



PERSONNEL COMMISSION

PLEASE POST

MEETING AGENDA

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, California 90813

January 31, 2013
THURSDAY
8:15 A.M.

1. CALL TO ORDER
2. ROLL
Terry Ulaszewski, Chairperson Present _____
Linda Vaughan, Vice-Chairperson Present _____
Stacey Lewis, Member Present _____
3. PRELIMINARY
 - 3.1 Pledge of Allegiance to the Flag
 - 3.2 Introduction of Guests
4. HEARING OF PUBLIC TESTIMONY AND QUESTIONS FROM THE FLOOR ON ITEMS NOT LISTED ON AGENDA
5. REPORT FROM THE EXECUTIVE OFFICER
6. HEARINGS None
7. MINUTES
 - 7.1 Approval of Minutes for January 17, 2013 Action
8. ITEMS FOR DISCUSSION AND/OR ACTION
 - 8.1 Classification/Restructure Recommendations per Education Code 45246 None
 - 8.2 Revisions to the Rules and Regulations of the Classified Service, Chapter IV (First Reading) Discussion
9. BULLETINS AND TESTING ACTIONS
 - 9.1 Bulletins – Per Personnel Commission Rule 4.6.B Action
 - 9.2 Eligibility Lists – Per Personnel Commission Rule 5.1.A Restricted Action
10. OTHER ITEMS
11. The next regular meeting of the Personnel Commission will be held on February 14, 2013 at 8:15 a.m. in the Testing Room of the Personnel Commission Office at 999 Atlantic Avenue, Long Beach, California.
12. CLOSED SESSION
 - 12.1 Review and Take Action on the Hearing Officer's Report Regarding the Dismissal of a Classified Employee E00491233 Restricted Action
13. ADJOURNMENT

ACCESS TO PUBLIC DOCUMENTS

Public records related to the open session agenda, that are distributed to the Personnel Commission members less than 72 hours prior to a regular meeting, may be inspected by the public at the Personnel Commission Office, 999, Atlantic Avenue, Third Floor, Long Beach, CA 90813, during regular business hours (Monday through Thursday, 8:00 a.m. to 4:40p.m.).

Persons requiring accommodation in order to view the agenda or participate in the meeting, may make the request for accommodation to the Executive Officer, Personnel Commission at 562-435-5708 at least 24 hours in advance of the meeting pursuant to Government Code 54954.2 (a) 1.

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Minutes for January 17, 2013

PAGES: 7.1.1 – 7.1.5

Date: January 31, 2013

Reason for
Consideration: Action

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, CA 90813

Chairperson Terence Ulaszewski called the meeting of the Personnel Commission to order at 8:15 a.m. and led the Commissioners, staff and audience in the pledge of allegiance.

COMMISSION MEMBERS PRESENT

Terence Ulaszewski, Chairperson
Linda Vaughan, Vice-Chairperson
Stacey Lewis, Member

STAFF MEMBERS PRESENT

Gail McMahon, Ed.D., Executive Officer
Marilyn Balmer, Personnel Analyst
Susan Leaming, Personnel Analyst
Dale Culton, Certification Services Manager
Maria Lynn Braunstein, Associate Personnel Analyst
Anne Follett, Human Resources Technician
Shelley Scott, Human Resources Technician
Tammie Hirth, Human Resources Technician
Susan Brister, Human Resources Technician
Adriana Araujo-Honorio, Staff Secretary

PRELIMINARY

Guests: Les Leahy, Business Services Administrator; appellant 13106946; appellant 7623291; and appellant 13878865.

**HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA**

HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA

None

REPORT FROM THE EXECUTIVE OFFICER

REPORT FROM THE EXECUTIVE OFFICER

Executive Officer McMahon reported, in preparation for an upcoming meeting with facilities regarding the move of the Personnel Commission offices next fall, she and staff will be doing a walk-thru of the Monroe school site.

Ms. McMahon informed the Commission the revision of Chapter IV of the Rules and Regulations of the Classified Service will be on the next agenda for a first reading. After discussion with staff, meeting with CSEA representatives and input from the District, language will be included allowing for promotional points in addition to seniority points. These changes are a direct result of the environmental scan in which those who responded to the scan put a heavy weight on an employee's behavioral characteristics.

Dale Culton, Certification Services Manager, reported the summer school application will be available for employees as soon as the dates and hours of the summer sessions are finalized. He also reported that staff continues to work on eliminating Instructional Aide vacancies.

Marilyn Balmer, Personnel Analyst, reported she recently conducted an interview training session for the Head Start Policy Council members. She also reported the software that staff currently uses to upload examination scores into the NEOGOV applicant tracking system will no longer be serviced after December 2013 and she will be seeking alternative options. Chairperson Ulaszewski suggested she contact NEOGOV as they may have a solution available.

Susan Leaming, Personnel Analyst, provided an update on Classified Staff Development activities. Reporting 88 employees were CPR and First Aid certified in December and seats are available for a CalPERS Retirement Planning Workshop scheduled for January 29, 2013. Ms. Leaming also provided a brief summary of the Student Services Job Family Study which is currently in process. She reported 87% of employees invited to the orientation sessions in October and November attended and she is beginning to review the Position Description Questionnaires which have been submitted by the employees.

MINUTES

MINUTES

The Commission approved the minutes of the January 3, 2013 Personnel Commission meeting. It was moved by Vice-Chairperson Vaughan to approve the minutes. Commissioner Lewis seconded the motion. The motion was carried and approved.

RECEIPT AND DISTRIBUTION OF HEARING OFFICER'S REPORT

RECEIPT AND DISTRIBUTION OF
HEARING OFFICER'S REPORT

In accordance with the Personnel Commission Rule 11.6.D, the Personnel Commission shall distribute the report to the employee representative and the District. Commissioner Lewis made a motion to accept the Hearing Officer's report with the revision of typographical errors and to distribute the revised report to all parties involved. Vice-Chairperson Vaughan seconded the motion. The motion was carried and approved.

BULLETINS

BULLETINS

Personnel Commission Rule 4.6.B.1, states that the Personnel Commission Executive Officer shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. Vice-Chairperson Vaughan moved to ratify the bulletins. The motion was seconded by Commissioner Lewis and the bulletins were ratified.

<u>TITLE</u>	<u>TYPE</u>	<u>NUMBER</u>
Intermediate Nutrition Services Worker	Dual	13-0056-5058
Kids Club Supervisor I	Dual	13-0050-3266
Kids Club Supervisor II	Dual	13-0051-3267
Kids Club Supervisor III	Dual	13-0052-3268
Senior Nutrition Services Worker	Dual	13-0057-5071

ELIGIBILITY LISTS

ELIGIBILITY LISTS

Personnel Commission Rule 5.1.A, states that the Personnel Commission Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. Commissioner Lewis moved for approval. The motion was seconded by Vice-Chairperson Vaughan. The eligibility lists were approved.

Health Assistant	Dual	13-0041-5170
List Valid: 1/17/13 - 1/17/14		
Total applications received: 212	Total invited to exam: 37	
No. Passed: 17	No. Failed: 12	No. Withdrew: 8 No. Screened Out: 175

Instructional Aide – Special	Open/Continuous	13-0035-0448
List Valid: 1/09/13 – 1/09/14		
Total applications received: 114	Total invited to exam: 78	
No. Passed: 21	No. Failed: 11	No. Withdrew: 46 No. Screened Out: 36

Instructional Assistant - Mathematics	Dual	13-0036-5172
List Valid: 12/31/12 – 12/31/13		
Total applications received: 135	Total invited to exam: 51	
No. Passed: 39	No. Failed: 2	No. Withdrew: 10 No. Screened Out: 84

Intermediate Office Assistant		
Bilingual Spanish (Amended)	Dual	13-0032-5052
List Valid: 12/28/12 – 12/28/13		
Total applications received: 226	Total invited to exam: 119	
No. Passed: 32	No. Failed: 48	No. Withdrew: 39 No. Screened Out: 107

Intermediate Office Assistant – Schools		
Bilingual Spanish (Amended)	Dual	13-0033-5050
List Valid: 12/28/12 – 12/28/13		
Total applications received: 130	Total invited to exam: 69	
No. Passed: 22	No. Failed: 26	No. Withdrew: 21 No. Screened Out: 61

NEXT MEETING

NEXT MEETING

The next regular meeting of the Personnel Commission will be held on Thursday, January 31, 2013, at 8:15 a.m. at 999 Atlantic Avenue, Third Floor, Long Beach, California.

CLOSED SESSION

CLOSED SESSION

The Personnel Commission adjourned to closed session at 8:39 a.m. to consider the recommendations to remove appellant 13086301, appellant 10370237, appellant 13609992, appellant 13106946, appellant 7623291, and appellant 13878865 from eligibility lists and to review and take action on the Hearing Officer's report to dismiss employee E00177750.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 13086301 from current eligibility lists per Personnel Commission Rule 4.2.A.7. The appellant was not present.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 10370237 from current eligibility lists per Personnel Commission Rule 4.2.A.5 and 4.2.A.7. The appellant was not present.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 13609992 from current eligibility lists per Personnel Commission Rule 4.2.A.7. The appellant was not present.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 13106946 from current eligibility lists per Personnel Commission Rule 4.2.A.7. The appellant was present.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 7623291 from current eligibility lists per Personnel Commission Rule 4.2.A.6 and 4.2.A.7. The appellant was present.

