



OCEAN VIEW SCHOOL DISTRICT

PERSONNEL COMMISSION

AGENDA

Thursday, January 15, 2015

REGULAR MEETING

4:30 p.m.

Board Room, Building A

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

THURSDAY,
JANUARY 15, 2015

4:30 P.M. REGULAR MEETING
BOARD ROOM – BUILDING A

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 December 11, 2014, Regular Personnel Commission Meeting.

Pages 1-5
(Action)

Moved: _____
Second: _____
Vote: _____

COMMISSION BUSINESS

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

Pages 6
(Action)

A. RECRUITMENT AND TESTING:

Moved: _____
Second: _____
Vote: _____

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

- 2014 – 24 Storekeeper
- 2014 – 25 Child Care Program Supervisor
- 2014 – 26 Community Liaison – Bilingual Spanish
- 2014 – 27 Reprographics Technician
- 2014 – 28 Instructional Assistant – EL
- 2014 – 29 Instructional Aide – Bilingual Spanish

7. **CLASSIFIED ACTIVITY LISTS:** The Personnel Commission will receive for information the following Classified Activity List(s) received by the Board of Trustees for their approval at the Ocean View School District, Regular Board Meeting(s) of:

**Pages 7-10
(Information)**

- January 13, 2015 – (Exhibit A)

8. **MERIT RULE REVIEW AND REVISION, CHAPTER 8, SECTION 11 – PERFORMANCE EVALUATIONS and MERIT RULE REVIEW AND REVISION, CHAPTER 7, SECTION 2.2 – STEP ADVANCEMENT – SECOND READING AND ADOPTION:** The Personnel Commission will receive the Director’s recommendation to review, discuss, and receive the proposed changes to Merit Rule, Chapter 8, Section 11, Performance Evaluations and Merit Rule, Chapter 7, Section 2.2, Step Advancement for a second reading and adoption.

**Pages 11-19
(Action)**

Moved: _____

Second: _____

Vote: _____

9. **MERIT RULE REVIEW AND REVISION, CHAPTER 8, SECTION 4.3 – RESIGNATIONS – SECOND READING AND ADOPTION:** The Personnel Commission will receive the Director’s recommendation to review and discuss the proposed changes to Merit Rule, Chapter 8, Section 4.3, Resignations for a second reading and adoption.

**Pages 20-22
(Action)**

Moved: _____

Second: _____

Vote: _____

COMMUNICATIONS

10. **SECOND PUBLIC COMMENTS:** The Personnel Commission welcomes comments or concerns on any item within the jurisdiction of the Personnel Commission.

11. **COMMISSIONERS’ REPORTS**

12. **DIRECTOR AND STAFF REPORTS**

13. **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
December 11, 2014**

- CALL TO ORDER** Commissioner Pogrud called the December 11, 2014, Regular Personnel Commission Meeting to order at 4:30 p.m.
- PLEDGE OF ALLEGIANCE** Commissioner Gooch led the Pledge of Allegiance.
- ROLL CALL** Commissioners Gooch, Pogrud, and Ewing were all present. Director Vellanoweth was also present.
- ELECTION OF OFFICERS** In accordance with Merit Rule 2.1.6, Chairman Pogrud opened nominations for officers of the Personnel Commission.
- Chair: Commissioner Bob Ewing nominated Commissioner Daniel Gooch as Chair. Seconded by Commissioner Allan Pogrud, and carried with a 2:0 vote. Commissioner Gooch was elected as Chair for the Personnel Commission.
- Vice-Chair: Commissioner Allan Pogrud nominated Commissioner Bob Ewing as Vice-Chair. Seconded by Commissioner Daniel Gooch, and carried with a 2:0 vote. Commissioner Ewing was elected as Vice-Chair for the Personnel Commission.
- PUBLIC COMMENTS** Sandy Vaughan, President CSEA, wished the Commissioners happy holidays and a prosperous new year.
- Mrs. Vaughan also informed the Commissioners that the District is trying to find a way to fund the cost for classified employees to attend some professional development. There were some issues with the way things were planned. There is a scheduled staff development day for January 26, 2015. This day was planned for, for the certificated staff and worked into the negotiated school calendar. The effect this would have on the classified staff was not taken into consideration, nor how they would also be able to attend the staff development. Currently, this would mean adding a day to the 10 month employee's work year, however it is not known whether this is feasible due to funding. The 10 month employees may just have to take this day off without pay. Mrs. Vaughan stated that she did not think it was fair to expect classified employees to attend a staff development but not offer to pay them. She does not believe it was intentional, but that it just fell through the cracks. This issue is being worked on and possible solutions are being considered.
- MINUTES OF SEPTEMBER 11, 2014** Motion by Commissioner Pogrud to approve the minutes of the September 11, 2014, Regular Personnel Commission meeting.
- Seconded by Commissioner Gooch, and carried with a 2:0 vote.
- Commissioner Gooch stated that he had a correction for the minutes of September 11, 2014. Page 3, paragraph 4, sentence 3, has been corrected to say, "He wanted to make sure it is completely independent, and would stand the test of scrutiny if anyone were to review it."

