

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

Red=revised from current

Blue=New

8/22	10/22	TBD	TBD	TBD	Policy #	Title	Original Adopted Date	Last Revised Date
X					4000	Concepts And Roles	9/1/2022	
X					4020	Drug And Alcohol-Free Workplace	10/1989	9/1/2022
X					4030	Nondiscrimination In Employment	10/07/1976	9/1/2022
X					4033	Lactation Accommodation	9/1/2022	
		X			4040	Acceptable Use Agreement	PENDING	
						CERTIFICATED		
X					4100	Certificated Personnel	9/1/2022	
	X				4111	Recruitment And Selection	PENDING	
	X				4111.2	Legal Status Requirement	PENDING	
	X				4112.2	Certification	PENDING	
	X				4112.21	Interns	PENDING	
	X				4112.8	Employment Of Relatives	PENDING	
	X				4112.9	Employee Notifications	PENDING	
		X			4113	Assignment	11/01/2004	
		X			4113.4	Temporary Modified/Light-Duty Assignment	10/01/1995	
X					4113.5	Working Remotely	9/1/2022	
		X			4114	Transfers	PENDING	
X					4115	Evaluation/Supervision	07/01/2000	9/1/2022
		X			4116	Probationary/Permanent Status	PENDING	
		X			4117.13	Early Retirement Option	PENDING	
		X			4117.2	Resignation	PENDING	
		X			4117.3	Personnel Reduction	PENDING	
		X			4118	Dismissal/Suspension/Disciplinary Action	PENDING	
		X			4119.1	Civil And Legal Rights	PENDING	
X					4119.11	Sexual Harassment	12/01/2015	9/1/2022
		X			4119.21	Professional Standards	PENDING	
		X			4119.22	Dress And Grooming	PENDING	
		X			4119.23	Unauthorized Release Of Confidential Privileged Information	PENDING	
		X			4119.24	Maintaining Appropriate Adult-Student Interactions	PENDING	
X					4119.25	Political Activities Of Employees	9/1/2022	
			X		4119.41	Employees With Infectious Disease	PENDING	
			X		4119.42	Exposure Control Plan For Bloodborne Pathogens	PENDING	
			X		4119.43	Universal Precautions	PENDING	

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

			X		4121	Temporary/Substitute Personnel	PENDING	
					4127	Temporary Athletic Team Coaches	UNNECESSARY	
X					4131	Staff Development	11/01/2008	9/1/2022
			X		4132	Publication Or Creation Of Materials	PENDING	
			X		4135	Soliciting And Selling	PENDING	
X					4136	Nonschool Employment	09/01/1991	9/1/2022
		X			4140	Bargaining Units	PENDING	
		X			4141	Collective Bargaining Agreement	PENDING	
		X			4141.6	Concerted Action/Work Stoppage	PENDING	
		X			4143	Negotiations/Consultation	PENDING	
		X			4143.1	Public Notice - Personnel Negotiations	07/01/2001	03/01/2007
X					4144	Complaints	9/1/2022	
X					4151	Employee Compensation	9/1/2022	
X					4154	Health And Welfare Benefits	9/1/2022	
				X	4156.2	Awards And Recognition	PENDING	
				X	4156.3	Employee Property Reimbursement	PENDING	
				X	4157	Employee Safety	PENDING	
				X	4158	Employee Security	PENDING	
				X	4159	Employee Assistance Programs	PENDING	
X					4161	Leaves	12/01/1988	9/1/2022
X					4161.9	Catastrophic Leave Program	9/1/2022	
						CLASSIFIED		
X					4200	Classified Personnel	9/1/2022	
	X				4211	Recruitment And Selection	PENDING	
	X				4211.2	Legal Status Requirement	PENDING	
	X				4212.8	Employment Of Relatives	PENDING	
	X				4212.9	Employee Notifications	PENDING	
		X			4213.4	Temporary Modified/Light-Duty Assignment	PENDING	
X					4213.5	Working Remotely	9/1/2022	
X					4215	Evaluation/Supervision	9/1/2022	
		X			4216	Probationary/Permanent Status	PENDING	
		X			4217.2	Resignation	PENDING	
		X			4218	Dismissal/Suspension/Disciplinary Action	PENDING	
		X			4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)	PENDING	
		X			4219.1	Civil And Legal Rights	PENDING	
X					4219.11	Sexual Harassment	9/1/2022	
		X			4219.21	Professional Standards	PENDING	
		X			4219.22	Dress And Grooming	PENDING	
		X			4219.23	Unauthorized Release Of Confidential/Privileged Information	PENDING	

