



THE PERSONNEL COMMISSION

(supporting education through merit)

OXNARD SCHOOL DISTRICT

NOTICE OF SPECIAL MEETING

AGENDA

Tuesday, September 15, 2020

4:00 p.m. Special Meeting

Board Room of the ESC

1051 South A Street, Oxnard, CA 93030

A. ORDER OF BUSINESS

1. Call Meeting To Order
2. Roll Call
3. Adoption of the Agenda

B. COMMENTS BY THE PUBLIC

Public Comment provides the public an opportunity to address the Personnel Commission ("Commission") on non-agenda items. Speakers are requested to limit their remarks to three (3) minutes. The Commission shall limit the total time for Public Comment on each subject to fifteen (15) minutes. The Commission may not deliberate or take any action on items raised during this portion of the meeting.

C. ACTION ITEMS

1. Advanced Salary Placement
The Personnel Commission will ratify the advanced step placement form Ankur Patel, School Occupational Therapist, at range 34.5, Step E pursuant to Personnel Commission Rules & Regulations 70.200.1.
2. 30.100.2 Exemption from Classified Service (Second Reading) *(page 3)*
The Personnel Commission will review revisions to PC Rule 30.100.2 Exemption from the Classified Service.
3. 40.100.3 Elimination of Unfit Applicants, Candidates, Eligibles (Second Reading) *(page 5)*
The Personnel Commission will review revisions to PC Rule 40.100.3 Elimination of Unfit Applicants, Candidates, and Eligibles.
4. 40.200.4 When Held (Second Reading) *(page 9)*
The Personnel Commission will review revisions to PC Rule 40.200.4 When Held.

Note: In accordance with the requirements of the Americans with Disabilities Act and related federal regulations, individuals who require special accommodation, including but not limited to an American Sign Language interpreter, accessible seating or documentation in accessible formats, should contact the Personnel Commission before the meeting date. Any materials relating to an agenda item that are distributed less than 72 hours prior to a meeting are available at the Personnel Commission Office located at 1051 South "A" Street, Oxnard, California 93030

5. 60.200.3 Restorations (Second Reading) *(page 18)*
The Personnel Commission will review revisions to PC Rule 60.200.3 Restorations.
6. 70.200.1 Initial Placement (Second Reading) *(page 23)*
The Personnel Commission will review revisions to PC Rule 70.200.1 Initial Placement.

D. REPORTS/OTHER INFORMATION/DISCUSSION ITEMS

These items are presented for information or study only, no action will be taken.

1. Personnel Actions *(page 27)*
The Personnel Commission will receive a list of various personnel actions that relate to the transfer, retirement, or other action affecting, classified personnel.
2. Director's Report
The Director of Classified Human Resources will report on staff management, current recruitments, and other matters.
3. Report by CSEA
CSEA may report on Human Resources issues of interest to the District.
4. Report by Assistant Superintendent, Human Resources and Support Services
The Assistant Superintendent, Human Resources, may report on Human Resources issues of interest to the District.
5. Report by Commissioners
The Commissioners will report on issues concerning Commission administration.

E. CLOSED SESSION PUBLIC PARTICIPATION/COMMENTS

Persons wishing to address the Personnel Commission on an agenda item identified in the Closed Session agenda may address the Personnel Commission.

The Personnel Commission will convene to closed session for the following items:

1. Pursuant to Section 54956, 54957 of the Government Code, the Commission will consider a personnel matter concerning:
 - Public Employee Evaluation: Interim Director, Classified Human Resources
2. Reconvene to open session and report out of closed session.
The Commission will report on any action taken in closed session.

F. ADJOURNMENT

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PERSONNEL COMMISSION RULES & REGULATIONS

30.100(A) PCRR

CHAPTER 30
POSITION CLASSIFICATION PLAN

30.100 The Classified Service

30.100.1 **Positions Included**

- A. All positions established by the governing board which are not exempt from the classified service by law shall be a part of the classified service. All employees serving in the classified positions shall be classified employees. The employees and positions shall be known as the classified service.
- B. No person whose contribution consists solely in the rendition of individual personal services and whose employment does not come within the scope of the exemptions established in the law shall be employed outside the classified service. (*Education Code*, Section 45104, 45105, 45256, 45263)

