



OCEAN VIEW SCHOOL DISTRICT PERSONNEL COMMISSION AGENDA

Wednesday, May 13, 2015

REGULAR MEETING

4:30 p.m.

Human Resources Conference Room, Building B

Classified Employees

in PARTNERSHIP with EDUCATION

Personnel Commission

1966 - 2015

PERSONNEL COMMISSION:

Daniel Gooch, Chair

Bob Ewing, Vice-Chair

Dr. Allan Pogrund, Member

A G E N D A
PERSONNEL COMMISSION
OCEAN VIEW
SCHOOL DISTRICT

WEDNESDAY, MAY 13, 2015

4:30 P.M. REGULAR MEETING

HUMAN RESOURCES
CONFERENCE ROOM – BLDG B

1. **CALL TO ORDER** TIME: _____ p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENTS:** The Personnel Commission welcomes comments or concerns on any item within the jurisdiction of the Personnel Commission. If you wish to address an item on the agenda, please indicate when, at this point, or at the time the agenda item is discussed.
5. **APPROVAL OF MINUTES:** The Personnel Commission will receive the minutes of the last Closed Session meeting of April 9, 2015.

Pages 1-4

(Action)

Moved: _____

Second: _____

Vote: _____

COMMISSION BUSINESS

6. **CONSENT CALENDAR:** The Personnel Commission will receive the following items on the Consent Calendar:

Pages 5-21

(Action)

Moved: _____

Second: _____

Vote: _____

A. JOB DESCRIPTION REVIEWS/REVISIONS:

1. Instructional Assistant – Special Education
2. Instructional Assistant – Severely Disabled
3. Director of Transportation

B. RECRUITMENT AND TESTING – ELIGIBILITY LISTS:

The Personnel Commission will receive the Director's recommendation to certify the following eligibility lists. (*Commissioners only.*)

- | | |
|--------------|------------------------------|
| 1. 2014 – 45 | Instructional Assistant |
| 2. 2014 – 46 | Payroll Technician |
| 3. 2014 – 47 | Food Distribution Worker |
| 4. 2014 – 48 | Human Resources Technician |
| 5. 2014 – 49 | Director of Transportation |
| 6. 2014 – 50 | Child Care Attendant |
| 7. 2014 – 51 | Public Information Assistant |

7. **CLASSIFIED ACTIVITY LISTS:** The Personnel Commission will receive for information the following Classified Activity Lists received by the Board of Trustees for their approval at the Ocean View School District, Regular Board Meeting of:
- April 14, 2015 – (Exhibit A)
 - April 28, 2015 – (Exhibit B)
8. **PUBLIC HEARING ON THE PROPOSED ANNUAL BUDGET OF THE PERSONNEL COMMISSION FOR FISCAL YEAR 2015-2016:** The Personnel Commission will hold a Public Hearing prior to taking action on its proposed Annual Budget of the Personnel Commission for the fiscal year 2015-2016.
- Open – Time: _____ p.m.
- Closed – Time: _____ p.m.
9. **ADOPTION OF THE PROPOSED BUDGET OF THE PERSONNEL COMMISSION FOR FISCAL YEAR 2015-2016:** The Personnel Commission will fully consider any input received from the Public Hearing on the Proposed Annual Budget of the Personnel Commission for Fiscal Year 2015-2016. The Personnel Commission will then make any changes deemed appropriate, and adopt its Proposed Budget for Fiscal Year 2015-2016, to be forwarded to the County Superintendent once the District's budget is adopted.
10. **REMOVAL OF NAME FROM ELIGIBILITY LIST:** The Personnel Commission will receive the Director's recommendation to remove the name of a candidate from an eligibility list in accordance with Personnel Commission Rule 6.1.8. (*Letter provided to Commissioners Only*)
11. **MERIT RULE REVIEW AND REVISION, CHAPTER 11, SECTION 1.7 – HEALTH EXAMINATIONS – FIRST READING AND DISCUSSION:** The Personnel Commission will receive the Director's recommendation to review and discuss the proposed changes to Merit Rule, Chapter 11, Section 1.7, Health Examinations for a first reading and discussion.

**Pages 22-27
(Information)**

**Pages 28-31
(Discussion)**

**Pages 32-35
(Action)**
Moved: _____
Second: _____
Vote: _____

**Pages 36-37
(Action)**
Moved: _____
Second: _____
Vote: _____

**Pages 38-46
(First Reading
and Discussion)**

COMMUNICATIONS

12. **SECOND PUBLIC COMMENTS:** The Personnel Commission welcomes comments or concerns on any item within the jurisdiction of the Personnel Commission.
13. **COMMISSIONERS' REPORTS**
14. **DIRECTOR AND STAFF REPORTS**

15. ADJOURNMENT

TIME: _____ **p.m.**

Moved: _____

Second: _____

Vote: _____

The Ocean View School District Personnel Commission meets on the 2nd Thursday of each month at 4:30 p.m. unless otherwise noted. Agendas are posted and are available 72 hours in advance of each regular meeting on the bulletin board outside the Board Room and on the District website, www.ovsd.org. Agenda items must be submitted in writing to the Director, Classified Personnel no later than the end of the working day seven days preceding the next Commission meeting. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. For information call (714) 847-2551, extension 1400 or 1401.

Pursuant to Government Code 54957.5, a copy of all documents related to any item on this agenda that have been submitted to the Personnel Commission less than 72 hours prior to the meeting, and that are public record not otherwise exempt from disclosure, will be available for review at the Personnel Commission Office, 17200 Pinehurst Lane, Huntington Beach, California, 92647, during normal business hours (Monday through Friday, 8:00 a.m. to 4:30 p.m.)

Persons requiring accommodation in order to view the agenda or participate in the meeting may make the request for accommodation by contacting the Personnel Commission Office at 714-847-2551, extension 1400 or 1401, at least 48 hours in advance of the meeting. (Government Code 54954.2 (a)1)

**OCEAN VIEW SCHOOL DISTRICT
MINUTES
Regular Personnel Commission Meeting
April 9, 2015**

- CALL TO ORDER** Commissioner Gooch called the April 9, 2015, Regular Personnel Commission Meeting to order at 4:30 p.m.
- PLEDGE OF ALLEGIANCE** Director Vellanoweth led the Pledge of Allegiance.
- ROLL CALL** Commissioners Gooch and Ewing were present. Director Vellanoweth was also present. Commissioner Pogrund was absent.
- REPORT OUT OF CLOSED SESSION** Commissioner Gooch reported that the Personnel Commission met in Closed Session to discuss the annual evaluation of the Director, Classified Personnel.
- PUBLIC COMMENTS** Sandy Vaughan extended an invitation to the Commissioners to the Classified Banquet, being held on June 5, 2015, at the Mile Square Golf Course.
- MINUTES OF MARCH 5, 2015** Motion by Commissioner Ewing to approve the minutes of the March 5, 2015, Regular Personnel Commission meeting.
- Seconded by Commissioner Gooch, and carried with a 2:0 vote. Commissioner Pogrund was absent.
- Commissioner Gooch stated that he had corrections for the minutes of March 5, 2015. On page 3 of the minutes, under the item, Extend Eligibility List 2013-28 – School Office Manager, paragraph 3, the last sentence should be corrected to say, “So in the future, Commissioner Gooch would like these extensions to be run by the Administration in order to receive their input.”
- Under the same item, paragraph 4, the last sentence should be corrected to say, “Commissioner Gooch asked that a line in the agenda item be included to let the Commissioners know that the Administration concurs with the recommendation.”

COMMISSION BUSINESS

- CONSENT CALENDAR** The Personnel Commission received the following items on the Consent Calendar, with revisions as noted to Senior Facilities Planner:
- A. Job Description Reviews/Revisions:
1. Instructional Assistant – Physical Education
 2. Instructional Assistant – Adapted Physical Education
 3. Senior Facilities Planner

**CONSENT CALENDAR
(CONTINUED)**

B. Recruitment and Testing – Eligibility Lists:

1. 2014 – 37 Instructional Assistant – Special Education
2. 2014 – 38 Instructional Assistant – Severely Disabled
3. 2014 – 39 Custodian
4. 2014 – 40 Grounds Maintenance Worker
5. 2014 – 41 Child Care Attendant
6. 2014 – 42 Instructional Assistant – Sign Language
7. 2014 – 43 Instructional Assistant - ABA
8. 2014 – 44 Instructional Assistant - ABA

**CLASSIFIED
ACTIVITY LIST(S)**

The Personnel Commission received for information only, the Classified Activity List that was presented for approval to the Board of Trustees, at the March 17, 2015, Board of Trustees meetings.

**PROPOSED BUDGET
2015-2016 PRELIMINARY
DRAFT**

Commissioner Ewing stated that the draft of the 2015-2016 budget had been prepared and sent to him. He reviewed it and had a couple of questions which were addressed. His question had to do with the area of Non-Capitalized Equipment, in which the department went over the anticipated budget amount. It was explained that this was due to a one time, unforeseen opportunity to purchase new computers and monitors for the Human Resources and Personnel Commission staff.

Director Vellanoweth shared with the Commissioners the budget forms provided by and submitted to the Orange County Department of Education, and asked the Commissioners whether they thought this format would be acceptable in place of the current format presently used by the Personnel Commission. Additional information from the present format could certainly be added to the OCDE format. Commissioner Gooch asked Director Vellanoweth to prepare what she would like to use between now and the next time the budget is to be reviewed, and provide the Commissioners with a sample.

**REMOVAL OF NAME
FROM ELIGIBILITY LIST**

Director Vellanoweth stated that recently in the course of contacting eligibles for substitute employment, it was discovered that an individual did not disclose something on his application that subsequently appeared on his Department of Justice fingerprint result. This is cause for rejection of his application, due to falsification of material information and removal from the eligibility list. Director Vellanoweth has advised the candidate that he is not eligible at this time for the current position, and that his name is being removed from the eligibility list.

Approval from the Personnel Commission is required in order to remove the name of the applicant from the eligibility list.

Motion by Commissioner Ewing to approve the removal of the name from the eligibility list.