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

		X		4219.24	Maintaining Appropriate Adult-Student Interactions	PENDING	
X				4219.25	Political Activities Of Employees	06/01/1996	9/1/2022
			X	4219.41	Employees With Infectious Disease	PENDING	
			X	4219.42	Exposure Control Plan For Bloodborne Pathogens	PENDING	
			X	4219.43	Universal Precautions	PENDING	
			X	4222	Teacher Aides/Paraprofessionals	PENDING	
				4227	Temporary Athletic Team Coaches	UNNECESSARY	
X				4231	Staff Development	9/1/2022	
			X	4232	Publication Or Creation Of Materials	PENDING	
			X	4235	Soliciting And Selling	PENDING	
X				4236	Nonschool Employment	PENDING	
		X		4240	Bargaining Units	PENDING	
		X		4241	Collective Bargaining Agreement	PENDING	
		X		4241.6	Concerted Action/Work Stoppage	PENDING	
		X		4243	Negotiations/Consultation	PENDING	
		X		4243.1	Public Notice - Personnel Negotiations	PENDING	
X				4244	Complaints	9/1/2022	
X				4251	Employee Compensation	9/1/2022	
X				4254	Health And Welfare Benefits	07/01/2009	9/1/2022
			X	4256.2	Awards And Recognition	PENDING	
			X	4256.3	Employee Property Reimbursement	PENDING	
			X	4257	Employee Safety	PENDING	
			X	4258	Employee Security	PENDING	
			X	4259	Employee Assistance Programs	PENDING	
X				4261	Leaves	9/1/2022	
			X	4261.3	Professional Standards	PENDING	
X				4261.9	Catastrophic Leave Program	9/1/2022	
					MANAGEMENT		
X				4300	Administrative And Supervisory Personnel	9/1/2022	
	X			4301	Administrative Staff Organization	PENDING	
	X			4311	Recruitment And Selection	PENDING	
	X			4311.2	Legal Status Requirement	PENDING	
	X			4312.1	Contracts	PENDING	
	X			4312.8	Employment Of Relatives	PENDING	
	X			4312.9	Employee Notifications	PENDING	
		X		4313.2	Demotion/Reassignment	PENDING	
		X		4313.4	Temporary Modified/Light-Duty Assignment	PENDING	
X				4313.5	Working Remotely	9/1/2022	
		X		4314	Transfers	PENDING	

Human Resources-Related Board Policies for the Santa Barbara County Board of Education 2022-2023

X				4315	Evaluation/Supervision	9/1/2022	
		X		4317.13	Early Retirement Option	PENDING	
		X		4317.2	Resignation	PENDING	
		X		4319.1	Civil And Legal Rights	PENDING	
X				4319.11	Sexual Harassment	9/1/2022	
		X		4319.21	Professional Standards	PENDING	
		X		4319.22	Dress And Grooming	PENDING	
		X		4319.23	Unauthorized Release Of Confidential/Privileged Information	PENDING	
		X		4319.24	Maintaining Appropriate Adult-Student Interactions	PENDING	
X				4319.25	Political Activities Of Employees	9/1/2022	
		X		4319.41	Employees With Infectious Disease	PENDING	
		X		4319.42	Exposure Control Plan For Bloodborne Pathogens	PENDING	
		X		4319.43	Universal Precautions	PENDING	
X				4331	Staff Development	9/1/2022	
		X		4332	Publication or Creation of Materials	PENDING	
		X		4335	Soliciting And Selling	PENDING	
X				4336	Nonschool Employment	9/1/2022	
		X		4340	Bargaining Units	PENDING	
X				4344	Complaints	9/1/2022	
X				4351	Employee Compensation	9/1/2022	
X				4354	Health And Welfare Benefits	9/1/2022	
			X	4356.2	Awards And Recognition	PENDING	
			X	4356.3	Employee Property Reimbursement	PENDING	
			X	4357	Employee Safety	PENDING	
			X	4358	Employee Security	PENDING	
			X	4359	Employee Assistance Programs	PENDING	
X				4361	Leaves	9/1/2022	
X				4361.9	Catastrophic Leave Program	9/1/2022	



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – ADMINISTRATIVE STAFF ORGANIZATION

BP 4301

The County Superintendent of Schools is authorized to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations.