REMOVAL FROM ELIGIBILITY LIST

REMOVAL FROM ELIGIBILITY LIST

Staff submitted a recommendation to remove candidate 13878865 from current eligibility lists per Personnel Commission Rule 4.2.A.7. The appellant was present.

**REVIEW AND TAKE ACTION ON THE
DISMISSAL OF A CLASSIFIED EMPLOYEE**

REVIEW AND TAKE ACTION ON THE
DISMISSAL OF A CLASSIFIED EMPLOYEE

The Commission assigned Hearing Officer, Kristine Kwong, submitted a report of Facts and Findings following the appeal hearing of Employee E00177750 for Personnel Commission review and action. The appellant was not present.

RETURN TO OPEN SESSION

RETURN TO OPEN SESSION

The Personnel Commission returned to Open Session at 9:37 a.m. The following reportable actions were taken during Closed Session:

The Commission acted to sustain staff's recommendation to remove candidate 13086301 from current eligibility lists and instructed the Executive Officer to notify the candidate of the decision.

The Commission acted to sustain staff's recommendation to remove candidate 10370237 from current eligibility lists but determined that this would not be a permanent bar from future employment with the District but would allow the candidate to reapply after April 2014, six months after the completion of probation. They instructed the Executive Officer to notify the candidate of this decision.

The Commission acted to sustain staff's recommendation to remove candidate 13609992 from current eligibility lists and instructed the Executive Officer to notify the candidate of the decision.

The Commission acted to sustain staff's recommendation to remove candidate 13106946 from current eligibility lists but determined that this would not be a permanent bar from future employment with the District but would allow the candidate to reapply after completion of one year of having their driver's license reinstated and all matters pertaining to the suspension resolved. They instructed the Executive Officer to notify the candidate of this decision.

The Commission acted to sustain staff's recommendation to remove candidate 7623291 from current eligibility lists but determined that this would not be a permanent bar from future employment with the District but would allow the candidate to reapply after 90 days have elapsed. They instructed the Executive Officer to notify the candidate of this decision.

The Commission acted to grant the appeal of candidate 13878865 due to the good work history presented, duration of time that had elapsed since the misdemeanor occurred and the extensive needs of the District in the classification. They instructed the Executive Officer to notify the candidate of the decision.

The Commission unanimously acted to sustain the Hearing Officer's recommendation to uphold the District's decision to dismiss employee E00177750 and directed the Executive Officer to send copies of the decision to the District and the Employee in accordance with Personnel Commission Rule 11.6.E.

ADJOURNMENT

ADJOURNMENT

There being no further business, at 9:40 a.m. Chairperson Ulaszewski adjourned the meeting.

Respectfully submitted,

Signature on file

Gail McMahon, Ed.D.
Executive Officer

GM/mb

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Classification/Restructure
 Recommendations

PAGES: 8.1.1

Date: January 31, 2013

**Reason for
Consideration:** Action

One of the specific requirements of Education Code 45256 is that "the Commission shall classify all employees and positions within the jurisdiction of the governing board or of the Commission, except those that are exempt from the classified services as specified..." In accordance with the Personnel Commission Rules, staff submits the attached classification recommendation for the consideration of the Commission.

None

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Revisions to the Rules and
Regulations of the Classified Service,
Chapter IV (First Reading)

PAGES: 8.2.1- 8.2.25

Date: January 31, 2013

Reason for
Consideration: Discussion

One of the specific requirements of Education Code 45260 is that "The Commission shall prescribe, amend and interpret, subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness." In accordance with the Personnel Commission Rules, staff submits the attached revisions, for the first reading and consideration of the Commission.

REVISION OF RULES AND REGULATIONS

PAGE

Chapter IV (First Reading)

2

CHAPTER IV
APPLICATIONS AND EXAMINATIONS

4.1 FILING OF APPLICATIONS

~~EDUCATION CODE 45261 SUBJECT OF RULES. The rules shall provide for the procedures...regarding applications, examinations...promotions...public advertisement of examinations, rejection of unfit applicants without competition...~~

Comment [GD1]: Education Code 45261 is referenced at the end of 4.1.A

- A. FILING OF APPLICATIONS. All applications for employment must be made upon official forms furnished by the ~~Personnel Commission, filled out as therein directed,~~ and filed on or before the date specified and in the office specified in the examination announcement. All applications and related examination papers are confidential records ~~of the district and will may not be returned to the applicant.~~

Comment [GD2]: Deleted unnecessary language

Applicants taking more than one examination must file a separate and complete application for each such examination.

The names of applicants ~~or unsuccessful candidates~~ in any examination shall not be made public.

Comment [GD3]: Applicants and candidates are the same as used in this sentence.

Reference: California Education Code 45261

B. GENERAL QUALIFICATIONS OF APPLICANTS.

- (1) It is not required that applicants with the school district be or have declared an intent to become a citizen of the United States, nor is it required that an applicant be a resident of California. ~~(Reference: Education Code Section 45111.) However, each new employee of the district must prove that he/she is authorized to work in the United States in accordance with standards set by the Immigration and Naturalization Service in order to meet Federal requirements. An INS Form I-9 must be satisfactorily completed for each new employee in accordance with Federal regulations before employment can be authorized.~~

Comment [GD4]: Unnecessary language as this is part of the process and should not be a rule.

Reference: California Education Code 45111

- (2) The following documents have been deemed by the Federal Government to be acceptable as proof that an individual is authorized to work in the United States:

- a. United States Passport
- b. Certificate of United States Citizenship
- c. Certificate of Naturalization
- d. Unexpired foreign passport with attached Employment Authorization
- e. Alien Registration Card with photograph

Other combinations of documents also deemed acceptable include a photo identification such as a State issued drivers license or identification card with a photograph or a U.S. Military Card AND an original Social Security Number Card, a birth certificate issued by a state, county or municipal authority bearing a seal or other certification, or specified unexpired INS Employment Authorization Form.

Comment [GD5]: Part of the process and federal guidelines. Should not be a Personnel Commission rule.

- (23) Applicants must meet ~~possess~~ all requirements ~~that may be specified as in the~~ minimum qualifications established for the class. ~~Every applicant must be, in all~~ respects, mentally and physically competent to perform the duties of the position for which he/she applies.

4.2 DISQUALIFICATION OF UNFIT APPLICANTS, CANDIDATES, AND ELIGIBLES

- A. CAUSES FOR REJECTION. ~~An~~ A applicants, candidates, or eligibles may be ~~refused examination or certification, disqualified from an examination, or removed from an eligibility list for any of the following reasons: disqualified from current exams, from eligibility lists and possibly from future exams for any of the following reasons:~~

1. Failure to meet the general qualifications of Rule 4.1.B.
2. Having applied and participated in an examination for the classification within the last 90 days. Employees in lay-off status may apply and retest after 60 days for open-continuous recruitments.
- 3.2. Knowingly becoming or knowingly remaining a member of the communist party on or after September 9, 1953.
- 4.3. Advocacy of overthrow of the Government of the United States or the State of California by force, violence, or other unlawful means.
- 5.4. Conviction or a plea of guilty or *nolo contendere* (i.e., I do not wish to contest) in court to a charge of moral turpitude, violent felonies or any sex offense, or mistreatment of children.
- 6.5. Presently continuing to serve a judicially imposed sentence including a probationary period for a conviction, unless the District waives this subsection.
- 7.6. Criminal, infamous, dishonest, immoral, or disgraceful conduct according to standards approved by the Commission.

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Comment [GD6]: Formalized an existing practice which attempts to prevent an unfair advantage when applicants take exams multiple times

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The following definitions apply to the words in the preceding paragraph:

Criminal - Conviction of crime(s) specifically set forth in the Education Code as causes(s) for rejection or termination or a pattern of willful disregard for the law as demonstrated by a history of convictions for misdemeanors, and crimes lesser than those specifically identified in the Education Code, and criminal convictions which indicate poor judgment on the part of the applicant, ~~such as DUI's.~~

Comment [GD7]: Eliminated the example as crimes and misdemeanors are wide and varied

- Infamous - Crimes against nature.
- Dishonest - Thefts, burglaries, deception, fraud, or acts intended to deprive lawful possession or ownership, or to obscure or confuse facts or issues.
- Immoral - Sex offenses, including those set forth in the Education Code as causes for termination.
- Disgraceful - Drunk, fighting, insulting, slandering, harassing, or unwelcome behavior; conduct involving violence, use or possession of a dangerous or illegal weapon, or making or inferring threats of violence or harmful acts toward a person or property and, including willful acts of pollution or contamination.

- ~~8.7.~~ Making a false statement, misstating, or omitting a statement of any material fact on the application or other official documents.
- ~~9.8.~~ Practicing any deception or fraud in connection with the Employment Application or in securing examination, certification, or appointment.
- ~~10.9.~~ Failure to provide all required materials or to completely disclose all relevant employment information required at time of employment application, such as supplemental applications for employment, conviction information and court documents, as specified on the job application, in the employment application package and/or Job Announcement bulletin.
- ~~11.10.~~ Conviction of drug ~~use~~ ~~addiction~~ and/or use of intoxicating beverages to excess, or sale, possession for sale, or transportation of controlled substances, dangerous drugs or narcotics, including marijuana, or the possession or use of narcotics other than marijuana.
- ~~12.1.~~ Dismissal from a previous employment for cause, if the cause would have subjected the applicant to dismissal from the district.
- ~~13.2.~~ Previous dismissal from Long Beach Unified School District unless the District waives this subsection.
- ~~14.3.~~ A record of unsatisfactory or below standard service with Long Beach Unified School District or other employers even though separation has not occurred.
- ~~15.4.~~ A record of an unstable employment history which demonstrates a lack of commitment to serve the needs of the employer.
- ~~16.5.~~ A record of discourteous treatment of, or illegal, unwelcome, or inappropriate conduct or behavior toward the public, children, or of fellow workers, or any other willful failure of good conduct, which, if it had occurred while serving as an employee of the District, could be considered as tending to injure the public service.

