

CHAPTER I

RULE-MAKING AUTHORITY AND DEFINITIONS

1. APPLICATION OF RULES

1.1.A **STATUTORY AUTHORITY FOR THESE RULES:** Article 3 (Merit System) in Chapter 4 of Part 51 in Division 10 of the California Education Code (commencing with Section 88050) provides the Personnel Commission with the right and responsibility for establishing rules and regulations as may be necessary to ensure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness.

1. The Rules and Regulations contained herein are established by the Personnel Commission pursuant to its authority under Education Code Section 88052; as well as other provisions of law made applicable to the classified service.
2. Since the implementation of new rules or amendments to existing rules can impact the Board, the Administration, and the classified employees, the Commission has hereby established the policy of submitting copies of all proposed rules, amendments to, or the deletion of existing rules to the exclusive bargaining representative(s), non-bargaining groups representative(s) and the Superintendent-President for their review and comments at least thirty (30) calendar days prior to adoption by the Personnel Commission.
3. All proposals, from any source, to amend, delete, or add to these rules will be considered a "first reading" at the meeting in which they are first presented to the Commission in accordance with the Brown Act. Insofar as possible, interested parties shall submit their reactions in writing to the Secretary to the Personnel Commission (Director of Human Resources).

- REFERENCE:
1. Education Code Sections 88061, 88080
 2. Government Code Section 3543.2, 54950-54962

1.1.B **INTERPRETATION AND APPLICATION OF THESE RULES:** The Commission recognizes that no set of rules can contemplate all possible combinations of circumstances affecting particular cases. These Rules are to be applied with consideration of their intent. However, specific and applicable provisions of the Rules shall not be waived, ignored, or superseded because of the special circumstances of particular cases. In instances where two or more rules appear to be in conflict, or when no rule provides a clear-cut answer to a problem, the matter shall be decided by the Director of Human Resources, subject to appeal to the Personnel Commission. The Commission is open to responsible suggestions to amend rules which prove to be unclear, or subject to more than one interpretation. However, no rule amendment or new rule shall have retroactive application.

- REFERENCE: Education Code Section 88080

1.1.C GENERIC TERMINOLOGY: As used in these Rules, singular terms shall be construed to include the plural, and plural terms shall be construed to include the singular.

REFERENCE: Education Code 88080

1.1.D SEVERABILITY: If a judicial review or a change in law causes any portion of these Rules to become invalid or unenforceable, such finding or amendment shall not affect the validity or the enforceability of the other Rules and Regulations.

REFERENCE: Education Code 88080

1.1.E PRINTING AND DISTRIBUTION OF RULES AND REGULATIONS: The Rules and Regulations of the Personnel Commission shall be printed and distributed to every personnel commissioner and board trustee of the District. In addition, copies shall be made available in the offices of the President, each Vice President, each work site and one copy in each campus library. Every administrator/manager shall receive a copy of the Rules. The exclusive representative(s) of the classified employees shall also receive a reasonable number of copies of the Rules.

REFERENCE: Education Code Section 88080

1.1.F SUBJECTS OF RULES: The Rules and Regulations shall provide for the procedures to be followed as they pertain to the classified service regarding such matters as applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensation within classification, job analysis and specifications, performance evaluations, rejection of unfit applicants, and any other matters deemed necessary by the Commission to ensure the efficiency of the classified service and the selection and retention of employees upon a basis of merit and fitness.

REFERENCE: Education Code Sections 88080 and 88081

1.1.G EFFECTIVE DATE: The Rules and Regulations shall be effective the date approved by the Personnel Commission and shall not have retroactive effects.

1.2 DEFINITIONS

ABANDONMENT OF POSITION: When an employee is absent without notice for five consecutive work days.

ABSENCE: Time away from duties during assigned working hours.

ABSENT WITHOUT LEAVE: Absence without prior approval, excluding time chargeable to sick leave.

ACT or THE ACT: The Act shall mean those sections of the Education Code of the State of California applying the "Merit System" to classified employees in certain school districts that have adopted the Merit System. It shall include all of the provisions of Article 3, Chapter 4, Part 51, as well as the provisions of Articles 4 to 6 of Chapter 4 in Part 51.

ADMINISTRATIVE OFFICIAL: Employees with the title of Vice President or Superintendent-President and others who may be designated by the Board of Trustees.