The County Superintendent of Schools or designee shall establish and define job responsibilities for supervisory and administrative personnel. (Education Code 44662)

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

The County Superintendent of Schools or designee shall maintain a current SBCEO organization chart which designates lines of primary responsibility and the relationships among all SBCEO 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.

Policy Reference Disclaimer:

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Management Resources

Website
Website

Description

[CSBA](#)
[Association of California School Administrators](#)

State

Ed. Code 35010
Ed. Code 35020
Ed. Code 35035
Ed. Code 44662

Description

Control of district; prescription and enforcement of rules
Duties of employees fixed by governing board
Powers and duties of the superintendent; transfer authority
Evaluation of certificated employees

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – RECRUITMENT AND SELECTION

BP 4111

The County Board of Education and County Superintendent of Schools are committed to employing suitable, qualified individuals to effectively carry out the SBCEO's vision, mission, and goals.

The County Superintendent of Schools or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

When a vacancy occurs, the County Superintendent of Schools or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

The SBCEO's selection procedures shall include screening processes, interviews, recommendations from previous employers, and observations when appropriate, as necessary to identify the best possible candidate for a position.

The County Superintendent of Schools or designee may establish an interview committee to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential in accordance with law.

No inquiry shall be made with regard to any information prohibited by state or federal nondiscrimination laws.

The County Superintendent of Schools or designee shall not inquire, orally or in writing, in regard to an applicant's salary history information, including compensation and benefits. The Superintendent or designee shall also not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. Upon request, the Superintendent or designee shall provide the applicant the pay scale for the position to which the applicant is applying. (Labor Code 432.3)

Incentives

With County Superintendent of Schools or designee approval and in accordance with SBCEO needs, the SBCEO may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

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State

Ed. Code 200-262.4
 Ed. Code 35035
 Ed. Code 44066
 Ed. Code 44259

 Ed. Code 44750
 Ed. Code 44830-44831
 Ed. Code 44858
 Ed. Code 44859
 Ed. Code 45103-45139
 Ed. Code 49406
 Gov. Code 12900-12996
 Gov. Code 12940-12957
 Gov. Code 6250-6276.48
 Gov. Code 815.2
 H&S Code 53570-53574
 Lab. Code 432.3

Description

[Prohibition of discrimination](#)
 Powers and duties of the superintendent; transfer authority
 Limitations on certification requirements
 Teaching credential, exception; designated subjects; minimum requirements
 Teacher recruitment resource center
 Employment of certificated persons
 Age or marital status in certificated positions
 Prohibition against certain rules and regulations re: residency
 Employment (classified employees)
 Examination for tuberculosis
 Fair Employment and Housing Act
 Discrimination prohibited; unlawful practices
 Public Records Act
 Liability of public entities and public employees
 Teacher Housing Act of 2016
 Salary information

Federal

20 USC 1681-1688
 28 CFR 35.101-35.190
 34 CFR 106.51-106.61

 42 USC 12101-12213
 42 USC 2000d-2000d-7
 42 USC 2000e-2000e-17
 5 USC 552
 8 USC 1324a
 8 USC 1324b

Description

Discrimination based on sex or blindness, Title IX
 Americans with Disabilities Act
 Nondiscrimination on the basis of sex in employment in education program or activities
 Equal opportunity for individuals with disabilities
 Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended
 Freedom of Information Act
 Unlawful employment of aliens
 Unfair immigration related employment practices

Management Resources

CCSESA Publication

Description

Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017

Court Decision

C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1

Website

[California County Superintendents Educational Services Association](#)

Website

[Commission on Teacher Credentialing](#)

Website

[Education Job Opportunities Information Network](#)

Website

[Teach USA](#)

Website

[U.S. Department of Education](#)

Website

[U.S. Equal Employment Opportunity Commission](#)

