

Assembly Bill No. 707

Passed the Assembly August 31, 2000

Chief Clerk of the Assembly

Passed the Senate August 29, 2000

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor



CHAPTER _____

An act to amend Section 88091 of, and to add Section 44265.10 to, the Education Code, relating to educational employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 707, House. Educational employees.

(1) Existing law requires the Commission on Teacher Credentialing to issue a 2-year services credential with a specialization in pupil personnel services, solely for the purpose of counseling deaf and hearing-impaired pupils, to any prelingually deaf candidate, provided the applicant has met certain requirements. Existing law exempts prelingually deaf applicants from the basic skills proficiency test requirement.

This bill would specifically make the above provisions applicable to a prelingual deaf person with a 2-year services credential with a specialization in pupil personnel services, solely for the purpose of counseling deaf and hearing-impaired pupils as a school psychologist.

(2) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law provides procedures for the filling of vacancies in the classified service of community college districts.

This bill would authorize the governing board of a community college district to exempt designated senior classified administrative employees, as defined, who are hired on or after January 1, 2001, from these procedures. The bill would specify procedures for the filling of vacancies occurring in positions that are exempted under this bill.



The people of the State of California do enact as follows:

SECTION 1. Section 44265.10 is added to the Education Code, to read:

44265.10. (a) The Commission on Teacher Credentialing shall issue a two-year services credential with a specialization in pupil personnel services, solely for the purpose of counseling deaf and hearing-impaired pupils as a school psychologist, to any prelingually deaf candidate upon medical or other appropriate professional verification, provided the candidate has met the minimum requirements specified in Section 44266.

(b) An applicant under this section is exempted from the requirements in Section 44252 and subdivision (b) of Section 44830.

(c) “Prelingually deaf” means a person who suffered a hearing loss prior to three years of age that prevents the processing of linguistic information through hearing, with or without amplification.

(d) The services credential issued under this section authorizes the holder to serve at all grade levels as a school psychologist of deaf and hearing-impaired pupils who are enrolled in state special schools or in special classes for pupils with hearing impairments.

SEC. 2. Section 88091 of the Education Code is amended to read:

88091. (a) All vacancies in the classified service shall be filled pursuant to this article and the rules of the commission, from applicants on eligibility lists which, wherever practicable, as determined by the commission, shall be made up from promotional examinations, or appointments may be made by means of transfer, demotion, reinstatement, and reemployment in accordance with the rules of the commission. All applicants for promotional examinations shall have the required amount of service in classes designated by the commission or meet the minimum qualifications of education, training, experience, and length of service, which shall be determined by the commission to be appropriate for the class for which they have applied. Any



promotional applicant who has served the required amount of time in a designated class or who meets the minimum qualifications for admission to a promotional examination shall be admitted to the examination. Applicants shall be placed on the eligibility lists in the order of their relative merit as determined by competitive examinations. The final scores of candidates shall be rounded to the nearest whole percent for all eligibles. All eligibles with the same percentage score will be considered as having the same rank. Appointments shall be made from the eligibles having the first three ranks on the list who are ready and willing to accept the position.

(b) (1) Upon the request of a majority of the members of the governing board of a community college district, the commission may exempt two executive secretarial positions from the requirements of this section. Exemptions authorized under this subdivision shall be limited to one executive secretary position reporting directly to members of the governing board, and one executive secretary position reporting directly to the chancellor.

(2) Any person employed in an exempt executive secretarial position shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except he or she shall not attain permanent status in an executive secretarial position. Positions of executive secretary shall be filled from an unranked list of eligible employees who have been found to be qualified for the positions as determined by the district chancellor or superintendent and determined by the personnel commission. Any person whose services in an executive secretarial position are discontinued for a cause other than a cause for disciplinary action specified in this code or in a rule of the commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission.



This subdivision shall apply only to the employees hired on or after January 1, 1988.

(c) (1) Upon the request of a majority of the members of the governing board of a community college district, the personnel commission may exempt designated senior classified administrative positions from the requirements of this section. A “senior classified administrative employee” means a classified employee who acts as the chief business, fiscal, facilities, or information technology adviser or administrator for the district chancellor or superintendent or a college president, as determined by the governing board and certified by the personnel commission.

(2) Any person employed in an administrative position exempted under this subdivision shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except that he or she shall not attain permanent status in that administrative position. A vacancy in an administrative position that is exempted under this subdivision shall be filled from an unranked list of eligible persons who have been found to be qualified for the positions as determined by the district chancellor or superintendent and the personnel commission. Any person whose services in an administrative position exempted under this subdivision are discontinued for any reason other than for cause as specified in this code or in a rule of the personnel commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission.

(3) This subdivision shall apply only to employees hired on or after January 1, 2001.

(d) Nothing contained in this section shall authorize the selection of eligible candidates in circumvention of the affirmative action programs of any community college district.



Approved _____, 2000

Governor