**MINUTES OF
NOVEMBER 13, 2014**

Motion by Commissioner Ewing to approve the minutes of the November 13, 2014, Regular Personnel Commission meeting.

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

COMMISSION BUSINESS

**CONSENT
CALENDAR**

The Personnel Commission received the following items on the Consent Calendar:

A. Recruitment and Testing - Eligibility Lists:

- | | |
|-----------|---|
| 2014 – 18 | Department Secretary |
| 2014 – 19 | Central Kitchen Coordinator |
| 2014 – 20 | Instructional Aide |
| 2014 – 21 | Speech and Language Assistant |
| 2014 – 22 | Instructional Assistant – Severely Disabled |
| 2014 – 23 | Instructional Assistant – Special Education |

Motion by Commissioner Poggrund to approve the Consent Calendar.

Seconded by Commissioner Ewing, and carried with a 3:0 vote.

**CLASSIFIED
ACTIVITY LIST**

The Personnel Commission received for information only, the Classified Activity List that was presented for approval to the Board of Trustees, at the December 9, 2014, Board of Trustees meeting.

**CLASSIFIED
EVALUATION FORM**

Director Vellanoweth stated that during the 2012-2013 negotiations between the District and CSEA, it was agreed to form a sub-committee to review the classified evaluation form and the process. The sub-committee worked together with the cooperation of some principals and assistant principals to come up with a revised classified evaluation form. With the completion of negotiations and the approval by the Board of Trustees of the new contract, this form is being recommended for adoption by both the District and CSEA. However, the Merit System rules do state that performance evaluation reports should be made on forms that are prescribed by the Commission. This form now comes to the Personnel Commission for approval, and for any questions they may have.

Commissioner Poggrund asked if at this point the form had already been discussed extensively and accepted by all involved. Director Vellanoweth answered yes.

Commissioner Poggrund pointed out that under number 5, Relationships With Others, he would not use the phrase, "handling the public." Commissioner Ewing proposed the phrase, "Meeting and interacting with the public." Commissioner Gooch commented that if it is the Commission's desire, that prior to final adoption it be requested that this wording, or similar wording, be considered.

Director Vellanoweth stated that other rating factors were added, such as Exceeds Standards and Not Applicable, and definitions of what these standards mean.

**CLASSIFIED
EVALUATION FORM
(CONTINUED)**

Commissioner Gooch had some comments regarding the form itself. Commissioner Gooch is familiar with the form and has worked with reviews that are the determining factor for whether an employee is to receive a step advancement. He agrees whole heartedly with the concept of not granting automatic step advancements, but rather granting them on merit and meeting the standards that have been set in place. Commissioner Gooch's concern is what defines an acceptable review. He noted that there are 22 areas, plus the comment area, that a supervisor is required to grade their employees in. He questioned if an employee is satisfactory in 20 areas, but unsatisfactory in 2, to the point where it causes the supervisor concern, does that constitute an unsatisfactory rating. He also asked is it unsatisfactory if the form is marked Needs Improvement. He asked what would trigger an unsatisfactory annual review. Commissioner Gooch stated that the form itself is acceptable. The concern Commissioner Gooch poses is, if the District Administration and the Union do not come together in a mutually agreeable manner and designate what would trigger an unsatisfactory annual review, in the future, it may result in someone filing an appeal.

Commissioner Ewing commented that his guess is if an evaluation has an E (Exceeds Standards) or an S (Satisfactory) in most areas, and an N (Needs Improvement) or a U (Unsatisfactory) in only one or two areas, it could be that an evaluation would never be overall unsatisfactory, unless the number of N and U outnumbered the E and S.

Commissioner Poggrund stated that he would like to say something about evaluations. There are different kinds of evaluations. Some are simply statistical. If an employee gets 4 out of 5 outstanding, and 1 very poor, they are still 4 out of 5 and statistically passing. There are others that are not so quantifiable and are based on the quality of the evaluation. So if the employee passes in 4 out of 5 areas, but if that one area is not at the level preferred it may be a significant variable, and may trump the other 4 passing factors. Commissioner Poggrund also stated that part of the job of an evaluator is to recognize those issues that become so serious that they overpower all the other variables.