Website

[California Department of Fair Employment and Housing](#)

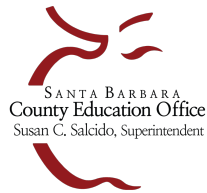
Cross References

Code

0000
 0200
 0410
 2230
 3542
 4000

Description

[Vision](#)
[Goals For The School District](#)
[Nondiscrimination In District Programs And Activities](#)
[Representative And Deliberative Groups](#)
[School Bus Drivers](#)
[Concepts And Roles](#)



4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4100	Certificated Personnel
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.22	Staff Teaching English Learners
4112.23	Special Education Staff
4112.61	Employment References
4112.8	Employment Of Relatives
4113	Assignment
4113	Assignment
4117.14	Postretirement Employment
4200	Classified Personnel
4200	Classified Personnel
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.61	Employment References
4212.8	Employment Of Relatives
4300	Administrative And Supervisory Personnel
4300	Administrative And Supervisory Personnel
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.1	Contracts
4312.61	Employment References
4312.8	Employment Of Relatives
4317.14	Postretirement Employment
4331	Staff Development
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6171	Title I Programs
6171	Title I Programs
9000	Role Of The Board

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – RECRUITMENT AND SELECTION

BP 4211

The County Board of Education and the County Superintendent of Schools are committed to employing suitable, qualified individuals to effectively carry out the SBCEO's vision, mission, and goals.

The County Superintendent of Schools or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

Recruitment and selection processes and procedures for classified employees shall be consistent with personnel commission rules.

During final job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential in accordance with law.

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State

Ed. Code 200-262.4
Ed. Code 35035
Ed. Code 44066
Ed. Code 44259

Description

[Prohibition of discrimination](#)
Powers and duties of the superintendent; transfer authority
Limitations on certification requirements
Teaching credential, exception; designated subjects; minimum requirements



Ed. Code 44750
 Ed. Code 44830-44831
 Ed. Code 44858
 Ed. Code 44859
 Ed. Code 45103-45139
 Ed. Code 49406
 Gov. Code 12900-12996
 Gov. Code 12940-12957
 Gov. Code 6250-6276.48
 Gov. Code 815.2
 H&S Code 53570-53574
 Lab. Code 432.3

Teacher recruitment resource center
 Employment of certificated persons
 Age or marital status in certificated positions
 Prohibition against certain rules and regulations re: residency
 Employment (classified employees)
 Examination for tuberculosis
 Fair Employment and Housing Act
 Discrimination prohibited; unlawful practices
 Public Records Act
 Liability of public entities and public employees
 Teacher Housing Act of 2016
 Salary information

Federal

20 USC 1681-1688
 28 CFR 35.101-35.190
 34 CFR 106.51-106.61

 42 USC 12101-12213
 42 USC 2000d-2000d-7
 42 USC 2000e-2000e-17
 5 USC 552
 8 USC 1324a
 8 USC 1324b

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 Nondiscrimination on the basis of sex in employment in education program or activities
 Equal opportunity for individuals with disabilities
 Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended
 Freedom of Information Act
 Unlawful employment of aliens
 Unfair immigration related employment practices

Management Resources

CCSESA Publication

Description

Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017

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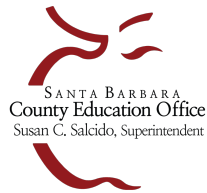
Cross References

Code

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 4032
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 4111.2
 4111.2
 4112
 4112.2
 4112.2
 4112.2
 4112.21

Description

[Vision](#)
[Goals For The School District](#)
[Nondiscrimination In District Programs And Activities](#)
[Representative And Deliberative Groups](#)
[School Bus Drivers](#)
[Concepts And Roles](#)
[Nondiscrimination In Employment](#)
[Nondiscrimination In Employment](#)
[Reasonable Accommodation](#)
[Certificated Personnel](#)
[Legal Status Requirement](#)
[Legal Status Requirement](#)
[Appointment And Conditions Of Employment](#)
[Certification](#)
[Certification](#)
[Interns](#)



4112.21	Interns
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6171	Title I Programs
6171	Title I Programs
9000	Role Of The Board

ADOPTED BY COUNTY BOARD: Pending
REVISED:



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – RECRUITMENT AND SELECTION

BP 4311

The County Board of Education and County Superintendent of Schools are committed to employing suitable, qualified individuals to effectively carry out the SBCEO's vision, mission, and goals.