ADMINISTRATIVE LEAVE: An enforced absence of an employee with pay pending the outcome of an investigation of charges that have been filed against the employee.

ALLOCATION: The official placing of a position in a given class by the Personnel Commission, and the assignment of a class title to the position, or the assignment of a class to a salary schedule or rate.

ANNIVERSARY DATE: The date on which an employee is granted an earned salary increment, the first day of the month closest to the completion of the required period of service for step advancement.

APPEAL: A request for review by an employee relative to an administrative decision detrimental to the employee.

APPLICANT: A person who has filed a District application to participate or compete in the District's selection process.

APPOINTING AUTHORITY OR POWER: The Board of Trustees Community College District or its designees, or the Personnel Commission when referring to Commission employees and positions.

APPOINTMENT: The official act of the appointing authority in approving the employment of a person in a specific position.

ASSIGNMENT: Placement of an appointee in a position. It also refers to the position to which the employee is placed.

ASSIGNMENT BASIS: The portion of the year for which employment is authorized for a specific position or class.

BEREAVEMENT LEAVE: A paid leave of limited duration granted to an employee upon the death of a member of his immediate family or any relative living in the immediate household of the employee.

BUMPING RIGHTS: The right of a permanent employee, under certain conditions, to displace another employee with less seniority in the class.

CANDIDATE: A person who has successfully participated or competed in one or more portions of the District's selection process.

CAUSE: Those specific activities, behaviors, or events which are listed within these Rules as being subject to disciplinary action or offenses enumerated in the law. No disciplinary action may be maintained for any "cause" other than as defined herein.

CERTIFICATION: The submission of names by the Director of Human Resources of candidates from an appropriate eligibility list established by the Personnel Commission or from some other source of eligibility, to the appointing power or to the department head authorized to make selections subject to the approval of the appointing power.

CLASS: (Sometimes referred to as "Classification") A group of positions sufficiently similar in duties and responsibilities that the same descriptive title may be assigned by the Personnel Commission to designate each position allocated to the group.

CLASS SPECIFICATION: A formal statement of duties and responsibilities of the position(s) in the class, illustrated by examples of typical tasks, as well as the qualification requirements for employment in the position(s) in the class.

CLASS TITLE: A definite descriptive title or name applied to a class and to all positions of the class to be taken with the meaning set forth in the description of the class as embodied in the specifications, and to be as detailed as possible of the duties and responsibilities.

CLASSIFICATION: The action of the Personnel Commission in placing a position into a "Class." Classification means that each position in the classification shall have a designated title, minimum qualifications, and placement on the appropriate salary schedule. Each position in the classified service shall have regular minimum number of assigned hours per day, days per week, and months per year as established by the Board of Trustees.

CLASSIFIED SERVICE: All persons and positions in the District to which "The Act" applies as stated in Education Code section 88000 et seq.

COMMISSION: See Personnel Commission

COMPLAINT: An employee complaint concerning violations or alleged violations of these rules. This term does not apply to appeals from disciplinary actions, requests for classification study or salary review.

CONFIDENTIAL EMPLOYEE: Although all public school employees are responsible for maintaining the confidentiality of information regarding students and their families, as well as other school employees, only a few members of the classified service can be designated as "confidential." The term applies only to an employee, who, in the course of his/her duties, has access to, or possesses information relating to the employer's collective bargaining matters which, if divulged, could adversely affect the

interest of the district. Employees designated as "confidential" are precluded from participating in or belonging to any organization which represents classified employees per the Government Code.

CONTINUOUS EXAMINATION(S): A procedure or procedures authorized by the Personnel Commission for the frequent testing of applicants in certain specified classes (or classifications).

DAY: A day in which the District Offices are open.

DEMOTION: A change in assignment of an employee from a position in one class to a position in another class which is allocated to a lower maximum salary rate. Change in assignment may be either voluntary or involuntary.

DIFFERENTIAL or DIFFERENTIAL PAY: A salary allowance in addition to the basic salary rate or schedule, based upon additional skills, responsibilities, or specifically scheduled working hours. It also relates to the size of the interval(s) between steps on a salary range and/or the salary rates (ranges) of related classes.

DIRECTOR OF HUMAN RESOURCES: As used in these Rules and Regulations, the term refers to the person appointed by the Personnel Commission to act as its designated representative in administering the Merit System under the provisions of law and the Rules and Regulations established by the Personnel Commission.