Commissioner Gooch asked Director Vellanoweth if she had any comments. She answered that for an unsatisfactory rating many steps and documentation need to have taken place before an employee is ever rated as an unsatisfactory on a performance evaluation. To rate an employee as unsatisfactory is an egregious situation which would be a reason to perhaps withhold a merit increase. Director Vellanoweth stated in response to Commissioner Poggrund regarding the different factors that are rated, that she believes there should be some kind of flexibility because in each position the weight of these factors may be different. This is outlined in the Merit System Rules and the Classified Bargaining Unit Agreement, where it does state that an employee has to meet standards reflected by their last performance evaluation in order to be granted a merit increase. Director Vellanoweth also checked the Model Rules and Regulations for Personnel Commissions, developed by CSPCA.

**CLASSIFIED
EVALUATION FORM
(CONTINUED)**

Motion by Commissioner Ewing to approve the Classified Evaluation Form.

Seconded by Commissioner Pogrund, and carried with a 3:0 vote.

**MERIT RULE
REVIEW AND
REVISION,
CHAPTER 8,
SECTION 11 –
PERFORMANCE
EVALUATIONS and
MERIT RULE
REVIEW AND
REVISION,
CHAPTER 7,
SECTION 2.2. – STEP
ADVANCEMENT –
FIRST READING
AND DISCUSSION**

Director Vellanoweth stated that there are some changes that were proposed in negotiations to update the classified bargaining unit contract with wording that would better reflect the new evaluation form. In combination with this, the Personnel Commission Rules and Regulations need to be looked at because she believes it is appropriate that they should mirror the classified bargaining unit contract. Director Vellanoweth is making recommendations that are very similar, if not identical, to the wording being proposed for the classified bargaining unit agreement. She did add a section to the beginning of our Rules on the purpose of performance evaluations. Section 8.11.1 first states why evaluations should be done rather than starting out with when and how evaluations should be done.

Director Vellanoweth also stated that Section 7.2.2 regarding Step Advancement, similar changes in wording are being proposed to provide consistency.

This is a first reading so any changes that are made today will be reflected at the next meeting of the Personnel Commission for adoption.

**MERIT RULE
REVIEW AND
REVISION,
CHAPTER 8,
SECTION 4.3 –
RESIGNATIONS –
FIRST READING
AND DISCUSSION**

Director Vellanoweth stated that this is another proposed rule change. In reviewing the District's Board Policies, she noticed that there was an update to Policy 4217.2 regarding Classified Personnel Resignations. The wording between the Board Policy and the Personnel Commission Rules and Regulations seemed to leave a few loopholes that could be contestable if someone wanted to withdraw a resignation. Director Vellanoweth is recommending some changes to the Rules and Regulations to match the Board Policy.

**CSPCA
CONFERENCE**

Director Vellanoweth explained that there will be a 2015 Statewide CSPCA Conference coming up in San Diego, from January 22-25, 2015. This workshop has been budgeted into the Personnel Commission budget. Since it is for a significant amount, she is bringing it to the Commission for approval.

Director Vellanoweth will be attending the whole 3 ½ day conference, and Shristie Nair, Personnel Analyst, will attend a half-day session for Personnel Commission staff.

Motion by Commissioner Pogrund to approve the attendance at the CSPCA Conference.

Seconded by Commissioner Ewing, and carried with a 3:0 vote.

**SECOND PUBLIC
COMMENTS**

There were no further comments from the public.

**COMMISSIONERS'
REPORTS**

Commissioner Pogrund stated that it is good being back from his vacation, working among the Personnel Commission staff. He stated that he knows these are difficult times with all the transitions going on within the District, and that it is an honor to be here. The level of professionalism and commitment to children is extraordinary.

Commissioner Ewing stated that the next meeting of the Personnel Commission is scheduled for January 15, 2015.

Commissioner Ewing also stated that it is, in his opinion, the responsibility of the Personnel Commission, to some degree, to protect the classified employees of this District. He would like for CSEA and the Director, Classified Personnel to keep the Commissioners in the loop as far as issues that may come before the Board but do not come before the Commission, where the classified employees need a voice. He stated that as a member of the community and having knowledge of the District, if it is necessary to attend Board Meetings, he is willing to do so.

Commissioner Gooch had nothing to report.

**DIRECTOR AND
STAFF REPORTS**

Director Vellanoweth wished the Commissioners happy holidays. She also stated that with regard to the staff development day, she will do whatever she can to help with it. If it does not come to fruition this year, in the future she will do what she can to work on this. She has also had discussions with the Personnel Commission staff and have come up with ideas for trainings that can be offered.

ADJOURNMENT

Motion by Commissioner Ewing to adjourn the December 11, 2014, Regular Personnel Commission Meeting.