The County Superintendent of Schools or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

Recruitment and selection processes and procedures for classified employees shall be consistent with personnel commission rules.

When a certificated management vacancy occurs, the County Superintendent of Schools or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

The SBCEO's selection procedures shall include screening processes, interviews, recommendations from previous employers, and observations when appropriate, as necessary to identify the best possible candidate for a position.

During final job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential in accordance with law.

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With County Superintendent of Schools or designee approval and in accordance with SBCEO needs, the SBCEO may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

Policy Reference Disclaimer:

Recruitment and Selection – Board Policy 4311

1



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 Ed. Code 44858
 Ed. Code 44859
 Ed. Code 45103-45139
 Ed. Code 49406
 Gov. Code 12900-12996
 Gov. Code 12940-12957
 Gov. Code 6250-6276.48
 Gov. Code 815.2
 H&S Code 53570-53574
 Lab. Code 432.3

Description

[Prohibition of discrimination](#)
 Powers and duties of the superintendent; transfer authority
 Limitations on certification requirements
 Teaching credential, exception; designated subjects; minimum requirements
 Teacher recruitment resource center
 Employment of certificated persons
 Age or marital status in certificated positions
 Prohibition against certain rules and regulations re: residency
 Employment (classified employees)
 Examination for tuberculosis
 Fair Employment and Housing Act
 Discrimination prohibited; unlawful practices
 Public Records Act
 Liability of public entities and public employees
 Teacher Housing Act of 2016
 Salary information

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20 USC 1681-1688
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 42 USC 2000d-2000d-7
 42 USC 2000e-2000e-17
 5 USC 552
 8 USC 1324a
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[Teach USA](#)

Website

[U.S. Department of Education](#)

Website

[U.S. Equal Employment Opportunity Commission](#)

Website

[California Department of Fair Employment and Housing](#)

Cross References

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ADOPTED BY COUNTY BOARD: Pending
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PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – LEGAL STATUS REQUIREMENTS

BP 4111.2

The County Board of Education and the County Superintendent of Schools shall ensure that the SBCEO employs only those individuals who are lawfully authorized to work in the United States.

The County Superintendent of Schools or designee shall verify the employment eligibility of all persons hired by completing the U.S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification, for each individual hired and ensure that the SBCEO does not knowingly hire or continue to employ any person not authorized to work in the United States. (8 USC 1324a)

In accordance with law, the County Superintendent of Schools or designee shall ensure that SBCEO employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including, but not limited to, discrimination against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal

8 CFR 274a.1-274a.14
 8 USC 1324a
 8 USC 1324b

Description

Control of Employment of Aliens
 Unlawful employment of aliens
 Unfair immigration related employment practices

Management Resources

USCIS Publication

Description

Handbook for Employers: Instructions for Completing Form I-9, April 2009

Website

[U.S. Citizenship and Immigration Services](#)

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PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – LEGAL STATUS REQUIREMENTS

BP 4211.2

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Unlawful employment of aliens
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Management Resources

USCIS Publication

Website

Description

Handbook for Employers: Instructions for Completing Form I-9, April 2009
[U.S. Citizenship and Immigration Services](#)

Cross References

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PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – LEGAL STATUS REQUIREMENTS

BP 4311.2

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Federal

8 CFR 274a.1-274a.14
 8 USC 1324a
 8 USC 1324b

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Control of Employment of Aliens
 Unlawful employment of aliens
 Unfair immigration related employment practices

Management Resources

USCIS Publication

Description

Handbook for Employers: Instructions for Completing Form I-9, April 2009

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[U.S. Citizenship and Immigration Services](#)

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PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – CERTIFICATION

BP 4112.2

The County Board of Education and the County Superintendent of Schools recognize that the SBCEO's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The County Superintendent of Schools or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or SBCEO requirements for the position.

