Recordings)

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance.

(cf. 4315 - Evaluation/Supervision)

During the term of the contract and with the consent of the employee, the Board may reemploy, effective on the next succeeding first day of July, a deputy, associate, or assistant superintendent and reelect/reemploy him/her on those terms and conditions mutually agreed upon by the Board and the employee for a new term to begin on the effective date of the termination of the existing term of employment. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 days prior to the expiration of the term of the contract. (Education Code 35031)

279.

Employee contracts shall include a provision specifying the legal maximum cash settlement that the employee may receive upon termination of the contract. (Government Code 53260)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

53260-53264 Employment contracts

54954 Time and place of regular meetings

54957 Closed session, personnel matters

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

280.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4313.1

LOAD/SCHEDULING/HOURS OF EMPLOYMENT

The Board of Education designates in accordance with law salaried positions which are exempt from overtime. Persons holding these positions work whatever hours are necessary in order to fulfill their assignments. Their positions are set apart from other positions by virtue of the duties, flexibility of hours, salary, benefit structure and authority which they entail.

Employees serving in positions excluded from overtime shall not be unreasonably discriminated against as a result of the exclusion. (Education Code 45130)

Exempt employees' pay shall not be subject to salary deductions for absences of less than a day.

Confidential Employees

Confidential employees may be designated as exempt employees depending on job requirements.

Legal Reference:

EDUCATION CODE

45130 Exclusion from overtime provisions

UNITED STATES CODE, TITLE 29

201-215 Fair Labor Standards Acts

CODE OF FEDERAL REGULATIONS, TITLE 29

511-800 Department of Labor Relations

COURT DECISIONS

Abshire v. County of Kern, (9th Cir. 1990) 908 F.2d 483

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

281.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4313.2

DEMOTION/REASSIGNMENT

The Board of Education may authorize the demotion or reassignment of any administrative, supervisory, or confidential employee upon the recommendation of the Superintendent or designee and when such action is determined to be in the best interest of the district.

(cf. 0520.1 - High Performing Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4312.1 - Contracts)

(cf. 4314 - Transfers)

The Superintendent or designee shall ensure that the district complies with all applicable statutory deadlines and due process procedures when an employee is to be demoted or reassigned.

Legal Reference:

EDUCATION CODE

35031 Senior management employee in the classified service: nonreelection

44660-44665 Evaluation and assessment of performance of certificated employees

44850.1 No tenure in administrative or supervisory positions

44896 Transfer of administrator or supervisor to teaching position

44897 Classification of administrator or supervisor to a teaching position

44951 Continuation in position unless notified

45101 Definitions (including disciplinary action, cause)

45113 Rules for classified service in districts not incorporating the merit system

52055.5 Meeting or exceeding growth requirements

52055.650 Review by state board

52055.57 Districts identified or at risk of identification for program improvement

UNITED STATES CODE, TITLE 20

6316 School and district improvement

COURT DECISIONS

Jefferson v. Compton Unified School District, (1993) 14 Cal. App. 4th 32

Schultz v. Regents of the University of California, (1984) 160 Cal. App. 3d 768

Ellerbroek v. Saddleback Valley Unified School District, (1981) 125 Cal. App. 3d 348

Skelly v. California Personnel Board, (1975) 15 Cal.3d 194

Hentschke v. Sink, (1973) 34 Cal. App. 3d 19

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

282.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4313.2

DEMOTION/REASSIGNMENT

Certificated Administrative Employees

Permanent certificated management staff are not entitled to seniority rights in their administrative positions. However, such staff shall earn and/or retain any seniority earned in service as a classroom teacher or site administrator pursuant to Education Code 44893, 44894, or 44956.5.

(cf. 4117.3 - Personnel Reduction)

(cf. 4117.6 - Decision Not to Rehire)

End of Year Release/Reassignment of Certificated Administrators

By March 15, an employee shall be notified in person that he/she may be released or reassigned from his/her position for the following school year. If the notice is presented to the employee in person, the district shall obtain his/her signature acknowledging receipt of the notice on the district's copy of the written notice. (Education Code 44951)

If the March 15 notice indicates that release or reassignment is only a possibility, the Board of Education shall take additional action to release/reassign the employee before the new school year and shall send the employee a second notice by June 30 indicating that he/she has been released or reassigned.

If the employee is to be released or reassigned to a teaching position, the Board shall give the employee, upon his/her request, a written statement of the reasons for the release/reassignment. If the reasons include incompetence as an administrator or supervisor, the district shall have completed an evaluation of the employee within the 60-day period immediately preceding the notice date. (Education Code 44896)

Due Process

The district shall comply with the following guidelines when taking action to demote a certificated administrator whom is not subject to a collective bargaining agreement made between the exclusive representative for certificated employees and the school district. When taking action to demote a certificated administrator not employed pursuant to a multi-year contract, the school district shall provide the employee with all of the following:

1. Timely notice of the proposed action, pursuant to Education Code 44951, and a statement of the specific reasons for the action.
2. Timely access to any materials on which the proposed action is based.
3. The right to respond either orally or in writing to the proposed action.
4. The right to appeal, only on procedural issues such as the timeline requirements in Section 44951, to the Board of the school district. The Board and the certificated administrator shall not have counsel present during the hearing on the appeal.
5. The date on which the proposal action becomes final.

283.