DISCHARGE or DISMISSAL: Separation from the classified service for cause in accordance with the Rules and Regulations of the Personnel Commission by order of the Board of Trustees.

DISCIPLINARY ACTION: Includes any action whereby an employee is deprived of any classification or any incident of any classification in which he/she has permanence, including dismissal, suspension, demotion, or any reassignment, without his/her voluntary consent, except a layoff for lack of work or lack of funds.

DISTRICT: Long Beach Community College District.

DUTIES STATEMENT: A listing of the specific duties assigned to an individual position. It is sometimes referred to as a "position description" or "class description."

EDUCATIONAL EMPLOYMENT RELATIONS ACT (EERA): The EERA governs labor-management relations in California's community college districts.

ELIGIBILITY LIST: A rank order list of the names of persons who have qualified for possible employment through one of the District's competitive

examination processes. In the event of tie scores, more than one name may hold the same rank.

ELIGIBLE: A person whose name appears on a merit system eligibility list legally qualified to be appointed.

EMERGENCY APPOINTMENT: The assignment of an individual to a regular classified position for a period of time, not to exceed fifteen (15) working days, in order to prevent the stoppage of public business when persons on an eligibility list are not immediately available.

EMPLOYEE: A person who is legally an incumbent of a position, or one who is on an authorized leave of absence.

EMPLOYEE ORGANIZATION: An organization which includes employees of a public school employer and which has as one of its primary purposes representing such employees in their relations with that public school employer, as defined in the Government Code in Sections 3500-3545.

EMPLOYMENT LIST: A list of names from which certification(s) may be made. The term includes eligibility lists, reemployment lists, as well as lists of individuals who wish to be transferred, demoted, reinstated or reemployed after resignation, or those who wish to be reinstated to a former class after voluntary demotion or reduction to limited term status.

EMPLOYMENT STATUS: The condition of an employee's present appointment indicating the degree of permanency with the District.

ENTRY LEVEL: The classification which is the beginning level of a job family (series).

EXAMINATION: The process of testing and evaluating the fitness and qualifications of applicants. It may be given on either an open or promotional basis, or a combined (dual certification) open and promotional. Each examination is independent from any other.

EXEMPT CLASSIFIED: Refers to those positions and employees exempt from the regular classified service as provided in The Act. (See also Unclassified Service)

EXEMPT EXECUTIVE SECRETARIAL POSITION: A position approved by the Personnel Commission and exempt from specific provisions of these Rules in accordance with Education Code Section 88091(b).

EXEMPT POSITION: Designated positions which meet the requirements of Fair Labor Standards Act (FLSA) and the Education Code for exclusion from overtime pay provisions.

EXHAUSTED LIST: A list of eligibles from which it is impossible to fill a regular full-time or part-time vacancy. A list may be considered exhausted when only two eligibles remain who are ready and willing to

accept employment. A list may be exhausted for part-time positions, yet remain in effect for full-time positions, or vice versa.

FIELD OF COMPETITION: Those categories of persons (either from within or outside of the District) that have been identified by the Personnel Commission or its designated representative as possessing the necessary qualifications to participate in the District's selection process.

FISCAL YEAR: July 1st of one year through June 30th of the following year.

FLEXIBLE HOURS: A position designated as having variable hours.

FULL-TIME POSITION: A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is equal to or greater than eighty-seven and a half percent (87.50%) (35 hours) of the normally assigned time of the majority of employees in the classified service of the District.

GOVERNING BOARD: The Board of Trustees of the Long Beach Community College District (see "Board of Trustees" and/or "Appointing Authority or Power").

GRIEVANCE: A complaint arising out of alleged violations of the Master Agreement.

GROUP: A number of classes related in duties and responsibilities as set forth in the list of classes approved by the Personnel Commission.

HEARING: A formal review of evidence, in the presence of the parties involved, in connection with an action affecting an employee and concerning an appeal which the employee has filed.

HIRE DATE: Date of original or most recent employment with the District.

ILLNESS: Any pronounced deviation from a normal, healthy state which makes it disadvantageous to the District and/or detrimental to the employee for him/her to be at work.

ILLNESS LEAVE: Paid or unpaid leave given to an employee because of personal illness or injury.

IMMEDIATE SUPERVISOR: A person occupying a position in a higher classification who assigns, checks, and supervises the work of a given employee. During the absence of this assigned immediate supervisor, their manager, director, vice-president, president or president designated official may function as the immediate supervisor.