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16. ~~Unsatisfactory health conditions.~~ Health conditions causing the applicant to be incapable of performing the duties of the class to which he or she has applied

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Comment [GD8]: Clarified language to indicate health conditions must be related to ability of applicant to perform duties of the job.

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17. Failure to report for and complete fingerprinting, or employment processes as required, or to report to duty after an assignment/start date has been offered and accepted.

18. Failure, after due notice, to ~~provide information promptly~~ report promptly for review of any of the reasons for rejection contained in this section, or to complete, expand upon, or provide documentation or details necessary for ~~application review or~~ employment processing.

Comment [GD9]: clarification

19. Refusal to furnish testimony at a hearing or investigation before the Personnel Commission or Board of Education.

20. Refusal to sign ~~an~~ ~~loyalty~~ oath of allegiance for public employees or offices.

Comment [GD10]: Clarification of document new employees are required to sign.

21. Reporting to work with, using, possessing, or being under the influence of any intoxicating controlled beverages or substances while on duty.

22. A demonstrated record or attitude of active discrimination against others because of personal characteristics prohibited by law, regulation, or policy.

23. A pattern of behavior demonstrating an inability or unwillingness to work effectively in a diverse employment environment.

24. A failure to meet the district safe driving record standard or a pattern of willful disregard for the law as demonstrated by a history of traffic offenses, including, but not limited to, license suspensions, driving without a valid license or without insurance and other traffic offenses.

25. General conduct detrimental to the good order and discipline of the classified service as demonstrated by recent and/or job-related infractions of any of the causes for rejection outlined in this rule.

Reference: California Education Code 45122.1, 45122, 45123, 45124, 45261, 45303

Comment [GD11]: Added appropriate Education Code references

B. APPEAL OF DISQUALIFICATION. Applicants, candidates, or eligibles who are rejected for any of the reasons enumerated in Rule 4.2.A, shall be notified in writing by the ~~Executive Officer~~ ~~Personnel Director~~. The notice shall state:

1. The reason(s) for the rejection.

2. That, within five calendar days, the individual may appeal to the ~~Executive Officer~~ ~~Personnel Director~~ in writing for an administrative review, and that failure to do so makes the rejection final and conclusive.

Comment [GD12]: Changed title

If there has been an administrative review and the rejection is sustained, the individual may pursue the appeal to the ~~P~~ersonnel ~~C~~ommission in accordance with Rule 4.9.

C. EXAMINATION AFTER REJECTION OR DEMOTION. An employee with permanent status in a class who has been demoted from a higher class during probation, in accordance with Rule 7.3, or who has been demoted after attaining status in a higher class, in accordance with Rule 11.1, shall not be admitted to an examination for the class from which demotion occurred for one year after the effective date of the demotion.

Comment [AA13]: Moved to 4.5 Exams

CD. ACTION WHEN REJECTION IS NOT SUSTAINED. When a rejection is not sustained by the ~~Executive Officer Personnel Director~~ or the ~~Ppersonnel Ceommission~~, the ~~Executive Officer Personnel Director~~ shall institute immediate action to ensure the rights of the applicant, candidate, or eligible as though the rejection had not been made. However, appointments made in the interim shall not be disturbed unless they were fraudulently made.

Comment [GD14]: Changed title

Comment [GD15]: Changed title

4.3 VIOLENT OR SERIOUS FELONIES, SEX OR NARCOTICS OFFENSES

Comment [GD16]: The following Education Code provisions are either referenced or were determined not an integral component to the Rules and Regulations of the Classified Service.

EDUCATION CODE 45122.1 VIOLENT OR SERIOUS FELONIES; CLASSIFIED EMPLOYEES WITHOUT PERMANENT STATUS; NOTICE REGARDING APPLICANTS; PROOF OF REHABILITATION; SUSPENSION AND TERMINATION PROCEDURES.

(a) In addition to any other prohibition or provision, no person who has been convicted of a violent or serious felony shall be employed by a school district pursuant to this chapter. A school district shall not retain in employment a current classified employee who has been convicted of a violent or serious felony, and who is a temporary, substitute, or a probationary employee who has not attained permanent status.

(b) This section applies to any violent or serious offense which, if committed in this state, would have been punishable as a violent or serious felony.

(c) (1) For purposes of this section, a violent felony is any felony listed in subdivision (e) of Section 667.5 of the Penal Code and a serious felony is any felony listed in subdivision (e) of Section 1192.7 of the Penal Code.

(2) For purposes of this section, the term "school district" has the same meaning as defined in Section 41302.5.

(d) When the Department of Justice ascertains that an individual who is an applicant for employment by a school district has been convicted of a violent or serious felony, the department shall notify the school district of the criminal information pertaining to the applicant. The notification shall be delivered by telephone and shall be confirmed in writing and delivered to the school district by first-class mail.

(e) Notwithstanding subdivision (a), a person shall not be denied employment or terminated from employment solely on the basis that the person has been convicted of a violent or serious felony if the person has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(f) Notwithstanding subdivision (e), a person shall not be denied employment or terminated from employment solely on the basis that the person has been convicted of a serious felony that is not also a violent felony if that person can prove to the sentencing

court of the offense in question, by clear and convincing evidence, that he or she has been rehabilitated for the purposes of school employment for at least one year. If the offense in question occurred outside this state, then the person may seek a finding of rehabilitation from the court in the school district in which he or she is a resident.

(g) Notwithstanding any other provision of law, when the Department of Justice notifies a school district by telephone that a current temporary, substitute, or probationary employee who has not attained permanent status, has been convicted of a violent or serious felony, that employee shall immediately be placed on leave without pay. When the school district received written notification of the fact of conviction from the Department of Justice, the employee shall be terminated automatically and without regard to any other procedure for termination specified in this code or school district procedures unless the employee challenges the record of the Department of Justice and the Department of Justice withdraws in writing its notification to the school district. Upon receipt of written withdrawal of notification from the Department of Justice, the employee shall immediately be reinstated with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement.

(h) Notwithstanding Section 47610, this section applies to a charter school.

EDUCATION CODE 45123 EMPLOYMENT AFTER CONVICTION OF SEX OFFENSE OR NARCOTICS OFFENSE; REHABILITATED CONTROLLED SUBSTANCE OFFENDER.

Comment [AA17]: Referenced in 4.2

(a) No person shall be employed or retained in employment by a school district who has been convicted of any sex offense as defined in Section 44010. A plea or verdict of guilty, a finding of guilt by a court in a trial without jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction within the meaning of this subdivision.

(b) No person shall be employed or retained in employment by a school district, who has been convicted of a controlled substance offense as defined in Section 44011.

(c) If, however, a conviction is reversed and the person is acquitted of the offense in a new trial or the charges against him or her are dismissed, this section does not prohibit his/her employment thereafter.

(d) The governing board of a school district may employ a person convicted of a controlled substance offense if the governing board of the school district determines, from the evidence presented, that the person has been rehabilitated for at least five years.

The governing board shall determine the type and manner of presentation of the evidence, and the determination of the governing board as to whether or not the person has been rehabilitated is final.

EDUCATION CODE 44009 CONVICTION OF SPECIFIED CRIMES.

(a) A plea or verdict of guilty or finding of guilt by a court in a trial without a jury is deemed to be a conviction within the meaning of Sections 44425 and 44436, irrespective of a subsequent order for probation suspending the imposition of a sentence or an order under Section 1203.4 of the Penal Code

allowing the withdrawal of the plea of guilty and entering a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusations or information. The record of a narcotics offense, as defined in Section 44011, shall be sufficient proof of conviction of a crime involving moral turpitude for the purposes of Sections 44892, 44907, and 44923, and Sections 44932 to 44947, inclusive, relating to the dismissal of permanent employees.

(b) A plea or verdict of guilty, or finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of Section 44836 and 45123, irrespective of a subsequent order for probation suspending the imposition of a sentence or an order under Section 12033.4 of the Penal Code allowing the withdrawal of the plea of guilty and entering a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusations or information. The record of conviction shall be sufficient proof of conviction of a crime involving moral turpitude for the purposes of Sections 44892, 44907, and Sections 44932 to 44957, inclusive, relating to the dismissal of permanent employees.