Classified Management and Confidential Personnel

For personnel in this classification:

Demotion means assignment to an inferior position or status, without the employee's written voluntary consent. (Education Code 45101)

Reclassification means the upgrading of a position to a high classification as a result of the gradual increase of the duties being performed by the incumbent in such position. (Education Code 45101)

If assigned to a position within a bargaining unit, management, supervisory and confidential classified employees shall be reclassified at the discretion of the district subject to provisions of the applicable collective bargaining agreement.

Any decision regarding the demotion of a permanent management, supervisory or confidential classified employee shall be subject to the causes, appeal rights, and procedure set forth in district policy, regulation or collective bargaining agreements for disciplinary action against classified employees. (Education Code 45113)

The Board shall provide 45 days' notice before demoting a deputy, associate or assistant superintendent or employee in the senior management of the classified service. (Education Code 35031)

In initiating the involuntary reassignment of a classified manager, the Superintendent or designee shall provide the classified manager with prior written notice of the intent to reassign him/her to a designated position. The notice will inform the manager of the specific reasons for the reassignment, his/her right to a hearing, and the time within which an appeal must be filed. The notice shall also contain a card or paper for requesting a hearing. The classified manager may, within five days after receiving such notice, file a written request for hearing before the Board.

The request for hearing shall be filed in the office of the Superintendent or designee. If the manager fails to file a request for hearing as specified above, he/she will be deemed to have waived the right to a hearing and the reassignment may be made effective immediately.

If a request for hearing is filed as specified above, a hearing shall be scheduled before the Board. The Board shall hear the matter, with the party initiating the reassignment hearing the burden of proving the reasons for the reassignment. A reporter or tape recording shall record the hearing. After the hearing, the Board shall determine whether to approve, modify, or revoke the reassignment. The decision of the Board shall be final.

Classified Management and Confidential Personnel

For personnel in this classification:

Demotion means assignment to an inferior position or status, without the employee's written voluntary consent. (Education Code 45101)

Reclassification means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in such position. (Education Code 45101)

If assigned to a position within a bargaining unit, management and confidential classified employees shall be reclassified at the discretion of the district subject to provisions of the applicable collective bargaining agreement.

284.

(cf. 4312.1 - Contracts)

Any decision regarding the demotion of a permanent management or confidential classified employee shall be subject to the causes, appeal rights, and procedure set forth in district policy, regulation or collective bargaining agreements for disciplinary action against classified employees. (Education Code 45113)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Board shall provide 45 days' notice before demoting a deputy, associate or assistant superintendent or employee in the senior management of the classified service. (Education Code 35031)

In initiating the involuntary reassignment of a classified manager, the Superintendent or designee shall provide the classified manager with prior written notice of the intent to reassign him/her to a designated position. The notice will inform the manager of the specific reasons for the reassignment, his/her right to a hearing, and the time within which an appeal must be filed. The notice shall also contain a card or paper for requesting a hearing. The classified manager may, within five days after receiving such notice, file a written request for hearing before the Board.

The request for hearing shall be filed in the office of the Superintendent or designee. If the manager fails to file a request for hearing as specified above, he/she will be deemed to have waived the right to a hearing and the reassignment may be made effective immediately.

If a request for hearing is filed as specified above, a hearing shall be scheduled before the Board. The Board shall hear the matter, with the party initiating the reassignment bearing the burden of proving the reasons for the reassignment. The hearing shall be recorded by a reporter or tape recording. After the hearing, the Board shall determine whether to approve, modify, or revoke the reassignment. The decision of the Board shall be final.

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

285.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4314

TRANSFERS

The Board of Education recognizes the importance of placing employees in positions that best utilize their skills and talents, help improve student achievement, and provide the most benefit to the district.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4312.1 - Contracts)

(cf. 4313.2 - Demotion/Reassignment)

Upon the recommendation of the Superintendent or designee, the Board shall approve the transfer or rotation of administrative or supervisory personnel to the same position at another location for reasons including, but not limited to, the need to improve student achievement and operational efficiency, utilize the skills and talents of the employee more effectively, provide opportunities for professional growth, provide an opportunity for evaluating employees in different school settings or locations, and best accommodate the overall needs of the district.

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

The Superintendent or designee shall establish procedures to enable administrative or supervisory personnel to request a transfer to a vacant position.

Involuntary Transfer

Involuntary transfers within an administrator's classification (same job title) shall be initiated at the recommendation of the Superintendent or designee in the best interests of the district.

Legal Reference:

EDUCATION CODE

35031 Senior management employee in the classified service: nonreelection

35035 Additional powers and duties of superintendent

44850.1 No tenure in administrative or supervisory positions

44896 Transfer of administrator or supervisor to teaching position

44897 Classification of administrator or supervisor to a teaching position

44951 Continuation in position unless notified

45101 Definitions (including disciplinary action, cause)

45113 Rules for classified service in districts not incorporating the merit system

52055.57 Districts identified or at risk of identification for program improvement

UNITED STATES CODE, TITLE 20

6316 School and district improvement

COURT DECISIONS

Hentschke v. Sink, (1973) 34 Cal.App. 3d 19

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

286.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4314

TRANSFERS

Voluntary Transfer

The employee shall submit a transfer request to the Superintendent or designee at the time of the known vacancy. The employee shall be notified in writing of the decision whether or not to grant the transfer request.

Transfer requests may be withdrawn by the employee at any time prior to the final decision.

Involuntary Transfer

Before recommending the involuntary transfer or lateral end-of-the-year rotation of administrators, the Superintendent or designee shall confer with the affected employee and notify him/her of the intent to recommend the transfer or rotation and the specific reasons for the transfer. For transfers effective at the beginning of the school year, this conference shall take place before May 30.

