

Regular Meeting
Tuesday, November 10, 2015
4:00 p.m. – Closed Session
5:00 p.m. – Public Session

District Office
South Facility, Board Room
1400 E. Janss Road
Thousand Oaks, CA 91362

I. CLOSED SESSION

- 1.1 Call to Order: Closed session called to order by _____ at _____ pm
- 1.2 Public Employee Performance Evaluation, pursuant to Government Code Section 54957
Title: Director, Classified Personnel
- 1.3 ADJOURN: Closed session at _____ p.m.

II. OPENING PROVISIONS

- 2.1 Call to Order: Open session called to order by _____ at _____ pm
- 2.2 Pledge of Allegiance
- 2.3 Roll Call of Members:
____ Nina Brandt, Chairperson; ____ Nathan Harimoto, Vice-Chairperson; ____, Rose Jeffery, Member
- 2.4 REPORT on actions taken in closed session: _____

III. GENERAL INFORMATION

- 3.1 Request for APPROVAL of the agenda for the regular Personnel Commission meeting on November 10, 2015, as *submitted or amended*.
Discussion/Action: M ___ S ___ Vote ___
- 3.2 Request for approval of the official minutes for the regular meeting of October 21, 2015, as *submitted or amended*.
Discussion/Action: M ___ S ___ Vote ___
- 3.5 HEAR Reports / Announcements
 - A. Director, Classified Personnel
 - B. Assistant Superintendent, Personnel Services
 - C. CSEA Representative
 - D. Commissioners
- 3.6 HEAR Public on items not appearing on the Agenda **Speaker card required*

IV. CONTINUOUS BUSINESS

- 4.1 Request for APPROVAL of the field of competition for active/future recruitments as *submitted or amended*.

Exam #	Recruitment / Examination Title	Field of Competition
15-165-1	Child Nutrition Delivery Driver	Open

Discussion/Action: M ___ S ___ Vote ___
- 4.2 Request for RATIFICATION of the employment eligibility lists as *submitted or amended*.

Exam #	Recruitment / Examination Title
15-198-2	Child Care Assistant

Discussion/Action: M ___ S ___ Vote ___

V. NEW BUSINESS –ACTION/INFORMATION ITEMS

5.1 JOB SPECIFICATION REVISION – CHANGE IN TITLE

Request for APPROVAL to change the title of the Senior Systems Engineer job class to Assistant Director, Technology Services.

Discussion/Action: M ___ S ___ Vote ___

5.2 DISCUSSION OF PERSONNEL COMMISSION RULES REVISIONS

A. Article I – Rule Making Authority and Definitions

The proposed revision consolidates provisions that are currently encompassed within Article I – Policy Statement, Article II-General Definitions, and Article IV – Rules.

B. Article II – Personnel Commission

The proposed revision consolidates provisions that are currently encompassed within Article III – The Personnel Commission and Staff, and Article V – Personnel Commission Meeting Organization and Procedure

VI. NEXT MEETING

Wednesday, December 9, 2015, 5:00 PM (open session) – Location: District Office - Conference Room A

VII. ADJOURNMENT

ADJOURN the regular Personnel Commission meeting at _____.

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, and that are public record not otherwise exempt from disclosure, will be available at the Classified Personnel Office – 1400 E. Janss Road, Thousand Oaks, CA 91362. Agenda may also be available on the CVUSD website: www.conejousd.org – Departments/Personnel Services/Classified Personnel/Agenda Minutes Reports.

Pursuant to the Federal Americans with Disabilities Act, if you require any special accommodation or assistance to attend or participate in the meeting, please direct your written request, as far in advance of the meeting as possible to the attention of the Director, Classified Personnel.

**CONEJO VALLEY UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION**

MINUTES – OCTOBER 21, 2015

I. CLOSED SESSION:

1.1 Call to Order

The Conejo Valley Unified School District Personnel Commission Chairperson, Mrs. Nina Brandt, called to order its regular meeting on October 21, 2015, in the District Conference Room A, at 4:01 pm. The Commission then convened into closed session pursuant to Government Code 54957.

1.2 Public Employee Performance Evaluation, pursuant to Government Code Section 54957.
Title: Director, Classified Personnel

1.3 Mrs. Brandt adjourned Closed Session at 5:04 pm.

II. OPENING PROVISIONS – OPEN SESSION:

2.1 Call to Order

The Conejo Valley Unified School District Personnel met in Regular Session on October 21, 2015, in the District Conference Room A. The meeting was called to order at 5:04 pm by Chairperson, Mrs. Nina Brandt.

2.2 Pledge of Allegiance

Mrs. Brandt led the Pledge of Allegiance.

2.3 Roll Call of Members

Present were Personnel Commissioners: Mrs. Nina Brandt, Chairperson, Mr. Nathan Harimoto, Vice-Chairperson, and Mrs. Rose Jeffery, Member. Ms. Marina Mihalevsky, Director, Classified Personnel was also present.

2.4 Actions Taken in Closed Session

None.

III. GENERAL INFORMATION:

3.1 Agenda Approval

On the motion of Mrs. Brandt, seconded by Mr. Harimoto, and unanimously carried 3-0, the Commission approved the agenda for the meeting on October 21, 2015, as submitted.

3.2 Approval of Minutes

On the motion of Mrs. Jeffery, seconded by Mr. Harimoto, and unanimously carried 3-0, the Commission approved the minutes for the meeting on September 9, 2015, as submitted.

3.3 Approval of Minutes

On the motion of Mr. Harimoto, seconded by Mrs. Jeffery, and unanimously carried 3-0, the Commission approved the minutes for the special meeting on September 25, 2015, as submitted.

3.4 Approval of Minutes

On the motion of Mrs. Jeffery, seconded by Mr. Harimoto, and unanimously carried 3-0, the Commission approved the minutes for the rescheduled meeting on October 14, 2015, as submitted.

3.5 Reports/Announcements

A. Director, Classified Personnel, Marina Mihalevsky, discussed the vacancy report and the continuing wide range of recruitments. Mrs. Mihalevsky discussed the difficulty of recruiting and filling some of the technology positions, especially the Senior Systems Engineer, stating that only 4 applications were received during the recruitment. Mrs. Mihalevsky detailed all the different recruitment sites the position was advertised on. Mr. Harimoto pointed out the position was not on the vacancy report. Mrs. Mihalevsky explained that there is an active eligibility list, but that there is only 1 rank, and the Director of Technology Services is re-evaluating the job description and the entrance qualifications.

Mr. Harimoto inquired about the status of several vacancies. In response to the inquiry about the Child Nutrition Delivery Driver with an expected vacancy date of December 2015, Ms. Mihalevsky explained that the recruitment will be posted such that an eligibility list is established right before the vacancy occurs in order to be sure that the individuals who go through the process are available when the vacancy actually occurs, rather than establishing a list several months prior to the vacancy and risking the possibility of the top candidates being unavailable when it comes time to fill the position.

Ms. Mihalevsky also discussed the challenge of filling Child Nutrition Assistant-Satellite positions as there is a regulatory requirement of the position needing to possess a food services manager certification. Staff are examining an alternate strategy for selection, such as first establishing a substitute eligibility pool, allowing the individuals to get certified while there are in a substitute status. Ms. Mihalevsky noted that there is very limited interest amongst Child Nutrition Assistant I employees to seek this promotional opportunity.

In response to the status of the School Office Manager I vacancy at Westlake Hills, Ms. Mihalevsky noted that as the vacancy does not till December 1st, the site principal has elected to postpone filling the position until after winter recess. Mr. Harimoto asked what then happens on December 1st. Mrs. Mihalevsky explained that the current eligibility list expires December 17th, and it is not uncommon for hiring administrators to request to postpone filling a vacancy until a new eligibility list is established, being that the vacancy is occurring at the tail end of an eligibility list. Mr. Harimoto then asked what the procedure is when an eligibility list expires. Mrs. Mihalevsky explained that the individuals on the list will get notice inviting them to re-apply. Mrs. Mihalevsky reviewed the Personnel Commission rules, stating that upon providing certification of eligible to fill a vacancy, the hiring administrator shall make a selection within 30 days, otherwise, the vacancy shall no longer be filled with a substitute. If the position were to be certified on December 1st, and the hiring decision is not made prior to December 17th, the list will be expired.

- B. Assistant Superintendent, Personnel Services, Mark McLaughlin, let the Commissioners know that the Board has received an agenda information item to open negotiations with CSEA, and there are already a couple of dates on the calendar. Mrs. Brandt inquired as to the nature of the negotiations, and Mr. McLaughlin stated that salary and benefits are open, as well as CSEA having requested to open organizational rights, and the district hours and overtime.
- C. CSEA Representative, Mr. Matt Waldman, stated that he is looking forward to negotiations and that CSEA has selected Mrs. Nina Brandt for another term as CSEA's appointed commissioner. Mr. Waldman also stated that Alex Moore will be the new Labor Rep.
- D. Commissioners, Mrs. Nina Brandt stated she is interested in going to the CSPCA annual conference in February in Anaheim.

3.6 Public Comments – Speaker Card Required

No comments

IV. CONTINUING BUSINESS:

4.1 Active/Future Recruitments

On the motion of Mr. Harimoto, seconded by Mrs. Jeffery, and unanimously carried 3-0, the Commission approved the field of competition for the active/future recruitments submitted on the meeting agenda.

4.2 Ratification of Eligibility Lists

On the motion of Mrs. Jeffery, seconded by Mr. Harimoto, and unanimously carried 3-0, the Commission ratified the employment eligibility lists on the meeting agenda.

V. NEW BUSINESS

5.1 Advance Step Placement Requests

- A. Request to approve Victoria Aguilar, Behavior Intervention Specialist, at Range 98, Step E**

Mrs. Brand inquired as to the start date of Ms. Aguilar, and Mrs. Mihalevsky noted that she had not yet started or accepted the position. Ms. Mihalevsky discussed the scarcity of BCBA certified individuals in the field due to the significant demand from private agencies, such as STAR that provide behavioral therapy. Ms. Mihalevsky reported that there are currently two other incumbents, both on Step E of the salary range. One of the incumbents was also placed at Step E upon job entry. Mrs. Mihalevsky went on to explain that essentially we are hiring someone with at least 5 years' experience.