Seconded by Commissioner Gooch, and carried with a 2:0 vote.

**SECOND PUBLIC
COMMENTS**

Sandy Vaughan had a question regarding the job description for Senior Facilities Planner. She asked whether there was any wording that stated that this position was a Classified Management position.

Director Vellanoweth answered that she did not see anything specifically in the job description, but that it is definitely something that could be added to the Class Characteristics, stating that this is a single incumbent Classified Management position.

**COMMISSIONERS'
REPORTS**

Commissioners Ewing and Gooch congratulated Sandy Vaughan and Craig Sample for being named Classified School Employees of the Year.

The next meeting of the Personnel Commission will take place on Wednesday, May 13, 2015, instead of Thursday, May 14, 2015, as previously publicized due to schedule conflicts.

Commissioner Gooch noticed mention of reasonable assurance letters in Director Vellanoweth's monthly memo and asked what process is used to ensure that the District has current and up to date addresses for employees.

Director Vellanoweth answered that letters of reasonable assurance are hand delivered to the school sites and signed for. Layoff notices are sent via regular and certified mail. Addresses are updated throughout the year as we are notified or become aware of changes. Additionally, once a year in August, the Personnel department sends out information to all classified employees welcoming them back to the new school year and within that information is a form for the employees to fill out and return with their new or current phone number, address, email address, and emergency contacts.

Commissioner Gooch stated that he wanted to ensure that there is something in our literature stating that it is the responsibility of the employee to keep their current address on file with the District.

Director Vellanoweth answered that it is noted in the Merit System Rules and Regulations.

**DIRECTOR AND STAFF
REPORTS**

Director Vellanoweth mentioned the upcoming PCASC mini-conference that is coming up in June. With any Director or Commissioner who pays to attend, a staff member can attend for free. She asked if either of the Commissioners would be interested in attending. Commissioner Ewing stated that he would not be able to attend since it falls on the same day as Village View's Special Olympics, which he always attends. Commissioner Gooch advised Director Vellanoweth he would have to check his calendar and advise her.

Director Vellanoweth mentioned that the second edition of the Personnel Commission newsletter is ready to be published. This will be posted on the District website and distributed to the school sites and departments within the District office.

**DIRECTOR AND STAFF
REPORTS (CONTINUED)**

She also announced that we have finalized the purchase of and arrangements for a perpetual plaque for the Classified School Employees of the Year, to hang in the hallway at the District Office next to the Teacher of the Year plaque.

Director Vellanoweth informed the Commissioners that a few of the District's administrators were leaving. Superintendent Balderas will be working through the end of the school year and will begin his new position in July. Gary Jordan, Director of Maintenance, Operations, and Facilities has accepted another position and his last day is April 9, 2015. Director Vellanoweth wanted to thank both Mr. Jordan and Superintendent Balderas for their support not only to the District, but to the Personnel Commission.

She also congratulated Personnel Technician, Yvonne Nguyen, who passed her probationary period and is now a permanent employee of Ocean View.

ADJOURNMENT

Motion by Commissioner Ewing to adjourn the April 9, 2015, Regular Personnel Commission Meeting.

Motion was seconded by Commissioner Gooch, and carried with a 2:0 vote at 5:00 p.m.

Michelle Vellanoweth, Director, Classified Personnel
Secretary to the Personnel Commission

Date

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: May 13, 2015

SUBJECT: Agenda Item No. 6A1: Job Description Revision – Instructional Assistant – Special Education

Background Information

The Personnel Commission Rules provide for a periodic review of the content of classification specifications to ensure they adequately and accurately represent duties being performed by incumbents, and that the requisite skills, knowledge and abilities required are appropriate. The Instructional Assistant – Special Education classification was fully reviewed and updated in October 2003, reviewed with minor revisions in December 2007 and revised for recruitment purposes in November 2013.

Recently the incumbents of the class were provided a copy of their job description for review. They also provided detailed information about their current positions by completing a job analysis questionnaire and worked with the Personnel Analyst and Director, Classified Personnel to answer more detailed questions about the tasks they perform in their jobs. Draft revisions were prepared and provided to all Principals who were asked to review the proposed changes as well as provide feedback on identifying essential duties.

Based upon information provided by the incumbents, supervisors, as well as the Director, Special Education, modifications are proposed to the Instructional Assistant – Special Education job description. In addition, standard formatting changes and updates are proposed by the Director, Classified Personnel in order to maintain consistency with the current job description format. The incumbents and supervisors have reviewed and recommend the final draft which is attached.

It is therefore requested that the Personnel Commission review, discuss and adopt the proposed revisions to the Instructional Assistant – Special Education job description.

Attachment: Proposed revised job description for Instructional Assistant – Special Education dated May 13, 2015.

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Recommendation

The Director recommends that the Personnel Commission review, discuss and adopt the proposed revisions to the Instructional Assistant – Special Education job description.



OCEAN VIEW SCHOOL DISTRICT
Personnel Commission



INSTRUCTIONAL ASSISTANT - SPECIAL EDUCATION

JOB SUMMARY:

Under daily direction of a certificated classroom teacher and general supervision of the school principal or designee, performs paraprofessional instructional activities, clerical and supportive tasks to assist and free certificated staff in delivering the educational product to students with special educational requirements.

CLASS CHARACTERISTICS:

This class is distinguished from other classes in the Instructional Series by being assigned to work with students having special needs including: learning needs, behavioral needs and physical limitations. Incumbents are expected to assist classroom teachers by working with assigned students, in various subject-matter areas, who are working on specific goals and objectives based upon their identified unique needs documented ~~edation~~ in the student's Individual Education Plan (IEP). Some positions may be assigned to accompany students main streamed into general education classrooms.

REPRESENTATIVE DUTIES (*E denotes an essential function of the job.*):

Under the direction of certificated staff, assist in the presentation of learning materials and work with individual, small groups, and occasionally large groups of children in assigned special education programs in various subject matter areas to reinforce class lessons and assist students in completing class and homework assignments; E

~~Assist certificated staff with the presentation of learning materials to students who are part of or are prospective participants in a special education program; E~~

~~Tutor and effectively manage students in individual, small groups, and occasionally large group settings; E~~

Monitor, assist students in a variety of activities such as drill, practice, study habits and research in a variety of subject areas utilizing a variety of instructional materials according to instruction/guidance of certificated staff; *E*

Accompany and assist special education students main streamed into general education classrooms; *E*

Oversee and supervise students during classroom, learning center, library, assemblies, recess, lunch, field trip activities, and during fire and earthquake emergencies and preparedness drills; *E*

Maintain awareness of special needs and limitations of each student; *E*

Read and converse with students, explaining words and meanings; *E*

Consult with certificated staff regarding student progress and behavior, observe, monitor and record student performance and behavior; *E*

Confer with certificated staff or specialists on programs and materials for students to meet student individual needs as identified on student IEPs; *E*

Assist in maintaining a disciplined, neat, orderly and attractive learning environment; *E*

Maintain a variety of records, including but not limited to, charting of goals and objectives, District benchmark assessments and behavior intervention plan documentation based on IEP requirements and assist certificated staff in assessing the continued needs of students; *E*

Attend school and in-service meetings, including specific training offered by West Orange County Consortium on Special Education (WOCCSE) and Ocean View School District related to the unique needs of students; *E*

Prepare instructional, motivational and decorative materials such as vocabulary lists, worksheets, games, flash cards, awards and displays, as well as letters, notices and other communications;

~~Operate a variety of office equipment;~~

~~Perform general clerical duties in support of the classroom, including making duplications of materials, answering phone and transmitting messages, and operating a variety of office equipment;~~

~~Attend school and in-service meetings, including specific training offered by West Orange County Consortium on Special Education (WOCCSE) and Ocean View School District related to the unique needs of students~~; *E*

~~Answer telephone, take, and transmit messages;~~

May assist students in transferring to and from buses, special equipment classrooms and events;

May administer and score criterion referenced or classroom tests, including state assessments and record scores;

May correct and score classroom and homework assignments;

May take roll;

May operate equipment and devices utilized with students with special educational and physical limitations;

May order and distribute audiovisual and other equipment and supplies;

May collect and record receipt/disbursement of student monies;

Perform other duties as required to accomplish the objectives of the position.

SUPERVISION:

General supervision is received from the school principal or designee. Daily direction is provided by a certificated classroom teacher.

Supervision is not exercised over other employees.

MINIMUM QUALIFICATIONS:

Knowledge of:

- Methods, practices and terminology used in instructional situations;
- General needs and behaviors of children with special needs; limitations;
- General aims and purposes of a special education program;
- Classroom procedures and appropriate student conduct;
- Motivational techniques;
- Procedures and practices of classroom and playground safety;
- Modern office equipment and procedures including the operation of personal computer and word processing software;
- Basic mathematics and science, English usage including reading, writing, and speaking skills;
- Simple record keeping.

Ability to:

- Work successfully with a variety of students;
- Exercise extreme levels of patience when conveying information to students with special needs;
- Reinforce concepts and instruction to individual or small groups of special education students as directed by the teacher;
- Recognize individual student learning needs and adapt learning materials and assignments to facilitate learning;
- Work and communicate effectively with other adults in the school setting;
- Clearly communicate in English and effectively model English usage;
- Tutor individual and/or small groups of students;
- Apply skills, knowledge and abilities in classroom and general school environment;
- Operate a variety of modern office equipment, including personal computer and word processing software;
- Determine and retain privileged communications and information;
- Learn and apply District and school policies and procedures;
- Learn specific academic programs developed to enhance student achievement;
- Establish and maintain accurate records;
- Establish and maintain effective interpersonal relationships using tact, patience and courtesy;
- React appropriately in emergency medical situations;
- Learn to operate special equipment and devices used with special education students;
- Understand and carry out oral and written instructions;
- Understand, be sensitive to and respect the diverse academic, socio-economic, ethnic, religious, and cultural backgrounds, disabilities, and sexual orientation of students, parents, teachers, administrators, and staff;
- Establish and maintain effective interpersonal relationships using tact, patience, courtesy and respect.