If, after the conference, the recommendation to transfer or rotate administrators is made, the Superintendent or designee shall so notify the affected employee in writing at least 20 days before the transfer, except in emergency situations. This notice shall stipulate the reasons for the transfer.

Involuntary transfers may be initiated by the Superintendent for the following reasons:

1. Educational needs of the district
2. Opportunity for professional growth
3. Personal and professional relationships
4. An opportunity to evaluate a management employee in a different school or location

In the case of involuntary transfer, the Superintendent will conference with the affected employee and notify him/her of the intent to recommend transfer. This conference shall take place prior to May 15 for the following school year and the employee will be provided with the specific reasons for the transfer.

If the transfer is made, the employee will be notified in writing by June 10, or at least 20 calendar days prior to the transfer. Such notification shall stipulate the reasons for the transfer.

Regulation: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

287.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4315

EVALUATION/SUPERVISION

Certificated Management

The Board of Education shall establish and define job responsibilities for administrative personnel. The evaluation and assessment of the competency of administrative personnel shall be based on:

1. The administrator's progress toward agreed-upon goals, objectives and tasks
2. General expectations of performance which recognize professional responsibility, accountability and attitude
3. The fulfillment of responsibilities contained in the specific job descriptions adopted by the Board
4. Additional factors as determined by the Superintendent or designee

The evaluation shall recognize the worth and needs of the individual in the total working environment and shall provide direction toward the improvement of his/her effectiveness.

Each administrator shall be evaluated formally at least once every other school year. Administrators new to a position may be evaluated each year for the first two years in the position. Evaluation is a continuous process and may occur between scheduled periods at the request of the administrator, the administrator's immediate supervisor or any higher supervisor.

Formal management evaluations shall be recorded in writing on a form prescribed by the Superintendent or designee. The evaluation shall include recommendations for improvement if needed. Assistance shall be provided by the district to this end.

The evaluation report must be signed by the evaluator and the evaluatee and may be reviewed by the evaluator's immediate supervisor at the request of either party. The signature of the evaluated administrator shall not show agreement with the evaluation unless so indicated above his/her signature.

A copy of the report shall be given to the administrator within 30 working days following the evaluation and no later than 30 days before the last scheduled school day. The employee may make a written response to the evaluation at any time up to 10 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and permanently placed in the employee's personnel file.

For 12-month employees, the written evaluation report shall be given to the administrator no later than June 30 and a discussion of the evaluation shall be held no later than July 30 of the year in which the evaluation takes place. (Education Code 44663)

The Superintendent or designee shall develop regulations and procedures for the evaluation of all administrative and supervisory personnel. These written regulations and procedures shall be available to administrative and supervisory personnel. (Education Code 35171)

288.

Classified Management Employees

Classified management personnel will be evaluated according to the procedures developed by the Superintendent or designee and approved by the Board. The evaluation shall include recommendations for improvement if needed. Assistance shall be provided by the district to this end.

The evaluation form must be signed by both the person being evaluated and the supervisor making the evaluation. The signature of the evaluated management employee shall not show agreement with the evaluation unless so indicated above the signature of the employee. The employee may make written response to the evaluation at any time up to 10 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and placed in the employee's personnel file.

Confidential Personnel

The Superintendent or designee shall develop appropriate procedures for the evaluation of confidential personnel. Evaluations shall be administered in the same manner and time schedule as classified employees who have similar but nonconfidential positions with the district.

Legal Reference:

EDUCATION CODE

33039 State guidelines for teacher evaluation procedures

35171 Availability of rules and regulations for evaluation of performance

44660-44665 Evaluation and assessment of performance of certificated employees

45113 Rules and regulations for the classified service in districts not incorporating the merit system

GOVERNMENT CODE

3543.2 Scope of representation (re evaluation procedures)

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

289.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4315.1

STAFF EVALUATING TEACHERS

The Board of Education expects that administrators assigned to evaluate teachers shall:

1. Possess a valid administrative credential
2. Be competent in the instructional methodologies used by the teachers they evaluate
3. Be skilled in the supervision of instruction and in techniques and procedures related to the evaluation of instruction
4. Be familiar with district curriculum priorities, policies and practices, district standards for student progress, and district policies and procedures related to personnel supervision, performance evaluation and staff development
5. Participate in at least one inservice per year in clinical supervision and/or other approved instructional and evaluational techniques

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

(cf. 4131.5 - Professional Growth)

(cf. 4331 - Staff Development)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

The Superintendent or designee shall ensure that administrators who evaluate teachers meet the above criteria and shall observe each administrator while he/she is conducting a teacher evaluation. This observation shall be a factor in the subsequent evaluation of the administrator. The Superintendent or designee also shall discuss his/her observations with the administrator and may develop and implement an appropriate professional improvement program for the administrator.

(cf. 4315 - Evaluation/Supervision)

Legal Reference:

EDUCATION CODE

33039 Guidelines for teacher evaluation

44660-44665 Evaluation and assessment of performance of certificated employees

44681-44689 Administrator training and evaluation

GOVERNMENT CODE

3543.2 Scope of representation (re evaluation procedures)

Policy: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

290.