Mrs. Brandt stated that she would like to see Ms. Aguilar start at Step D. Mrs. Jeffery followed up, expressing her understanding that it is a tough position to recruit for and that Ms. Aguilar can go somewhere else. Mrs. Jeffery discussed her biggest concern is that there has been a number of advance step placement recently, where there is a need to offer Step E in order to attract a person. She asked if there will be a salary survey done soon, suggesting that the District look into partnering with other Districts to share the cost of the salary study done by a consultant. Mr. McLaughlin briefly stated that he can bring the proposal for compensation study forward to the Superintendent. Mrs. Brandt proposed considering starting the candidate at Step D, and approving Step E placement upon completing probation, expressing concern for the existing incumbent's morale. Mrs. Mihalevsky noted that the two incumbents served on the oral panel, and are most excited to have a highly qualified co-worker to partner with.

On the motion of Mrs. Jeffery, seconded by Mr. Harimoto, and unanimously carried 3-0, the Commission approved the appointment of Victoria Aguilar, Behavior Intervention Specialist, at Range 98 ,Step E, effective the date of hire.

B. Request to approve Lidia Zesati De Quesada, School Outreach Assistant, at Range 43, Step E

Mrs. Mihalevsky noted that the employee has worked for the district for 6 years in essentially the same capacity, but the position was previously designated exempt, and hired outside of regular classified service. Mrs. Mihalevsky explained that there are many positions in the district that have been hired under the "specialist" title, and without receiving a duty statement, at times we are not able to determine whether the positions can be exempt from classified service. More staff resources are need to audit positions. Several years ago, with the closure of Park Oaks elementary school, there was a recurring staffing need for parent and student outreach, at which time the job class was established. Staff are now establishing positions within classified services that will be prescribed outreach type duties, and currently, there are four (4) regular positions within the School Outreach Assistant job class. Mrs. Mihalevsky explained that had the position been properly classified several years ago, the employee would have reached Step E at this point in time. Mr. Harimoto made a request to get the job descriptions in the future when discussing step increases.

On the motion of Mr. Harimoto, seconded by Mrs. Jeffery, and unanimously carried 3-0, the Commission approved the appointment of Lidia Zesati Quesada, School Outreach Assistant, at Range 43 ,Step E, effective the date of hire.

5.2 Discussion of Personnel Commission Rules for Reclassification Procedure

Ms. Mihalevsky provided the Commissioners a draft flow chart to identify the steps in the job reclassification process. Ms. Mihalevsky discussed a possible change to the rules and procedures with regard to the filing of the reclassification requests, and a proposal of establishing two (2) periods for request filing, such that the Reclassification Committee can establish implementation priorities. The proposal will be brought forward for discussion at the next Labor Communications meeting with CSEA, prior to doing a draft revision of the Classification article.

Mrs. Brandt read off of the proposed procedures submitted by JoAnne Flowers, CSEA Secretary. Mrs. Mihalevsky explained that it would be best if employees submit the reclassification request initially to Classified Personnel department, where it will be date stamped and then sent to the administrator by the department with notice of a deadline to receive it back by. Mrs. Brandt asked what if the administrator does not think the employee qualifies for a reclassification, does it go beyond that. Mrs. Mihalevsky explained the intent of the administrator review is to review the job tasks the employee says they are doing. The administrator signature does not signify agreement one way or another. Mrs. Brandt asked if they will be instructed to sign the reclassification request whether they agree with it or not. Ms. Mihalevsky noted that her proposal to have the request first come to her office is such that she can begin to track it, with the administrator if it has not come back in ten days, to ensure that they reviewed it. The intent of the administrator's signature is one of review and acknowledgment. Mrs. Mihalevsky stated she will look at modifying the form to make it clear that is the intent.

Mr. Harimoto asked if the issue was really the timing and not the process. Mrs. Brandt stated it is both; the process and the timing. Mrs. Brandt wanted the employees to know where they are at in the process, what order number they are in and if it is going through.

Mrs. Brandt asked if an employee requests to be reclassified, and their request is approved, does that mean all the employees in that job class are reclassified. Ms. Mihalevsky explained that whether the reclassification impacts a single position, multiple or all depends on the nature of the reclassification. She gave the example of when they restructured the office manager series, it was a job class restructuring rather than a position reclassification. Position duties vary, and what one position is being prescribed to do, may not be what another position is being asked to do, hence, it's a duty driven decision as to what positions get reclassified.

Mrs. Brandt explained she would like to see a letter or email going out to the person who is asking for the reclassification. Mrs. Mihalevsky explained that is on the chart under notice of request receipt. Mr. Harimoto pointed out that what is missing on the chart is the time, that it just has the steps now. Mrs. Brandt asked why it says "optional employee attends the reclassification committee meeting." Mrs. Mihalevsky explained the employee may feel uncomfortable and if they submitted all the information, they really do not have to come. Mrs. Mihalevsky felt it is up to the employee to put a face to the request. Mrs. Brandt asked if the supervisor is in support of the reclassification, if he/she can come and speak on behalf of their staff member. Mrs. Mihalevsky explained that in her report to the committee she would advise on whether or not the supervisor wishes to continue to assign the duties as they are. Mr. McLaughlin feels the administrator can be there in support, but not to address the reclassification committee. Mrs. Mihalevsky felt it would not be comfortable for the four CSEA members of the committee, as it diminishes the anonymity of the process. The commissioners agreed.

Mrs. Jeffery's asked Matt Waldman his opinion on the matter. Mr. Waldman stated that he felt that it was a very good discussion and one of the better commission meetings that he has been to. He likes the process that moves the reclassification requests along, and that he personally believes the employee should fight for themselves, show up and state their case.

Mrs. Brandt asked what the chart meant by "Consult with Administration on available options". Mrs. Mihalevsky explained that if she deems there are duties that belong to a higher job class, the administrator can elect to remove those duties, such that the position performs within the current job class. Mr. McLaughlin commented sometimes it's because an administrator does not know those duties are out of their class, they can be a new administrator, or be new at the school site where that person was assigned those duties by someone else, and he or she does not know.

Mrs. Mihalevsky commented that she sees the role of the reclassification committee as really looking at a district wide perspective of how it is best to operate. Should we continue to assign duties to a position because it is operationally beneficial? Or, are there existing positions that we can reassign the higher level duties to, and not incur the additional cost of a higher level job class. Ms. Mihalevsky noted that the reclassification committee is not the body to determine whether a position is in fact performing higher level duties that responsibility in a merit system district lies with the Personnel Commission and its staff. When the committee was established its role was to establish implementation priorities in light of limited funds.

Mrs. Jeffery's concluded by stating she felt it was a great first effort and she encourages Ms. Mihalevsky to move forward with getting input from all the appropriate parties.

VI. NEXT MEETING

Tuesday, November 10, 2015, 5:00 pm - Location: District Office, Conference Room A.

VII. ADJOURNMENT

Mrs. Brandt adjourned the Personnel Commission meeting at 6:25 pm.

TO: Personnel Commission
FROM: Director, Classified Personnel
DATE: November 10, 2015 (Discussion/Action)

SUBJECT: REVISION TO JOB SPECIFICATION / JOB CLASS TITLE CHANGE

ISSUE:

Consideration of proposed changes to the job specification for Senior Systems Engineer.

BACKGROUND:

The job class of Senior Systems Engineer was established during the 2014-2015 school year as part of the Technology Services organizational staffing plan to support district-wide technology goals and activities starting July 1, 2015. A month long recruitment in June 2015 yielded an insufficient pool of qualified applicants and yielded an eligibility list with fewer than three (3) ranks.

The job class was placed on the management salary scheduled, intended to assist the Director, Technology Services in managing the department operations, including assisting in managing employee performance, hiring, training, and discipline. The job title in and of itself does not readily communicate the nature of the position.

In evaluating alternatives to attract a qualified pool of applicants to fill the position, the Director, Technology Services, requests to change the title of the job class from Senior Systems Engineer to Assistant Director, Technology Services. As the current management compensation structure does not permit for contemplating an upward salary reallocation as a recruitment strategy, staff are hopeful that the title change will serve as a marketing tool for some who are interested in transitioning from specialized technical positions to management roles.

RECOMMENDATION:

The following recommendations are placed on the agenda, item # 5.1:

- APPROVE revisions to the job specification – title change only as submitted or amended.

ALTERNATIVES

- Approve the title change
- Status quo

Respectfully submitted,

Marina Mihalevsky
Director, Classified Personnel



Conejo Valley Unified School District
Personnel Commission

JOB DESCRIPTION

Job Family: Technology Services

Salary Range: 110

Schedule: Management

FLSA Status: Exempt

Work Year: 12 Months

SENIOR SYSTEMS ENGINEER ASSISTANT DIRECTOR, TECHNOLOGY SERVICES

BASIC FUNCTION

Under the general direction of the Director, Technology Services, plans, organizes and manages the activities and operations of the Technology Services Department; oversees and manages the District's computer information systems and staff; provides leadership, professional assistance and guidance in developing department policies, plans, systems and applications; coordinates assigned activities with other divisions, departments, and sites.

DISTINGUISHING CHARACTERISTICS

The Senior Systems Engineer is a managerial job class with responsibility for planning, organizing and implementing major technology initiatives, services and operations related to meeting the District's centralized information systems and data processing needs, including assisting the Director in developing and implementing the Department's goals and objectives and for planning, organizing and directing the work of subordinate staff. The incumbent in position must possess advanced technical knowledge in multiple functional areas of oversight, including network infrastructure, systems administration and database management and administration; responsibilities are broad in scope and are carried out with a significant degree of autonomy and independent decision making.