Motion was seconded by Commissioner Pogrund, and carried with a 3:0 vote at 5:09 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 Eifert
Personnel Assistant
DATE: January 15, 2015
SUBJECT: Agenda Item No. 6.A.1.: 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:

2014 – 24	Storekeeper
2014 – 25	Child Care Program Supervisor
2014 – 26	Community Liaison – Bilingual Spanish
2014 – 27	Reprographics Technician
2014 – 28	Instructional Assistant – EL
2014 – 29	Instructional Aide – Bilingual Spanish

Recommendation

The Director of Classified Personnel recommends the Personnel Commission ratify the following Classified Personnel Eligibility Lists, 2014 – 24, 2014 – 25, 2014 – 26, 2014 – 27, 2014 – 28, and 2014 – 29.

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Eifert
Personnel Assistant

DATE: January 15, 2015

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

Background Information

At the Ocean View School District, Regular Board Meeting of January 13, 2015, (Exhibit A), the Board of Trustees received the Classified Personnel Activity List for approval.

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

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Recommendation

The Director of Classified Personnel recommends that the Personnel Commission receive the Classified Personnel Activity Lists of January 13, 2015.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
January 13, 2015

<u>Approve Employment</u>		<u>In accordance with Merit System testing procedures:</u>	
<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>RANGE STEP</u>
Aguirre, Eugene	Instructional Assistant - Special Education	\$14,554 per hour	22.1
Baitx-Kennedy, Nicole	Child Care Program Supervisor	\$5,045.00 per month	M51.1
Barcina, Anitra	Speech and Language Assistant	\$18,635 per hour	32.1
Buitrago Morales, Fabian	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Conklin, Patricia	School Office Clerk (substitute)	\$16,890 per hour	28.1
Costello, Rita	Director, Transportation (temporary)	\$30,773 per hour	
Creech, Tu	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Cross, Misty	Instructional Aide (substitute)	\$14,199 per hour	21.1
	Instructional Assistant - Special Education (substitute)	\$14,554 per hour	22.1
	Instructional Assistant - Severely Disabled (substitute)	\$15,676 per hour	25.1
	Instructional Assistant - Physical Education (substitute)	\$15,676 per hour	25.1
Dixon, Xzasha	Instructional Aide (substitute)	\$14,199 per hour	21.1
	Instructional Assistant - Special Education (substitute)	\$14,554 per hour	22.1
	Instructional Assistant - Severely Disabled (substitute)	\$15,676 per hour	25.1
	Instructional Assistant - Physical Education (substitute)	\$15,676 per hour	25.1
Fernandez, Keithleen	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Maatook, Suzanna	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Meza, Eduardo	Instructional Assistant - Special Education	\$14,554 per hour	22.1
Ordaz, Yesenia	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Perez-Vieyra, Julio	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	
Romero, Angelica	Instructional Assistant - Severely Disabled (substitute)	\$15,676 per hour	25.1

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California
Classified Personnel
January 13, 2015

<u>Approve Employment (Continued)</u>		<u>SALARY</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
<u>In accordance with Merit System testing procedures:</u>				
<u>NAME</u>	<u>POSITION</u>		<u>STEP</u>	<u>DATE</u>
Ruiz, Socorro	Parent Teacher Conference Translator (temporary)	\$10,000 per hour	18.1	10/27/14
Silver, In Sook	Food Distribution Worker (substitute)	\$13,189 per hour		10/20/14
Slater, Julie	Instructional Assistant - EL (substitute)	\$18,176 per hour	23.5	11/14/14
Smith, Sandra	Parent Teacher Conference Translator (temporary)	\$10,000 per hour		10/27/14
Ta, Vithuy	Parent Teacher Conference Translator (temporary)	\$10,000 per hour		10/20/14
Tapia, Manuel	Custodian (substitute)	\$16,890 per hour	28.1	11/21/14
Torres, Rigoberto	Parent Teacher Conference Translator (temporary)	\$10,000 per hour		10/28/14
Wang, Rebecca	Instructional Aide	\$14,199 per hour	21.1	12/11/14
<u>Approve Promotion</u>		<u>SALARY</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
<u>In accordance with Merit System testing procedures:</u>				
<u>NAME</u>	<u>POSITION</u>		<u>STEP</u>	<u>DATE</u>
Gibson, Doan	Department Secretary	\$4,210.00 per month	36.5	11/17/14
Gomez Bastidas, Teresa	Community Liaison	\$19,095 per hour	31.2	11/10/14
Hatton, Wesley	Storekeeper	\$3,722.00 per month	37.2	12/15/14
Leal Magos, Tannya	Central Kitchen Coordinator	\$3,948.00 per month	35.4	12/04/14
<u>Approve Retirement</u>		<u>START</u>	<u>DATE</u>	<u>EFFECTIVE</u>
<u>NAME</u>				
Grace, Lynne	Child Care Program Supervisor	01/19/91		12/30/14
Rothstein, Yvonne	Central Kitchen Coordinator	04/22/96		11/28/14