EMPLOYMENT STANDARDS:

Education:

- ~~Graduation from a~~High school diploma or equivalent.-
- Passing the Instructional Assistant Competency Examination is required,
- Some post-secondary education in child development or special education is desirable.-

Experience:

- ~~Prior~~Some paid or volunteer ~~experience involving the supervision of children's activities is desirable.~~experience working with school-age children and/or individuals with special needs is required.

PHYSICAL DEMANDS, ~~AND~~ WORKING ENVIRONMENT AND HAZARDS:

Frequently stands, walks, sits, stoops and bends; occasionally safely lifts, carries, and/or pushes up to 40 ~~pounds~~lbs; requires frequent standing, sitting, bending, stooping, kneeling; occasionally climbs stools or step ladders and reaches frequently overhead; frequently uses arms, hands and fingers on both hands, communicates clearly and is able to understand normal voice conversation; requires rapid mental and muscular coordination, including the ability to run moderate distances after students requiring adult intervention; visual acuity sufficient to see small details in a classroom or playground environment and observe student activities and behavior; speech and vocal capacity sufficient to be heard by students in a noisy environment; hearing sufficient to be able to know when a student is having difficulty or is being disruptive; works primarily inside, occasionally outside exposed to sunlight, wind and weather elements found in a Southern California beach community; has constant direct contact with ~~students and other students, other~~ district staff and the public, occasionally in difficult interpersonal situations; is frequently exposed to minor contagious illnesses; occasionally works without direct guidance from the classroom teacher and/or immediate supervisor. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position.

Revised 1/98, 10/9/03

Revisions effective 12/13/07

Revisions effective: 11/14/2013

Job Description Review and Proposed Revisions Effective May 13, 2015

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: May 13, 2015

SUBJECT: **Agenda Item No. 6A2: Job Description Revision – Instructional Assistant – Severely Disabled**

Background Information

The Personnel Commission Rules provide for a periodic review of the content of classification specifications to ensure they adequately and accurately represent duties being performed by incumbents, and that the requisite skills, knowledge and abilities required are appropriate. The Instructional Assistant – Severely Disabled classification was fully reviewed and updated in October 2003, reviewed with minor revisions in December 2007 and revised for recruitment purposes in September 2013.

Recently the incumbents of the class were provided a copy of their job description for review. They also provided detailed information about their current positions by completing a job analysis questionnaire and worked with the Personnel Analyst and Director, Classified Personnel to answer more detailed questions about the tasks they perform in their jobs. Draft revisions were prepared and provided to all Principals who were asked to review the proposed changes as well as provide feedback on identifying essential duties.

Based upon information provided by the incumbents, supervisors, as well as the Director, Special Education, modifications are proposed to the Instructional Assistant – Severely Disabled job description. In addition, standard formatting changes and updates are proposed by the Director, Classified Personnel in order to maintain consistency with the current job description format. The incumbents and supervisors have reviewed and recommend the final draft which is attached.

It is therefore requested that the Personnel Commission review, discuss and adopt the proposed revisions to the Instructional Assistant – Severely Disabled job description.

Attachment: Proposed revised job description for Instructional Assistant – Severely Disabled dated May 13, 2015.

Recommendation

The Director recommends that the Personnel Commission review, discuss and adopt the proposed revisions to the Instructional Assistant – Severely Disabled job description.



OCEAN VIEW SCHOOL DISTRICT
Personnel Commission



INSTRUCTIONAL ASSISTANT - SEVERELY DISABLED

JOB SUMMARY:

Under daily direction of a certificated classroom teacher and general supervision of the school principal or designee, assists instructional staff by performing paraprofessional instructional activities, clerical and supportive tasks associated with the education, training and supervision of severely disabled students. Performs a variety of duties both in and out of the classroom and plays a major role in caring for the physical needs of the students.

CLASS CHARACTERISTICS:

This class is distinguished from other classes in the Instructional Series by being assigned to work with students having severely disabling conditions, including cognitive, behavioral and/or significant medical impairments. Students served by this class may require daily toileting or supervised toilet training. Incumbents are expected to assist teachers working with assigned students who are working on specific goals and objectives based upon their identified unique needs documented in the student's Individual Education Plan (IEP) ~~and/or Behavior Support Plan (BSP/BIP).~~ These goals and objectives may include: daily living skills, vocational skills and behavioral skills.

REPRESENTATIVE DUTIES (*E denotes an essential function of the job.*):

Under the direction of certificated staff, assist in the presentation of learning materials and work with individual and small groups of children having severe disabilities in various subject matter areas to reinforce class lessons and assist students in completing class and homework assignments; E

~~Assist certificated staff with the preparation and presentation of learning materials; E~~

~~Tutor and effectively manage students in individual and small groups; E~~

Monitor, assist or shadow students in a variety of activities and subject areas utilizing a variety of instructional materials including manipulatives/devices to teach a variety of skills; E

Monitor and assist students use of assistive technology devices according to instruction/guidance of certificated staff; E

Assist and supervise in the toilet training, toileting, diapering, dressing, cleaning, feeding, lifting of children as necessary and maintain awareness of disability of each child; E

Assist the certificated staff in implementing behavior modification and intervention strategies as directed; utilize approved behavior modification techniques to encourage or discourage selected behaviors; E

Tutor in selected subjects for remedial, supplemental, daily living/self help or enrichment IEP goals; *E*

Prepare instructional, motivational and decorative materials such as daily visual schedules, worksheets, games, flash cards, awards and displays, as well as letters, notices and other communications; *E*

Consult with certificated and support staff regarding student progress and behavior, observe, monitor and record student performance and behavior; *E*

Confer with certificated staff or specialists on programs and materials for students to meet student individual needs as identified on student IEPs; *E*

Oversee students during classroom, playground, library, assemblies, field trip, eating activities and during fire and earthquake emergencies and preparedness drills; *E*

Assist students in communication and social activities encouraging self-reliance; assist in transferring children both on and off ~~to~~, to and from buses, special equipment, classrooms, and events; *E*

Operate, remove, replace special equipment, device, orthopedic braces, wheelchairs, monitoring cleanliness and functionability of such apparatus; *E*

~~Assist and supervise in the toilet training, toileting, diapering, dressing, cleaning, feeding, lifting of children as necessary and maintain awareness of disability of each child~~; *E*

Assure the well-being of students by following health and safety practices and procedures. Administer first aid, CPR as necessary and may perform other specialized physical health care procedures after training by and under the directed supervision of District nurse; *E*

Clean and help maintain a high degree of cleanliness throughout the facility using disinfectant soaps on all surfaces, manipulatives, equipment, toys, students and self; *E*

Assist in maintaining a disciplined, neat, orderly and attractive learning environment; *E*

Maintain a variety of records including, but not limited to charting of goals and objectives, benchmark assessments and behavior intervention plan documentation based on IEP requirements; *E*

Attend school and in-service meetings, including specific training offered by West Orange County Consortium on Special Education (WOCCSE) and ~~&~~ Ocean View School District related to the unique needs of students; *E*

May assist in orienting and/or training new or substitute staff to procedures/methods used and specific student behavior/needs;

Perform general clerical duties in support of the classroom, including making duplications of materials, answering phone and transmitting messages, and operating a variety of office equipment;

~~May operate a variety of office equipment~~;

May take roll;

May answer telephone, take, and transmit messages;

May collect and record receipt/disbursement of student monies;

Perform other duties as required to accomplish the objectives of the position.

SUPERVISION:

General supervision is received from the school Principal or designee. Daily direction is provided by a certificated classroom teacher.

Supervision is not exercised over other employees.

MINIMUM QUALIFICATIONS:

Knowledge of:

- Methods, practices and terminology used in teaching functional skills/academics;
- General needs and behavior of physically/mentally disabled, emotionally disturbed students including learning reinforcement and behavior modification techniques;
- Safe lifting techniques for single, paired and multiple lifts;
- Safe working practices and cleaning methods used in working with the severely disabled;
- Modern office equipment and procedures including the operation of personal computers and word processing software;
- Basic mathematics and science, English usage including reading, grammar, spelling, and punctuation;
- Simple record keeping and documentation;-
- Classroom procedures and appropriate student conduct;
- Motivational techniques;
- Procedures and practices of classroom and student safety.
-

Ability to:

- Work successfully with a variety of students;
- Work and communicate effectively with other adults in the school setting;
- Clearly communicate in English and effectively model ~~correct~~ English usage;
- Exercise extreme levels of patience when conveying information to students with emotional or physical disabilities;
- Appropriately manage students who act out verbally or physically;
- Reinforce concepts and instruction to individual or small groups of severely disabled students as directed by the teacher;
- Recognize individual student learning needs and adapt learning materials and assignments to facilitate learning;
- Tutor individual and/or small groups of students;
- Apply skills, knowledge and abilities in classroom and general school environment;
- Operate a variety of modern office equipment, including personal computer and word processing software;

- Learn and properly use the District's assistive technology;
- Determine and retain privileged communications and information;
- Learn and apply District and school policies and procedures;
- Use the safe lifting procedures and techniques provided in training;
- Establish and maintain accurate records;
- ~~Establish and maintain effective interpersonal relationships using tact, patience and courtesy;~~
- React appropriately in emergency medical situations;
- Understand and carry out oral and written instructions;
- Understand, be sensitive to and respect the diverse academic, socio-economic, ethnic, religious, and cultural backgrounds, disabilities and sexual orientation of students, parents, teachers, administration, and staff.;
- Establish and maintain effective interpersonal relationships using tact, patience, courtesy and respect.
-

EMPLOYMENT STANDARDS:

Education:

- ~~Graduation from h~~High school diploma or equivalent;
- Passing the Instructional Assistant Competency Examination is required;
- Some post-secondary education in child development or special education is desirable.;

Experience:

- Some paid or volunteer experience working with school-age children students and/or the severely disabled is required. is desirable.

LICENSES REQUIRED:

Within two (2) months of employment the employee is required to possess and maintain valid, current CPR and First Aid certification.

Some positions may be required to receive training in and be certified in specialized health care procedures.