EDUCATION CODE 44010 SEX OFFENSE. "Sex offense," as used in Sections 44020, 44237, 44356, 44425, 44436, 44836, 45123, and 45304, means any one or more of the offenses listed below:

- (a) — Any offense defined in Section 220, 261, 261.5, 262, 264.1, 266, 266J, 267, 285, 286, 288, 288a, 289, 311.3, 311.4, 313.1, 647B, 647.6, or former Section 647a, subdivision (a), (b), or (c) of Section 243.4, subdivisions (b), (c), and (d) of Section 311.2, or subdivision (a) or (d) of Section 647 of the Penal Code.
- (b) — Any offense defined in former subdivision 5 of former Section 647 of the Penal Code repealed by Chapter 560 of the Statutes of 1961, or any offense defined in former subdivision 2 of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961, if the offense defined in such sections was committed prior to September 15, 1961, to the same extent that such an offense committed prior to such date was a sex offense for the purposes of this section prior to September 15, 1961.
- (c) — Any offense defined in Section 314 of the Penal Code committed on or after September 15, 1961.
- (d) — Any offense defined in former subdivision 1 of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961 committed on or after September 7, 1955, and prior to September 15, 1961.
- (e) — Any offense involving lewd and lascivious conduct under Section 272 of the Penal Code committed on or after September 15, 1961.
- (f) — Any offense involving lewd and lascivious conduct under former Section 702 of the Welfare and Institutions Code repealed by Chapter 1616 of the Statutes of 1961, if that offense was committed prior to September 15, 1961, to the same extent that an offense committed prior to that date was a sex offense for the purposes of this section prior to September 15, 1961.

- (g) — Any offense defined in Section 286 or 288a of the Penal Code prior to the effective date of the amendment of either section enacted at the 1975-76 Regular Session of the Legislature committed prior to the effective date of the amendment.
- (h) — Any attempt to commit any of the above mentioned offenses.
- (i) — Any offense committed or attempted in any other state which, if committed or attempted in this state, would have been punishable as one or more of the above mentioned offenses.
- (j) — Any conviction for an offense resulting in the requirement to register as a sex offender pursuant to Section 290 of the Penal Code.
- (k) — Commitment as a mentally disordered sex offender under former Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of the Welfare and Institutions Code, as repealed by Chapter 928 of the Statutes of 1981.

EDUCATION CODE 44011 CONTROLLED SUBSTANCE OFFENSE.

"Controlled Substance offense" as used in Sections 44346, 44425, 44436, 44836, and 45123, means any one or more of the following offenses:

- (a) — Any offense in Sections 11350 to 11355 inclusive, 11361, 11366, 11368, 11377 to 11382, inclusive, and 11550 of the Health and Safety Code.
- (b) — Any offense committed or attempted in any other state or against the laws of the United States which, if committed or attempted in this state, would have been punished as one or more of the above mentioned offenses.
- (c) — Any offense committed under former Sections 11500 to 11503 inclusive, 11557, 11715, and 11721 of the Health and Safety Code.
- (d) — Any attempt to commit any of the above mentioned offenses.

EDUCATION CODE 45124 EMPLOYMENT OF SEXUAL PSYCHOPATH.

No person shall be employed or retained in employment by a school district who has been determined to be a sexual psychopath under the provisions of Article 1 (commencing at Section 6300), Chapter 2, Part 2, Division 6 of the Welfare and Institutions Code or under similar provisions of law of any other state. If, however, such determination is reversed and the person is determined not to be a sexual psychopath in a new proceeding or the proceeding to determine whether he is a sexual psychopath is dismissed, this section does not prohibit his employment thereafter.

EDUCATION CODE 45125 USE OF PERSONAL IDENTIFICATION CARDS TO ASCERTAIN CONVICTION OF CRIME.

- (a) The governing board of any school district shall require each person to be employed in a position not requiring certification qualifications, except a secondary school pupil employed in a temporary or part-time position by the governing board of the school district having jurisdiction over the school

Comment [GD18]: Existing rules for application review and disciplinary process.

Comment [AA19]: Referenced in 4.2

Comment [AA20]: Not a merit system requirement but is part of process. Should not be a rule.

attended by the pupil, to have two 8" x 8" fingerprint cards bearing the legible rolled and flat impressions of the person's fingerprints together with a personal description of the applicant prepared by a local public law enforcement agency having jurisdiction in the area of the school district, which agency shall transmit the cards, together with the fee hereinafter specified, to the Department of Justice; except that any district, or districts with a common board, may process the fingerprint cards if the district so elects. "Local public law enforcement agency" as used herein includes any school district and as used in Section 45126 requires the Department of Justice to provide to any school district, upon application, information pertaining only to applicants for employment by the district, including applicants who are employees of another district.

(b) (1) Upon receiving the identification cards, the Department of Justice shall ascertain whether the applicant has been arrested or convicted of any crime insofar as that fact can be ascertained from information available to the department and forward the information to the local public law enforcement agency submitting the applicant's fingerprints no more than 15 working days after receiving the identification cards. The Department of Justice shall not forward records of criminal proceedings that did not result in a conviction but shall forward information on arrests pending adjudication.

(2) Upon implementation of an electronic fingerprinting system with terminals located statewide and managed by the Department of Justice, the Department of Justice shall ascertain the information required pursuant to this subdivision within three working days. If the Department of Justice cannot ascertain the information required pursuant to this subdivision within three working days, the department shall notify the school district that it cannot so ascertain the required information. This notification shall be delivered by telephone and shall be confirmed in writing and delivered to the school district by first-class mail. If a school district is notified by the Department of Justice that it cannot ascertain the required information about a person, the school district may not employ that person until the Department of Justice ascertains that information. At its discretion, the Department of Justice may forward one copy of the fingerprint cards submitted to any other bureau of investigation it may deem necessary in order to verify any record of previous arrests or convictions of the applicant or employee.

(c) The governing board of a school district shall not employ a person until the Department of Justice completes its obligations as set forth in this section and Sections 45125.5 and 45126, except that this subdivision does not apply to pupils who are to be employed at the school they attend.

(d) The governing board of each district shall forward a request to the Department of Justice indicating the number of current employees, except pupils employed at the school they attend, who have not completed the requirements of this section. The Department of Justice shall direct when the cards are to be forwarded to it for processing which in no event shall be later than 30 working days from the date of the amendment of this section by Assembly Bill 1610 of the 1997-98 Regular Session. The Department of Justice shall process these cards within 30 working days of their receipt and any cards in its possession on the date of the amendment of this section by Assembly Bill 1610 of the 1997-98

Regular Session within 30 working days of that date. School districts that have previously submitted identification cards for current employees to either the Department of Justice or the Federal Bureau of Investigation shall not be required to further implement the provisions of this section as it applies to those employees.

(e) A plea or verdict of guilty or a finding of guilt by a court in a trial without a jury or forfeiture of bail is deemed to be a conviction within the meaning of this section, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing the withdrawal of the plea of guilty and entering of a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusations or information.

(f) The governing board shall provide the means whereby the identification cards may be completed and shall charge a fee determined by the Department of Justice to be sufficient to reimburse the department for the costs incurred in processing the application. The amount of the fee shall be forwarded to the Department of Justice, with two copies of applicant's fingerprint cards. The governing board may collect an additional fee not to exceed two dollars (\$2) payable to the local public law enforcement agency taking the fingerprints and completing the data on the fingerprint cards. The additional fees shall be transmitted to the city or county treasury. If an applicant is subsequently hired by the board within 30 days of the application, the fee may be reimbursed to the applicant. Funds not reimbursed to applicants shall be credited to the general fund of the district. If the fingerprint cards forwarded to the Department of Justice are those of a person already in the employ of the governing board, the district shall pay the fee required by this section, which fee shall be a proper charge against the general fund of the district, and no fee shall be charged the employee.

(g) This section applies to substitute and temporary employees regardless of length of employment.

(h) The governing board of each school district shall annually on September 30 submit to the Department of Justice a list of all its employees for the prior school year and shall indicate whether or not a criminal background check pursuant to this section has been completed on each employee.

EDUCATION CODE 45125.5 AUTOMATED RECORDS CHECK. A school district or county office of education may request that a local law enforcement agency conduct an automated records check of a prospective noncertificated employee in order to ascertain whether the prospective noncertificated employee has a criminal record. If the local law enforcement agency agrees to provide that automated records check, the results therefrom shall be returned to the requesting district or county office of education within 72 hours of the written request. A local law enforcement agency may charge a fee to the requesting agency not to exceed the actual expense to the law enforcement agency. For purposes of this section, "prospective noncertificated employee" includes only those applicants whom the requesting school district intends to hire, at the time the automated records check is requested.

Comment [AA21]: DOJ report process. Should not be a part of the rules.

~~EDUCATION CODE 45126 DUTY OF DEPARTMENT OF JUSTICE TO FURNISH INFORMATION REGARDING APPLICANTS FOR EMPLOYMENT. Any provision of law to the contrary notwithstanding, the Department of Justice, shall, as provided in Section 45125, furnish, upon application of a local public law enforcement agency all information pertaining to any such person of whom there is a record in its office.~~

Comment [AA22]: Process, not rule.

4.4 ~~AGE LIMITS~~

Comment [AA23]: None of our rules or process limit age.