OCEAN VIEW SCHOOL DISTRICT
 Huntington Beach, California
 Classified Personnel
 January 13, 2015

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>
Bedwell, Dianna	Bus Driver (substitute)	Sub Services No Longer Needed	06/22/92	11/20/14
Brackenbury, James	Bus Driver Trainee (substitute)	Sub Services No Longer Needed	07/21/14	11/04/14
Chairez, Ernesto	Instructional Aide - Bilingual	Resignation - Another Job	01/30/07	11/07/14
Hutchins, Kristen	Instructional Assistant - ABA	Resignation - Moving	11/29/10	09/05/14
Koliba, Lynda	Food Distribution Worker	Resignation - Personal	01/13/14	11/21/14
Wilkinson, Susan	Bus Driver Trainee (substitute)	Sub Services No Longer Needed	07/21/14	09/12/14

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: January 15, 2015

SUBJECT: **Agenda Item No. 8: Merit Rule Review and Revision Chapter 8, Section 11**
PERFORMANCE EVALUATIONS
and
Merit Rule Review and Revision Chapter 7, Section 2.2
STEP ADVANCEMENT

SECOND READING AND ADOPTION

Background Information

During 2012-2013 negotiations between the District and California School Employees' Association (CSEA), both agreed to form a subcommittee to review the classified evaluation form and process. This subcommittee consisted of the Director, Classified Personnel, Ruben Paller and Sandy Vaughn on behalf of CSEA, and John Lopez, then Senior Director of Human Resources and Roni Ellis, then Director of Middle Schools, on behalf of the District. The subcommittee met for several months and worked closely with Principals and Administrators to recommend updates and changes to the classified evaluation form and process. The subcommittee completed its review of the classified evaluation form and process, which has been shared during recent negotiations.

On June 21, 2013, both the District and CSEA agreed to proposed revisions to the Performance Evaluation Form for Classified Employees. On June 27, 2013 both the District and CSEA agreed to contract language which reflects the proposed updates to the form and clarification of the evaluation process. On November 4, 2014 the Board of Trustees approved the Collective Bargaining Agreement between the Ocean View School District and CSEA which includes proposed revisions to the Performance Evaluation Form for Classified Employees and revised contract language.

As Personnel Commission rule 8.11.3.A stipulates that performance evaluation reports shall be made on forms prescribed by the Commission, the Commission did review, discuss and adopt the proposed revisions to the Performance Evaluation Form for Classified Employees at the December 11, 2014 meeting.

With the approval of these proposed revisions to the form, revisions must also be made to the associated Merit System Rules and Regulations regarding classified performance evaluations and step advancement. The proposed revisions to the Merit System Rules and Regulations will mirror the new language approved in the Collective Bargaining Agreement between Ocean View School District and CSEA.

Merit Rule Review and Revision Chapter 8, Section 11 –
Performance Evaluations and
Merit Rule Review and Revision Chapter 7, Section 2.2 –
Step Advancement
Page Two

The proposed revisions were brought to the Commission for a first reading at the December 11, 2014 meeting. The Director now presents the proposed revisions to Merit System Rule 8.11 Performance Evaluations and Merit Rule 7.2.2 Step Advancement for a second reading and adoption.

Attachments: Article 9 Evaluation Procedures of the Collective Bargaining Agreement between the District and CSEA
Proposed revised Merit Rule 8.11, PERFORMANCE EVALUATIONS, dated 12/11/14
Proposed revised Merit Rule 7.2.2, STEP ADVANCEMENT, dated 12/11/14

Recommendation

The Director recommends that the Personnel Commission review, discuss and receive the proposed changes to Merit Rule, Chapter 8, Section 11, PERFORMANCE EVALUATIONS and Merit Rule, Chapter 7, Section 2.2, STEP ADVANCEMENT, for a second reading and adoption.

Article 9 Evaluation Procedures of the Collective Bargaining Agreement between the District and CSEA

Article 9 Evaluation Procedures

9.1 When Evaluations Are to Be Made

9.1.1 ~~A periodic report of each probationary employee, and each employee in the permanent classified service shall be filed, evaluation his/her performance on the job for the period covered in this report. Performance evaluations for all permanent and probationary employees shall be filed with the Personnel Office.~~ **Performance evaluations for all permanent and probationary employees shall be filed with the Personnel Office.**

9.1.2 Probationary employees shall be ~~rated~~ **evaluated** at the end of the second and fifth months of service by their site or department administrator.