PHYSICAL DEMANDS, WORKING ENVIRONMENT AND HAZARDS:

Performs heavy work - occasional lifting, carrying, pushing disabled students in paired or multiple lifts weighing up to 200 pounds with more frequent lifting, carrying, pushing objects/students weighing up to 50 pounds. Requires frequent standing, sitting, bending, stooping, kneeling; occasionally climbs stools or step ladders and reaches over head; uses fingers on both hands to do basic signing and to assist/manipulate disabled students; frequently twists wrists/hands when manipulating students; communicates clearly and is able to understand normal voice conversation; requires rapid mental and muscular coordination, including the ability to run moderate distances after students requiring adult intervention; visual acuity sufficient to see small details in a classroom or playground environment and observe student activities and behavior; speech and vocal capacity sufficient to be heard by students in a noisy environment; hearing sufficient to be able to know when a student is having difficulty or is being disruptive; works both in and out-of-doors exposed to

sunlight, wind and weather elements found in a Southern California beach community; frequently has hands in soapy water and wears latex/vinyl gloves; is frequently exposed to minor and on occasion to severe contagions including blood borne pathogens and illnesses; has constant direct contact with disabled students and frequent contact with students, staff and the public, occasionally in difficult interpersonal situations; occasionally works without direct guidance from the classroom teacher and/or immediate supervisor. Employment contingent upon passing physical and back evaluation test. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position.

Revised 1/98, 10/9/03

Revisions effective 12/13/07

Revisions effective: 9/12/13

Job Description Review and Proposed Revisions Effective May 13, 2015

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners
FROM: Michelle Vellanoweth
Director, Classified Personnel
DATE: May 13, 2015
SUBJECT: Agenda Item No. 6A3: Job Description Revision – Director, Transportation

Background Information

The Commission Office recently conducted a recruitment for the single incumbent classification of Director, Transportation. The recruitment to fill the opening yielded a total of nine applicants. Four of those applicants would have met the minimum qualifications but they did not possess the current, unrestricted California School Bus Driver Instructor Certification required. The three candidates who met all of the minimum education and experience requirements as well as possessed all of the required licenses and certificates were asked to participate in the oral/technical panel interview. From that interview panel only one candidate was deemed to be qualified and was subsequently interviewed and selected by Assistant Superintendent, Felix Avila. Unfortunately, after a job offer was made and accepted, the candidate decided to rescind his acceptance of employment and we no longer have any viable candidates for the District to interview.

During the panel interviews, our subject matter experts which consisted of a current Director of Transportation, a retired Director of Transportation and a Transportation Dispatcher all suggested and agreed that many applicants who reach the level of Director, Transportation do not maintain their California School Bus Driver Instructor Certification. The recertification is very time consuming to maintain and in school districts, typically a full time Driver/Instructor would have this certification and would assume the role of instructing Bus Drivers. All of the panelists as well as our current Interim Director who is a retired Director of Transportation, indicated that requiring this certification potentially eliminated otherwise very qualified candidates and that the certification was not really necessary for a Transportation Director. All concurred that indicating the certification as being desirable, but not required, would be more appropriate.

With the minor revision to the Director, Transportation job description, it is believed that a second recruitment will be successful in providing a number of viable candidates. The previous applicants who were screened out of the process based solely on their lack of the California School Bus Driver Instructor Certification will be contacted and asked if they would like to participate in the recruitment based upon the revised requirements.

It is therefore requested that the Personnel Commission review, discuss and adopt the proposed revisions to the Director, Transportation job description.

Attachment: Proposed revised job description for Director, Transportation dated May 13, 2015.

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Recommendation:

The Director recommends that the Personnel Commission review, discuss and adopt the proposed revisions to the Director, Transportation job description.



OCEAN VIEW SCHOOL DISTRICT
Personnel Commission



DIRECTOR OF TRANSPORTATION

JOB SUMMARY:

Under administrative direction of Assistant Superintendent, Administrative Services, plans, directs, coordinates and supervises the District's student transportation program including maintenance and repair of school buses, trucks cars, vans and other vehicles and equipment; supervises all assigned personnel including bus drivers, mechanics, and other transportation staff, ensuring their proper training and performance.

CLASS CHARACTERISTICS:

This is a single incumbent classified management position having responsibility for direction of the Transportation Department staff and the District's overall transportation operations. Ensures compliance with Federal, State and local laws, rules and regulations related to student transportation. The incumbent is expected to work independently in concert with the objectives, scheduling and general procedures established by the Assistant Superintendent, Administrative Services.

REPRESENTATIVE DUTIES (*E* denotes an essential function of the job):

Plan and coordinate optimal District student transportation schedules, routes and stops to maximize service to students, minimize cost and for effective utilization of transportation equipment and staff; *E*

Plan, organize and direct the work of bus drivers and other transportation support personnel; *E*

Interview, hire, train, supervise and evaluate the performance of assigned personnel; *E*

Recommend permanence of new employees, discipline, remediation and termination of department subordinate staff as appropriate: *E*

Supervise the maintenance and repair of District vehicles, buses and related equipment; oversee shop/garage activities; order parts and related inventory as needed; *E*

Act as a liaison with the CHP Motor Carrier for annual terminal inspections; review all CHP annual bus safety inspections; *E*

Ensure the timely performance of tasks consistent with District standards and expectations; *E*

In accordance with District policies, enforce compliance with applicable laws, rules, regulations and policies; *E*

Prepare and maintain current safety programs for school bus drivers; oversee and approve driver training program: *E*

Conduct and/or coordinate in-service and training of transportation employees; *E*

Prepare, recommend and manage the transportation department budget; *E*

Provide information to and resolve student transportation problems with parents, principals and other school administrators; *E*

Supervise departmental compliance with all licensing and certification requirements; *E*

Investigate and compile information on any accident involving pupil transportation, prepare necessary reports and recommend remedial action as appropriate; *E*

Recommend and implement changes in department rules, regulations and procedures affecting transportation activities;

Supervise the requisition of supplies, equipment, and inventory;

Develop, direct and approve various reports;

Keep current on modern practices in responsibility areas including streets, boundary lines and housing developments;

Perform other tasks and assume responsibility as may be assigned by proper authority.

SUPERVISION:

General administrative direction is received from the Assistant Superintendent, Administrative Services.

Supervision is exercised over all employees assigned to the Transportation Department including shop/garage staff.

MINIMUM QUALIFICATIONS:

Knowledge of:

- Practices, procedures and legal requirements related to the transportation of students and the operation of a school transportation system;
- California Motor Vehicle Code, traffic ordinances, and California Highway Patrol and Federal regulations pertaining to student transportation;
- Safety rules and practices related to bus and truck transportation operation;
- Types and availability of resource materials related to instruction and training of drivers;
- Systems for record keeping, inventory control, budget preparation and expenditure controls;
- General practices related to routine bus maintenance required by the California Highway Patrol;
- Principles of effective personnel management, progressive discipline, supervision and training of employees;
- Operation of personal computers and applicable software including transportation specific software;
- Modern office equipment and procedures;
- **Correct** English usage, grammar, spelling, punctuation and vocabulary;

- Interpersonal skills using tact, patience and courtesy.

Ability to:

- Oversee the safe and efficient transportation of students;
- Plan, schedule, organize, direct, and supervise a school transportation system;
- Train, supervise and evaluate subordinate personnel;
- Use good judgment in recommending appropriate administrative actions;
- Direct, prepare, cause to be prepared and present clear and concise records, reports, and other communications;
- Read, interpret, apply and explain rules, regulations, district policies and procedures;
- Apply training, knowledge and experience so as to maximize efficiency and effectiveness of Department functions;
- Operate various office equipment including a PC (personal computer), effectively utilize applicable software, including transportation related software, and the District's E-mail system;
- Develop and administer the District's Transportation Program budget;
- Communicate effectively both orally and in writing with staff, parents, children, public and district personnel demonstrating poise, patience, sensitivity and understanding;
- Establish and maintain cooperative and effective working relationships with diverse groups, including administrators, District personnel, outside agencies, parents, and students;
- Work independently with little direction;
- Meet schedules and time lines;
- Establish and maintain effective interpersonal relationships using tact, patience and courtesy.

EMPLOYMENT STANDARDS:

Education:

- High school diploma or equivalent;
- Technical/vocational training or college course work involving business management, pupil/public transportation or related disciplines is highly desirable.

Experience:

- Four years of progressively responsible experience in a fleet transportation system, involving complex scheduling of routes and personnel, two years of which were in a supervisory capacity and preferably in a California school environment.

LICENSES AND CERTIFICATES REQUIRED:

- Valid California Class A or B Commercial driver license with Passenger "P" and School Bus "S" endorsements;
- Valid California Special Driver Certificate for school bus with no restrictions preferred except numbers "1" (automatic transmission only) and "6" (first aid test waived);
- Valid CPR certification and First Aid certification if first aid was waived at CHP;
- Certification of successfully passing a DMV medical examination;
- ~~Current, unrestricted California School Bus Driver Instructor Certification~~

- Department of Motor Vehicle (DMV) driving record dated within the last 30 days of application or certification for interview;
- All of the above licenses, certificates and endorsements must be maintained as a condition of continued employment;
- Current, unrestricted California School Bus Driver Instructor Certification desirable.

PHYSICAL DEMANDS, WORKING ENVIRONMENT AND HAZARDS:

Frequently sits, stands, walks, climbs stairs; occasionally stoops, bends, reaches over head; may move students weighing up to 50 pounds; uses both hands and legs simultaneously; repetitively twists and exerts pressure with wrists and hands; requires rapid mental/muscular coordination; communicates clearly and is able to understand normal voice conversation; has good depth perception and color vision; visual acuity sufficient to see small details and long distances in an outdoor environment; occasionally drives a school bus; works inside and outside; works with loud noises and vibration; occasionally exposed to fumes, gases, machinery with moving parts, and moving vehicles; frequently exposed to minor, occasionally severe, contagious diseases; has direct contact with Transportation employees, the public, students, passengers and other district staff; works frequently without guidance from supervisor frequently in negative interpersonal situations; works with high volume and tight deadlines. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position.