~~EDUCATION CODE 45134 AGE LIMITS.~~

~~(a) Notwithstanding any other provisions of law, no minimum or maximum age limits shall be established for the employment or continuance in employment of persons a part of the classified service.~~

~~(b) Any person possessing all of the minimum qualifications for any employment shall be eligible for appointment to that employment, and no rule or policy, either written or unwritten, heretofore or hereafter adopted, shall prohibit the employment or continued employment, solely because of the age of any such person in any school employment who is otherwise qualified therefor.~~

~~(c) No person shall be employed in school employment while he or she is receiving a retirement allowance under any retirement system by reason of prior school employment, except that a person may be hired:~~

~~(1) Pursuant to Article 5 (commencing at Section 21150) of Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code.~~

~~(2) As an aide is needed in one of the following circumstances:~~

~~(A) An aide is needed in a class with a high pupil-teacher ratio.~~

~~(B) An aide is needed to provide one-on-one instruction in remedial classes or for underprivileged students.~~

~~A person working as an aide pursuant to this subdivision shall not receive service credits for purposes of the State Teachers' Retirement System.~~

~~(d) The provisions of subdivision (c) shall be inapplicable to persons who were employed in the classified service of any school district as of September 18, 1959, and who are still in the employ of the same district on the effective date of this subdivision, and the rights of those persons shall be fixed and determined as of September 18, 1959, and no such person shall be deprived of any right to any retirement allowance or eligibility for any such allowance to which he/she would have been entitled as of that date. Any such person who, by reason of any provision of law to the contrary, has been deprived of any right to retirement allowance or eligibility for such an allowance, shall upon the filing of application therefore, be reinstated to such rights as he/she would have had had this subdivision been in effect on September 18, 1959.~~

(e) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing at Section 45240) of this chapter.

4.5 RESIDENCE REQUIREMENTS

Comment [AA24]: Referenced in 4 B (1)

~~EDUCATION CODE 45111 PROHIBITION AGAINST REQUIRING CLASSIFIED EMPLOYEES TO RESIDE WITHIN DISTRICT. No school district may adopt or maintain any rule or regulation which requires a candidate for a position in the classified service to be a resident of the district or to become a resident of the district, or which requires that an employee maintain residency within the district; nor may a district grant preferential points or other preferential treatment to those candidates or employees who are residents of the district. This section shall not apply to restricted positions as provided for in Section 45105 and 45103.~~

The Legislature in enacting this section recognizes that the public school system of this state is the property of all its citizens, and that all qualified candidates for positions in the classified service, regardless of residence, should be granted the opportunity to compete for and obtain such positions based solely on merit and fitness.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing at Section 45240) of this chapter.

4.6 EXAMINATIONS

Comment [AA25]: Referenced in 4.6 A

~~EDUCATION CODE 45272 VACANCIES IN CLASSIFIED SERVICE; EXEMPTIONS; PROMOTIONAL APPLICANTS.~~

(a) All vacancies in the classified service shall be filled pursuant to this article and the rules of the commission, from applicants on eligibility lists which, whenever practicable, as determined by the commission, shall be made up from promotional examinations, or appointments may be made by means of transfer, demotion, reinstatement, and reemployment in accordance with the rules of the commission. All applicants for promotional examinations shall have the required amount of service in classes designated by the commission or meet the minimum qualifications of education, training, experience, and length of service, which shall be determined by the commission to be appropriate for the class for which they have applied. Any promotional applicant who has served the required amount of time in a designated class or who meets the minimum qualifications for admission to a promotional examination shall be admitted to the examination. The commission shall place applicants on the eligibility lists in the order of their relative merit as determined by competitive examinations. The final scores of candidates shall be rounded to the nearest whole percent for all eligibles. All eligibles with the same percentage score will be considered as having the same rank. Appointments shall be made from the eligibles having the first three ranks on the list who are ready and willing to accept the position.

(b) Upon the request of a majority of the members of the governing board of a district, the commission may exempt one or more secretarial positions from the requirements of this section. Exemptions authorized under this subdivision shall be limited to executive secretarial positions reporting directly to members of the governing board, the district superintendent, or not more than four principal deputies of the district superintendent, or all of these positions.

Any person employed in an exempt executive secretarial position shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except he or she shall not attain permanent status in an executive secretarial position. Positions of executive secretary shall be filled from an unranked list of eligible employees who have been found to be qualified for the positions as specified by the district superintendent and determined by the personnel commission. Any person whose services in an executive secretarial position are discontinued for a cause other than a cause for disciplinary action specified in this code or in a rule of the commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission.

Nothing contained in this section shall authorize the selection of eligible candidates in circumvention of the affirmative action programs of any school district.

EDUCATION CODE 45278 NOTIFICATION OF VACANCY AND EXAMINATIONS. Written notices concerning tests, vacancies, transfer opportunities, and other such selections of shifts, positions, assignments, classifications, or locations shall be posted at all work locations of employees who may be affected not later than 15 working days prior to the closing date of filing appropriate applications, together with the normal use of newspapers and bulletins for public notice for open or promotional vacancies. Whenever the subject of such notices may affect a probationary or permanent classified employee who will not be reporting at his work location during periods when such employee is not normally required to work, such as Christmas, Easter, summer recesses, and other paid or unpaid leaves of absences, including vacations, and who has previously requested notification, such notices shall be mailed to the employee. However, the failure of an employee to receive such notice shall not invalidate any procedure, if in fact the notice was placed in the mail and postage paid.

The foregoing provisions shall not apply to any school district which publishes and distributes to all work locations examination bulletins at least once each month, provided that records of employee requests for transfer and change of location are maintained and that the names of all candidates for transfer and change of location to a vacancy are certified to the appointing authority along with names of appropriate applicants from employment lists.

The personnel commission shall establish procedures for the maintenance of employee requests for transfer, change of location, change of shift, and notification of forthcoming examinations.

Comment [AA26]: Referenced in 4.6B

~~EDUCATION CODE 45273 EXAMINATIONS: EXAMINATION BOARDS; MEMBERSHIP; RECORDINGS. Examinations shall be administered objectively, and shall consist of test parts that relate to job performance.~~

Comment [AA27]: Referenced in F

~~For classes of positions deemed by the commission to require an oral examination, the oral examination board shall include at least two members. Where a structured objective examination is to be administered to the entire field of candidates, a single member oral examination board may be utilized. A "structured objective examination" means, for this purpose, an examination for which the examiner exercises no discretion in the selection of the questions or in the evaluation of the answers.~~

~~Unless specifically directed to evaluate candidates' technical knowledge and skills, the oral examination board shall confine itself to evaluating general fitness for employment in the class. When the oral examination board is directed to evaluate technical knowledge and skills, at least two members of the board shall be technically qualified in the specified occupational area. Members of the governing board or personnel commission shall not serve on an oral examination board. A district employee may serve on an oral examination board if he or she is not at the first or second level of supervision over a vacant position in the class for which the examination is held.~~

~~The personnel commission shall provide for the proceedings of all oral examinations to be electronically recorded. In no case will an oral examination board be provided with confidential references on employees of the district who are competing in promotional examinations. Scores achieved by the candidate on other parts of the examination shall not be made available to the oral examination board.~~

~~EDUCATION CODE 45281 COMPETITION THROUGH PROMOTIONAL EXAMINATIONS. The commission may by rule provide for the competition of persons employed by the governing board in positions required to have certification qualifications in promotional examinations for positions in the classified service.~~

4.3 EXAMINATIONS

- A. **HOLDING OF EXAMINATIONS.** Whenever it is necessary to fill existing or anticipated vacancies in the service, or wherever an eligibility list in any class is about to be abolished in accordance with the provisions of the law and of these rules, or for any other proper cause, a list of eligibles shall be established for the class, ranked according to relative merits as determined by competitive examination given under the direction of the Commission.

Reference: California Education Code 45272

- B. **POSTING OF EXAMINATION ANNOUNCEMENTS.** Announcements that applications are the staff is currently being accepted ~~accepting applications~~ for examinations shall be distributed to offices and places of employment throughout the district and elsewhere as necessary to effect an appropriate recruitment effort.

1. The ~~Executive Officer Personnel Director~~ shall be responsible for issuing Job Announcement Bulletins to publicize recruitment and examination processes authorized by these rules. All Job Bulletins issued shall be ratified at the first reasonable opportunity at a commission meeting.
2. The person in charge at the office or place of employment shall be responsible for posting or displaying each Job Bulletin in a prominent location beginning with the date of its receipt and continuing until the last day of filing applications as set forth in the announcement. At least fifteen days of publicity shall be given each such examination.

Comment [GD28]: Corrected title

Reference: California Education Code 45278

- C. PROMOTIONAL EXAMINATIONS. Whenever practicable, vacancies shall be filled by appointment from promotional eligibility lists. When in doubt, the ~~C~~commission may order that a promotional examination shall first be scheduled, or it may order simultaneous promotional and open competitive tests.
- D. ELIGIBILITY FOR PROMOTIONAL EXAMINATIONS. An employee ~~in the classified service~~ who has attained permanent status in the district and whose most recent performance evaluation was rated overall as satisfactory, is eligible to submit application for a promotional examination if he/she possesses the requisite qualifications as established in the class specification regardless of any current temporary or other kind of assignment.

Comment [GD29]: The definitions indicate promotional exams are limited to qualified employees of the District.

Reference: California Education Codes 45272, 45281, 45820

- E. SENIORITY CREDIT IN PROMOTIONAL EXAMINATIONS. Seniority up to a maximum of 20 years shall ~~be weighted equivalent to 1/4 point for each year of service for promotional and dual examinations. constitute a separate subject with definite weighting in each promotional examination.~~ For the purposes of this Rule, an advance to a higher salary schedule for a related classification or an increase in compensation beyond the maximum fixed for the class in which the employee has been serving, shall be deemed a promotion.

Comment [GD30]: Included the current and past practice as a rule. Eliminated confusing language.

- F. ATTENDANCE AND/OR PROFESSIONAL GROWTH INCENTIVE. An attendance incentive may be added to the composite score of each promotional candidate competing in a promotional or dual certification examination. The attendance incentive shall be one point for each year of service in which the promotional candidate has had four (4) occurrences or less of sick leave used for each fiscal year up to a maximum of three (3) total points. Only the three most recent fiscal years can be used to earn attendance incentive points. An occurrence in this instance shall be defined as one full assignment day or days taken consecutively as sick leave.