IMMINENT DEATH LEAVE: Death of a member of immediate family is imminent. Immediate family is defined as: parent, spouse, child, step

child, grandchild, brother, sister, grandparent and any relative living in the immediate household of employee.

INCUMBENT: An employee assigned to a particular position within a class.

INDUSTRIAL ACCIDENT OR ILLNESS LEAVE: Absence because of injury or illness which arose out of and in the course of employment with the District.

INSUBORDINATION: Willful failure of an employee to comply with a legitimate directive from his/her supervisor, or any act which indicates clearly and beyond doubt his/her unwillingness to accept the authority of a supervisor.

INTERVIEW: Part of the selection process, usually the final portion of an examination, for the purpose of evaluating the education, experience, and personal qualifications of the candidate(s); also known as an "oral interview." This term also applies to a meeting between an eligible and the appointing power, or its designated representative, to discuss appointment to a specific vacant position within the District.

INVESTIGATION: A fact-finding procedure related to an appeal or complaint. An investigation is less formal than a hearing.

INVOLUNTARY LEAVE: Leaves of absence resulting from a disciplinary action; a suspension.

JOB AUDIT: A personnel job evaluation technique by which a staff analyst uses various combinations of job audit questionnaires, personal interviews, as well as work site observations and conversations, to collect data on the duties, tasks and responsibilities of a position.

JOB DESCRIPTION: A statement of duties and responsibilities comprising the work assigned to an employee.

JOB FAMILY: Refer to series.

JOB TITLE: The title assigned to a classification by the Personnel Commission.

LAYOFF: Separation from a permanent position because of the lack of work, or lack of funds. A layoff shall also include any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has probationary or permanent status, voluntarily consented to by the employee, in order to avoid interruption of employment by layoff. (See also Voluntary Demotion)

LEAVE OF ABSENCE: An approved absence from duty, with or without pay, for a prescribed period of time.

LIMITED-TERM: A term used in the Education Code and the Rules and Regulations to designate employment for periods of time not to exceed six (6) calendar months; or employment of a temporary employee to substitute during the authorized absence of a permanent employee.

LIMITED-TERM EMPLOYEE: An employee who is serving as a substitute for a regular employee, or serving in a position established for a limited and specified period of time of six (6) calendar months or less.

LONGEVITY: Years of service with the district; may be used in calculating extra points for employees taking promotional exams.

LOYALTY OATH: A statement required as mandated for each new employee concerning his support of the United States and California Constitutions.

MERIT SYSTEM: A personnel system in which merit and fitness determines an individual's selection and progress through the classified service.

MILITARY LEAVE: Authorized absence to engage in ordered military duty.

OCCUPATIONAL HIERARCHY: The structure of relationships between classes in a series (job family).

OPEN EXAMINATION: An examination in which any qualified applicant can compete.

OVERTIME: Authorized time worked by an employee in excess of eight hours a day and/or 40 hours a week.

PART-TIME POSITION: A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than eighty-seven and a half percent (87.5%) (35 hours) of the normally assigned time of the majority of employees in the classified service.

PAY PERIOD: One calendar month.

PERFORMANCE EVALUATION: A formal written statement of the quantity and quality of the work performed by a person employed in the District's classified service.

PERMANENT EMPLOYEE: An employee who has completed an initial probationary period of one-hundred-thirty (130) days of paid regular service in the classified service (excluding days absent for illness or injury), or two-hundred-sixty (260) days (excluding days absent for illness or injury) for positions designated by the Personnel Commission.

PERMANENT POSITION: A position established for a continuing and indefinite or unlimited period of time, or for a fixed period of time, in excess of six (6) calendar months.

PERSONAL NECESSITY LEAVE: A leave of absence with pay for a limited duration which may be taken for reasons of personal need as specified in the Education Code, Collective Bargaining Agreement, and the Rules and Regulations of the Personnel Commission. Such leave is charged against the employee's earned cumulative sick leave.

PERSONNEL COMMISSION: A three-member committee established pursuant to the requirements of "The Merit System Act" to administer the Merit System in the Long Beach Community College District.

PERSONNEL COMMISSION STAFF: Persons appointed by the Personnel Commission to carry out the day-to-day operations of the Personnel Commission.

POSITION: A group of duties and responsibilities assigned by competent authority which requires either full-time or part-time employment of one person on a permanent or limited-term basis.