Revised 5/98

Last Revised 6/10/04

Reviewed with no revisions 9/13/07

Revisions effective 2/12/15

Proposed Revisions Effective 5/13/15

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Eifert
Personnel Assistant

DATE: May 13, 2015

SUBJECT: Agenda Item No. 6B: ELIGIBILITY LIST(S)

Background Information

The following eligibility list(s) are forwarded for ratification. These lists are confidential within the meaning of Education Code Section 45274 and Government Code Section 6254(g) along with other examination records and data. *(Commissioners only)*.

Following are the current lists for ratification:

- | | | |
|----|-----------|------------------------------|
| 1. | 2014 – 45 | Instructional Assistant |
| 2. | 2014 – 46 | Payroll Technician |
| 3. | 2014 – 47 | Food Distribution Worker |
| 4. | 2014 – 48 | Human Resources Technician |
| 5. | 2014 – 49 | Director of Transportation |
| 6. | 2014 – 50 | Child Care Attendant |
| 7. | 2014 – 51 | Public Information Assistant |

Recommendation

The Director of Classified Personnel recommends the Personnel Commission ratify the following Classified Personnel Eligibility Lists, 2014 – 45, 2014 – 46, 2014 – 47, 2014 – 48, 2014 – 49, 2014 – 50, 2014 – 51.

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Eifert
Personnel Assistant

DATE: May 13, 2015

SUBJECT: Agenda Item No. 7: CLASSIFIED PERSONNEL ACTIVITY LIST(S)

Background Information

At the Ocean View School District, Regular Board Meetings of April 14, 2015, (Exhibit A), and April 28, 2015, (Exhibit B), the Board of Trustees received the Classified Personnel Activity Lists for approval.

These lists are provided for the Personnel Commissioners to review classified employee activity recently processed by Classified Personnel staff.

Recommendation

The Director of Classified Personnel recommends that the Personnel Commission receive the Classified Personnel Activity List of April 14, 2015, and April 28, 2015.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
April 14, 2015

Approve Employment

In accordance with Merit System testing procedures:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE STEP</u>	<u>EFFECTIVE DATE</u>
Bachellette-Willars, Megan	Preschool Instructional Assistant (substitute)	\$14,554 per hour	22.1	03/23/15
Castro, Rosa	Preschool Instructional Assistant - Bilingual	\$14,921 per hour	23.1	03/16/15
Conklin, Patricia	School Office Clerk	\$16,890 per hour	28.1	03/09/15
Galyean, Maria	Food Distribution Worker (substitute)	\$16,070 per hour	18.5	02/27/15
Gonzalez, Isabel	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/16/15
Guite, Sean	ALC Attendant (substitute)	\$13,510 per hour	19.1	01/23/15
Jacques, Charles	Instructional Assistant - Special Education (substitute)	\$14,554 per hour	22.1	03/13/15
Mata, Anthony	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/16/15
Mendoza, Maguelina	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/18/15
Olivarez, Mallory	School Office Manager (substitute)	\$20,577 per hour	36.1	03/10/15
Pineda, Jairo	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/16/15
Rethwill, Melvin	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/17/15
Rocha, Leticia	Preschool Instructional Assistant - Bilingual	\$14,921 per hour	23.1	03/16/15
Rouselle, Reanna	Preschool Instructional Assistant	\$14,554 per hour	22.1	03/16/15
Royster, Jody	Instructional Assistant - Severely Disabled (substitute)	\$15,676 per hour	25.1	01/21/15

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
April 14, 2015

Approve Employment (Continued)

In accordance with Merit System testing procedures:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE STEP</u>	<u>EFFECTIVE DATE</u>
Saporito, Dorene	Parent Teacher Conference Interpreter (temporary)	\$10.00 per hour		03/16/15
	Instructional Assistant - Sign Language (substitute)	\$14.921 per hour	23.1	03/16/15
Schneider, Pamela	Department Secretary (substitute)	\$25.060 per hour	36.5	03/26/15
Swenson Novelich, Sondra	School Office Clerk (substitute)	\$16.890 per hour	28.1	03/11/15
Ventura Torres, Sindy	Preschool Instructional Assistant - Bilingual	\$14.921 per hour	23.1	03/16/15
Ward, Philomena	School Office Clerk (substitute)	\$16.890 per hour	28.1	03/02/15

Approve Separation

In accordance with Merit System Rules 8.1 to 8.6:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>	<u>START DATE</u>	<u>EFFECTIVE DATE</u>
Baker, Ashley	Instructional Assistant - Special Education (substitute)	Resignation - Personal	02/02/15	02/19/15
Davidson, Ashley	Speech and Language Aide	Resignation - Moving	09/03/14	02/19/15
Jacobs, Laura	Payroll Technician	Resignation - Another Job	10/22/08	03/06/15
Jacques, Charles	Instructional Assistant - Special Education	Resignation - Another Job	01/27/15	03/12/15
Landau, Diana	Instructional Assistant - Severely Disabled (substitute)	Resignation - No Longer Available	09/07/93	03/11/15
Ruiz, Socorro	Parent Teacher Conference Interpreter (temporary)	Resignation - Another Job	10/27/14	11/27/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
April 28, 2015

Approve Employment

In accordance with Merit System testing procedures:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE STEP</u>	<u>EFFECTIVE DATE</u>
Alexander, Amanda	Child Care Attendant - Substitute	\$15.296 per hour	18.4	03/27/15
Davis, Payson	Instructional Assistant - Special Education (Substitute)	\$14.554 per hour	22.1	04/13/15
	Instructional Assistant (Substitute)	\$14.199 per hour	21.1	04/13/15
Gerges, Maha	Food Distribution Worker (Substitute)	\$13.189 per hour	18.1	03/23/15
Gomez, Alexandra	Instructional Assistant - ABA	\$16.070 per hour	26.1	03/23/15
Grams, Diana	Instructional Assistant - Severely Disabled	\$15.676 per hour	25.1	03/24/15
Kong, Melvin	Instructional Assistant (Substitute)	\$14.199 per hour	21.1	03/23/15
	Instructional Assistant - Special Education (Substitute)	\$14.554 per hour	22.1	03/23/15
	Instructional Assistant - Severely Disabled (Substitute)	\$15.676 per hour	25.1	03/23/15
Lieu, Erika	Community Liaison Bilingual Assistant (Spanish) - (Substitute)	\$14.921 per hour	23.1	03/23/15
Luevanos, Victor	Custodian	\$17.734 per hour	28.1	04/06/15
Martina, Cindy	Bus Driver (Substitute)	\$18.635 per hour	32.1	03/23/15
Miller, Donika	Instructional Assistant - Special Education (Substitute)	\$14.554 per hour	22.1	03/30/15
	Instructional Assistant - Severely Disabled (Substitute)	\$15.676 per hour	25.1	03/30/15
Munoz, Beatriz	Instructional Assistant - Sign Language	\$14.921 per hour	23.1	03/23/15
Ortiz, Angel	Custodian	\$16.890 per hour	28.1	04/13/15
Ramirez, Karla	Community Liaison Bilingual Assistant (Spanish) - (Substitute)	\$14.921 per hour	23.1	03/30/15

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
April 28, 2015

Approve Employment (Continued)

In accordance with Merit System testing procedures:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE</u> <u>STEP</u>	<u>EFFECTIVE</u> <u>DATE</u>
Royster, Jody	Instructional Assistant - Severely Disabled (Substitute)	\$15,676 per hour	25.1	03/25/15
	Instructional Assistant - Adapted Physical Education (Substitute)	\$15,676 per hour	25.1	03/25/15
	Instructional Assistant - Physical Education (Substitute)	\$15,676 per hour	25.1	03/25/15
Santos, Gabriel	Storekeeper (Substitute)	\$21,083 per hour	37.1	02/25/15
Wojciechowski, Janice	Instructional Assistant - ABA	\$16,070 per hour	26.1	03/23/15

Approve Promotion

In accordance with Merit System testing procedures:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE</u> <u>STEP</u>	<u>EFFECTIVE</u> <u>DATE</u>
Quan, Nina	Speech and Language Aide	\$16,890 per hour	24.3	03/24/15
Sanchez Zamora, Juan	Grounds Maintenance Worker	\$3,374.00 per month	35.1	03/23/15

Approve Retirement

<u>NAME</u>	<u>POSITION</u>	<u>START</u> <u>DATE</u>	<u>EFFECTIVE</u> <u>DATE</u>
Hernandez, Antonio	Mechanic	07/17/91	03/20/15

Approve Separation

In accordance with Merit System Rules 8.1 to 8.6:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>	<u>START</u> <u>DATE</u>	<u>EFFECTIVE</u> <u>DATE</u>
Donnelly, Shannon	Instructional Assistant - ABA	Resignation - Moving	03/01/06	04/17/15
Dorchak, Tammy	Instructional Assistant - Severely Disabled	Resignation - Another Job	02/06/15	04/17/15
Jordan, Gary	Director of Maintenance, Operations, and Facilities	Resignation - Another Job	07/15/13	04/10/15

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
April 28, 2015

Approve Separation (Continued)

In accordance with Merit System Rules 8.1 to 8.6:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>	<u>START DATE</u>	<u>EFFECTIVE DATE</u>
Koliba, Lynda	Food Distribution Worker (Substitute)	Resignation - Another Job	01/13/14	11/21/14
Manginelli, Leticia	Instructional Assistant	Released Within Probation	04/23/14	04/13/15
McReynolds, Edward	Custodian	Resignation - Another Job	07/21/14	03/27/15
Olivarez, Mallory	Intermediate Clerk Typist	Resignation - Personal	09/04/14	03/25/15

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: May 13, 2015

SUBJECT: **Agenda Items No. 8 and 9: Public Hearing on the Proposed Budget 2015-2016 of the Personnel Commission – Followed by Personnel Commission Discussion and Adoption of a 2015-2016 Budget**

Education Code 45253 requires a public hearing be held, prior to the May 30 Personnel Commission budget adoption deadline, inviting the governing board and district administration representatives to attend and give their views. The Commission, prior to adopting a proposed budget for the following year, is required to fully consider these expressed views before sending the budget to the County Superintendent for action. Prior to holding the Public Hearing a proposed budget is presented to the Commission as a first reading draft, enabling Commissioners and District officials an opportunity for input prior to the Public Hearing.