Santa Barbara School Districts

Exhibit

Management and Confidential Personnel

E 4317.14

POSTRETIREMENT EMPLOYMENT

Eligibility

The Board of Education may contract with employees to furnish special services and/or advice in financial, economic, accounting, engineering or administrative matters. Any person retained to furnish such services, hereinafter called retiree, shall meet the following requirements:

1. Is specially trained, experienced and competent to render special services
2. Was a management employee of the district for the equivalent of 10 years full-time immediately preceding resignation and retirement
3. Is at least 55 years of age

Services

A retiree so retained shall furnish agreed services and advice including, but not limited to, the following:

- Demonstration teaching
- Preparing staff development and in-service programs
- Assisting with testing programs
- Compiling and analyzing test data
- Orienting and assisting new teachers
- Designing and producing programs
- Preparing or updating curriculum guides
- Updating and revising school district publications
- Developing or updating instructional materials
- Sub for management employees who are sick for extended periods of time

Compensation

The district shall pay the consultant, based on his/her basic rate at the time of his/her retirement, up to the maximum allowed by the retiree's retirement system.

Term

Agreements shall normally be made for three years, but shall be renewable annually, thereafter, by mutual consent of both parties. The retiree shall not be retained in a retirement consultancy after the age of 65, except by special action by the Board.

Social Security

The district cannot guarantee that Social Security credit will be granted for this contract. It is the responsibility of the employee to determine eligibility.

Income Taxes

The district shall withhold State and Federal Income taxes.

Workers' Compensation

291.

The district shall provide Workers' Compensation Insurance.

Application

Application for retirement with consultancy must be received by February 15. The district shall notify applicants by April 1, if selected.

Resignation

On acceptance as a retirement-with-consultancy participant, the employee must submit a resignation from the district.

Contract

Each retiree shall sign a contract with the district which specifies the compensation, procedures for compensation, services to be rendered and the evaluation procedures for the services.

Failure to Perform

The contract may be terminated for failure to perform the assigned activity. If, in the opinion of the district, the consultant at any time fails, refuses or neglects to completely perform any of the assigned duties under this agreement, it shall constitute a breach of the entire agreement and the district may terminate this agreement, and the consultant shall return to the district any monies advanced for unrendered services. Prior to taking any action to terminate a contract for failure to perform, the consultant shall be given notice and an opportunity to be heard by the Board.

Termination by Consultant

Notwithstanding the terms of years specified herein, the consultant shall have the right to terminate, in writing, this employment agreement at the end of any of the said school years specified herein. Upon such election and acceptance by the Board, both parties shall be free from any further obligation hereunder.

Exhibit: SANTA BARBARA SCHOOL DISTRICTS
Version: Santa Barbara, California

292.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4317.3

PERSONNEL REDUCTION

When the district needs to reduce the kind and/or number of management staff, layoff proceedings shall be initiated at the recommendation of the Superintendent or designee and after consultation with legal counsel.

Certificated Management

When the district needs to reduce the number and/or kind of certificated management staff and also needs to reduce the overall number of certificated employees, the district shall proceed pursuant to the requirements of Education Code 44955. By March 15, affected employees shall be notified of the Board's action by registered mail or in person.

When the district needs to reduce the number and/or kind of certificated management staff and intends to place the displaced personnel in other certificated positions (causing no reduction in the overall number of certificated employees of the district), the district shall proceed pursuant to Education Code 44951. By March 15, affected employees shall be notified of the Board's action by registered mail or in person. If the notice is presented in person, the employee's signature acknowledging receipt of the notice shall be obtained on the district's copy of the notice.

During the time period between five days after enactment of the Budget Act and August 15, the Board may determine that the total revenue limit per ADA has not increased by at least two percent and that the district needs to reduce the number and/or kind of management staff pursuant to Education Code 44955.5. In such a situation, the Board shall adopt a schedule of notice and hearings and shall otherwise proceed pursuant to Education Code 44951 or 44955.

An employee who has served as an administrator in the district for at least two years shall have permanent certificated status in the district as a teacher. (Education Code 44893, 44894, 44929.21) However, the period of employment in the administrative position is not included when calculating seniority related to layoff and reemployment, except for: (Education Code 44956.5)

1. Site administrators who are entitled to earn up to three years' seniority for these purposes.
2. Administrators who were initially employed in an administrative position before July 1, 1983.

Classified Management/Confidential Employees

Classified managers shall be entitled to the same procedure and have the same layoff rights as all other classified employees.

(cf. 4217.3 - Layoff/Rehire)

(cf. 4300 - Management, Supervisory and Confidential Personnel)

Senior Management of the Classified Service

The Board may by resolution abolish any or all positions of the senior management of the classified service. Any employee occupying a senior management position abolished by Board action shall become

293.

a member of the classified or certificated service in a position to which he/she would otherwise be entitled if the employee had not been in a senior management position. (Education Code 45104.5)

Whenever a reduction in the number of management positions becomes necessary, the Superintendent shall consider the following factors:

1. Overall needs of the district.
2. Evaluation data.
3. Specific requirements of the position(s) affected, including credentials, experience, etc.
4. Years of service in management positions.

If there is the need to reduce the number and/or kind of certificated management employees the district shall proceed pursuant to Education Code 44951, giving the employee notification no later than March 1. If there is the need to reduce the number of classified management/ confidential employees, they shall be subject to the same procedures and the same layoff rights as set forth in district policy, regulation and/or collective bargaining agreement for layoff of classified employees.

Management employees who have been reassigned due to a reduction in the number of management positions may, at the discretion of the Superintendent, be re-appointed to an opening in a position for which they are qualified without such position being advertised as a vacancy.