The County Superintendent of Schools or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The County Superintendent of Schools or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the SBCEO and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC.
3. The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)
4. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the County Superintendent of Schools or designee shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be submitted to the California Commission on Teacher Credentialing (CCTC) after a posting for public announcement in the main offices of the SBCEO for a minimum of 72 hours. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the SBCEO's specified employment criteria for the position(s) and that the SBCEO has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the SBCEO estimates it will need during the valid period of the Declaration of Need, based



on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the County Superintendent of Schools or designee shall revise and re-post the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ non-credentialed teachers to fill a position requiring certification qualifications, the County Superintendent of Schools or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

Parental Notifications

At the beginning of each school year, the County Superintendent of Schools or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

In addition, the County Superintendent of Schools or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

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State	Description
5 CCR 80001-80674.6	Commission on Teacher Credentialing
Ed. Code 32340-32341	Unlawful issuance of a credential
Ed. Code 35186	Complaints regarding teacher vacancy or misassignment
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44200-44399.1	Teacher credentialing
Ed. Code 44250-44277	Credentials and assignment of teachers
Ed. Code 44300-44302	Emergency permit
Ed. Code 44325-44328	District interns
Ed. Code 44330-44355	Certificates and credentials
Ed. Code 44420-44440	Revocation and suspension of credentials
Ed. Code 44450-44468	University intern program
Ed. Code 44830-44929	Employment of certificated persons; requirement of proficiency in basic skills
Ed. Code 56060-56063	Substitute teachers in special education
Ed. Code 8360-8370	Qualifications of child care personnel

Federal	Description
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20 USC 6312

34 CFR 200.48

Management Resources

Commission on Teacher Credentialing Publication
 Commission on Teacher Credentialing Publication
 Commission on Teacher Credentialing Publication
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 Commission on Teacher Credentialing Publication
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 Commission on Teacher Credentialing Publication
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Cross References

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Certification – Board Policy 4112.2

Title I local educational agency plans; notifications regarding teacher qualifications

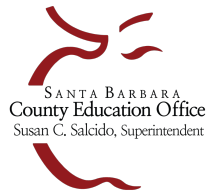
Parent notification regarding teacher qualifications

Description

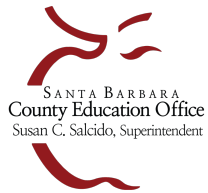
Waiver Requests Guidebook, 2015
 Credential Information Guide
 Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013
 Approved Add. and Amendments to Title 5 of the CCR Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, Aug 23, 2016
 California Standards for the Teaching Profession, 2009
 CL-667 Basic Skills Requirement
 CL-856 Provisional Internship Permit
 CL-858 Short-Term Staff Permit
 Subject Matter Authorization Guideline Book, 2012
 Supplementary Authorization Guideline Book, 2012
 The Administrator's Assignment Manual. rev. September 2007
 Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534
 Considerations for Using Federal Funds to Support National Board Certification, 2018
[National Board Resource Center](#)
[National Board for Professional Teaching Standards](#)
[Commission on Teacher Credentialing](#)
[Commission on Teacher Credentialing, Credential Information Guide \(for employers' use only\)](#)
[CSBA](#)
[U.S. Department of Education](#)

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[Local Control And Accountability Plan](#)
[Local Control And Accountability Plan](#)
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[Williams Uniform Complaint Procedures](#)
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6162.51	State Academic Achievement Tests
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6172	Gifted And Talented Student Program



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[Career Technical Education](#)
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[Home And Hospital Instruction](#)
[Adult Education](#)
[Adult Education](#)

ADOPTED BY COUNTY BOARD: PENDING
REVISED:



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – CONTRACTS

BP 4312.1

The County Board of Education and the County Superintendent of Schools recognize the importance of employing qualified and competent individuals to manage SBCEO programs and to assist the County Superintendent of Schools in coordinating efforts to achieve SBCEO goals and objectives. To that end, the County Superintendent of Schools or designee may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

The County Superintendent of Schools or designee may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

Prior to entering into any such contract, the County Superintendent of Schools or designee shall consider the financial impact of the contract on the SBCEO.

