

BP 7240 Confidential Employees

Confidential employees are those who are required to develop or represent 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. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

A determination whether a position is a confidential one shall be made by the Governing Board in accordance with applicable law and with the regulations of the California Public Employment Relations Board.

Confidential employees are not eligible for inclusion in a bargaining unit represented by an exclusive representative. The terms and conditions of their employment shall be developed by the Superintendent/President and are addressed in the Confidential Professional Development/Evaluation Personnel Plan. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

Reference: Government Code Section 3540.1(c)

Policy

Category: Executive Expectations

Adopted: 4/26/12

(Replaces former Board Policies 7.2.5 and 7.2.6)