A professional growth incentive may be added to the composite score of each promotional candidate competing in a promotional examination or dual certification examination. The professional growth incentive shall be one point for each year within a two year period in which the applicant has successfully completed classes, training or seminars which would enhance his/her knowledge, skills and abilities in the promotional classification. A maximum of two (2) professional growth incentive points can be

earned. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

The maximum attendance and/or professional growth incentive points a promotional candidate may earn is a total of five (5) points. Promotional candidates are responsible for providing proof of their attendance and/or completion of classes, training and seminars at the time of application but in no event no later than the application deadline. In circumstances in which there are multiple instances of sick leave use for FMLA, CFRA and IA, the matter will be considered on a case by case basis by the administrator of the Personnel Commission.

- GF. CHARACTER OF EXAMINATIONS.** Examinations shall consist of test parts that relate to job performance and, for example, may include such parts as a written test, performance test, technical oral examination, qualifications appraisal interview, evaluation of training and experience, in-basket exam, a structured group oral, a leaderless discussion exam, or other appropriate assessment elements.

Reference: California Education Code 45273

- HG. CONDUCT OF EXAMINATIONS.** All persons taking examinations for employment in the classified service shall be given the opportunity to compete in each examination under the same or similar conditions as every other competitor. The Executive Officer Personnel Director shall require examination security measures to be developed and followed as appropriate to maintain both candidate privacy and internal test security and integrity. No competitor shall receive or give aid or communicate with another competitor during the conduct of any examination. Any applicant or competitor who attempts to obtain or who obtains preferential treatment or substantive examination assistance by any means prior to, during, or following an examination may be disqualified from such a selection procedure and further consideration for employment.

Comment [GD31]: Corrected title

- IH. TIME OF ADMISSION TO WRITTEN EXAMINATIONS.**

1. Admission to the testing room or area for group written testing segments shall be up to and including the time announced, and published on the Notice of Written Examination Card, or until testing staff has processed and admitted all candidates present at the announced time of the exam WHICHEVER IS LATER. The doors to the examining area will then be closed and any further candidates arriving late will be are to be denied admission to the examination, and recorded as "no show".

Comment [GD32]: Corrected to remove a practice which is no longer used.

2. Staff will post a sign on the door reading "NO ADMITTANCE, EXAM HAS BEGUN. For further assistance contact the Testing Office at (current telephone number/extension.)"

Comment [GD33]: Corrected to remove a practice which is no longer used.

- JH. TIME OF ADMISSION TO ORAL/PERFORMANCE EXAMINATIONS.**

1. Admission to Oral Interviews, Performance Tests, or similar individual exam segments shall be at the time announced on the notice of Oral/Performance Examination Card, unless the process is unavoidably running late, and then admission shall be as soon as possible following the established sequence.

2. A candidate who arrives after his/her scheduled time and could have been admitted to that exam segment on time had he/she been present on time, shall lose his/her right to that exam. However, if the PC Staff can easily arrange to accommodate the individual at a later time during the day, the late candidate may wait and that may be done following these guidelines.
 - a. No other candidate will be displaced from their allotted time or caused to be inconvenienced, unless voluntarily agreed to by that person.
 - b. The panel members are agreeable to work through their lunch/break period or stay later than the scheduled time and this does not work an undue hardship on them.
 - c. Another candidate does not show for his/her exam and the late candidate can be scheduled into the no-show candidates time period.

K4. EXAMINATION AFTER REJECTION OR DEMOTION. An employee with permanent status in a class who has been demoted from a higher class during probation, in accordance with Rule 7.3, or who has been demoted after attaining status in a higher class, in accordance with Rule 11.1, shall not be admitted to an examination for the class from which demotion occurred for one year after the effective date of the demotion.

Comment [GD34]: Included a rule which is a long standing practice.

4.7 RESOLVING PROMOTIONAL/CONTINUOUS TESTING EXAM PROTESTS AND NOTIFICATION OF EXAMINATION RESULTS.

- A. RESOLVING PROTESTS INVOLVING PROMOTIONAL/CONTINUOUS TESTING EXAMS. In promotional examinations for classes for which continuous examination procedures have not been authorized, the review and protest period shall be held, and all protests resolved by the Commission, prior to a regular appointment being made from the eligibility list.
- B. NOTIFICATION OF EXAMINATION RESULTS. Notification of final individual examination results shall be sent promptly by US Mail to the home address or email address provided by the ~~of application record of all~~ candidates on or before the establishment of an eligibility list.

Comment [GD35]: Changes made to reflect current practices

4.8 SPECIAL ADMINISTRATION OF EXAMINATIONS

- A. PROCEDURES. Selection procedures usually provide for only one administration of an examination or test part of the examination in order to maintain examination security and to assure uniform treatment of all candidates. However, in some cases it may be in the best interests of the School District to permit special administration of an examination. Consideration is limited to the following circumstances:
 1. Out-of-town administration will be on the same day as local administration, if possible, or as soon as practicable after local administration.
 2. It is possible to recreate similar test situations and conditions.

3. A hardship case existed such as hospitalization, accident or illness which is verified by a doctor's statement indicating the inability of the applicant to participate.
4. There was misdelivery or delay of mail, and only if it is verified by U. S. postal authorities or by the supervisor of the School District's Mail Room.
5. There was an error by a ~~P~~ersonnel ~~C~~ommission employee.
6. Religious beliefs prevent the candidate from participating in the examination at the scheduled time. Such candidate must file verification from his rabbi or minister of his membership and statement of the faith's requirement of observance of restriction of activity. However, if the class being examined for requires ability to work during the hours the candidate is prevented from activity at that time, special administration will not be authorized.
7. Excused military service in accordance with official orders.
8. Scheduled court appearance or summons for jury duty, verified by documents.

The candidate shall make a written request for special administration to the Personnel ~~Commission staff Director~~ within ~~two~~ four weeks of the date of administration of the examination, stating the reasons for which special administration is requested.

Comment [GD36]: Added to reflect current practice

Comment [GD37]: Modified the time period to allow for timely distribution of eligibility list.

- B. CHANGES IN ELIGIBILITY LISTS. Changes in eligibility lists resulting from such special administration shall be reported in the same manner as the original list. Such changes shall not nullify the promulgation date of the eligibility list, nor certifications and appointments made from such lists.

4.9 REVIEW AND APPEALS/PROTESTS

- A. EDUCATION CODE 45274 RETENTION AND AVAILABILITY OF EXAMINATION RECORDS; REVIEW AND PROTESTS. Examination records, including any recordings and the rating sheet of each member of the oral board for each candidate, shall be retained by the ~~P~~ersonnel ~~C~~ommission for a period of not less than 90 days after promulgation of an eligibility list. The ~~C~~ommission shall prescribe procedures whereby candidates may review and protest any part of an examination. In promotional examinations for classes for which continuous examination procedures have not been authorized, the review and protest period shall be held prior to regular appointment from the eligibility list. Examination records shall not be available to the public or to any person for any purpose not directly connected with the examination and shall be considered confidential but shall, within reasonable time limits, be made available to a candidate or his or her representative.

Reference: California Education Code 45274

B.A. FORMAL/INFORMAL REVIEW BY CANDIDATES.

1. During the five working days after the administration of the specific test or test segments a candidate may request he/she be scheduled for a Formal Review of the following:
 - a. Written segments of examinations, except those listed in paragraph B, or
 - b. His/her performance segment, technical interview or qualifications appraisal interview ratings, or
 - c. The recording(s) of his/her interview(s).

Such review shall be conducted by a Personnel Commission staff member as soon as practicable, but does not have to be within the five day period itself. Any request to review examination records after the five day request period has ~~passed~~ shall be for Informal Review purposes only, and may not serve as the basis for a protest or appeal of any part of the examination.

2. The review ~~activity~~ provides an opportunity for candidates to obtain test performance information and to have conclusions explained or investigated. A review request does not in and of itself establish a protest or protest period.

Information that would enable a candidate to match the names of raters and their comments is not made available to any candidate. A candidate's examination papers and records may be examined only by the candidate or by his/her representative upon receipt of written authorization by the candidate acceptable to the ~~P~~ersonnel ~~C~~ommission staff.

C.B. SOME TESTS NOT SUBJECT TO INSPECTION. Examination papers on a form test, a commercial standardized aptitude or achievement test, or test material that has been rented, leased or obtained under a contract and where the terms of such agreement prohibit a review or inspection, shall not be subject to inspection by a candidate. However, the results of the candidate's participation in the examination may be reviewed by the candidate with a commission staff member.

D.C. PROTEST BY CANDIDATE. If a candidate wishes to protest any part of an examination, which is a formal declaration of disapproval or objection to the matter he/she must submit his/her protest in writing to the Executive Officer: Personnel Director:

1. ~~at the time of and Upon~~ completion of that examination segment on the Personnel Commission provided form, or
2. ~~In written form received in the Personnel Commission Office received by the Personnel Director not~~ no later than the fifth working day following the day the individual's exam results ~~for the specific exam segment~~ FOR A SPECIFIC EXAM SEGMENT ~~is are~~ posted in the U.S. Mail, or
3. ~~In written form received by the Executive Officer Personnel Director not~~ later than the fifth working day following the day the candidate's examination records are available for him/her to conduct a Formal Review as provided for in paragraph B.A.