REPRESENTATIVE DUTIES/RESPONSIBILITIES

Plans, organizes, controls, integrates and evaluates information system activities and operations within the Department; develops, implements and monitors long-term plans, goals and objectives focused on achieving the department's mission and assigned priorities; collaborates in the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.

Monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures, and provides recommendation to improve services.

Assists the Director in the development of the Department's annual budget; forecasts funds needed for the Department's staffing, equipment, materials, and supplies.

Performs and oversees others in the performance of the following:

- Administration of enterprise server platforms running a variety of operating system software in both physical and virtual environments; installs, configures, tests, integrates and administers Windows Server, Active Directory, document management systems and other major servers, including system monitoring and management software tools; using applicable tools and utilities, monitors system performance, including server utilization and availability; performs performance tuning to achieve optimal system speed, reliability, and performance; ensures systems security, disaster response and recovery processes are followed; monitors computer room environment for appropriate cooling and power consumption.

- Administration of enterprise-wide data storage in a Storage Area Network (SAN), Network Attached Storage (NAS) environment; participates in planning storage allocation architecture and allocating storage capacity; tunes and maintains SAN and NAS systems and SAN network connectivity; provides technical oversight of backup strategy; configures and maintains offsite disaster recovery databases.

- Design, configuration and administration of systems and servers related to district LAN and WAN (e.g., directory services, e-mail, DNS, DHCP, web filtering, proxies, routers, switches, security, network monitoring, backups) for the purpose of optimizing throughput, securing data, overseeing backup and recovery capabilities, and ensuring availability of services to authorized users.

- Diagnostic evaluations of faulty equipment and software to ensure network integrity, coordinating with vendor engineers as appropriate.

Installation of computer equipment, network (client and server) hardware, routers and switches from a variety of manufacturers for the purpose of upgrading and maintaining equipment and software.
Installation of computer software (e.g., operating systems, service packs, application software) for the purpose of upgrading and maintaining software applications.

Maintenance and administration of current and future versions of Microsoft SQL Server, Oracle or other Database Management Systems used by the District.

Scheduling and performing database and web server updates and backups using server management tools or backup software; configuring and monitoring database replication, database mirroring and log shipping on database servers at local and remote sites.

Researching, troubleshooting and resolving complex and ambiguous problems often involving a combination of hardware, operating system, internally developed, and vendor application software and database structure configuration, resource conflict and/or interoperating problems; installing and testing operating system patches, releases, upgrades and fixes; assessing system capacity issues, evaluating software and other alternatives and recommends system upgrades or replacements.

Monitoring disk usage to ensure adequate database resources and provides disk storage as required; assists database administrators with database performance issues; with guidance, making changes to data permissions, performing cleanup of obsolete data and supports the migration and archiving of data; performing backup and recovery processes; developing scripts to automate routine system maintenance tasks.

Provides technical assistance during the installation and testing of software; installs, tests and configures applications and new software functionalities to applicable server and client platforms; using applicable languages, tools and utilities, provides technical advice to applications development staff of methods of performing application problem troubleshooting and resolution; recommends and installs program modifications to enhance system performance.

Participates with members of the technology services team, vendors and end users to ensure effective integration, operation and concurrent connectivity of multiple platforms and networks; participates in the development and implementation on systems and network standards and procedures.

Works with customers and other technology stakeholders to evaluate the uses of new technology to meet business process requirements; participates in the evaluation of new software and technologies to determine their functionality, interoperability, reliability, availability and supportability and expected return on investment; prepares periodic reports on new trends and opportunities.

Participates in or conducts assigned research and development projects, including assisting network consultants in testing in a virtual environment; participates in developing new methodologies, standards, frameworks and tools; trains other staff on uses of new technology tools.

Maintains up-to-date technical knowledge by attending educational workshops, reviewing professional publications, establishing personal networks and participating in professional associations.

Performs other job-related duties as assigned.

KNOWLEDGE & ABILITY REQUIREMENTS

Knowledge of:

- Operating system architectures, characteristics, components and commands applicable to enterprise information systems and multiple platform operating systems; principles of network design and integration, including topologies and protocols;
- Data storage technology principles, practices, hardware, components, and software including SAN and Windows Server/Active Directory environments;
- Principles, practices, and methods of systems/network administration, design and maintenance, including configuration, performance tuning, and diagnostic tools;
- Principles and practices of disaster recovery; database management systems and software, including architectures, diagnostic tools, commands and utilities;
- Tools and utilities used in monitoring and tuning systems, database and application performance.
- Systems integration design concepts and practices.
- Systems security and capacity planning principles, methods and practices;
- Principles, practices, methods and techniques of project management as they apply to information technology projects.

- Script languages including, command line, visual basic, powershell and other relevant languages.
- Fundamentals in personnel performance management, and progressive discipline.

Ability to:

- Perform complex network engineering, database management and systems administration tasks in a multi-platform and operating systems environment independently and with a high degree of understanding of interoperating and integration issues.
- Establish and maintain project schedules and balance responsibilities for multiple activities to ensure timely, high-quality results.
- Perform advanced systems troubleshooting and tuning to resolve complex systems management, communication and interoperating problems.
- Communicate clearly and effectively, both orally and in writing, for purposes of conveying technical information and performance standards and expectations.
- Prepare clear, concise and accurate proposals, reports, documentation and other written materials.
- Exercise sound independent judgment within general policy guidelines.
- Keep technical skills current to meet continuing systems administration responsibilities.
- Use tact and diplomacy when dealing with sensitive, complex and/or confidential issues and situations.
- Establish and maintain highly effective, customer-focused working relationships with all end users, other CVUSD staff, representatives of other agencies and others encountered in the course of work.
- Maintain an appropriate work pace to accomplish an acceptable volume of work

TOOLS/EQUIPMENT

In order to effectively perform the essential functions of the classification, an incumbent is subject to properly operating the following tools/equipment with or without reasonable accommodation and/or on-the-job training upon job entry.

- ✓ Operate a variety of technology related tools and equipment, including, but not limited to: server and workstation hardware, switches, routers, network cable installation/termination, and testing tools; software tools for troubleshooting and configuration, and assorted peripheral devices.
- ✓ Utilize dollies, hand-carts or other equipment to transport heavy equipment or objects.
- ✓ Operate a variety of office equipment including personal computers and job-specific software applications, and related peripheral equipment, including, but not limited to fax machine, copier, and printer.

ENTRANCE QUALIFICATIONS

Education/Experience:

Graduation from an accredited college or university with a degree in management information systems, information technology, computer science or a closely related field, AND at least four (4) years of current experience designing and managing a wide and local area network infrastructure, including switches, routers and firewalls; recent experience with database management and administration, and systems administration in a Windows/Active Directory environment, including configuring, coordinating, and implementing releases, upgrades or changes to complex operating systems, servers and related software in a high-availability environment.

Licenses/Certifications/Special Requirements

- ✓ Valid California Class C Driver's License
- ✓ Microsoft Certified Systems Engineer (MCSE) is desirable
- ✓ Juniper Networks Certified Expert-Enterprise Routers and Switches (JNCIE-ENT) is desirable

WORKING CONDITIONS

Physical Demands

Level – Moderate / Performance of position duties/responsibilities is subject to occasional standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and/or stooping, while performing duties requiring *lifting, pushing, pulling, carrying, moving, and/or positioning objects* weighting up to 25 lbs. frequently and up to 50 lbs. occasionally; the position is subject to exercising continuous *manual dexterity* (i.e., coordinated and/or precise movement of hands, arms and fingers) throughout a work shift to operate computer equipment and peripherals.

Environment/Hazards

- ✓ Indoor office and/or classroom setting
- ✓ Minimal temperature variations; generally hazard free environment
- ✓ Occasional exposure to nuisance dusts
- ✓ Frequently climbing ladders up to 10 ft. and occasionally up to 15 ft.
- ✓ Occasional bio-hazards, such as exposure to rodent feces, etc.
- ✓ Driving a personal or district vehicle to District sites to conduct work

PRE-EMPLOYMENT REQUIREMENTS

- ✓ California Department of Justice fingerprint check
- ✓ Tuberculosis screening
- ✓ Back X-Ray
- ✓ Job knowledge/experience based selection tests to assess minimum job competency and placement on the eligibility list established for filling job vacancies in the job class.

DISCLAIMER: This classification description is not a complete statement of essential functions, duties/responsibilities, or requirements. Stated requirements are representative of the minimum technical and behavioral job competency requirements. District Administration reserves the discretion to add or modify typical duties of a position as necessary for effective department/site operation.

ARTICLE I: RULE MAKING AUTHORITY AND DEFINITIONS

1.1 MERIT SYSTEM TO GOVERN CLASSIFIED EMPLOYMENT

In 1974, the Board of Education of the Conejo Valley Unified School District, adopted the Merit System as set forth in California Education Code, Chapter 5, Part 25, Division 3, commencing with section 45260, to govern classified personnel employment. The adoption of the Merit System necessitates the establishment of the Personnel Commission, as the mainstay of the Merit System, to adopt and enforce the rules and regulations that shall govern classified service employment in adherence with the Education Code provisions set forth in the Merit System Article. The rules and regulations adopted by the Personnel Commission shall be binding upon the classified service and the Governing Board.

REFERENCE: Education Code 45241 and 45260

1.2 STATUTORY AUTHORITY OF RULES

The Rules and Regulations contained herein are established pursuant to the authority of the Personnel Commission as granted under the California Education Code, Chapter 5, Part 25, Division 3, commencing with section 45260.

1.2.1 The Rules and Regulations shall not apply to bargaining unit members if the subject matter is within the scope of representation, as defined by California Government Code section 3543.2, and is included in a written negotiated collective bargaining agreement between the Conejo Valley Unified School District's Board of Education and the unit.

1.2.2 The Rules shall be binding upon the Board of Education, but shall not restrict the authority of the Board herein and pursuant to other sections of the Education Code.

