

PRELIMINARY STATEMENT

STATUTORY AUTHORITY OF RULES

The rules contained herein are established pursuant to the authority of the Personnel Commission under Education Code Sections 45260, 45261, and other provisions governing the Merit System Act in the Educational Code.

(Note: It is recognized that certain of these rules venture into substantive matters within the prerogative of the Governing Board. For that reason, the initially adopted set of rules and regulations were submitted to the Governing Board for its approval.)

It shall be the policy of the Commission to submit all new rules or amendments or deletion of existing rules to the Governing Board when:

- A. The rule obviously requires Board approval, and
- B. It is difficult to define the divisions of Commission and Board authority regarding the rule in question.

In such cases, the rule in question shall not become effective until it has been approved by the Governing Board.

INTERPRETATION AND APPLICATION OF RULES

The Commission recognizes that no set of rules can contemplate all possible combination of circumstances affecting particular cases. These rules are to be applied with consideration of their intent; however, specific applicable provisions of the rules shall not be waived, ignored, or superseded because of the special circumstances of particular cases. The Commission is open to responsible suggestions to amend the rules with prospective application; however, to rule amendment or new rule shall have retroactive applicability.

JUDICIAL REVIEW

If judicial review or a change in law invalidates any portion of these rules, such finding or amendment shall not affect the validity of other rules or provisions.

EFFECT OF DATA CONTAINED IN ADDENDUM TO RULES

The salary schedule and related data, class placement on the salary schedule, job descriptions, and other written material contained in the addendum to these rules are to be interpreted as having the same force and effect as Commission rules.