9.1.3 Permanent employees shall be ~~rated~~ **evaluated** at least once a year on or **before** their anniversary date by their site or department administrator immediate supervisor, and at any time more than sixty (60) working days later when the employee leaves the control of that supervisor.

9.1.3.1 In the event a permanent employee has been under the supervision of a site or department administrator for less than two (2) months, the Director of Classified Personnel or administrative designee shall determine the employee's evaluator.

9.1.4 ~~An employee's anniversary date shall be established as their date of hire. If an employee's date of hire is before the 15th of the month, his/her anniversary date is established as the first of that month. If an employee is hired the 15th of the month or after, his/her anniversary date is established as the first of the following month. NOTE: Seniority date is date of hire in classification.~~

9.2 Rating Officers Evaluator

Each employee is to be ~~rated~~ **evaluated** by his/her immediate supervisor site or department administrator, who is defined as the person who assigns, checks, and supervises the work of the employee and who is immediately responsible for the employee, and is the most closely acquainted with the employee's performance. If the employee has more than one immediate supervisor site or department administrator, each such supervisor administrator may rate evaluate the employee's work performance.

9.3 Procedure To Be Followed

9.3.1 ~~If, in the judgment of the supervisor, the employee is performing in an unsatisfactory manner or needs improvement, the supervisor shall discuss the unsatisfactory performance with the employee prior to the completion of the formal performance evaluation and within a reasonable time frame to allow the employee to improve his/her performance to meet standards, prior the evaluation becoming final. A written Performance Improvement Plan may be utilized by the Supervisor and the employee to support the improvement process. The evaluation form shall be signed by the site or department administrator and the employee. The employee's signature indicates receipt of the evaluation form, but does not imply agreement. The original evaluation form shall be sent to the Personnel Office to be placed in the employee's personnel file. A copy of the evaluation shall be given to the employee.~~

9.3.2 ~~The evaluation form shall be signed by the supervisor, by the employee to indicate receipt, the Department Head, then sent to the Classified Personnel Office. At this point, the employee will also be given a copy of the rating.~~

Evaluations shall be based upon the knowledge and/or investigation of the supervisor.

- 9.3.3 ~~Evaluations shall be based upon the knowledge and/or investigation of the supervisor. The employee shall have the right to respond in writing within ten (10) work days to the evaluation. Such response shall be attached to the evaluation and shall be placed in the employee's personnel file.~~
- 9.3.4 ~~The employee shall have the right to respond in writing to the evaluation. Such response shall be attached to the evaluation and shall be placed in the employee's personnel file. If, in the judgment of the site or department administrator, the employee is performing in an unsatisfactory manner or needs improvement, the site or department administrator shall discuss the unsatisfactory performance with the employee prior to the completion of the formal performance evaluation and within a reasonable time frame to allow the employee to improve. A written Performance Improvement Plan may be utilized by the site or department administrator and the employee to support the improvement process. (see Appendix D)~~
- 9.3.5 Evaluation reports shall be available for review in connection with promotional examinations and disciplinary actions.
- 9.3.6 ~~Information of a derogatory nature to be shall not be placed in the an employee's permanent file shall not be entered or filed unless and until after the employee is given notice and an opportunity ten (10) work days' notice to review and comment thereon. Such review shall take place during normal business hours, and the employee shall be released from duty for this purpose without salary deduction. An employee shall have the right to enter, and have attached to any attach a rebuttal statement to any such derogatory statement, his/her own comments, written independently of the above review information.~~

9.4 Special Evaluations

- 9.4.1 At any time, a supervisor site or department administrator may, with approval of his/her Department Head, issue an employee a "Notice of Outstanding Performance" or a "Notice of Unsatisfactory Performance."
- 9.4.2 A copy of the notice shall be given to the employee and one copy placed in the employee's personnel file and shall be available for review in connection with the promotional exams.

9.5 Grievances Regarding Evaluation Procedures

The provisions of Article 5 (Grievances) shall be applied only to the procedural aspects of this article.