REFERENCE: Education Code 45241 and 45260
Government Code 3543.2

1.3 SUBJECT OF RULES

The Rules shall provide for the procedures to be followed as they pertain to classified service regarding such matters as applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, performance evaluations, public advertisement of examinations, rejection of unfit applicants without compensation, and any other matters deemed necessary by the Commission to insure the efficiency of the classified service and the selection and retention of employees upon a basis of merit and fitness.

REFERENCE: Education Code 45260

1.4 INTERPRETATION AND APPLICATION OF RULES

The Commission recognizes that no set of rules can contemplate all possible combinations of circumstances affecting particular cases. These Rules are to be interpreted and applied with consideration of their intent. However, specific and applicable provisions of the rules shall not be waived, ignored, or superseded because of the special circumstances of particular cases. In instances where two or more rules appear to be in conflict, or when no rule provides a clear-cut answer to a problem, the matter shall be decided by the Personnel Director, subject to appeal to the Personnel Commission. The Commission shall consider responsible comment to amend rules which prove to be in need of clarification. However, unless otherwise provided in accordance with the law, no rule amendment or new rule shall have retroactive application.

REFERENCE: Education Code Section 45260

1.5 ESTABLISHMENT, AMENDMENT, AND ABOLISHMENT OF RULES

All proposals, from any source to establish, amend, or abolish these rules in whole or in part, shall be placed on the Order of Business for action by the Personnel Commission.

1.5.1 No rule or amendment shall be adopted by the Commission without the exclusive bargaining representative and the Board or its designee having been given at least fourteen (14) calendar days to review and comment on the impact of the proposed change. The scheduling of the 1st reading shall constitute as notice, so long as the 2nd reading and adoption shall not occur earlier than fourteen calendar days apart.

1.5.2 Insofar as possible, interested parties shall submit their reactions to proposals in writing to the director on or before the stipulated agenda deadline date for transmittal to the commission. Such parties shall also have the right to make presentations orally before the commission at the appropriate commission meeting.

1.5.3 No rule amendment or new rule shall have a retroactive date of effect and application.

REFERENCE: Education Code 45260

1.6 GENERIC TERMINOLOGY

As used in these rules, the masculine gender includes the feminine gender. Singular terms shall be construed to include the plural, and the plural terms, shall be construed to include the singular.

REFERENCE: Education Code 73-74, 45260

1.7 SEVERABILITY OF RULES (JUDICIAL REVIEW)

If a judicial review or a change in law causes any portion of these rules or application thereof to become invalid or unenforceable, such finding or amendment shall not affect the validity or the enforceability of the other rules and regulations.

REFERENCE: Education Code 45260

1.8 DISTRIBUTION OF RULES AND REGULATIONS

A copy of the Rules shall be accessible electronically to the Personnel Commissioners, the Board of Education members, the District's certificated and classified administrators and supervisors, exclusive representative(s) of the classified employees and classified employees.

1.8.1 If one of the parties listed in 1.7 is unable to electronically retrieve a copy of the Rules, the said party will make a request to the Director for a printed copy to be provided upon request.

1.8.2 A copy of Article 6 of Chapter 5 of Part 25 of the California Education Code (commencing with Section 45240) shall also be available for distribution as noted in Section 1.7 and 1.7.2 above.

REFERENCE: Education Code 45260

1.9 VIOLATIONS OF PERSONNEL COMMISSION RULES AND REGULATIONS

Any person who willfully or through culpable negligence violates any of the provisions of the Education Code Article 6 is guilty of a misdemeanor. Such acts include the following:

1.9.1 Willfully, independently, or in cooperation with another person, defeat, deceive, or obstruct any person with respect to his/her right of examination, application, or employment under this article or Commission rule.

1.9.2 Willfully and falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined or certified under this article or Commission rule, or to aid in so doing, or make any false representation concerning the same or the person examined.

1.9.3 Willfully furnish to any person any special or secret information regarding contents of an examination for the purpose of either improving or injuring the prospects or chances of any person examined, or to be examined under this article or Commission rule.

REFERENCE: Education Code 45317

1.10 DEFINITIONS OF TERMS

Unless otherwise required by context and/or prevailing law, words used in these rules and regulations are understood to have the following meanings:

ACT or THE ACT: The Act shall mean those sections of the Education Code of the State of California applying to the "Merit System" for classified employees in certain school districts that have adopted the Merit System. It shall include all of the provisions of Article 6, Chapter 5, Part 25, as well as the provisions of Chapter 1 and Articles 1 to 4 of Chapter 5 in Part 25.

ADMINISTRATIVE CLASS: A job class whereby the incumbents assigned to it are exempt from overtime provisions based on State and federal law.

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

ALLOCATE OR ALLOCATION: The official placing of a position in a given job class assigned to a particular range on the salary schedule.

ANNIVERSARY DATE: The day on which an employee completes the prescribed amount of service with the District, based on initial hire date into a regular classified or certificated services, adjusted for breaks in service, for purposes of earning longevity pay increments, or advancement on the salary schedule for management, supervisory and confidential employees; synonymous with "Hire Date" when an employee has not had a break in service in the course of his/her employment.

APPEAL: A protest by an employee relative to an actual or potentially detrimental administrative action.

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

APPOINTING AUTHORITY OR POWER: The Board of Education or its designees, or the Personnel Commission or its designee, when referring to Commission employees and positions.

APPOINTMENT: The official act of the appointing authority in approving the employment of a person in a specific position, subject to official approval by the Governing Board.

ARMED FORCES: For the purpose of military leave of absence, the United States Air Force, Army, Navy, Marine Corps, Coast Guard, Revenue Marine Service, Army Nurse Corps, and Navy Nurse Corps. For the purpose of veteran's credit in an open examination, the United States Air Force, Army, Navy, Marine Corps, and Coast Guard.

ASSIGNMENT: Placement of an appointee in a funded position.

ASSIGNMENT BASIS: The number of working days in a year and work hours per day for which employment is authorized for a specific position.

BEREAVEMENT LEAVE: A paid leave of absence granted to an employee upon the death of a member of his/her immediate family member or any relative residing in his/her household.

BOARD OF EDUCATION or BOARD: The governing body of the Conejo Valley Unified School District, comprised of five (5) elected representatives.

BREAK IN SERVICE: Interruption of an individual's employment relationship with the District.

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

CANDIDATE: A person who has participated or competed in one or more portions of the competitive selection process.

CAUSE: The grounds for discipline identified within these Rules as being subject to disciplinary action or offenses enumerated in the law.

CERTIFICATED SERVICE: Those persons and positions required by law to possess credentials issued by the State Department of Education for the State of California.

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

CHANGE IN LOCATION: The reassignment of an employee from one position to another position in the same class, but in a different administrative unit.

CHANGE OF SERVICE ASSIGNMENT: An employee's change from the certificated to the classified service of the District, or vice versa.

CLASS or JOB CLASS: A group of positions with similar duties and responsibilities, to which the same title, entrance qualifications, and tests of fitness apply.

CLASS SPECIFICATION (Sometimes referred to as a "Class or Job Description"): A written statement of duties and responsibilities of the position(s) in the class; illustrated by examples of typical tasks, job competencies, skills and abilities, and qualification requirements for employment in the class, as adopted by the Personnel Commission.

CLASS TITLE: A descriptive title prescribed to a class, which best captures the duties assigned to the class.

CLASSIFICATION: An act by the Personnel Commission to classify the duties of position(s) to a certain new or existing class within classified services.

CLASSIFIED SERVICE: All employees and positions within the jurisdiction of the Board of Education or of the Personnel Commission, except those exempt from classified service pursuant to California Education Code section 45256(b).

COMMISSION: Synonymous with Personnel Commission.

CONFIDENTIAL EMPLOYEE OR POSITION: A designation assigned to a position and the employee that occupies it, who, in the course of his/her duties, has access to, or possesses information relating to the employer's collective bargaining matters which, if divulged, could adversely affect the interest of the district. Employees designated as "confidential" are precluded from participating in or belonging to any organization which represents classified employees per the Government Code.

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

DAY: The period of time between any midnight and the midnight following.

DEMOTION: A change in assignment of an employee from a position in one class to a position in another class which is allocated to a lower maximum salary rate. A demotion may be voluntary, or for reasonable cause designated by rule of the Personnel Commission as detrimental to the efficiency of the service, or for any other good and sufficient cause.

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

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

DISTRICT: The Conejo Valley Unified School District.

DUAL CERTIFICATION: A procedure authorized by the Personnel Commission which provides for simultaneous certification, under certain specific conditions, from an open eligibility list and a promotional eligibility list in accordance with the examination scores attained by the candidates.

DUTIES STATEMENT: A listing of the specific duties assigned to an individual position. It is sometimes referred to as a "position description," which is based on the class specification, but individualized to the specific position(s) in class.

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

ELIGIBLE: (As an adjective) Legally qualified to be appointed to a position. (As a noun) A person whose name appears on an appropriate eligibility list.

EMERGENCY APPOINTMENT: The assignment of an individual to a regular classified position for a period of time, not to exceed fifteen (15) working days, in

order to prevent the stoppage of public business when persons on an eligibility list are not immediately available.

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

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

EXCLUSIVE REPRESENTATIVE: The labor organization certified or recognized by Public Employee Relations Board, as the sole representative of the approved unit of employees.

EXECUTIVE SECRETARY: A position approved by the Personnel Commission and exempt from specific provisions of these Rules in accordance with Education Code Section 45272.

EXEMPT CLASSIFIED SERVICE: Refers to those positions and employees exempt from the regular classified service as provided in Education Code Sections 45256b, 45257 and 45258.

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

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

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

GOVERNING BOARD: The Board of Education of the Conejo Valley Unified School District (see "Board of Education" and/or "Appointing Authority or Power").

GRIEVANCE: An employee complaint alleging violation of a written rule or policy agreed to between the District and the employee's exclusive bargaining representative, not including appeals of disciplinary actions or requests for classification study or salary review.