Such protest shall state specifically the parts of the examination or items protested, or wherein errors are alleged to have occurred, citing authorities or references to support such protest, or give other relevant information which is sufficiently specific to enable an investigation or resolution, and stating the remedy to which the candidate believes he/she is entitled. Letters which simply express disagreement with or comment on the test, test results, or which object to the judgment of the raters, are reviewed and may be acknowledged but are not eligible for consideration as an examination appeal. The ~~Executive Officer Personnel Director~~ shall review and answer all timely written protests received of any examination part. Candidates who have submitted timely protests shall be notified in writing of the disposition of their protests.

~~E.~~ **D. APPEAL TO PERSONNEL COMMISSION.** Any candidate who remains dissatisfied may appeal to the Personnel Commission within five working days after the notice of the decision of the ~~Executive Officer Personnel Director~~ was mailed or given to the candidate. Such appeal to the ~~Personnel Commission~~ shall be in writing and must state the specific examination parts or items protested, the basis for the protest, and the remedy sought by the candidate.

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~~F.E.~~ **CORRECTION OF ERRORS.** Errors in examinations shall be corrected when discovered, regardless of lapse of time after the establishment of an eligibility list. Such corrections shall be applied uniformly to all candidates. Changes in eligibility lists resulting from corrections of errors shall be reported in the same manner as the original lists. Such changes shall not nullify the promulgation date of the eligibility list, nor certifications and appointments made from such lists.

~~G.F.~~ **COPYING PROHIBITED, NOTE TAKING.** No one shall copy questions, answers, typed rating standards or descriptions of rating categories from a rating sheet, or in any way alter or mutilate an examination paper or records made available for inspection. Violations may result in cancellation of eligibility and disqualification for future examinations. Notes taken with Personnel Commission provided paper and pens may be taken as long as they relate only to the candidate's performance in a specific test segment or category, not individual test items or numbers, or the word rating on the rating guide received in each category or as an overall rating. Overall or general comments of a Rater pertaining to the reviewing candidate may be copied by the reviewing candidate. Notes may not be taken in shorthand or in a foreign language. All notes are subject to review and editing by ~~Personnel Commission~~ staff prior to being removed from the area.

~~H. G.~~ For purposes of this rule the time frame shall be computed as D + 5. That is D (the day of an event, such as an exam segment is taken, or a notice is placed in the U.S. Mail) plus 5 working days.

4.10 EXAMINATION FOR BUSINESS MANAGER AND CERTAIN OTHER POSITIONS

~~EDUCATION CODE 45280 EXAMINATION FOR BUSINESS MANAGER. The commission shall, by rule, provide for an open competitive examination and a promotional examination to be held at the same time for the position of business manager or any other single position class which it declares to be at or above the level of business manager. It shall require that all educational and work experience requirements be developed to fit the needs of the position in such a manner that the position will~~

Comment [AA38]: See eligibility for Promotional Exam 4 6 D

attract competent and qualified applicants from within the classified service, among certificated personnel, or other persons meeting the minimum requirements established for the position.

Such rule shall provide: (a) that all permanent employees of the district, classified and certificated, who meet the established minimum qualifications, shall be eligible to compete in the examination as promotional candidates; (b) that promotional credits, including seniority credits, if any, shall be equally applicable to both classified and certificated promotional candidates; (c) that eligibility lists resulting from such an open competitive and promotional examination shall be merged according to the order of the examination scores into a single eligibility list, after the scores of each candidate on the promotional list have been adjusted for promotional credits, including seniority credits, if any; and (d) that the examination for any such position shall not be construed to be an entrance level position examination.

- A. **POSITIONS SUBJECT TO EXAMINATION.** Open competitive and promotional examinations in accordance with Education Code Section 45280 shall be given for the class of business manager, for any other single position class which the Commission declares to be at or above the level of business manager, and for classes containing positions which, as determined by the Commission, are positions in which 50 percent or more of regularly assigned duties during the school year consisting of directing, coordinating, supervising, or administering one or more of the following functions:
1. The preparation of budgets of funds to be used for educational purposes.
 2. The interpretation or evaluation from an educational standpoint of equipment, material and housing.
 3. The interpretation and evaluation of school information in terms of educational significance and from an educational standpoint or viewpoint.
- B. **ELIGIBILITY TO COMPETE.** All permanent employees of the District, classified and certificated, who meet the established minimum qualifications, shall be eligible to compete in the examination as promotional candidates.
- C. **PROMOTIONAL CREDITS.** Promotional credits, including seniority credits, if any, shall be equally applicable to both classified and certificated promotional candidates.
- D. **MERGING OF ELIGIBILITY LISTS.** Eligibility lists resulting from such an open competitive and promotional examination shall be merged according to the order of the examination scores into a single eligibility list, after the scores of each candidate on the promotional list have been adjusted for promotional credits, including seniority, if any.
- E. **ENTRANCE LEVEL.** The examination for any such position shall not be construed to be an entrance level position examination (no veteran's credit allowed.)

[Reference: California Education Code 45272, 45280](#)

4.11 CONTINUOUS EXAMINATION

EDUCATION CODE 45292 CONTINUOUS EXAMINATIONS. The Commission may provide for the continuous examination of applicants for both open and promotional examinations.

- A. AUTHORIZATION OF EXAMINATION. When there is a ~~shortage dearth~~ of eligibles to fill vacancies in the service in any class, the ~~P~~ersonnel Commission may authorize recruitment by continuous examinations, provided it is not practicable to provide eligibles by promotional examinations only.

All qualified applicants who have applications or interest cards on file at the time of examination shall be notified. The examination shall be promulgated under similar conditions and techniques as previous examinations for the same class, and the resulting eligibility lists may be merged with previous lists for the class in the relative order of merit of the eligibles.

- B. TERMINATION OF CONTINUOUS EXAMINATION. Termination of continuous examination procedures for any class may be effected by appropriate action of the Personnel Commission.

4.12 VETERANS' CREDIT

- ~~A~~ EDUCATION CODE 45294 "VETERAN" DEFINED. "Veteran" as used in this article means 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.

"Armed forces" means the United States Air Force, Army, Navy, Marine Corps, or Coast Guard.

Reference: California Education Code 45294

- ~~10:~~ EDUCATION CODE 45295 "DISABLED VETERAN" DEFINED. "Disabled veteran" as used in this article means any veteran, as defined in Section 45294, who is currently declared by the United States Veterans Administration to be 10 percent or more disabled as a result of service in the armed forces. Proof of disability shall be deemed conclusive if it is of record in the United States Veterans Administration.

Reference: California Education Code 45295

- ~~C.~~ EDUCATION CODE 45296 ADDITIONAL CREDIT FOR VETERANS' ENTRANCE EXAMINATIONS. In the case of all entrance examinations, veterans with 30 days or more of service who become eligible for appointment by attaining the passing mark established for the examination, shall be allowed an additional credit of five points and disabled veterans shall be allowed an additional credit of up to 10 points, which shall be added to the percentages attained in the examinations by the veterans. Veterans shall be placed on eligible lists and be eligible for appointment in the order and on the basis of the

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percentages attained by them in examinations after the credit of five points, or ten points in the case of disabled veterans, if added.

EDUCATION CODE 45297 RIGHT TO TAKE EQUIVALENT EXAMINATION FOR POSITION PLACED WITHIN CLASSIFIED SERVICE WHILE EMPLOYEE IN MILITARY SERVICE, MILITARY RESERVE OR NATIONAL GUARD.

Comment [AA39]: See Education Code 45297

(a) Whenever, during the absence of an employee of a school district, or student body association operating under Sections 48930 to 48937, inclusive, in the active military service of the United States of America during any period of national emergency declared by the President of the United States of America, or during any war in which the United States of America is engaged, the position held by the employee at the time of his or her entrance into that military service is placed within the classified service of the district and an eligible list is established for the position through competitive examination, the employee shall, at his or her request made within six months after leaving that active military service under honorable conditions, be given forthwith an examination of substantially the same character and scope as the competitive examination through which the original eligibility list was established. The grade secured by the employee in that examination shall be deemed to be the grade he or she would have secured had he or she taken the competitive examination as a veteran, and the employee shall be placed on the original eligibility list accordingly with all the rights and privileges to which he or she would have been entitled had he or she had that place on the original eligibility list at the time of its establishment.

(b) Notwithstanding subdivision (a), any member of the Military Reserve or the National Guard who is called to active duty, either voluntarily or involuntarily, during any period of national emergency declared by the President of the United States of America, or during any war in which the United States of America is engaged, shall be entitled to any rights, in addition to the rights accorded under subdivision (a), that are accorded that member under the federal Veterans' Reemployment Rights Law or any other applicable provision of federal law.

A. To qualify for service in time of war or national emergency, service in the armed forces must have been for a 30 day or more period during the following dates:

World War I	April 16, 1917 to July 2, 1921
World War II	September 8, 1939 to April 28, 1952
Korea	June 25, 1950 to January 31, 1955
Viet Nam	August 5, 1964 to May 7, 1975

4.13 REIMBURSEMENT OF CANDIDATE'S TRAVEL EXPENSE

Comment [AA40]: Rarely occurs

EDUCATION CODE 44016 REIMBURSEMENT OF EXPENSES OF EMPLOYMENT CANDIDATE. Whenever any person is requested by a school district to travel to the headquarters of such district for the purpose of being interviewed and examined prior to possible employment, the district may reimburse such candidate for expenses necessarily incurred in traveling from his place of residence to the place of interview or examination.