[Note: Implement the attached Performance Evaluation for Classified Employee form. Appendix F]

CHAPTER 8: INSERVICE STATUS AND TRANSACTIONS (DRAFT 12/11/14)

8.11 PERFORMANCE EVALUATIONS (BARGAINING UNIT EMPLOYEES SEE CONTRACT)

(Reference Education Code Sections 45260 and 45261)

8.11.1 Purpose of Performance Evaluations

- A. The employee performance evaluation report, embodying significant factors for the various positions, shall have reference to the quality and quantity of work done, and other characteristics which may be considered important in rating and reporting the ability, performance and efficiency of the respective employee(s) and the value of said employee(s) to the District service.
- B. The following rules provide the performance rating standards and procedures which shall be used in connection with eligibility for advancement, promotion, demotion, and dismissal from the Classified Service, as well as other decisions relative to members of the Classified Service. Such evaluation reports shall be one means by which a member of the Classified Service can learn how his/her supervisor feels about the quantity and quality of the work being performed by the employee and have the opportunity to discuss the matter with the supervisor. In addition, the completion and review of the evaluation report with the employee affords the supervisor an opportunity to review the employee's performance with him/her in an effort to correct work deficiencies, recognize the employee's accomplishments, set goals and objectives, and/or encourage the person to greater efforts in the performance of his/her duties and responsibilities.

8.11.24 When Evaluations are to be Made

~~A periodic performance evaluation shall be filed with the Personnel Commission on each probationary employee and each employee in the permanent classified service, evaluating his or her on the job performance for the period covered in the report. Performance evaluations for all permanent and probationary employees shall be filed with the Personnel Commission Office. Rating intervals shall be determined by the Commission.~~

- A. Probationary employees shall be rated evaluated at the end of the second and fifth months of service by their site or department administrator. Administrative and executive classes having probationary periods of twelve (12) months shall be rated at the end of the fourth ~~third~~, eighth, sixth and eleventh months of service.
- B. Permanent employees shall be rated evaluated at least once each year by on or before their anniversary date by their site or department administrator. If an employee's date of hire is before the 15th of the month, his/her anniversary date is established as the first of that month. If an employee is hired the 15th of the month or after, his/her anniversary date is established as the first of the following month.

In the event a permanent employee has been under the supervision of a site or department administrator for less than two (2) months, the Director of Classified Personnel or administrative designee shall determine the employee's evaluator.

- C. The Commission may provide for performance reports to be completed for temporary, substitute, and provisional employees.

8.11.32 Rating Supervisor Evaluator

~~Each employee is to be rated evaluated by his or her immediate supervisor site or department administrator, who is defined as the person who assigns, checks, and supervises the work of the employee, employee and who is immediately responsible for the employee, and is the most closely acquainted with the employee's performance. If the employee has more than one immediate supervisor site or department administrator, each such supervisor administrator may rate evaluate the employee's work performance.~~

8.11.43 **Procedure to be Followed**

- A. Performance evaluation reports shall be made on forms prescribed by the Commission, which shall be completed by the employee's rating evaluating site or department administrator. ~~supervisor~~. The form may be reviewed by the next higher supervisor.
- B. The immediate supervisor shall present the performance evaluation to the employee, and discuss it with him/her. Together they will analyze the employee's strong points and the areas in which improvement may be made.
- C. The form shall be signed by the supervisor, ~~by the employee to indicate receipt, and the Principal or Department Head, before being sent to the Personnel Commission Office.~~ The employee will be given a copy of the completed performance evaluation form, site or department administrator and the employee. The employee's signature indicates receipt of the evaluation form, but does not imply agreement. The original evaluation form shall be sent to the Personnel Commission Office to be placed in the employee's personnel file. A copy of the evaluation shall be given to the employee.
- D. Evaluation shall be based upon knowledge and/or ~~observation~~ investigation by the supervisor.
- E. The employee shall have the right to respond in writing within ten (10) work days to the evaluation. Such response shall be attached to the evaluation and shall be placed in the employee's personnel file.
- F. If, in the judgment of the site or department administrator, the employee is performing in an unsatisfactory manner or needs improvement, the site or department administrator shall discuss the unsatisfactory performance with the employee prior to the completion of the formal performance evaluation and within a reasonable time frame to allow the employee to improve. A written Performance Improvement Plan may be utilized by the site or department administrator and the employee to support the improvement process.
- ~~GF.~~ Performance evaluation reports shall be filed in the employee's personnel folder and shall be available for review in connection with promotional examinations and disciplinary actions.
- ~~HG.~~ Information of a derogatory nature ~~to be~~ shall not be placed in the ~~an employee's permanent file shall not be entered or filed until after the employee is given notice and an opportunity ten (10) work days' notice to review and comment thereon.~~ an employee's permanent file shall not be entered or filed until after the employee is given notice and an opportunity ten (10) work days' notice to review and comment thereon. Such review shall take place during the normal business hours, and employees shall be released from duty for this purpose without salary deduction provided timely notice is given to the supervisor in advance. An employee shall have the right to enter, ~~and have attached to any~~ attach a rebuttal statement to any such derogatory statement, ~~his or her own comments, written independently of the above review information.~~

8.11.54 **Special Evaluations**

- A. At any time, a ~~supervisor~~ site or department administrator may, with approval of his or her ~~Department Head,~~ issue to an employee a "Notice of Outstanding Performance" or a "Notice of Unsatisfactory Performance".
- B. Above notices shall be completed on forms provided by the Commission and shall give specific reasons for either of the notices.
- C. A copy of the notice shall be given to the employee and one copy placed in the employee's personnel file and shall be available for review in connection with promotional exams.