Legal Reference:

EDUCATION CODE

44951 Continuation in position unless notified

44955 Certificated employee layoff

44955.5 Termination of certificated employees; insufficient increase in revenue limits

44956 Reemployment rights of laid-off certificated employees

44956.5 Seniority of certificated administrators

45100.5 Senior management positions

45104.5 Abolition of position

45108.5 Senior management employee

45114 Layoff and reemployment procedures

45117 Notice of layoff

45298 Reemployment and promotional exam

45308 Order of layoff and reemployment

Regulation: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

294.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4317.4

DISMISSAL

Permanent Employees

Permanent employees shall not be dismissed from their position except when cause for dismissal can be shown. Cause and procedures for dismissal are defined by provisions of Education Code 44932-44947.

(cf. 4116 - Probationary/Permanent Status)

Probationary Employees

During the school year, certificated probationary employees may be dismissed for causes specified in Education Code 44932 or for unsatisfactory performance determined pursuant to Education Code 44660-44665. Procedures and time limits for such action shall be those set forth in Education Code 44948.3.

(cf. 4115 - Evaluation/Supervision)

At the end of the school year, the Board of Education may decide not to rehire probationary employees without a statement of reasons, giving notice in accordance with Education Code 44929.21.

(cf. 4117.6 - Decision Not to Rehire)

1. A *certificated management employee* shall only be dismissed as prescribed by Education Codes 44932 - 44947.
2. A *classified management/confidential employee* may be dismissed by the Board for cause as set forth in district policy, regulation or collective bargaining agreement for classified employees.

Dismissal is the separation from service.

Legal References:

EDUCATION CODE

44660-44665 *Evaluation and assessment of performance*

44842 *Automatic declining of employment*

44918 *Substitute or temporary employee; reemployment rights*

44929.21 *Districts with 250 ADA or more; notice of reelection decision.*

44929.23 *Districts with daily attendance less than 250*

44932-44947 *Suspension and/or dismissal of permanent employees*

44948 *Dismissal or suspension of probationary employees during school year*

44948.2 *Election to use provisions of Education Code 44948.3*

44948.3 *Dismissal of probationary employees (over 250 ADA)*

44948.5 *Dismissal of probationary employees (under 250 ADA)*

44949 *Cause, notice and right to hearing for dismissal of probationary employee*

44953 *Dismissal of substitute employees*

44955 *Reduction in number of permanent employees*

295.

GOVERNMENT CODE

3543.2 *Scope of representation (re duty of district to meet and negotiate regarding causes and procedures for discipline less than dismissal)*

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

296.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

E 4319.21

PROFESSIONAL STANDARDS

CALIFORNIA PROFESSIONAL STANDARDS FOR EDUCATIONAL LEADERS

Preamble

The administrator(s) at a school site have numerous responsibilities that ultimately lead to the improvement of the performance of all students in the school. By acquiring the skills, attitudes and behaviors as outlined in the following Professional Standards for School Leaders, students have the best opportunity to achieve the mission and vision of the district and to meet the expectations of high standards for student learning.

Standards

A school administrator is an educational leader who promotes the success of all students by:

1. Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community
2. Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth
3. Ensuring management of the organization, operations, and resources for a safe, efficient and effective learning environment
4. Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources
5. Modeling a personal code of ethics and developing professional leadership capacity
6. Understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context

Source: California Professional Standards for Educational Leaders, 2001

Exhibit: SANTA BARBARA SCHOOL DISTRICTS
Version: Santa Barbara, California

297.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4331

STAFF DEVELOPMENT

The Board of Education recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management and confidential personnel shall be designed to guide instructional improvement, build leadership skills, and enhance overall management efficiency.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

The Superintendent or designee shall develop a plan for administrator support and development activities based on a systematic assessment of the needs of district students and staff and aligned to the district's vision and goals. The Board desires that all administrators participate in planning activities that are pertinent to their specific areas of responsibility.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

Within budget parameters, the Superintendent or designee may approve participation in activities that will benefit individual administrators and enhance their contributions to the district.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

44510-44517 *Principal training program*

44681-44689.2 *Administrator training and evaluation*

60119 *Instructional materials funds*

Management Resources:

CDE PUBLICATIONS

California Professional Standards for Educational Leaders, 2001

WEB SITES

CTC: <http://www.ctc.ca.gov>

CDE: <http://www.cde.ca.gov>

Association of California School Administrators: <http://www.acsa.org>

California School Leadership Academy: <http://www.csla.org>

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

298.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4331

STAFF DEVELOPMENT

Staff development activities may include but are not limited to:

1. Professional education conferences or committee meetings
2. Courses offered by institutions of higher education
3. Workshops offered by the district, county office of education, or state
4. Small-group activities
5. Self-directed learning
6. Observation of other schools
7. Follow-up activities that help staff implement newly acquired skills

(cf. 3350 - Travel Expenses)

(cf. 4361 - Leaves)

Administrator Training Program

The Superintendent or designee shall approve, for principals and vice principals, a staff development program which meet the following conditions:

1. The training shall have a duration of at least 80 hours of intensive individualized support and professional development. To the extent practicable, the institute training portion of Modules 1, 2, and 3 shall be held outside of the regular school day. An additional 80 hours of intensive individualized support and professional development may be completed over a period of up to two years once the initial 80 hours of training commences. (Education Code 44513)

Training shall include instruction in the following areas: (Education Code 44511)

- a. School financial and personnel management, including hiring, recruitment, and retention practices and misassignments of certificated personnel

(cf. 4111 - Recruitment and Selection)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 - Assignment)

- b. Core academic standards

(cf. 6011 - Academic Standards)

- c. Curriculum frameworks and instructional materials aligned to the state academic standards, including ensuring the provisions of textbooks and instructional materials as defined in Education Code 60119

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

299.