POSITION CLASSIFICATION: The process of categorizing jobs by occupational group, series, and class according to similarities and differences in duties, responsibilities and qualification requirements.

PROBATIONARY PERIOD: A trial period of one hundred and thirty (130) days, or two hundred sixty (260) days for executive/administrative/supervisory employees, of paid service (excluding days absent for illness or injury) following appointment to a permanent position from an appropriate eligibility list.

PROBATIONER: An employee who has not completed the required probationary period.

PROFESSIONAL EXPERT: A person employed by the District in a professional capacity for a specific limited term project. Such persons are excluded from the classified service.

PROMOTION: A change in the assignment of an employee from a position in one class to a position in another class with a higher maximum salary rate. A new probation period must be served.

PROMOTIONAL LIST: An eligibility list resulting from a promotional examination limited to qualified employees of the District.

PROVISIONAL APPOINTMENT: A temporary appointment of a person to a permanent or limited-term position which is made in the absence of an appropriate eligibility list for a period of time not to exceed ninety (90) working days.

PROVISIONAL EMPLOYEE: A person employed temporarily while the examination process is being conducted to fill the position.

RANK: An eligible's position on an eligibility list. A rank is determined by rounding the final examination score to the nearest whole percent. All eligibles with the same final score are accorded the same position (rank) on the eligibility list. (89.9 = 90, 89.5 = 90 both the same rank, 89.4 = 89, 89.2 = 89 - both the same rank)

REALLOCATION: Movement of an entire class from one salary range or hourly rate to another salary range or hourly rate.

RECLASSIFICATION: The removal of a position or positions from one class and placement into another. A gradual change in class assignment as a result of a change in duties.

REEMPLOYMENT: Return to duty of a former employee who has been laid off from a permanent position because of lack of work or lack of funds.

REEMPLOYMENT LIST: A list of names, in rank order of seniority in class, of persons who have been laid off from permanent positions by reason of a lack of work, lack of funds, exhaustion of illness, accident leave privileges, or other reasons specified in the Rules and Regulations of the Personnel Commission, and who are eligible for reemployment without examination in their former class or classes within a period of thirty-nine (39) months following the date of layoff.

REGULAR APPOINTMENT: An appointment to a position of more than six (6) months duration from an eligibility list to fill a regular full-time or part-time position vacancy.

REGULAR EMPLOYEE: An employee who has probationary or permanent status with the District.

REGULAR STATUS: Probationary or permanent status in the classified service of the District.

REHIRE DATE: The date of most recent regular employment with the District.

REINSTATEMENT: A reappointment of a former employee, within a period of thirty-nine (39) months following the date of his resignation, without examination, to a position in one of the person's former classes or in a related former class.

RESIGNATION: A voluntary statement in writing from an employee requesting to be terminated from employment.

RESTORATION: The reinstatement to duty of an employee or former employee with all of the rights, benefits, and burdens held prior to the

break in service. This term includes reemployment as well as reinstatement following demotion or dismissal when an appeal is sustained by the Personnel Commission.

RULE OF THREE: The scope of choice available to the appointing authority or power for making its selection from an eligibility list. Specifically, it refers to selection from the first three (3) ranks of eligibles who are ready, willing, and able to accept appointment to a specific position.

SALARY RANGE: A series of consecutive salary steps that comprise the rates of pay for a classification. A salary range usually consists of five (5) steps.

SALARY RANGE PLACEMENT: The act of placing a specific classification onto a specified range of the salary schedule or salary matrix.

SALARY RATE: The specific amount of money authorized to be paid on a specified period of service; i.e., hourly, daily, or monthly basis for a particular classification or assignment.

SALARY SCHEDULE: The complete list of ranges, steps, and rates of pay established for the classified service. (Often referred to as the salary matrix).

SALARY STEP: A specific rate in a salary range of the consecutive rates that comprise a salary range.

SALARY SURVEY: The collection of current wage and salary data for the purpose of determining the prevailing wage for certain types of work. The data is usually secured from other public agencies and from private sector businesses in the labor market area. The term also includes the written report containing the data collected.

SENIORITY: Status secured by length of service determined by hours in paid status in a classification to which certain rights attach for determining the order of layoff when positions within a classification are eliminated.

SEPARATION: The ending of all status as an employee with the District including resignation, dismissal, layoff, or retirement.