8.11.65 **Request for Reevaluation**

In the event the performance rating is unsatisfactory or the employee believes the rating does not accurately report his or her work performance, (s)he may request a review of the rating by the head of

the department no later than 60 days from date of the original evaluation.

| 8.11.76 **Rating of Record**

When an employee terminates employment, his or her most recent rating on file shall be the rating of record, and no additional rating need be made unless his or her performance has changed to unsatisfactory.

7.2 APPLICATION OF SALARY SCHEDULES

7.2.2 Step Advancement

Step advancement shall not be granted automatically each year, but should be based upon performance by the employee which meets standards as reflected by his last performance evaluation report and upon specific recommendation for such adjustment by the employee's immediate supervisor with approval by Department Head site or department administrator.

OCEAN VIEW SCHOOL DISTRICT
PERSONNEL COMMISSION

Memo

TO: Personnel Commissioners

FROM: Michelle Vellanoweth
Director, Classified Personnel

DATE: January 15, 2015

**SUBJECT: Agenda Item No. 9: Merit Rule Review and Revision Chapter 8, Section 4.3
RESIGNATIONS**

SECOND READING AND ADOPTION

Background Information

On April 8, 2014 the Board of Trustees adopted Board Policy 4217.2 regarding Classified Personnel Resignations.

As the protocol for classified employee resignations is also reflected in Ocean View's Merit System Rules and Regulations Chapter 8, section 4.3, the Director recommends the associated rule be updated to be consistent with new Board Policy approved by the Board of Trustees. The term "appointing power" is also suggested to be replaced with "site/department administrator" to more clearly define the person who is immediately responsible for the employee.

The proposed revisions were brought to the Commission for a first reading at the December 11, 2014 meeting. The Director now presents the proposed revisions to Merit System Rule 8.4.3 Resignations for a second reading and adoption.

Attachments: Ocean View School District Board Policy 4217.2, Classified Personnel Resignations, dated 4/8/14.
Proposed revised Merit Rule 8.4.3 RESIGNATIONS, dated 12/11/14.

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Recommendation

The Director recommends that the Personnel Commission review, discuss and receive the proposed changes to Merit Rule 8.4.3 RESIGNATIONS, for a second reading and adoption.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 4217.2

CLASSIFIED

PERSONNEL RESIGNATION

Any District employee who desires to resign his/her position shall submit, in writing, a letter of resignation which indicates the date which the employee intends as his/her last day at work. The Board of Trustees encourages employees to provide advance notice that is appropriate for the position they hold.

The Board of Trustees authorizes the Superintendent or designee to accept an employee's written resignation and to set its effective date. Once the Superintendent or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

Legal Reference:

EDUCATION CODE

35161 Board delegation of any powers or duties

44420 Failure to fulfill contract as ground for suspension of diplomas and certificates

44433 Unauthorized departure from service as unprofessional conduct

44930 Acceptance and date of resignation

45201 Power to accept resignation

CODE OF REGULATIONS, TITLES

80303 Reports of change in employment status

80304 Notice of sexual misconduct

COURT DECISIONS

American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal.App.3d 829

Policy Adopted: 04/08/14

CHAPTER 8: INSERVICE STATUS AND TRANSACTIONS (DRAFT 12/11/14)

8.4 REINSTATEMENTS AND RESTORATIONS (Revised 02/23/06)

8.4.3 Resignations

- A. When a classified employee desires to resign from a position, the employee shall present a written resignation, stating the reason(s) and effective date of the resignation to the ~~appointing power site/department administrator~~. A copy of the resignation shall be immediately filed by the ~~appointing power site/department administrator~~ with the Director, Classified Personnel.
- B. A resignation relates only to the specific position from which the employee resigns and does not impair the employee's rights to other positions which (s)he may hold on eligibility lists except that an employee who resigns shall have his/her name removed from promotional eligibility lists.
- C. ~~A resignation may be withdrawn, by the employee, at any time prior to acceptance by the Board of Trustees or its designee. Once the Superintendent or designee has accepted and set an effective date for a resignation, as authorized by the Board of Trustees, the resignation may not thereafter be withdrawn by the employee.~~