- d. The use of student assessment instruments; specific ways of mastering the use of assessment data from the Standardized Testing and Reporting program, including analyzing achievement of specific subgroups including English language learners and individuals with disabilities; and school management technology to improve student performance

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

- e. The provision of instructional leadership and management strategies regarding the use of instructional technology to improve student performance

(cf. 6162.7 - Use of Technology in Instruction)

- f. Extension of the knowledge, skills, and abilities acquired in the preliminary administrative preparation program that are designed to strengthen the ability of administrators to effectively and efficiently lead an organization and build the capacity of staff to enhance the academic performance of all students, including special emphasis on providing additional support for students identified as English language learners and individuals with disabilities

(cf. 6159 - Individualized Education Program)

(cf. 6174 - Education for English Language Learners)

- g. Leadership training to improve the academic achievement of all students including, but not limited to, capacity building in all of the following areas:

- (1) Pedagogies of learning
- (2) Motivation of student learning
- (3) Instructional strategies to teach essential content in ways that address the varied learning needs of students, with special emphasis on English language learners and individuals with disabilities
- (4) Collaboration
- (5) Conflict resolution, including reduction of racial tensions
- (6) Respect for diversity
- (7) Parental involvement
- (8) Employee relations
- (9) Creation of an effective, safe, and inclusive learning and workplace environment
- (10) Single plan for student achievement

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- 2. For purposes of this program, the Superintendent or designee shall select a staff development provider approved by the State Board of Education. (Education Code 44513)

The Superintendent or designee shall give highest priority to training administrators assigned to, and practicing in, high-priority or hard-to-staff schools.

300.

A *high-priority school* is a school in the bottom half of all schools statewide based on Academic Performance Index rankings. A *hard-to-staff school* is a school in which teachers holding emergency permits or credential waivers make up 20 percent or more of the teaching staff. (Education Code 44510)

(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 4112.2 - Certification)

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

301.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4344

PROBLEM RESOLUTION

A member of the management team may use the Problem Resolution Procedure described below when that member believes that there has been a violation or misapplication of Board of Education Policies, Administrative Regulations or interpretation of job descriptions and that by reason of such action, the member's rights have been adversely affected.

1. Informal Conference: The member will seek resolution of the problem through a conference with his/her immediate supervisor. Every effort should be made to resolve the problem at this conference.
2. Appeal to the Superintendent: If resolution is not accomplished in the informal conference, the member may submit the problem in writing to the Superintendent. The Superintendent shall arrange a conference with the member. Following the conference, the Superintendent shall communicate the decision in writing.
3. Informal Hearing with the Board: If resolution is not accomplished in the appeal to the Superintendent, that member may submit the problem to the Board and request an informal hearing. The problem will be submitted in writing, together with the written response from the Superintendent. The Board shall grant the hearing as promptly as possible. The Board's decision shall be communicated in writing.

General Provisions:

1. The Management team member may be represented at any step of the Problem Resolution Procedure by counsel - legal counsel, member(s) of the Santa Barbara School Administrators Association, or member(s) of the Association of California School Administrators Professional Standards Committee.
2. The Board or the Superintendent shall not seek reprisal in any way as a result of enacting the Problem Resolution Procedure.

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

302.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4351.1

MANAGEMENT SALARY SCHEDULE

Compensation

1. **Salary Schedule**

All management employees shall be placed in their proper positions on the Management Salary Schedule adopted by the Board of Education.

All confidential employees shall be placed in their proper position on the Confidential Salary Schedule.

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

2. **Experience**

To be credited experience, a year of service must be for 50 percent or more of a full year. Credit will be given for only one such partial year of management service.

Persons entering management positions in the district with “outside” administrative experience shall be credited with one year for each year of outside experience in an comparable or higher administrative assignment.

District management employees will be given full credit for experience when assigned to a lower level on the salary schedule or to a level formerly held.

3. **Advanced Degrees**

Management employees shall continue to receive the following dollar amounts for having earned an advanced degree.

- **Master's Degree:** Employees holding a master's degree shall receive an annual payment of .0128 of Range 1, Step 1, in addition to their respective salaries.
- **Doctor's Degree:** Employees holding a doctor's degree shall receive an annual payment of .0256 of Range 1, Step 1, in addition to their respective salaries.

4. **Promotion**

Whenever a management employee is promoted to a higher position level, the new placement on the management salary schedule will assure a salary greater than that of the employee's former position.

5. **Professional Growth**

Management employees shall receive an annual payment of .010 of Range 1, Step 1 of the Management Salary Schedule towards the annual cost of membership in the Association of California School Administrators, the California Association of School Business Officials, or for use to attend professional conferences.

Regulation: SANTA BARBARA SCHOOL DISTRICTS

Adopted: Santa Barbara, California

303.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4354.1

MANAGEMENT/CONFIDENTIAL – RETIREE BENEFITS

Management employees shall have the option of choosing insurance coverage under the classified selection plan or the certificated composite plan and receive the same health and welfare package as other district employees, plus a \$100,000 term life insurance policy.

Confidential employees shall have the option of choosing insurance coverage under the classified selection plan or the certificated composite plan and receive the same health and welfare package as other district employees.