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

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

HEARING OFFICER: A person employed by the Personnel Commission to hear and make recommendations on appeal within matters of commission authority.

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

ILLNESS: Any pronounced deviation from a normal, healthy state that makes it disadvantageous to the District or detrimental to the employee to be at work.

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

INCUMBENT: An employee assigned to a position and currently serving in or on leave from that position.

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

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

INVESTIGATION: A fact-finding procedure related to an appeal or complaint.

INVOLUNTARY LEAVE: An approved absence from duty, with or without pay, for a prescribed period of time from class, but not necessarily from a specific position within the class.

JOB AUDIT OR JOB ANALYSIS: A personnel job evaluation technique by which a designee of the Personnel Commission uses various combinations of job evaluation questionnaires, personal interviews or direct observations of work, to collect data on the duties, tasks and responsibilities of a position.

JOB FAMILY: A series of progressively higher, or related job classes distinguished by levels of knowledge, skills, and abilities (competencies) and other factors.

LATERAL TRANSFER: The transfer of an employee to a position in a similar or related class with the same salary range.

LAYOFF: Separation from, or a reduction in assignment of, a permanent position because of lack of work or lack of funds, or because the position has been abolished or reclassified, or because an employee has exhausted all leave privileges after illness or injury.

LEAVE OF ABSENCE: An approved absence from duty, with or without pay, for a prescribed period of time from a class, but not necessarily from a specific position within the class.

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

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

LONGEVITY PAY: An additional compensation amount paid to permanent classified employees on the basis of length of service with the district.

LOYALTY OATH: A statement required of each new employee vowing or affirming support of the United States and California Constitutions, required by State law and Board rule.

MERGED LIST (of the eligibility lists): The act of combining two or more eligibility lists for the same class, which were established not more than a year apart, in the rank order of the scores of the eligibles. Even though the eligibility lists have been merged, each list individually expires one (1) year following the date on which they were merged.

MERIT SYSTEM: A personnel system in which in which initial regular employment and promotion are based upon competition in examinations.

MULTIPLE ASSIGNMENT: Service of one incumbent in both a limited-term classified or exempt assignment, in addition to a regular classified assignment.

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

OPEN EXAMINATION: An examination which is not restricted to persons who are current permanent employees of the district.

OVERTIME: Authorized time worked by an employee in excess of 8 hours in a day or 40 hours a calendar week.

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

PERFORMANCE EVALUATION: An official form adopted by the District for the purpose of formally evaluating the work product and conduct of an employee, including any supplemental documents or materials.

PERMANENT EMPLOYEE: In reference to District employment status, an employee who has completed an initial probationary period of one-hundred-thirty (130) days of paid regular service in the classified service (excluding days absent for illness or injury), or two-hundred-sixty (260) days (excluding days absent for illness or injury) for positions designated as executive, administrative, or supervisory; a person who is legally an incumbent of a position, or one who is on an authorized leave of absence.

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

PERSONAL NECESSITY LEAVE: A leave of absence with pay to be used by probationary or permanent employees for a limited duration which may be taken in cases of personal necessity, as specified in California Education Code section 45207, and in accordance with Education Code section 45191, and the Rules and Regulations of the Personnel Commission. Such leave is charged against the employee's earned cumulative sick leave bank, and is limited to a maximum of eight (8) days per school year or as otherwise negotiated and stated in the collective bargaining agreement.

PERSONNEL COMMISSION: (Also referred to as "Commission"): A three member committee established pursuant to the requirements of "The Act," to establish rules and regulations to govern the classified service of the school district, and to oversee the actions of the school board and/or administration in carrying out the requirements of "The Act" and the Rules and Regulations of the Commission.

PERSONNEL DIRECTOR: (Also referred to as "Director, Classified Personnel".) A position established pursuant to the provisions of Education Code Sections 45240 and 45264, as a representative appointed by the Personnel Commission to administer the Merit System and the Rules and Regulations established by the Personnel Commission.

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

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

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

PRIVILEGE: A benefit that is discretionary (which may or may not be granted), in contrast to a right (which must be granted).

PROBATIONARY PERIOD: A trial period of one hundred and thirty (130) days, or two hundred sixty (260) days for executive, administrative, and supervisory employees, of paid service (excluding days absent while on leave) following appointment from an appropriate eligibility list.

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

PROMOTION: A change in the assignment of an employee from a position in one class to a position in another class with a higher maximum salary rate following appointment from an appropriate promotional list.

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

PROVISIONAL APPOINTMENT: A temporary appointment of a person to a permanent or limited-term position which is made in the absence of an appropriate eligibility list for a period of time not to exceed ninety (90) consecutive days or 126 working days in any one fiscal year except when no one is available on an appropriate eligibility list for a part-time position.

PROVISIONAL EMPLOYEE: A person employed under a provisional appointment.

REALLOCATE OR REALLOCATION: Movement of an entire class from one salary range or hourly rate to another salary range or hourly rate on the basis of either internal or external alignment or a change in the salary-setting basis for the class.

RECLASSIFY OR RECLASSIFICATION: The reassignment of a position, whether filled or vacant from one class to another, whether new or existing, because of significant change in class title, minimum qualifications, duties or responsibilities.

REEMPLOYMENT: Return to employment of a former regular employee who has been laid off. Also applies to former employees of the District who are returned to employment for a limited period of time following their retirement(s).

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

REGULAR APPOINTMENT: An appointment made from an eligibility list to fill a regular full-time or part-time position vacancy.

REGULAR EMPLOYEE: An employee who holds either probationary or permanent employment status in a regular classified position with the District.

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

REINSTATEMENT: A reappointment of a former employee, within a period of 39 months after his/her last day of paid service and without further competitive examination, to a position in the person's former classification as a permanent or limited-term employee, or as a permanent or limited-term employee in a related lower class or a lower class in which the employee formerly had permanent status. Reappointment of a person as a permanent employee requires the District to restore all rights, benefits and burdens of a permanent employee in the class to which he/she is reappointed. Also, refers to a return to work after appeal from disciplinary action when so ordered by the Personnel Commission.

RESIGNATION: Submission of a voluntary statement in writing or on an official employment separation form requesting to end employment with the District.

RESPONSIBILITY DIFFERENTIAL: A wage or salary differential paid to incumbents of some positions in a class based upon variations in responsibility measurable by a quantitative criterion.

RESTORATION: The reinstatement or reemployment of an employee with all of the rights, benefits, and burdens held prior to the break in service.

RIGHT: A benefit which is bestowed by law or rule and must be granted to the person.

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

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

SALARY RATE: That amount of money authorized to be paid on an hourly, daily, weekly, monthly, or annual basis for a particular classification, assignment or contract.

SALARY SCHEDULE: The complete list of ranges, steps and rates established by the Commission for the classified service.

SALARY STEP: A specific rate in a salary range. One of the consecutive rates that comprise a salary range, and is paid on a hourly or monthly basis.

SALARY STEP ADVANCEMENT: Movement to a higher step on the salary range for the class as a result of having served the required number of months in that

class during the preceding twelve months until the maximum step has been achieved.

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

SELECTIVE CERTIFICATION: The submission of names in the top three ranks that are eligible for hire provided they possess one or more of the following requirements determined to be necessary for successful performance of a position; the ability to speak, read, or write a non-English language; a specific gender that is a bona fide occupational qualification; a valid driver's license; or other specialized licenses, certifications, knowledge, or ability that cannot reasonably be acquired during the probationary period.

SENIOR MANAGEMENT: Positions designated by the Board of Education, which meet the requirements of Section 45108.5 of the Education Code.

SENIORITY: Status secured by length of service in a classification for determining the order of layoff when positions within a classification are eliminated.

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

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

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

TASK: The smallest unit of work assigned to an employee.

TEMPORARY EMPLOYEE: See also Limited-Term Employee. An employee hired into a position assignment that does not lead to acquiring permanent status in a regular position.

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

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

UNSATISFACTORY SERVICE: The performance of assigned duties and responsibilities in inadequate manner or in a manner that is considered detrimental

to the good of the service, or conduct off duty with a nexus of being detrimental to the good of the service to the District.

VETERAN: Any person who has served in the United States armed forces in time of war, or national emergency declared by the President of the United States of America, and who has been discharged or released under conditions other than dishonorable, proof of which shall be submitted to the Commission at the time of the examination.

VETERANS' CREDIT: Five or ten additional points added to the final passing score of an open examination of persons designated as United States veterans for service in the armed forces during time of war or a national emergency as declared by the President of the United States and discharged or released under conditions other than dishonorable; official military service documentation must be submitted

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

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

Y-RATE: A frozen salary rate above the established range for a class.

ARTICLE II: PERSONNEL COMMISSION

2.1 ORGANIZATION OF THE COMMISSION

2.1.1 COMPOSITION OF THE PERSONNEL COMMISSION: The Personnel Commission shall be comprised of a body of three (2) persons, as follows:

- A. One member appointed by the governing board of the district.
- B. One member appointed by the classified employees of the district; as used in this section, "classified employees" shall mean an organization of classified employees which represents the greatest number of classified employees of the district as determined by the board exercising its authority under Section 7110 of the Education Code. If there is no such organization existing within the district the board shall, by written rule, prescribe the method by which the recommendation is to be made by its classified employees.
- C. One member appointed by the appointees of the governing board and the classified employees.

2.1.2 QUALIFICATIONS FOR MEMBERSHIP: Members of the Commission shall be registered voters, territorial boundaries of the Conejo Valley Unified School District, and shall be "known adherents of the principle of the merit system." For purposes of this Rule the following definitions shall apply:

- A. "Known adherents to the principle of the merit system," with respect to a candidate for new appointment, shall mean a person who by nature of his/her prior public or private service has given evidence that he/she supports the concept of employment, continuance in employment, in service promotional opportunities, and other related matters on the basis of merit and fitness.
- B. With respect to a candidate for reappointment, "known adherent of the merit system" shall mean a Commissioner who has clearly demonstrated through meeting attendance and actions that he/she does, in fact, support the merit system and its operation.
- C. No member of the governing board of any school district or county board of education shall be eligible for appointment, reappointment, or continuance as a member of the Commission nor shall a Commissioner be an employee of the District during his or her terms of service.