At the April 9, 2015 meeting, the Commission reviewed and discussed the budget proposed for Personnel Commission operations in the 2015-2016 school year. Following this discussion, the proposed budget for 2015-2016 was to be brought back to the Commission prior to May 30, 2015, for the required Public Hearing and adoption.

Discussion

The Director, Classified Personnel attempted to keep the budget as low as possible while maintaining prudent flexibility. The Personnel Commission's recommended discretionary operating budget (both salary and non-salary object accounts) is recommended to be increased by \$500. The Director feels most line item amounts should continue as they currently meet the needs of the department with minimal spending. However, the Director would like to increase the Travel/Conference budget to enable staff to participate in more professional development opportunities. In addition the Director would like to increase the budget in the category of temporaries in order to provide for actual expenses being incurred. This would eliminate the need to transfer from other accounts in order to cover expenditures. The temporaries budget provides for payment of oral interview panel members, the development and grading of foreign language exams and additional support in the Personnel Commission Department during peak periods.

The recommended preliminary draft 2015-16 fiscal year discretionary operating budget (salary and non-salary object accounts) is \$19,166. With the exception of the above mentioned adjustments all other accounts are recommended to remain the same as last year. The Director will be prudent in authorizing discretionary expenditures to enable any remaining funds be re-deposited to the general fund at the end of the fiscal year.

The Personnel Commission's proposed 2015-2016 non-salary discretionary budget contains nine line items totaling \$19,166. The expenditures supported by these individual line items are summarized as follows:

- **Administrative Supplies** *Recommended for no change.* Used to purchase all consumable paper products, office supplies, printer toner, testing materials, postage, the revolving cash funds, and any other materials purchased for operating the Personnel Office.
- **Non Capitalized Equipment (Over \$500)** *Recommended for no change.* Anticipated to be used for replacement of aging equipment that is necessary to maintain the operations and testing functions of the department.
- **Mileage** *Recommended for no change.* Used to reimburse Commissioners and Commission staff for personal vehicle travel expenses incurred in the course of Commission business.
- **Travel/Conference** *Recommended increase from last year.* Used for attendance of Personnel Commissioners and staff at the State and regional Personnel Commissioner conferences. This account is also used to cover expenses involved in Personnel Commission staff development, i.e., sending employees to job related workshops and seminars. As we have two staff members who have been in our department for one year or less, they are anxious to attend as many training opportunities as possible. Any expenditure for Travel/Conference will be subject to prior approval.
- **District Memberships** *Recommended no change.* Used to pay for organizational memberships in CODESP (testing consortiums), California Personnel Commissioners Association, Orange County Personnel Commissioners Association, and Personnel Commissioners Association of Southern California. This account has also been used to pay for membership in several other professional organizations, i.e., Personnel Testing Council and the Southern California Personnel Management Association.
- **Repair/Maintenance** *Recommended no change.* Anticipated to be used for repair/maintenance of aging equipment such as computers, typewriters, printers, etc.
- **Duplication** *Recommended no change last year.* Used to pay for internal printing costs, i.e. Personnel Commission agendas, job announcement bulletins, employment processing packets, etc.
- **Advertisements** *Recommended no change.* Used to purchase job advertisements in job specific publications i.e., CASBO Job Finder, ASCA (Jobs Available), Craig's List and related media.
- **Consultants** *Recommended no change.* Used to pay Hearing Officers employed by the Commission to conduct hearings/investigations into appeals from disciplinary actions or alleged Rule violations, as well as technical support for personnel programs and equipment.

The Personnel Commissions 2015-2016 discretionary salary budget contains three line items totaling \$5,700. The expenditures supported by these individual line items are summarized as follows:

Public Hearing on the Proposed Budget 2015-2016
Of the Personnel Commission – Followed by
Personnel Commission Discussion and Adoption
Of a 2015-2016 Budget

Page 3

- **Overtime** *Recommended no change.* Used for overtime of the Commission's Personnel Assistant taking minutes at Personnel Commission meetings.
- **Substitutes** *Recommended no change.* Used for coverage when a Commission staff member is out on extended illness leave, on vacation (only if necessary), on a leave of absence, or promotes/resigns (to assist remaining staff if necessary).
- **Temporaries** *Recommended increase from last year.* Used to provide additional assistance when needed, i.e., employees serving on interview panels outside their normal working hours, proctoring exams, translation and grading of foreign language examinations and additional support in Commission Office during peak periods.

Attachment: Personnel Commission Preliminary Draft Budget 2015-2016
Education Code 45253

Recommendation

The Director, Classified Personnel recommends the Personnel Commission hold a Public Hearing on the Proposed Annual Budget of the Personnel Commission for Fiscal Year 2015-16 and fully consider any input received. The Commission is then requested to make any changes it deems appropriate, and adopt the Annual Budget of the Personnel Commission for Fiscal Year 2015-2016, to be forwarded to the County Superintendent.

EDUCATION CODE 45253

- (a) The commission shall prepare an annual budget for its own office which, upon the approval of the county superintendent of schools, shall be included by the governing board in the regular budget of the school district. The annual budget of the commission may include amounts for the purposes of Section 45255.
- (b) The budget shall be prepared for a public hearing by the commission to be held not later than May 30 of each year, or at a date agreed upon between the governing board and the personnel commission to coincide with the process of adoption of the school district budget. The commission shall forward a copy of its proposed budget to the governing board indicating the time, date and place for the public hearing of the budget and shall invite board and district administration representatives to attend and present their views. The commission shall fully consider the views of the governing board prior to adoption of its proposed budget. The commission shall then forward its proposed budget to the county superintendent of schools for action.
- (c) If the county superintendent of schools proposes to reject the budget as submitted by the commission of a school district, he or she shall, within 30 days after the commission's submission of the budget, hold a public hearing on the proposed rejection within the affected district. He or she shall have informed both the commission and the governing board of the date, time and place of the hearing. He or she may after the public hearing either reject, or, with the concurrence of the commission, amend the proposed budget. In the absence of agreement between the personnel commission and the county superintendent, the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the commission.
- (d) If the county superintendent of schools proposes to reject the budget as submitted by the personnel commission of a county office of education, the county superintendent shall contract with the Office of Administrative Hearings of the State of California for an administrative law judge to conduct a public hearing on the proposed rejection. The administrative law judge shall render findings and any proposed amendments, if any, to the proposed budget. The personnel commission may accept or reject the findings and proposed amendments. If the personnel commission rejects the findings and proposed amendments, if any, of the administrative law judge, the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the commission.
- (e) The procedures of subdivision (d) apply if an individual serves as both the county superintendent of schools and the superintendent of a school district within the county.

(Amended by Stats. 1995, Ch. 652, Sec. 3. Effective January 1, 1996.)

Discretionary Budget (Non Salary Items)

<u>Categories</u>	<u>2011-2012</u> Actuals	<u>2012-2013</u> Actuals	<u>2013-2014</u> Actuals	<u>2014-2015*</u> Budgeted/ Expended	<u>2014-2015</u> Budgeted/ Est to close	<u>2015-2016</u> Proposed Budget	<u>Comments/Rationnale</u>
Admin Supplies							
Budgeted	\$6,500.00	\$6,500.00	\$6,500.00	\$6,500.00	\$6,500.00		
Expended	\$5,058.00	\$5,263.91	\$5,664.79	\$4,695.55	\$5,600.00	\$6,500.00	
% Expended	77.8%	80.9%	87.2%	72.20%	86.00%		Continue - meets needs w/minimal spending.
Non Capitalized Equipment (Over \$500)							
Budgeted	\$0.00	\$0.00	\$2,500.00	\$1,000.00	\$1,000.00		
Expended	\$0.00	\$339.12	\$2,425.00	\$2,091.00	\$2,091.00	\$1,000.00	
% Expended	0.0%	339.0%	97.0%	209.00%	209.00%		Continue - meets needs for potential equipment replacement (printer, etc.) One time cost overrun for 2014-2015 due to necessary replacement of department computers and monitors.
Mileage							
Budgeted	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00		
Expended	\$0.00	\$174.05	\$114.00	\$33.00	\$180.00	\$500.00	
% Expended	0.0%	35.0%	22.8%	6.60%	36.00%		Continue - Meets travel requirements of Director and needed to implement goal of increased site visitations
Travel/Conference							
Budgeted	\$1,500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00		
Expended	\$0.00	\$571.12	\$269.58	\$755.72	\$1,000.00	\$1,500.00	
% Expended	0.0%	57.10%	27.00%	75.60%	100.00%		Increase - To accommodate requested training from staff. Annual CSPCA Conference held in Southern California 2016. Should also meet expenses of Director and staff participation.
District Memberships							
Budgeted	\$2,666.00	\$2,666.00	\$2,666.00	\$2,666.00	\$2,666.00		
Expended	\$2,626.00	\$2,666.00	\$2,666.00	\$2,666.00	\$2,666.00	\$2,666.00	
% Expended	98.5%	100.0%	100.0%	\$100.00	\$100.00		Continue - CODESP, PCASC, and CSPCA Memberships

Discretionary Budget (Non Salary Items Continued)