(cf. 4154/4254/4354 – Health and Welfare Benefits)

Health and Welfare Benefits: Retirees

Any management employee employed in a management position prior to July 1, 1983, and who, at the time of retirement, shall have served 20 years in the district, of which 10 years were in a management position, and is 55 years of age, will have the employee's health plan paid for by the district up to a maximum of \$1,001.20 per year. Any such employee who has served 15 years in the district, of which eight years were in a management position, and is 55 years of age, will have 75 percent of the employee's health plan paid for by the district up to a maximum of \$750.90 per year.

Any management employee hired after July 1, 1983, and who, at the time of retirement shall have served 10 years in a management position and is 55 years of age, shall have paid by the district a maximum of \$500 per year towards the employee's health benefits. This benefit will be in effect until the employee reaches ages 65.

The benefits provided under this section shall be subject to and offset by any medical benefits to which the retired employee is otherwise entitled under any other public program.

Any management employee appointed to a management position from a non-management position in the district on or after July 1, 1983, who would have earned retirement benefits as a non-management employee shall continue to qualify for the non-management benefit.

A confidential retiree is entitled to the same retiree benefits as management retirees.

Retiring management/confidential employees will receive medical, vision and dental insurance coverage for life, when the employee has been an administrator or confidential employee for at least 10 years.

Amount of coverage is based on number of years with the district:

- 100 percent coverage with 20 years of service in the district
- 75 percent coverage with 50 years of service in the district
- 50 percent coverage with 10 years of service in the district

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

304.

Santa Barbara School Districts

Board Policy

Management and Confidential Personnel

BP 4356.1

TRAVEL ALLOWANCE/REIMBURSEMENT

On-the Job Transportation Reimbursement

Any member of the Management team who does not receive an annual fixed stipend for transportation may submit a request for reimbursement for mileage expense for travel on approved official school business at the rate established by the districts*. Any member receiving a fixed stipend for transportation may submit a request for reimbursement for mileage expense for travel outside the district.

(cf. 3350 - Travel Expenses)

*The district's mileage rate shall correspond to the deductible rate provided for pursuant to the Internal Revenue Code.

Mileage Allowance

1. Employees who are assigned to work in more than one location or are required to have a car at their disposal, shall be reimbursed for their travel at the Internal Revenue Code rate multiplied by the following number of miles.
2. Reimbursement for travel for management employees who are assigned to schools will be based on the following annual mileage:

Principals (Senior High School) (La Cuesta)	(11 months)	\$1955
Asst. Principals (Senior High School)	(10 months)	\$977
Principals (Junior High School)	(11 months)	\$1552
Asst. Principals (Junior High School)	(10 months)	\$777
Principals (Elementary)	(11 months)	\$1548
Asst. Principals (Elementary)	(10 months)	\$680

In addition, principals shall receive the following annual mileage zone differentials based on school distance from district offices:*

Zone 1 - 62 miles	Zone 4 - 633 miles
Zone 2 - 213 miles	Zone 5 - 769 miles
Zone 3 - 424 miles	Zone 6 - 962 miles

*Zone 1: Cleveland, Franklin, Santa Barbara Junior High School, Santa Barbara High School

*Zone 2: Adams, Harding, Monroe, McKinley, Roosevelt, Washington, La Cumbre Middle School, Santa Barbara Community Academy

*Zone 3: La Colina Junior High School, Open Alternative School

*Zone 4: San Marcos High School

305.

- *Zone 5: Goleta Valley Junior High School
- *Zone 6: Dos Pueblos High School, La Cuesta

3. Reimbursement for travel for certain management employees who are assigned to the district office, the major part of whose positions is visiting schools, will be based on the following Internal Revenue Code rates:

An annual rate based on 6,000 miles times the IRS mileage rate:

- Assistant Superintendent, Elementary and Secondary
- Director, Categorical and Compliance
- Administrator, Child Development/Curriculum
- Director, Special Education
- Director, Facilities and Operation
- Director, Special Projects

An annual rate based on 4,000 miles times the IRS mileage rate:

- Assistant Superintendent, Business
- Director, Food Services
- Director, Personnel
- Director, Fiscal Services
- Director, Research, Evaluation and Technology
- Coordinator, Classified Personnel
- Coordinator, Categorical Programs
- Coordinator, Special Education

When there is a change in the Internal Revenue Code mileage allowance, all rates will be adjusted accordingly.

Policy: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

306.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4361.31

SABBATICAL/EDUCATIONAL LEAVES

Sabbatical Leave

Any management employee who has rendered service to the district for at least seven consecutive years may be granted a sabbatical leave for not less than one semester and more than one year, with the recommendation of the Superintendent and the approval of the Board. This is to permit study or travel which will benefit the schools and pupils of the district.

Sabbatical leave applications shall be submitted to the Superintendent by January 15. Sabbatical leave will be granted only for one semester or one year. Sabbatical leaves shall begin with the beginning of semester only, unless otherwise recommended. A one-year sabbatical leave must be taken during one school year.

At the expiration of sabbatical leave, the employee shall be assigned to the position to which he/she served prior to the beginning of the sabbatical or other assignment as agreed upon before the leave was granted.

In all matters not herein mentioned, the Education Code shall govern sabbatical leave, and all amendments to the Education Code affecting sabbatical leave shall become part of these rules and regulations.

Compensation while on Sabbatical Leave

Management employees granted sabbatical leave are entitled to receive 50 percent of their salary as it would be on the management salary schedule.