2.1.3 APPOINTMENT PROCEDURES: On or about September 1st of each year, the Director of Classified Personnel shall notify the Board of Education and the recognized classified employee organizations(s) of the name and home address of the commissioner whose term will be expiring, and whether or not that commissioner will accept reappointment for another three-year term. The notification will also provide the name of the appointing authority, and the procedures to be followed in filling the upcoming vacancy.

- 2.1.3.1 BOARD OF EDUCATION APPOINTEE: The governing board shall publicly announce the name of the person it intends to appoint or reappoint, if the vacancy is its appointee, by September 20, if a vacancy should exist on December 1.
- A. At a board meeting to be held after 20 days and within 45 days of the date the Board publicly announced its candidate, the Board shall hold a public hearing provide the public and employees and employee organizations the opportunity to express their views on the qualifications of those person recommended by the Board for appointment.
 - B. Following the public hearing, the Board may appoint its initial nominee or may make a substitute appointment or recommendation without further notification or public hearing.
- 2.1.3.2 CLASSIFIED EMPLOYEES' APPOINTEE: By September 20th, the classified employee organization having authority to nominate the classified employees' appointee to the Commission, shall publicly submit the name of the person it wishes to appoint to the Commission.
- A. The name of the classified employees' intended appointment must be submitted to the Board of Education for approval at a Board meeting held on or before the 20th of September (of the year in which the classified employees' appointment is to be made), or 20 days before the date on which the vacancy shall occur, whichever is greater notice.
 - B. The Board of Education shall appoint the classified employees' nominee unless the classified employees voluntarily withdraw their original nominee and submit the name of a new nominee. In the latter case, the Board of Education shall approve the appointment of the new nominee.
 - C. In the event that the classified employees of the District are represented by one or more recognized employee organizations, the employee organization representing the largest number of the District's classified staff on September 1st of the year in which the classified employee's appointment is to be made, shall be authorized to submit the recommended appointment to the Board of Education for action as required by law and these rules and regulations.
 - D. In the event that a vacancy is created on the Personnel Commission because of the classified employees' failure to submit a recommendation, the Board of Education, upon the recommendation of the Personnel Director, may make an emergency appointment to insure the continuance of the functions of the Personnel Commission. The interim appointment shall terminate on the date the notification of

permanent appointment is received by the appointee and in no event shall be valid for more than sixty (60) days.

- 2.1.3.3 COMMISSIONERS' JOINT APPOINTEE: By September 20th, the appointee of the Board of Education and the appointee of the classified employees (or the appointee of the Executive Officer of the State Personnel Board if that is the situation) shall publicly announce the name of the person they intend to appoint or reappoint. At a Personnel Commission meeting to be held after 20 and within 45 days of the date the Commission publicly announced its candidate, the Commission shall hold a public hearing to provide the public, employees, employee organizations, and members of the Board of Education the opportunity to express their views on the qualifications of the person recommended by the Commission for appointment. The Commission at that time may make its appointment or may make a substitute appointment or recommendation without further notification or public hearing.
- 2.1.4 TERM(S) OF OFFICE: The term of each Commissioner is three years and expires at noon, December 1, upon completion of the third year. Appointments shall be made in such a way as to assure that the term of one Commissioner expires each year.
- 2.1.5 ELECTION OF OFFICERS:
- A. The officers of the Personnel Commission shall be designated as Chair and Vice Chair.
 - B. At its first meeting in December of each year, the Personnel Commission shall elect one of its members to serve as Chair for a period of one year. A Chair may serve more than one term.
 - C. At the same time and in the same manner, the Personnel Commission shall elect one of its members to serve as Vice-Chair.
 - D. The Chair shall be the presiding officer at all regular and special meetings of the Commission. In the event of the absence of the Chair, the Vice-Chair shall preside.
- 2.1.6 EMERGENCY APPOINTMENT OF COMMISSIONERS: In the event of a vacancy on the commission, the board at the request of the director shall declare that an emergency exists and shall make an interim appointment to fill a vacancy to insure the continuance of the functions of the commission.
- A. Appointment to vacancies occurring subsequent to the initial appointment shall be made by the original appointing authority, either for a new full term or to fill an unexpired term.

- B. If there is no personnel director, the board may, nevertheless, make an emergency interim appointment.
- C. An interim appointee must meet the requirements of Education Code Section 45244 and be free of the restrictions contained therein and the appointment shall be valid for not more than 60 days.
- D. An interim appointment shall terminate immediately on the date the notification of permanent appointment is received by the appointee. Notification shall be made upon selection of the appointing authority of a new appointee.

REFERENCES: Education Code 45244, 45248, 45260 and 45261

2.1.7 EVENTS CAUSING VACANCY OR INVOLUNTARY REMOVAL BEFORE EXPIRATION OF TERM: Personnel Commissioners shall be expected to attend all regular and special meetings of the Personnel Commission. If a member is unable to attend a scheduled meeting, the member shall contact the Personnel Director to inform the Commission of the expected absence. A member of the Personnel Commission shall be deemed to have vacated the seat of the Commission before the expiration of the prescribed term in case of any of the following events:

- A. The death of the Commissioner
- B. An adjudication pursuant to a *quo warranto* proceeding, declaring that the Commissioner is physically or mentally incapacitated due to disease, illness, or accident, and that there is reasonable cause to believe that the Commissioner will not be able to perform the duties of the office for the remainder of the term.
- C. The Commissioner's resignation.
- D. The Commissioner's removal from office by a court of competent jurisdiction.
- E. The Commissioner's ceasing to meet all the legal requirements to continue to be a Commissioner as outlined in Rule 2.1.2.
- F. The Commissioner's ceasing to discharge the duties of the office for a period of three consecutive months, except when prevented by sickness.
- G. The Commissioner's unexcused absence exceeding four (4) total regular meetings in a fiscal year.
- H. The Commissioner's conviction of a felony or of any offense involving a violation of the official duties of a Commissioner as required by these rules and/or the law. A Commissioner shall be deemed to have been convicted under this rule when trial court judgment is entered. For the purposes of this section, "trial court judgment" means a judgment by the trial court either sentencing the

commissioner or otherwise upholding and implementing the plea, including nolo contendere, verdict or finding.

- I. The decision of a competent tribunal declaring void the Commissioner's appointment.
- J. The Commissioner's commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, or inebriate. In this event, the office shall not be deemed vacant until the order of commitment has become final.

REFERENCES: Government Code Section 1060 et seq., 1750, 1770, 2000, 2001, 2100, 2752
Penal Code Sections 1026, 1268 et seq.

2.1.8 REMOVAL OF COMMISSIONER FOR CAUSE BY COMMISSION: Unless one of the causes for vacating a Commissioner's position is ordered by a court of competent jurisdiction, the Commission may only declare a position vacant pursuant to rule 2.1.7 and only by majority vote of the Commission.

- A. Such action must be taken at a regular or special meeting of the Commission, and the proposed declaration of vacancy must be listed as an action item on the official published agenda for said meeting.
- B. A copy of the agenda must be delivered in the usual and prescribed manner required by these rules to the Commissioner being subjected to possible removal, except in cases of a decedent.
- C. The Commission shall solicit input from the Superintendent and the employee organization(s), if any, prior to the final vote. Only a majority vote by the Commission will effect a valid vacancy.
- D. If the majority of the Commissioners vote to declare a seat vacant, the Commission shall direct the Director, Classified Personnel to so inform the removed Commissioner in writing. The Personnel Director shall initiate the necessary legal steps to fill the vacancy as mandated by the Education Code and by these rules and regulations.

REFERENCES: Government Code Section 1060 et seq., 1750, 1770, 2000, 2001, 2100, 2752
Penal Code Sections 1026, 1268 et seq.
Welfare and Institutions Code Sections 5008, 6200 et seq.
Education Code Sections 45244, 45245, 45246, and 45247

2.1.9 COMMISSIONERS' CODE OF PROFESSIONAL CONDUCT: All personnel commissioners shall be provided an opportunity to affirm and accept the Commissioners' Code of Professional Conduct.

- A. In the Order of Business of the meeting in which a new commissioner is sworn-in (usually the December meeting), the personnel director shall place on the agenda a recommendation that the Commission accept the Resolution of the Personnel Commissioners Code of Professional Conduct (Resolution). The Commission Chair will ask for a motion that the Resolution be accepted. If seconded, the new commission member will be given the opportunity to sign a copy of the Resolution.
- B. The signed Resolution shall be made a part of the personnel commissioner's individual service file maintained by the Commission Recording Secretary. If the Resolution is not signed by a dissenting commissioner, the unsigned Resolution shall be made part of the commissioner's service file and annotated as "unsigned." The dissenting commissioner may attach written comments.
- C. Resolution of the Personnel Commissioners' Code of Professional Conduct

Whereas, the Personnel Commission shall base all actions and decisions on merit, fairness and efficiency regardless of outside influence, and

Whereas, Commissioners shall publicly champion and vocally encourage others to embrace the principles of merit in all decisions and actions related to Classified Employment, and

Whereas, Commissioners shall act and vote independently and objectively regardless of their source of appointment, and

Whereas, the Commission is to provide counsel and direction to their Director at the policy level rather than become involved in the day-to-day operations of the staff, and

Whereas, Commissioners understand and recognize that the power and decision-making authority over the Personnel Commission and its staff or over actions that impact the Classified Service lies only with the full Commission and not with an individual opinion or one Commissioner, and

Whereas, Commission members are expected to attend and participate in all Commission meetings and become fully informed of the issues being considered at those meetings, and

Whereas, Commission members who receive expressions of concern regarding issues that impact the Classified Service should share that information with the entire Commission, and

Whereas, Commissioners shall direct individuals who privately contact them about specific Commission issues to address their Director, and then the full Commission, and