4.13 UNLAWFUL ACTS

1. ~~EDUCATION CODE 45317 VIOLATION OF ARTICLE A MISDEMEANOR: OTHER UNLAWFUL ACTS.~~ Any person who willfully or through culpable negligence violates any of the provisions of this article (commencing at Section 45240) is guilty of a misdemeanor.
2. Willfully by himself or in cooperation with another person to defeat, deceive, or obstruct any person with respect to his right of examination, application, or employment under this article (commencing at Section 45240) or commission rules.
3. ~~(b)~~ Willfully and falsely to 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.
4. ~~(c)~~ Willfully to 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 rules.

Comment [GD41]: Reformatted.

4.14 KEYBOARDING SELF-CERTIFICATION SHORTHAND AND TYPING PERFORMANCE TESTS

~~Any qualifying score achieved on a stenographic (shorthand) or typing test administered by the examining staff shall remain in good standing and applicable for any and all such similar examination requirements for a period of two years from its effective date. While in effect, the qualifications shall meet the requirement for any examination held during the life of the qualification and placement on any list developed for the full period of such list.~~

At the time of application for any class requiring typing/keyboarding skills, incumbents must certify in writing that they have the required skills as posted on the job announcement. If appointed, demonstrated proficiency will be expected during the probationary period. Failure to meet the minimum required skills will result in disciplinary action up to and including dismissal.

Comment [GD42]: Corrected language to reflect current practices.

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Bulletins

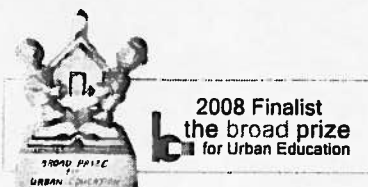
PAGE: 9.1.1 – 9.1.3

Date: January 31, 2013

Reason for
Consideration: Action

Personnel Commission Rule 4.6.B.1, states that the Personnel Commission Administrator shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. All job bulletins issued are then to be ratified at the first reasonable opportunity at a Personnel Commission meeting. Accordingly, staff submits the following bulletin(s) for the consideration of the Personnel Commission:

<u>TITLE</u>	<u>TYPE</u>	<u>NUMBER</u>	<u>PAGE</u>
Nutrition Services Supervisor I	Dual	13-0058-5064	2
Nutrition Services Supervisor II	Promo	13-0059-5065	3
Nutrition Services Supervisor III	Promo	13-0060-5066	3



Classified Employment Opportunity

APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS
www.lbschools.net/Main_Offices/Personnel_Commission

NUTRITION SERVICES SUPERVISOR I

Final Filing Date: 4:30 p.m., Tuesday, February 5, 2013

SALARY RANGE

MONTHLY:

HOURLY:

START

\$3,027

\$17.49

6 MONTHS

\$3,194

\$18.41

1 ½ YEARS

\$3,370

\$19.45

2 ½ YEARS

\$3,554

\$20.49

JOB INFORMATION:

Eligible lists are being created to fill permanent future vacancies as they occur for these classes. Jobs are permanent 10 month positions, and the hours are normally 6 – 8 hours per day.

APPLICATION:

All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00.

JOB SUMMARY: Under general supervision, plan, organize, and participate in the preparation and serving of hot and cold menu items to students and staff at an elementary or small specialized school site; maintain the kitchen and serving area in a safe, clean and orderly condition; order, receive and store food and supplies; train and evaluate the performance of assigned staff; perform related duties as assigned.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

MINIMUM QUALIFICATIONS INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered.

Relevant training and experience would include:

TRAINING:

Graduation from high school or equivalent.

EXPERIENCE:

Two years of quantity food preparation and service experience including one year in lead capacity or one year as a Senior Nutrition Services Worker. Supervisory experience is desirable.

DESIRABLE:

Completion of, or enrollment in the Long Beach Unified School District Nutrition Services Supervisory class is desirable.

SPECIAL:

(1) Incumbents must obtain a valid Food Handler's certificate issued by an authorized agency within completion of probationary period and maintain certification throughout employment in this classification.

SELECTION PROCEDURE: The examination process for this recruitment will consist of a written examination and a qualifications appraisal interview, scored on a job-related basis. Candidates who successfully pass all examination segments shall be placed on the eligibility list in order of their relative merit as determined by these competitive examinations. The written examination is tentatively scheduled for 2/26/13 and 2/27/13.



2008 Finalist
The Urban Education Prize
for Urban Education



Promotional Employment Opportunity

APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS
www.lbschools.net/Main_Offices/Personnel_Commission

NUTRITION SERVICES SUPERVISOR II & III

Final Filing Date: Both positions will be open until 4:30 p.m. Tuesday, February 5, 2013.

JOB INFORMATION:

Eligible lists are being created to fill permanent future vacancies as they occur for these classes. Jobs are permanent 10 month positions, and the hours are normally 6 – 8 hours per day.

PROMOTIONAL:

Employees in the classified service of the School District who have permanent status, whose most recent overall service rating is "Satisfactory" **AND** who meet the education and experience requirements are eligible to compete.

APPLICATION:

All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

NUTRITION SERVICES SUPERVISOR II

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 1/2 YEARS</u>	<u>2 1/2 YEARS</u>
<u>MONTHLY:</u>	\$3,375	\$3,559	\$3,758	\$3,983
<u>HOURLY:</u>	\$19.47	\$20.51	\$21.66	\$22.88

JOB SUMMARY: Under general supervision, plan, organize and participate in the preparation and serving of hot and cold menu items to students and staff at an assigned middle, K-8 or the Avalon school site; maintain the kitchen and serving areas in a safe, clean and orderly condition; order, receive and store food and supplies; train and evaluate the performance of assigned staff; perform related duties as assigned.

MINIMUM QUALIFICATIONS FOR NUTRITION SERVICES SUPERVISOR II INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING:

Graduation from high school or equivalent.

EXPERIENCE:

Three years of quantity food preparation and service experience including one year in a supervisory capacity or one year as a Nutrition Services Supervisor I.

DESIRABLE:

Completion of, or enrollment, the Long Beach Unified School District Nutrition Services Supervisory class is desirable.

NUTRITION SERVICES SUPERVISOR III

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 1/2 YEARS</u>	<u>2 1/2 YEARS</u>
<u>MONTHLY:</u>	\$3,781	\$3,968	\$4,187	\$4,417
<u>HOURLY:</u>	\$21.71	\$22.91	\$24.18	\$25.46

JOB SUMMARY: Under general supervision, plan, organize and participate in the preparation and serving of hot and cold menu items to students and staff at an assigned comprehensive high school site; maintain kitchen and serving areas in a safe, clean and orderly condition; order, receive and store food and supplies; train and evaluate the performance of assigned staff; perform related duties as assigned.

MINIMUM QUALIFICATIONS FOR NUTRITION SERVICES SUPERVISOR III INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING:

Graduation from high school or equivalent.

EXPERIENCE:

Four years of quantity food preparation and service experience including one year in a supervisory capacity or one year as a Nutrition Services Supervisor II.

DESIRABLE:

Completion of, or enrollment, in the Long Beach Unified School District Nutrition Services Supervisory class is desirable.

SPECIAL REQUIREMENT: Incumbents must obtain a valid Food Handler's certificate issued by an authorized agency within completion of probationary period and maintain certification throughout employment in these classifications.

SELECTION PROCEDURE: The examination process for these recruitments will consist of a written examination and a qualifications appraisal interview, scored on a job-related basis. Candidates who successfully pass all examination segments shall be placed on the eligibility list in order of their relative merit as determined by these competitive examinations. The written examination is tentatively scheduled for 2/26/13 and 2/27/13.

This agency provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. The decision on granting reasonable accommodation will be on a case-by-case basis.

WE ARE AN EQUAL OPPORTUNITY TITLE VII/MERIT SYSTEM EMPLOYER

PromoExam 13-0059-5085 th
PromoExam 13-0060-5066 th

Maria Braunstein

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Eligibility Lists

PAGES: 9.2.1

Date: January 31, 2013

Reason for
Consideration: Restricted Action

Personnel Commission Rule 5.1.A, states that the Personnel Commission Administrator shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. All such eligibility lists shall then be certified at the first reasonable opportunity at a Commission meeting following the protest and review period. Accordingly staff submits the following eligibility lists for consideration of the Commission:

Kids' Club Lead Assistant

Dual

13-0038-0515

List Valid: 1/23/13 - 1/23/14

Total applications received: 117

Total invited to exam: 47

No. Passed: 11 No. Failed: 11

No. Withdrew: 25 No. Screened Out: 70

CERTIFIED TO BE CORRECT: Gail McMahon (Signature on file) DATE: 1/25/13

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Review and Take Action on the Hearing
Officer's Report regarding the Dismissal
of a Classified Employee

PAGES: 12.1.1-12.1.16

Date: January 31, 2013

**Reason for
Consideration:** Restricted Action

The report of the Commission assigned Hearing Officer, Patricia Barrett, in the disciplinary action appeal of Employee E00491233 is included for the Personnel Commission for review.

It is suggested the Commission discuss the report in Closed Session before rendering a decision.

Because of the sensitive and confidential nature of the reference material, distribution has been limited to the Personnel Commission and the Executive Officer.