SERIES: A number of classes closely related into an occupational hierarchy and arranged in a list in order to indicate levels in a group. The occupational hierarchies or series established by the Personnel Commission are also related horizontally.

SERVICE YEAR: A twelve-month period during which 50% or more of the pay periods are creditable. A creditable pay period is one in which the employee is compensated for 75% of the working days in the pay period.

Computation of service years commences with the date of probationary appointment. (See Longevity)

SHIFT DIFFERENTIAL: Added pay for hours worked other than daytime shift.

SICK LEAVE: Conditions under which employees are paid during illness leave.

STATUS: The employee's present standing in the classified service, such as temporary, provisional, part-time probationary or permanent.

STEP ADVANCEMENT: Movement to a higher step on the salary range for the class as a result of having served the required number of months in that class during the preceding twelve (12) months until the maximum step has been achieved.

SUBSTITUTE EMPLOYEE: An employee occupying a permanent position during the absence of the incumbent.

SUPPLEMENTAL APPLICATION: Additional document(s) used in conjunction with the regular application and serves as part of the testing process. Normally, used for technical or special skills positions in which general application is not adequate for defining qualifications.

SUSPENSION: An enforced absence of an employee with or without pay for disciplinary purposes, or pending the outcome of an investigation of charges that have been filed against the employee.

TEMPORARY: Employment on the basis of other than permanent or probationary status, e.g. limited-term or provisional status.

TERMINATION: Ending of an incumbent's assignment or appointment.

TRANSFER: The reassignment of an employee without examination from one position to another position within the class having the same salary range, or to a position in a related or similar class having the same salary range.

UNCLASSIFIED SERVICE: All positions which (by law) are not a part of either the classified service or the certificated service of the District.

UNEXCUSED ABSENCE: Absence without notification and/or authorization.

UNSATISFACTORY SERVICE: Failure to perform defined duties and responsibilities over a period of time to include poor evaluations, constructive counseling by supervisor and a reasonable timeline for improvement.

VETERANS' CREDIT: Five (5) points, or ten (10) points for persons disabled as the result of military service, for military or related service rendered during the time of war or national emergency, and which are to be added to the final passing score of such person or persons competing in an open examination for initial employment with the District.

VOLUNTARY DEMOTION: A demotion requested by an employee in order to retain employment when layoff from his/her position is imminent, or for other reasons where the action is entirely voluntary on the part of the employee.

WAIVER: The voluntary relinquishment by an eligible of a right to be considered for appointment from an employment list to one or more positions, locations, or for a specified shift/hour or unlimited period of time not to exceed the limited duration of the employment list.

WORKDAY: That part of a twenty-four (24) hour period during which an employee is scheduled to work in accordance with his/her specific assignment.

Y-RATE: A frozen salary rate above the normal salary for a step within a range.

Y-RATED EMPLOYEE: A person whose salary rate is frozen above the normal salary for a step within a range.

REFERENCE: Education Code Sections 88003, 88026, 88194, 88076, 88080, 88081, 88082, 88088, 88089, 88104, 88105, 88106, 88109, 88111, 88113, 88115, 88117, 88120, 88121, 88124, 88126, 88128

1.3 VIOLATION OF MERIT SYSTEM LAWS

1.3.A VIOLATION SHALL BE CRIMINAL: Any person who willfully or through culpable negligence violates any of the provisions of Article 3, commencing with Section 88060 of the Education Code is guilty of a misdemeanor.

REFERENCE: Education Code Section 88136

1.3.B OTHER UNLAWFUL ACTS: In addition to the prohibition on unlawful acts outlined in Rule 1.3.A, it is also unlawful for any person:

1. Willfully, either alone or in cooperation with another person, to defeat, deceive, or obstruct any person with respect to any right of examination, application, or employment under the Merit System laws of the Education Code or the Rules and Regulations of the Personnel Commission.
2. Willfully and falsely to mark, grade, estimate, or report upon the examination or proper standing of any person examined or certified under the Merit System laws of the Education Code or the Rules

and Regulations of the Personnel Commission, or to aid in doing, or make any false representation concerning the same of the person examined.

3. Willfully to furnish to any person any special or secret information regarding contents of any examination for the purpose of either improving or injuring the prospects or chances of any person examined, or to be examined under the Merit System laws of the Education Code or the Rules and Regulations of the Personnel Commission.

REFERENCE: Education Code Section 88136