<u>Categories</u>	<u>2011-2012</u> Actuals	<u>2012-2013</u> Actuals	<u>2013-2014</u> Actuals	<u>2014-2015*</u> Budgeted/ Expended	<u>2014-2015</u> Budgeted/ Est to close	<u>2015-2016</u> Proposed Budget	<u>Comments/Rationnale</u>
Repair/Maintenance							
Budgeted	\$0.00	\$0.00	\$200.00	\$500.00	\$500.00		
Expended	\$0.00	\$0.00	\$452.50	\$275.55	\$500.00	\$500.00	Continue - Should meet expenses for repair/maintenance of aging equipment not under warranty.
% Expended	0.0%	0.0%	226.3%	55.10%	100.00%		
Duplication Charges							
Budgeted	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$1,000.00		
Expended	\$538.00	\$545.84	\$502.91	\$266.57	\$550.00	\$1,000.00	
% Expended	35.9%	36.4%	50.3%	26.70%	55.00%		Continue - Meets Needs
Employment Advertisements							
Budgeted	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00		
Expended	\$1,837.00	\$1,127.00	\$1,335.00	\$500.00	\$1,500.00	\$2,500.00	Continue-EdJoin meets most posting needs except highly technical and management positions. Needed for potential management replacements due to resignations/retirements.
% Expended	73.5%	45.1%	53.40%	20.00%	60.00%		
Consultants							
Budgeted	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00		
Expended	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000.00	Continue - Used if a Hearing Officer is needed or for other outside services
% Expended	0.0%	0.0%	0.0%	0.0%	0.0%		
TOTAL NON SALARY ITEMS							
Budgeted	\$17,666.00	\$17,666.00	\$19,866.00	\$18,666.00	\$18,666.00		
Expended	\$10,059.00	\$10,687.04	\$13,429.78	\$11,283.39	\$14,087.00	\$19,166.00	
% Expended	55.4%	60.5%	67.60%	60.40%	75.50%		

Discretionary Budget (Other Salary Items)

<u>Categories</u>	<u>2011-2012</u> Actuals	<u>2012-2013</u> Actuals	<u>2013-2014</u> Actuals	<u>2014-2015*</u> Budgeted/ Expended	<u>2014-2015</u> Budgeted/ Est to close	<u>2015-2016</u> Proposed Budget	<u>Comments/Rationnale</u>
Overtime							
Budgeted	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00		
Expended	\$16.00	\$14.32	\$0.00	\$0.00	\$0.00	\$100.00	Continue - Admin Secty overtime for PC Meetings
% Expended	16.0%	14.3%	0.0%	0.0%	0.0%		
Substitutes							
Budgeted	\$3,337.00	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00		
Expended	\$3,099.00	\$1,214.63	\$1,843.84	\$6,821.90	\$6,821.90	\$1,600.00	Coverage for staff out on leave, ill, promoting or resigning. Cost overrun for 2014-2015 due to multiple vacancies in department during September/October 2014
% Expended	93.0%	76.0%	115.2%	426.40%	426.40%		
Temporaries							
Budgeted	\$1,600.00	\$1,600.00	\$2,500.00	\$2,500.00	\$2,500.00		
Expended	\$715.00	\$2,332.40	\$2,705.14	\$4,500.46	\$5,000.00	\$4,000.00	Increase to meet needs for panel members, developing and grading increased number of foreign language exams and extra help in PC department during peak periods
% Expended	44.7%	146.00%	108.20%	180.00%	200.00%		
TOTAL OTHER SALARY ITEMS							
Budgeted	\$2,300.00	\$3,300.00	\$4,200.00	\$4,200.00	\$4,200.00		
Expended	\$3,830.00	\$3,561.35	\$4,549.00	\$11,322.40	\$11,822.00	\$5,700.00	
% Expended	167.0%	107.90%	108.30%	269.50%	281.50%		

P34

Non Discretionary Budget (Salaries)

<u>Categories</u>	<u>2011-2012</u> Actuals	<u>2012-2013</u> Actuals	<u>2013-2014</u> Actuals	<u>2014-2015*</u> Budgeted/ Expended	<u>2014-2015</u> Budgeted/ Est to close	<u>2015-2016</u> Proposed Budget	
TOTAL SALARY ITEMS							
Budgeted	\$284,549.00	\$340,816.47	\$363,055.00	\$367,592.00	\$367,592.00	\$383,867.00	
Expended				\$230,917.00	\$373,770.00		
% Expended				62.8%	102.0%		

PERSONNEL COMMISSION							
BUDGET PRIOR FOUR YEARS							
	<u>2011-2012</u> Actuals	<u>2012-2013</u> Actuals	<u>2013-2014</u> Actuals	<u>2014-2015*</u> Budgeted/ Expended	<u>2014-2015</u> Budgeted/ Est to close	<u>2015-2016</u> Proposed Budget	
Budgeted	\$304,515.00	\$361,352.00	\$385,221.00	\$390,458.00	\$390,458.00	\$408,733.00	
Expended	\$288,380.00	\$355,064.86	\$381,034.00	\$232,050.00	\$399,679.00		
% Expended	96.0%	98.30%	98.90%	59.40%	102.40%		

P35

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners
FROM: Michelle Vellanoweth
Director, Classified Personnel
DATE: May 13, 2015
SUBJECT: Agenda Item No. 10: Removal of Name from Eligibility List

Background Information

Personnel Commission Rule 6.1.8 allows for the name of an eligible to be removed from an eligibility list for a variety of reasons (See complete Rule 6.1.8 attached).

Recently in the course of contacting eligibles for substitute employment, it was recommended by the Director, Classified Personnel that an eligible be removed from an eligibility list for reasons outlined in Rule 6.1.8. This eligible is:

Brian Tuseth
Eligibility List: 2014-31 Delivery Worker

The attached letter (*Commissioners only*) outlines the reasons for the Director's recommendation to remove Mr. Tuseth from Eligibility List 2014-31 Delivery Worker. This letter was sent to the eligible via certified mail and notified him of the eligibility list he is being removed from, the reason for removal in accord with Personnel Rule 6.1.8, provided him a copy of Rule 6.1.8 and gave him the opportunity to protest the action of removal of his name.

Attachment: Letter to eligible Mr. Brian Tuseth dated April 20, 2015 (*Commissioners only*)
Personnel Commission Rule 6.1.8

Recommendation:

The Director, Classified Personnel recommends that Mr. Brian Tuseth be removed from Eligibility List 2014-31 Delivery Worker in accordance with Personnel Commission Rule 6.1.8.

6.1.8 **Removal of Names from Eligibility List**

The name of an eligible may be removed from an eligibility list for any of the following reasons:

- A. Written request by the eligible for removal.
- B. Failure to respond within three days to an inquiry regarding availability for interview or employment.
- C. Termination of employment.
- D. Failure to appear for an interview after certification.
- E. Fraud or misrepresentation in certifying qualifications.
- F. Three waivers of certifications during the life of the eligibility list, except that waivers relating to limited term employment shall not be counted.
- G. After accepting an employment offer having been properly certified as an eligible for appointment, and subsequently refuses the offer.
- H. For any other good cause that may occur during the processing of the eligible's candidacy for employment, e.g., failure of a required pre-placement health screening or drug testing, conviction of specified crimes, failure to disclose prior convictions, etc.
- I. Failure to appear for duty at the time agreed upon after accepting appointment.
- J. Failure to provide satisfactory service as an Ocean View School District substitute employee.
- K. Any cause listed in Merit Rules section 4.1.3 Rejection of Applicants.

(Revised 01/16/03)

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: May 13, 2015

SUBJECT: **Agenda Item No. 11: Merit Rule Review and Revision Chapter 11,
Section 1.7 HEALTH EXAMINATIONS**

FIRST READING AND DISCUSSION

Periodically the Merit System Rules and Regulations for the Classified Service must be revised to reflect changes in policy and/or reflect new legislation.

Assembly Bill 1667, effective January 1, 2015, amends Education Code Section 49406 regarding tuberculosis testing requirements for public school employees. Current law mandates that prior to initial employment, individuals must have submitted to a tuberculosis test within the past 60 days and submit to retesting every four years. Under AB 1667, the mandatory tuberculosis test is replaced with a tuberculosis risk assessment.

Education Code Section 49406, as amended states that a person shall not be employed by a school district, or employed under contract, in a certificated or classified position unless the person has submitted to a tuberculosis risk assessment within the past 60 days. The State Department of Public Health, in consultation with the California Tuberculosis Controllers Association, shall develop a risk assessment questionnaire to conduct tuberculosis risk assessments required by this section. The risk assessment questionnaire shall be administered by a health care provider. If tuberculosis risk factors are identified in the risk assessment, the employee must be examined to determine that he or she is free of infectious tuberculosis by specified medical professionals.

At their April 14, 2015 meeting, the Board of Trustees adopted revised Board Policy and Administrative Regulation to reflect this new legislation. As the protocol for classified employee Tuberculosis testing is also reflected in Ocean View's Merit System Rules and Regulations Chapter 11, section 1.7, the Director recommends the associated rule be updated to be consistent with new Board Policy and Administrative Regulation approved by the Board of Trustees. In addition, after reviewing the model Merit System Rules compiled by California School Personnel Commissioner's Association, the Director recommends updates to other items in the health examinations section of the rules in order that they are more current and thorough.

Attachments: Ocean View School District Board Policy, Administrative Regulation 4112.4, Health Examinations, dated 4/14/15.

Proposed revised Merit Rule 11.1.7 HEALTH EXAMINATIONS, dated 5/13/15.