Excepting for reason of death, or physical or mental disability, the employee shall be required to serve the district for a period of service equal to twice the period of the leave at the termination of the leave. He/she shall indemnify the district against loss in the event of failure to render such service by furnishing in advance of the subject leave a suitable bond in accordance with Education Code provisions.

All management fringe benefits will continue as though employees were on regular service. Seniority and annual salary increments accrue during the time of such leave the same as though the employee were on regular service.

Granting Sabbatical Leave

Sabbatical leaves shall be granted only in accordance with the following provisions:

1. **Sabbatical leave for study:**

A management person shall complete at least 18 semester units of work during a sabbatical year, not less than eight semester units of which shall be completed during either semester while on such leave. These courses shall be exclusive of correspondence courses. The courses must be listed in the planned program presented to the Superintendent. A special project, research problem or courses may be substituted for the unit requirement, if approved in advance by the

307

Superintendent. Transcripts or other evidence of completion shall be submitted to the Personnel Office within 60 days after the employee's return to duty.

2. **Sabbatical Leaves for Travel:**

Employees on sabbatical leaves for travel shall remain in travel status at least three and one-half months of each semester of leave granted.

The application for leave shall include, in general terms, an itinerary of the proposed travel, together with a statement concerning the proposed objectives of the travel.

Upon completion of the leave, and within 60 days of the return to duty, a detailed itinerary, and written report of about 10 pages shall be submitted to the Superintendent's Office setting forth the reactions to the trip and a statement of the benefits received from it.

Scholarships and fellowships, in addition to transportation and tuition grants, may be approved. Unusual types of employment may be approved by the Superintendent.

Educational Improvement Leave

After completing four consecutive full years of district service, any management employee may, at the discretion of the Board, be granted a leave of absence without pay for educational improvement of not less than one semester nor more than one year. An extension of the leave period may be granted where completion of the course for advancement requires longer than one year and where the advantages will accrue to the district.

The requirements for a leave of absence for study are either:

1. A minimum of 18 units of upper division or graduate work taken during the period of the year's leave
2. A program for individual study

Prior approval for the program of exemption from the upper division or graduate course work shall be obtained from the Superintendent. A report shall be submitted at the completion of the program. No salary shall be paid or seniority rights accrue. Employee may pay for health benefits.

Exchange Leave

After having completed five full years with the district, a management employee may apply for an exchange position. Request for an exchange leave must be discussed with the Superintendent before formal request is presented to the Board. This should be done no later than February 20, unless the announcement of such opportunity is not made prior to February 20. Salary and benefits shall be approved at the time of granting the exchange. The exchange leave shall count as a year of experience for salary and other purposes. Employee may return to like position.

Legal Reference:

EDUCATION CODE
44966-44973 *Leaves of absence for study or travel*

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

308.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4361.4

EDUCATIONAL CONFERENCE/MEETINGS

Professional Conferences and Meetings

Leave may be granted to employees for attendance at approved professional meetings, conferences, observations, workshops, activities devoted to the improvement of curriculum and instruction without loss of salary. Travel and other expenses may be allowed for this purpose.

Requests to be excused from duty should be submitted to the immediate supervisor at least one week in advance to allow time for consideration of the request.

Miscellaneous Conference Leaves

Upon request of the employee, the Superintendent may grant leaves of absence to employees who wish to attend conventions of civic or fraternal groups not connected with education, in which they hold membership. Full salary deductions shall be made for days of such leave or employee may use vacation days.

Legal Reference:

EDUCATION CODE

44966-44973 Leaves of absence for study or travel

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

309.

Santa Barbara School Districts

Administrative Regulation

Management and Confidential Personnel

AR 4362

VACATION/HOLIDAYS

Vacation

1. Twelve Month Employees (225 working days)

Management employees assigned a twelve-month contract shall be entitled to 22 working days annual vacation and, in addition, will receive the other holidays received by other management employees.

Work days and vacation days are determined on a calendar of July 1 through June 30.

Every effort is to be made by the employees to take vacation time before July 1 of a new year. However, if the employees are required to work additional days beyond their contract, they will be allowed to carry over the unused vacation time into the following year, if the additional time had been approved by the supervisor prior to the work. Management employees may not accumulate more than 44 days of unused vacation.

Upon separation from employment as a member of management with the district, vacation time accrued or not used shall be paid at the employee's per diem rate.

2. Employees Working Less Than a Twelve Month Contract (less than 225 working days)

Management employees are assigned the number of work days set forth in the Management Salary Schedule for their respective positions. Work days are determined on a calendar of July 1 through June 30.

If an employee is required to work additional days beyond the days specified for his/per position, he/she will be allowed to carry over the additional work days into the following year as credit toward the required work days for the new year. To be carried over, additional work days must be approved by the employee's supervisor prior to the work being performed. In no event will more than 44 additional work days be allowed to carry over from one year to the next.

Upon separation from employment as a member of management with the district, compensation for the current year shall be for actual days worked plus the employee's per diem rate for each additional work day carried over from the previous year.

3. Confidential employees will earn paid vacation as follows:
 - 15 days per year for employee employed for 1 through 4 years.
 - 20 days per year for employee employed for 5 through 9 years.
 - 21 days per year for employee employed for 10 through 19 years.
 - 22 days per year for employee employed for 20 or more years.

310.

Holidays

Management employees will be granted the same legal and district holidays extended to other twelve-month employees of the district.

Regulation: SANTA BARBARA SCHOOL DISTRICTS
Adopted: Santa Barbara, California

311.