Copies of any contract and other public records created or received in the process of developing the contract regarding salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

Extension of Contract/Reemployment

A contract shall be extended only by County Superintendent of Schools or designee subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

During the term of the contract and with the consent of the employee involved, the County Superintendent of Schools or designee may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the County Superintendent of Schools or designee and the employee. (Education Code 35031)

If the County Superintendent of Schools or designee decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of the employee's term, it shall notify the employee in writing 45 calendar days prior to the expiration of the term of the contract. (Education Code 35031)

Termination of Contract

The County Superintendent of Schools or designee may terminate an employment contract prior to its expiration date in accordance with the conditions and process specified in the contract.

Every employment contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the contract is terminated prior to its expiration date. (Government Code 3511.2, 53260)

In addition, all employment contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of the employee's office or position, the employee shall fully



reimburse the SBCEO for payments the employee receives as paid leave salary pending investigation or as cash settlement upon the employee's termination and for any funds expended by the SBCEO in its criminal legal defense. (Government Code 53243-53243.4, 53260)

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Management Resources

Attorney General Opinion
 Website
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 Website

Description

57 Ops. Cal. Atty. Gen. 209 (1974)
[CSBA](#)
[California Office of the Attorney General](#)
[Association of California School Administrators](#)

State

Ed. Code 35030

 Ed. Code 35031
 Ed. Code 44842
 Ed. Code 44843
 Ed. Code 44929.20
 Ed. Code 44951

 Gov. Code 3511.1-3511.2
 Gov. Code 53260-53264
 Gov. Code 54953

 Gov. Code 54954
 Gov. Code 54956
 Gov. Code 54957

Description

Title of deputy, associate or assistant superintendent for certain positions
 Term of employment
 Reemployment notices, certificated employees
 Notice of employment to county superintendent
 Continuing contracts (not to exceed four years - ADA under 250)
 Continuation in position unless notified, administrative or supervisory personnel
 Local agency executives
 Employment contracts
 Oral summary of recommended salary and benefits of superintendent
 Time and place of regular meetings
 Special Meetings
 Complaints against employees; right to open session



PROVISIONS RELATING TO ALL EMPLOYEES

BOARD POLICY – INTERNS

BP 4112.21

The County Superintendent of Schools or designee may employ interns as necessary to fulfill the need for sufficient instructional staff and to provide future teachers an opportunity to link teaching theory with practice in order to meet state credentialing requirements. In addition, the County Superintendent of Schools or designee may employ teachers who already possess a preliminary or clear credential and are pursuing a credential in a different specialization as interns for positions that require such other credential.

The County Superintendent of Schools or designee may enter into partnership agreements with one or more approved teacher preparation programs sponsored by colleges or universities and/or may provide a SBCEO intern program with approval of the Commission on Teacher Credentialing (CTC). Any intern program in which the SBCEO participates shall be aligned with the preconditions and program standards adopted by the CTC.

The County Superintendent of Schools or designee shall make reasonable efforts to recruit an intern from an approved program within the region whenever a teacher with a preliminary or clear credential is not available for a position requiring certification. (Education Code 44225.7)

The County Superintendent of Schools or designee shall ensure that any intern employed by the SBCEO possesses an appropriate intern credential and is adequately prepared for the responsibilities of the position.

An intern may be assigned to provide the same service as a holder of a regular multiple subject, single subject, or education specialist credential in accordance with the authorizations and grade/age level specified on the intern credential. (Education Code 44454, 44325, 44326, 44830.3)

Terms of employment for interns shall be consistent with law and the SBCEO's collective bargaining agreement, as applicable.

Interns shall receive intensive, structured supervision and ongoing support by qualified personnel in order to enhance their instructional skills and knowledge. The Superintendent or designee shall ensure that SBCEO staff serving as supervisors, mentor teachers, or other support providers receive appropriate training to fulfill their responsibilities and that they maintain frequent communication with the interns they are assigned to assist.

Interns shall be provided with ongoing feedback regarding their performance and shall be formally evaluated in accordance with Board policy and the SBCEO's collective bargaining agreement. Upon receiving notification from the County Superintendent of Schools or designee that an intern has successfully completed the program, the Superintendent or designee may recommend to the CTC that the intern be awarded a preliminary credential. (Education Code 44328, 44468, 44830.3)

The County Superintendent of Schools or designee shall regularly evaluate the effectiveness of the intern program(s) to determine whether changes are needed in the support and/or assignment of interns. The Superintendent or designee's evaluation shall be based on a report including, but not limited to, data on student performance in classes taught by interns, feedback from interns and supervisors, and the number of interns who successfully complete the program and obtain general education or education specialist credentials.