Whereas, Commission members should avail themselves of opportunities to inform and educate themselves about current Human Resources practices and employment law by individual study and/or through participation in programs providing related information, and

Whereas, the Commission shall encourage regular and impartial performance evaluations of all Classified employees, and

Whereas, the Commission shall encourage training programs for all Classified employees, and

Whereas, the Commission shall ensure a continuous review of positions in the Classified Service and recognize that classification designations are based on assigned duties not attributes of individual incumbents, and

Whereas, Commissioners shall not publicly engage in personal attacks on Commission staff or attempt to discipline any employee other than the Director of their staff, and

Whereas, Commission members shall recognize that the Chair of the Commission is the official voice of the Personnel Commission and that members have the responsibility when meeting privately with others to differentiate their views from those of the Commission as a whole, and

Whereas, Commissioners shall respect the confidentiality of all privileged information, including that discussed in closed session, and

Whereas, Commissioners shall comply with the accepted Rules of Order and the Brown Act in the conduct of their meetings, and shall enforce the accepted Rules of Order for attendees at their meetings, and

Whereas, Commissioners shall support and ensure that all candidates for classified employment are provided with equal employment opportunity and that selection procedures are based on merit and fitness, and

Whereas, the Commission shall recognize the value of diversity in the workplace and encourage recruitment outreach to members of underrepresented groups, and

Whereas, the Commission shall adjudicate disciplinary and examination appeals on the basis of relevant substantial evidence and not on personal, prejudicial, or extraneous information, feelings, or beliefs, and

Whereas, the Commission shall abide by related provisions of the California State Education Code and federal, state and local legislation and regulations;

Therefore, be it resolved that Personnel Commissioners, agree to and support this Code of Conduct.

2.2 MEETINGS OF THE COMMISSION

- 2.2.1 RULES OF ORDER: The Commission meetings shall be conducted in accord with the provisions of the Ralph M. Brown Act, pursuant to California Government Code 54950, and discussion and decision making process shall abide by parliamentary procedures as defined in Robert's Rules of Order.
- 2.2.2 MEETINGS OPEN TO THE PUBLIC: All regular and special meetings of the Commission shall be open to the public, and all persons shall be permitted to attend the procession of the meeting with the exception of times when the Commission adjourns into closed session per Rule 2.2.6.2. This rule shall not be construed as authorizing employees to be absent from duty for attendance at Personnel Commission meetings, unless they have specific business before the Commission.
- 2.2.2.1 REGULAR MEETINGS: Subject to cancellation or proper change, the Commission shall set its annual calendar for each fiscal year, establishing time and location of the meetings. Whenever the regularly scheduled meeting date happens to fall on a holiday, the Commission shall take action (at a prior regular meeting) to designate some other day for its meeting.
- 2.2.2.2 ADJOURNED REGULAR MEETINGS: The Commission may adjourn any regular, or previously adjourned meeting to a time and place specified in the order of adjournment. A notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned, the reconvened meeting is a regular meeting for all intents and purposes. When an order of adjournment of any meeting fails to state the hour at which the reconvened meeting is to be held, it shall be held at the hour normally designated for regular Commission meetings.

- 2.2.2.3 **SPECIAL MEETINGS:** Special meetings may be called at any time by the Commission Chairperson or by the written request of any member of the Personnel Commission. Written notice for any such meeting shall be delivered electronically or by mail to each member of the Commission. A written notice of such meeting shall also be provided to any of the following persons or organizations if they have filed written requests to be notified of the dates and times of the Commission meetings: each local newspaper of general distribution, radio or television stations, as well as representatives of any recognized employee organization or group. Such notice must be delivered personally or by mail at least seventy-two (72) hours before the time of such meeting as specified in the notice. A copy of the notice shall also be posted on the Commission's official bulletin board. The meeting notice shall specify the time and place of the special meeting as well as the business to be transacted, and no other business shall be considered at that meeting.
- 2.2.2.4 **EMERGENCY MEETINGS:** When a majority of the Commission determines at its discretion, that an emergency situation exists, the Commission may hold an emergency meeting. At least one hour prior to the meeting, telephonic notice shall be provided to all media outlets, which have requested notice of any special meetings called pursuant to California Government Code section 54956. In the event telephone services are not functioning, the Commission shall notify the media outlets of the fact of the holding of the emergency meeting, the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible. The Commission shall not meet in closed session during an emergency meeting. For purposes of this section, "emergency situation" means a crippling disaster, work stoppage or other activity, which severely impairs public health, safety or both.

REFERENCES: Government Code Sections 2549.1, 54955.1, 54952.2, 54954, 54955, 54956.5

- 2.2.3 **ORDER OF BUSINESS / AGENDA:** The Personnel Commission's Order of Business, by means of an "Agenda" shall be posted at least 72 hours before a regular meeting in a prominent place in the District Office and on the Personnel Commission's Web site. The Order of Business shall contain a brief general description of each item of business to be transacted or discussed at the meeting. A Notice shall be posted at least 24 hours in advance of special or emergency meetings in a prominent place in the District Office.
- A. When practicable, supporting data for agenda items will be furnished prior to the meeting date.
 - B. The Commission's Director may submit addenda to the agenda in writing prior to a regular meeting. The Commission may act upon the addenda.
 - C. District personnel, representatives of recognized employee organizations, representatives of the Board of Education, District administrators, or other

interested parties may submit items to be placed on a Commission agenda by submitting the items to the Director of Classified Human Resources not less than seven (7) calendar days prior to the scheduled Commission meeting at which the item is to be considered.

2.2.4 **QUORUM AND MAJORITY:** Commissioners are expected to vote on all matters presented for action. Meeting minutes shall reflect each commissioner's vote ("yes" or "no") on an action. In the case of an abstention or recusal, the general reason shall be recorded in the meeting minutes.

A. Quorum: Two (2) members of the Commission shall constitute a quorum for any regular or special meeting of the Personnel Commission. The affirmative vote of at least two (2) members of the Commission is required to carry any motion or action.

B. An abstention vote shall not be counted for or against the motion, or a commissioner may abstain from voting.

C. A "tie" vote shall have the same effect as a failed motion.

D. A Commissioner may recuse him/herself from a vote in the case of conflict of interest, personal involvement in the issue (e.g., issues involving a friend or relative), or absence from a prior meeting for the approval of its minutes. For a recusal, the commissioner shall be present (to differentiate from absence and to approve the subsequent minutes), but shall not participate in the discussion or voting on the action. In the event of two commissioners having recused themselves, a motion may carry or fail with the single vote of the remaining commissioner without the motion being seconded. In the event of an absent commissioner and a recusal, the motion shall be carried over to a future meeting.

2.2.5 **ADJOURNMENT TO CLOSED SESSION AND CLOSED SESSION PROCEEDINGS:** The Commission may conduct business in closed session without access to the public during a regular or special meeting with proper notification on the meeting agenda, subject to limitations of law as to the nature of business to be conducted in closed session.

2.2.5.1 CLOSED SESSION MATTERS: The following are legally authorized exceptions to the open meeting requirement:

A. Appointment, employment, dismissal, or evaluation of employees.

B. Consideration of complaints or charges brought against employees.

- C. Consideration of matters affecting public security.
- D. Consideration of legal matters pertaining to litigation, coming within the purview of the attorney/client relationship.
- E. Providing testimony in private before a grand jury, either as individuals or as a body.
- F. Discussions relative to negotiations, conciliation, mediation, or other matters affecting classified employee labor relations as provided for in the Government Code. A meeting on this item may be held only if the Commission has a representative involved in the negotiating process. If the Commission has no representative and is not conducting negotiations itself, it cannot hold a closed session relative to discussing matters within the scope of negotiations.

2.2.5.2 IDENTIFY BASIS FOR CLOSED SESSION: The Commission agenda shall reflect the general reason(s) for the closed session and may cite the statutory or other legal authority under which the session is/was being held. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the Commission may consider only those matters covered in its statement of reasons. In the case of a special, adjourned, or continued meeting, the statement of reasons shall be made as part of the written meeting notice for such special, adjourned, or continued meeting. In giving the general reason or reasons for holding a closed session, the Commission is neither required nor authorized to give names or any other information which might constitute an invasion of privacy, or otherwise unnecessarily divulge protected facts and information for which the closed session is being held.

2.2.5.3 TWENTY-FOUR HOUR NOTICE REQUIREMENT: As a condition of holding a closed session on specific complaints or charges, brought against an employee by another person or employee, the affected employee shall be given a written notice regarding the matter and his/her right to have a public hearing rather than a closed session; which notice shall be delivered to the employee personally or by mail at least twenty-four (24) hours before the time scheduled to hold the regular or special Commission meeting. If notice is not given as prescribed, any disciplinary or other action taken relative to the employee shall be null and void. During the examination of a witness, the Commission may exclude from the public or closed meeting other witnesses in the matter being investigated. Following the public hearing or closed session, the Commission may deliberate on the matter and reach its decision in a closed session.

2.2.5.4 REPORT FROM CLOSED SESSION: The Commission shall publicly report, in the public portion of the meeting in which the closed session is being held, or at its next public meeting, any action taken by the

Commission in the closed session; and the vote or abstention of every member present thereon, with respect to the following:

- A. Approval given to legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation, as a result of a consultation under Government Code Section 54956.9.
- B. Approval given to its legal counsel of a settlement of pending litigation as defined in Government Code Section 54956.9 at any stage prior to or during a judicial or quasi-judicial proceeding after settlement is final.
- C. Pursuant to Government Code Section 54956.95, disposition reached as to claims for payment of tort liability losses, public liability losses or workers' compensation liability as soon as reached.
- D. Consideration of action taken to appoint, employ, evaluate performance of, dismiss, accept the dismissal of, or otherwise affect the employment status of a public employee, pursuant to Government Code Section 54957.