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Recommendation

The Director recommends that the Personnel Commission review, discuss and receive the proposed changes to Merit Rules, Chapter 11, Section 1.7, HEALTH EXAMINATIONS, for a first reading and discussion.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 4112.4

ALL PERSONNEL

HEALTH EXAMINATIONS

Tuberculosis Tests

No applicant shall be initially employed by the district, or employed under contract, in a classified or certificated position unless he/she has submitted to a tuberculosis risk assessment within the past 60 days and, if tuberculosis risk factors are identified, has submitted to an intradermal or other approved tuberculosis examination to determine that he/she is free of infectious tuberculosis. If the results of the examination are positive, the applicant shall obtain an x-ray of the lungs. At his/her discretion, an applicant may choose to submit to the examination instead of the risk assessment. (Education Code 49406)

(cf. 1240 - Volunteer Assistance)

(cf. 4112 - Appointment and Conditions of Employment)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4212 - Appointment and Conditions of Employment)

Prior to employment by the district, an applicant shall submit a certificate from an authorized health provider stating that the applicant was assessed and/or examined and found to be free of infectious tuberculosis. (Education Code 49406)

An applicant who was previously employed in another school district or private or parochial school shall be deemed to have fulfilled the tuberculosis testing requirement if he/she produces a certificate showing that he/she was found to be free of infectious tuberculosis within 60 days of initial hire or if his/her previous employer verifies that it has a certificate on file showing that the applicant is free from infectious tuberculosis. (Education Code 49406)

Thereafter, each district employee who was found free of infectious tuberculosis shall undergo a tuberculosis risk assessment and an examination whenever risk factors are identified, at least once every four years or more often when required by the Governing Board upon recommendation of the county health officer. However, once an employee has a documented positive test for tuberculosis infection followed by an x-ray, he/she shall no longer be required to submit to the tuberculosis risk assessment but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care. (Education Code 49406)

The cost of the pre-employment tuberculosis risk assessment and/or examination shall be paid by the applicant, unless the Board has determined that the district will reimburse an applicant who is subsequently hired by the district. The district shall reimburse the employee for the cost, if any, of subsequent tuberculosis risk assessments and examinations. The district may provide for the risk assessment and examination or may establish a reasonable fee for the examination that is reimbursable to the employee. (Education Code 49406)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 4112.4

Whenever the district contracts for the transportation of students, the contract shall require that all drivers who will be transporting students complete the tuberculosis risk assessment and, if indicated, the examination for infectious tuberculosis within 60 days of initial hire. (Education Code 49406)

(cf. 3312 - Contracts)

(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

The following applicants or employees shall be exempted from the requirement to submit to a tuberculosis risk assessment and/or examination: (Education Code 49406)

An applicant/employee who files an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of his/her knowledge and belief, he/she is free from infectious tuberculosis

Such an exemption shall be allowed only if the Board determines by resolution, after a hearing, that the health of students would not be jeopardized. If at any time there is probable cause to believe that the applicant/employee is afflicted with infectious tuberculosis, he/she may be excluded from service until the Board is satisfied that he/she is not afflicted.

(cf. 4030 - Nondiscrimination in Employment)

Examination of Certificated Employees for Disabling Diseases

To fill a certificated position with an applicant who has not previously been employed in a certificated position in California, or with a retirant who has not been employed as a retirant, the district shall have on file a medical certification indicating that the applicant or retirant is free from any disabling disease which would render him/her unfit to instruct or associate with children. (Education Code 44839, 44839.5)

(cf. 4117.14/4317.14 - Postretirement Employment)

The certificate shall be completed and submitted directly to the district by an authorized health care provider. The medical examination referenced in the certificate must have been conducted within six months of the date that the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)

Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44849, 44839.5)

Certificated employees and/or retirants shall be required to periodically undergo, at district expense, a medical examination pursuant to Education Code 44839 or 44839.5 to determine that they are free from any communicable disease making them unfit to instruct or associate with children. (Education Code 44839, 44839.5)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 4112.4

Mental Examination for Certificated Employees

Whenever the Board is considering the suspension or transfer of a certificated employee based on its reasonable belief that the employee is suffering from mental illness of such a degree as to render him/her incompetent to perform his/her duties, the employee shall be offered the opportunity of being examined by a three-member panel of psychiatrists and psychologists in accordance with Education Code 44942. The employee shall select the members of the panel from a list of psychiatrists and psychologists provided by the district. The examination shall be conducted, at district expense, within 15 days of the ordered suspension or transfer. The employee shall submit to the examination, but shall also be entitled to present a report of any psychiatrist, psychologist, or physician of his/her own choice. (Education Code 44942)

(cf. 4032 - Reasonable Accommodation)

(cf. 4114 - Transfers)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness

45122 Physical examinations

49406 Examination for tuberculosis

BUSINESS AND PROFESSIONS CODE

2700-2838 Nurses

3500-3546 Physician assistants

HEALTH AND SAFETY CODE

121525 Private and parochial school employees, examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired persons

5503 Physical examination for employment of retired persons

5504 Medical certification procedures

COURT DECISIONS

Doe v. Lincoln Unified School District, (2010) 188 Cal.App.4th 758

Leonel v. American Airlines, Inc., (2005) 400 F.3d. 702

Raven v. Oakland Unified School District, (1989) 213 Cal.App.3d 1347

Management Resources:

WEB SITES

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Public Health Institute: <http://www.phi.org>

U.S. Food and Drug Administration: <http://www.fda.gov>

Regulation Adopted:

EXHIBIT A (Page 3 of 3)

Ocean View School District
Merit System Rules and Regulations for the Classified Service

Chapter 11: Miscellaneous

11.1.7 Health Examinations

~~A. Initial Employment~~

- ~~1. Every person being employed by the District is required to submit proof that (s)he has undergone a test for tuberculosis (TB) and has been found free of active TB.~~
- ~~2. The District may require that applicants for employment pass a qualifying health exam.~~

~~B. After Employment~~

- ~~1. Every employee must have a TB examination every 4 years.~~
- ~~2. The District shall maintain adequate records on each employee which indicate compliance with this rule.~~
- ~~3. Required TB tests following employment shall be provided at District expense at a place designated by the District.~~

A. Tuberculosis Examinations (Reference Education Code 49406)

- 1. No applicant shall be initially employed by the district, or employed under contract, in a classified or certificated position unless he/she has submitted to a tuberculosis risk assessment within the past 60 days and, if tuberculosis risk factors are identified, has submitted to an intradermal or other approved tuberculosis examination to determine that he/she is free of infectious tuberculosis. If the results of the examination are positive, the applicant shall obtain an x-ray of the lungs. At his/her discretion, an applicant may choose to submit to the examination instead of the risk assessment.**
- 2. Prior to employment by the district, an applicant shall submit a certificate from an authorized health provider stating that the applicant was assessed and/or examined and found to be free of infectious tuberculosis.**
- 3. An applicant who was previously employed in another school district or private or parochial school shall be deemed to have fulfilled the tuberculosis testing requirement if he/she produces a certificate showing**

that he/she was found to be free of infectious tuberculosis within 60 days of initial hire or if his/her previous employer verifies that it has a certificate on file showing that the applicant is free from infectious tuberculosis.

4. Thereafter, each district employee who was found free of infectious tuberculosis shall undergo a tuberculosis risk assessment and an examination whenever risk factors are identified, at least once every four years or more often when required by the Governing Board upon recommendation of the county health officer. However, once an employee has a documented positive test for tuberculosis infection followed by an x-ray, he/she shall no longer be required to submit to the tuberculosis risk assessment but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care.
5. The cost of the pre-employment tuberculosis risk assessment and/or examination shall be paid by the applicant, unless the Board has determined that the district will reimburse an applicant who is subsequently hired by the district. The district shall reimburse the employee for the cost, if any, of subsequent tuberculosis risk assessments and examinations. The district may provide for the risk assessment and examination or may establish a reasonable fee for the examination that is reimbursable to the employee.
6. The District shall maintain adequate records on each employee which indicate compliance with this rule.
7. The following applicants or employees shall be exempted from the requirement to submit to a tuberculosis risk assessment and/or examination:
 - a. An applicant/employee who files an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of his/her knowledge and belief, he/she is free from infectious tuberculosis.
 - b. Such an exemption shall be allowed only if the Board determines by resolution, after a hearing, that the health of students would not be jeopardized. If at any time there is probable cause to believe that the applicant/employee is afflicted with infectious tuberculosis, he/she may be excluded from service until the Board is satisfied that he/she is not afflicted.

B. Medical Examinations (Reference Education Code 45122)

1. ~~The District may require that applicants for employment pass a qualifying health examination.~~ **Individuals appointed to a position in the Classified Service, or as a substitute, limited-term, temporary, provisional, or exempt employee may be required to pass a job related physical examination prior to initial appointment. Promotional eligibles who have been offered employment in a classification possessing different physical requirements may also be required to undergo a medical examination as determined by the Personnel Commission. The examination will be administered after the initial offer of employment but prior to actual finalization of the appointment. The examination shall be administered by a physician chosen by the District. The determination of the kind and extent of the examination shall be determined by the Personnel Commission. Costs associated with this physical shall be borne by the District.**
2. **The District's physician shall determine the ability of the applicant, candidate, or eligible to perform the prescribed duties of the class in which he/she shall be employed, and shall notify the Personnel Administrator of the medical findings.**
3. **If the District's physician proposes to disqualify the individual, the doctor shall provide the Personnel Administrator with a statement describing the specific condition and the limitations that have resulted in the individual's disqualification.**
4. **In consultation with the District's physician, the Personnel Administrator shall make a determination if reasonable accommodation can be made for the individual. If the determination is that reasonable accommodation can be made, the appointment shall be made. If the determination is that reasonable accommodation is not possible, the individual will be so notified by the Personnel Administrator and informed of appeal rights to the Personnel Commission.**

C. Return to Work and Unscheduled Exams (Reference Education Code 45122)

1. **An employee may be required to undergo a physical examination at any time there is deemed to be reasonable cause by the District Administration, subject to review by the Personnel Administrator.**
2. **Employees returning from illness/injury leave of absence may be required to submit to a medical evidence to verify sufficient recovery to return to the employee's regularly assigned duties and any limitations.**

D. School Bus Driver Medical Examinations (Reference Education Code 45122)

1. In addition to any other examination that may be required **by these rules**, Bus Drivers must have a ~~separate examination to meet minimum medical requirements set forth by Department of Motor Vehicles.~~ **valid medical card as required by state law.** The District shall arrange for and defray any cost for the Bus Drivers' examination for District employees.
2. **Under Federal law Bus Drivers must also test negative in a pre-employment drug screen as well as in subsequent random drug screens during their employment.**

E. Medical Review Board

1. Any rejection for medical reasons of an eligible or of an employee who has been on leave of absence may be appealed to the Personnel Commission.
2. **The appeal process shall be conducted pursuant to these Rules.**
3. The Commission may employ outside medical experts to give a medical advisory opinion.
4. The Commission, based on evidence submitted and the advice of medical experts **to the Commission**, shall determine whether or not the denial of appointment or return from leave shall be sustained. **The decision of the Commission shall be final and binding on all parties.**