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State

5 CCR 80021.1
 5 CCR 80033
 5 CCR 80055
 Ed. Code 300-340
 Ed. Code 44225

Ed. Code 44225.7
 Ed. Code 44253.10

Ed. Code 44253.3-44253.4
 Ed. Code 44259

Ed. Code 44314
 Ed. Code 44321
 Ed. Code 44325-44328
 Ed. Code 44339-44341
 Ed. Code 44450-44468
 Ed. Code 44830.3
 Ed. Code 44885.5

Description

Provisional internship permit
 Intern teaching credential
 Intern credential, extension for extenuating circumstances
 English language education for immigrant children
 Credentials, responsibilities of Commission on Teacher Credentialing
 Priority for hiring fully prepared teacher
 Qualifications to provide specially designed academic instruction in English
 Certificate to provide services to English learners
 Teaching credential, exception; designated subjects; minimum requirements
 Subject matter programs, approved subjects
 CTC approval of intern programs
 District interns
 Teacher fitness
 University intern program
 Employing district interns
 District interns classified as probationary employees

Management Resources

Commission on Teacher Credentialing Publication
 Commission on Teacher Credentialing Publication
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 Commission on Teacher Credentialing Publication
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 Commission on Teacher Credentialing Publication
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 Court Decision
 U.S. Department of Education Guidance Website
 Website
 Website

Description

Administrator's Assignment Manual, 2008
 California Standards for the Teaching Profession, October 2009
 CL-840 Early Completion Option
 Education Specialist Teaching and Other Related Services Credential Program Standards, rev. May 2013
 Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013
 Intern Preservice, Support and Supervision Requirements: Preparation to Teach English Learners, Program Sponsor Alert 13-06, June 3, 2013
 Preparation of Intern Credential Holders Prior to Service as Teacher of Record as an Intern, Coded Correspondence 08-03, March 3, 2008
 SB 2042 Multiple Subject and Single Subject Preliminary Credential Program Standards, rev. February 2014
 Renee v. Duncan, 686 F.3d 1002 (2012)
 Improving Teacher Quality State Grants, rev. October 5, 2006
[Commission on Teacher Credentialing, Interns](#)
[CSBA](#)
[U.S. Department of Education](#)

Cross References

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4116	Probationary/Permanent Status
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4119.22	Dress And Grooming
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ADOPTED BY COUNTY BOARD: PENDING
REVISED:



PROVISIONS RELATING TO ALL EMPLOYEES

BP 4112.8

BOARD POLICY – EMPLOYMENT OF RELATIVES

The County Board of Education and County Superintendent of Schools desire to maximize staff and community confidence in SBCEO hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The County Superintendent of Schools or designee prohibit the appointment of any person to a position for which the person's relative maintains management, supervisory, evaluation, or promotion responsibilities and prohibits an employee from participating in any decision that singularly applies to any of the employee's relatives.

For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner.

In addition, the County Superintendent of Schools or designee may determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom the person maintains a personal relationship when that relationship has the potential to create (1) an adverse impact on supervision, safety, security, or morale of other SBCEO employees or (2) a conflict of interest for the individuals involved which is greater because of their relationship than it would be for another person.

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Management Resources

Website

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Description

[League of California Cities](#)

[California Department of Fair Employment and Housing](#)

State

2 CCR 7292.0-7292.6

2 CCR 7292.5

Ed. Code 35107

Fam. Code 297-297.5

Description

[Marital status discrimination](#)

[Employee selection](#)

School district employees

Rights, protections, benefits under the law; registered domestic partners

Gov. Code 1090-1099

Gov. Code 12940

Prohibitions applicable to specified officers

Unlawful discriminatory employment practices

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PROVISIONS RELATING TO ALL EMPLOYEES

BP 4212.8

BOARD POLICY – EMPLOYMENT OF RELATIVES

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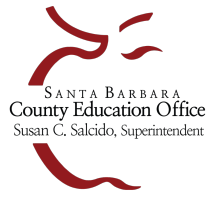
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