2.2.5.5 VIOLATION OF CLOSED SESSION CONFIDENTIALITY: A violation of the confidentiality of a closed session by a member of the Personnel Commission constitutes a misdemeanor under the provisions of Government Code section 1222 and 1770 (h). Repeated violation of the confidentiality of a closed session by a commissioner may be considered grounds for removal from office.

2.2.6 MEETING MINUTES: The Director of Classified Personnel, in his/her capacity as Secretary to the Personnel Commission, shall record in the minutes the time and place of each Personnel Commission meeting, the names of the commissioners present, all official acts of the Commission, and the votes of the commissioners. When requested by a Commissioner, the Director of Classified Personnel shall record that Commissioner's approval or dissent and any expressed reasons therefore.

- A. The minutes of each meeting shall be reduced to written form and presented to the Commission for correction and/or approval at the next regularly scheduled meeting of the Commission.
- B. The minutes of each Commission meeting or a true copy thereof shall be open and available for public inspection.
- C. The minutes shall be made available via electronic transmission on the District website; paper copies shall be furnished to designated representatives of all employee organizations representing the District's classified employees, the Commission members, the Board of Education, the Superintendent of Schools, and others (who have indicated their interest in such matters) upon request or in cases where electronic transmission is unavailable.

REFERENCES: Education Code Section 45260

2.2.7 GENERAL MEETING PROVISIONS

2.2.7.1 MEETINGS SHALL BE RECORDED: The meeting procession with the exception of closed session as specified in Rule 2.2.6.2, shall be digitally recorded.

2.2.7.2 PRESENTATIONS TO THE COMMISSION:

- A. Any person in attendance wishing to address the Commission on items within its jurisdiction, shall complete a speaker card and present it to Commission Chairperson or Commission staff at the start of the meeting.
- B. Any person addressing the Commission shall be recognized by the Commission Chairperson, and identify themselves by giving their name, and the topic or topics of their concern.
- C. A speaker will be permitted up to five (5) minutes to address each item on the agenda and non-agenda items at the proper time of the Commission's Order of Business. Non-agenda items may include any matter of interest to the public which is within the subject matter jurisdiction of the Personnel Commission. The time limit may be extended or reduced at the discretion of the Commission Chairperson (in the event that it appears important or necessary to do so).
- D. The Commission Chairperson may permit questions from the public relative to subject matter of agenda items, but as a general rule of order, no member of the audience may speak while the meeting is in order without recognition of the Commission Chairperson.
- E. The Personnel Commission may briefly respond to statements made or questions posed by non-agenda speakers, refer the matter to staff for information, and/or ask that the matter be returned at a future meeting.
- F. Remarks or discussion in public meetings on subjects scheduled for consideration in closed session are out of order.
- G. While the right to speak includes the right to criticize the policies, procedures, programs, services, and acts/omissions of the Personnel Commission, it should not be used to disrupt public meetings by excessively loud address and boisterous conduct or to defame or slander anyone.
- H. Defamatory allegations against any officer or employee of the Personnel Commission or District and public disclosures of private

facts in violation of the right of privacy of any employee, regardless of whether or not the person is identified in the presentation by name or by any other reference which tends to identify the person, are out of order. Charges, complaints, or allegations against an officer or employee of the Personnel Commission shall be processed under the provisions of Personnel Commission Article 22.

2.2.7.3 STANDARDS OF DECORUM: Persons engaging in any of the following conduct shall be ruled out of order.

- A. Profanity, obscenity, abusive or other offensive language.
- B. Physical violence and/or threats of physical violence directed towards any person or property.
- C. Remarks that reflect adversely upon the political, religious, ethnic, or economic views, character, or motives of any person.

2.2.7.4 WITHDRAWAL OF RIGHT TO ADDRESS THE PERSONNEL COMMISSION: Any person who engages in conduct which he/she knows or should know is in violation of any provision of this Rule may be denied the opportunity to speak to the Personnel Commission pursuant to the following procedures:

- A. Notice of this rule must be communicated to the person;
- B. Following such notice, any person whose conduct continues to violate any provisions of this Rule may be directed by the Chair to cease such conduct;
- C. Following such direction, any person whose conduct continues to violate any provision of this Rule may be denied the opportunity to address the Personnel Commission for the remainder of the meeting.
- D. Before suspending a person's right to address the Personnel Commission, the Commission shall make a finding that the person is in violation of Personnel Commission Rule 2.2.7, which the person knew or should have known, and that the conduct was intentional. Such a finding shall be made by a vote of the Personnel Commission.

REFERENCES: Education Code Sections 25146, 49072, 54957, 54957.1, 54957.2, 54957.6, and 54957.7, Government Code Sections 1222, 1770, 2542, 2542.2, and 2549.1

2.3 COMMISSION EMPLOYEES

2.2.1 STATUS OF COMMISSION EMPLOYEES: The Commission shall select, appoint and supervise the persons hired into positions allocated in its annual budget and performing the day-to-day responsibilities and functions of the Personnel Commission. The persons so employed shall be appointed from eligibility lists established pursuant to Commission rules pertaining to filling vacancies in regular classified service, be a part of the District's classified service and subject to all of the rules, procedures, rights, benefits and burdens pertinent to the classified service, including representation by the appropriate exclusive representative, if any, except as the Commission may specifically direct.

2.2.2 GENERAL DUTIES OF THE COMMISSION'S DIRECTOR:

- A. The Director, Classified Personnel shall perform all of the functions imposed upon this position by law and these rules and regulations, and as further prescribed by the Personnel Commission. He/she shall act as Secretary to the Personnel Commission, and shall issue and receive all notifications on its behalf. He/she shall direct and supervise the employees of the Commission, and conduct administrative transactions consistent with the law as well as the proper functioning of the office and staff of the Personnel Commission.
- B. By mutual interest and agreement between the Board and its Superintendent and the Commission, the Director, Classified Personnel shall also perform all Board related functions of administering the classified personnel management program, and shall serve as the advisor to the Superintendent and the Board of Education on classified personnel matters.
- C. The Director will abstain from advising the Personnel Commission in its deliberation of disciplinary hearing appeals, or any related Commission investigation, if the Director is a party to investigation or disciplinary charges brought against an employee of the District.
- D. The Director will administer these Rules and Regulations, and resolve application of rules, where two or more of these rules or regulations appear to be in conflict with each other or contrary to enacted State or federal law, or when there is no specific rule to guide resolution of an employment matter. The decision of the Director shall be subject to appeal to the Personnel Commission.

REFERENCES: Education Code Sections 45260 - 45261, 45266, and 45212

2.4 MISCELLANEOUS PROVISIONS

2.4.1 COMMISSION BUDGET - The Commission's Director (Director, Classified Personnel) shall prepare and submit to the Commission a proposed annual operating budget for the next ensuing fiscal year in accord with established timelines and statutory provisions of the Education Code.

- A. The budget shall be prepared for a public hearing by the Commission to be held not later than May 20 of each year.
- B. Prior to the public hearing on its budget, the Personnel Commission, or its staff on its behalf, shall forward a copy of its proposed budget to the Board of Education indicating the time, date, and place of the public hearing, and shall invite the Board and District Administration representatives to attend the meeting and to present their views regarding the proposed budget of the ensuing fiscal year. The Commission shall fully consider the views of the Board prior to adoption of its proposed budget.
- C. Following its adoption of a budget for the ensuing year, the Commission shall then forward its adopted budget to the Ventura County Superintendent of Schools for action.
- D. In the event that the Personnel Commission adopts a budget not in accord with financial parameters stipulated by the Board or its Superintendent, it is incumbent upon both parties to address their positions and objections to the Ventura County Superintendent of Schools.
- E. The Commission's budget final approval is subject to review and approval by the Ventura County Superintendent of Schools. Budget adoption may be subject to a Public Hearing held by the County.

2.4.2 COMPENSATION OF COMMISSION MEMBERS: The members of the Personnel Commission shall receive compensation at a rate of fifty dollars (\$50) per meeting; not to exceed two-hundred fifty dollars (\$250) per month. The members of the Commission have also been approved (by the Board of Education) to participate in the district-paid health, life, dental and eye-care programs.

2.4.3 ANNUAL REPORT: The Commission's Director shall prepare an annual report of the Commission's activities. When approved by the Commission, the annual report shall be submitted to the Board of Education. The report shall be prepared for Commission approval as soon as possible after the close of each fiscal year, but no later than the Commission's regular scheduled meeting in November. The report shall cover the Personnel Commission's activities for the preceding fiscal year.

2.4.4 COMMUNICATIONS: Communications and requests shall, when practicable (in the opinion of the Commission), be in writing. Communications and requests shall be acknowledged and replied to, noting official Commission action whenever it is appropriate to do so.

- A. Individuals or groups who wish to present proposals for action by the Commission shall present their requests to the Director, Classified Personnel (Commission's Director) for placement on the Commission agenda. Although the Personnel Commission may, on occasion, designate one of its members to investigate a specific subject or matter, it shall be the policy of the Commission to take up or consider proposals at open (public) meetings.
- B. Individuals or groups who seek interviews with particular commissioners regarding matters which may later be placed before the Personnel Commission for consideration shall be referred to the Commission Office. Such individuals or groups will be asked to put the matter(s) in writing so that they may properly be placed on a Commission agenda.

2.4.5 **LEGAL COUNSEL FOR THE PERSONNEL COMMISSION:** The legal counsel for the Board of Education shall also aid and represent the Personnel Commission in all legal matters. If counsel does not respond to a written request by the Commission for aid or representation within fifteen (15) working days of receipt of a written request, the counsel is deemed to have refused to assist or represent the Commission in that matter. If legal counsel knows, or has reason to know, that at the time the request is made, a conflict of interest may exist between the interests of the Commission and the interest of the Board, legal counsel may not represent the Commission. In such circumstances, the Commission may employ its own legal counsel and the reasonable cost therefore shall constitute a legal charge against the District's general funds (whether or not the money-costs for such legal services appear in the Commission's budget).

REFERENCES: Education Code Sections 45252,45260, 45266, 45212