30.100.2 **Exemption from the Classified Service**

Positions required by law to have certification qualifications, ~~part-time playground positions~~, full-time day students employed part-time, part-time students employed part time in a college work-study program, or in a work experience education program, apprentices, community representatives, CETA employees on special projects limited to not more than one year duration, and professional experts employed on a temporary basis for a specific project by the governing board or the commission when so designated by the commission, shall be exempt from the classified service. (*Education Code*, Sections 45105.1, 45256, 45257, 45258)

30.100.3 **"Part-Time" Defined**

A part-time position for the purpose indicated in the exemption rule, is one for which the assigned time, when computed on a monthly basis is less than 87% percent of the normally assigned time of the majority of employees in the classified service. (*Education Code*, Section 45257)

30.100.4 **Effect of Exemption**

Any position or employee lawfully exempted from the classified service shall be excluded from the benefits and burdens imposed by these rules, except as provided by law or the Board of Trustees.

30.100.5 **Professional Expert Assignments**

- A. When a professional expert assignment is to be made, the administration shall submit to the Director of Classified Personnel a description of the project, its duration, and the duties to be performed. Professional expert assignments shall not be made to avoid payment of overtime to the assigned employee, nor shall a limited-term position be filled by a professional expert assignment if the duties and responsibilities fit an existing class for which a reemployment or eligibility list exists.

PERSONNEL COMMISSION RULES & REGULATIONS

30.100(B) PCRR

- B. When the person is known who is to be appointed as a professional expert, his/her name and data relative to his/her qualifications shall be submitted to the Director of Classified Personnel. In order to be exempted from the Classified service as a professional expert, an individual must be recognized as such by reputable members of his/her own profession. Evidence of professional qualifications must be presented to the commission at the time the written request for temporary appointment is made. The duration of authorization for a person to serve as a professional expert shall be determined by the Commission, based upon the request of the Board of Trustees. However, authorization for service as a professional expert shall not exceed a maximum of twenty-four months. (*Education Code*, Sections 45256 & 45258)

Oxnard School District

Personnel Commission Rules and Regulations

Adopted: October 28, 1968

30.100.1 Revised: December 5, 1991

30.100.2 Revised: December 5, 1977; December 5, 1991; August 13, 2020

30.100.3 Revised: March 11, 1999

30.100.5 Revised: August 7, 1984

PERSONNEL COMMISSION RULES & REGULATIONS

40.100(A) PCRR

CHAPTER 40

APPLICATION AND EXAMINATION

40.100 **Application for Employment**

40.100.1 **Filing of Application**

All applications for employment should be made upon official forms furnished by the Commission, filled out as therein directed, and filed on or before the date specified and in the office specified in the examination announcement.

A separate application must be filed for each classification. (*Education Code 45272*)

40.100.2 **General Qualifications of Applicants**

Applicants must possess all requirements that may be specified 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 applies.

40.100.3 **Elimination of Unfit Applicants, Candidates, and Eligibles**

An applicant or candidate may be refused examination, and an eligible may be refused certification or appointment, for any of the following reasons:

- A. Failure to meet general qualifications of Rule 40.100.2.
- B. Knowing membership by the employee in the Communist Party. (*Education Code 45303*)
- C. Advocacy of overthrow of the Government of the United States or the State of California by force, violence, or other unlawful means.
- D. Conviction of a violation or serious felony. (*Education Code 45122.1*) Conviction or pleading guilty or nolo contendere in court to a charge of moral turpitude, or any sex or drug offense as detailed in *Education Code 44010 & 44011*, or mistreatment of children.
- E. Criminal, infamous, dishonest, immoral, or disgraceful conduct according to standards approved by the Personnel Commission.
- F. Intentionally making a false statement or omitting a statement as to any material fact on the application form.
- G. Practicing any deception or fraud in connection with an examination or to secure employment.
- H. Obtaining or attempting to obtain either directly or indirectly, privileged information regarding test questions or examination content.
- I. Dismissal from a previous employment for cause if the cause would have subjected the applicant to dismissal by the District.

- J. Previous dismissal from this District unless the District waives this subsection.
- K. A record of unsatisfactory service with this District even though separation has not occurred. As evidenced by a disciplinary action, a work improvement notice, unsatisfactory job performance notice, or a resignation in lieu of dismissal.
- L. Inability to perform the essential functions of the position.
- M. Failure to report for duty after an assignment has been offered and accepted.
- N. Failure, after due notice, to report promptly for review of any of the above bases for rejection.
- O. Refusal to furnish testimony at a hearing or investigation before the Personnel Commission or Board of Trustees.
- ~~J.P.~~ Attempting to or making contact with any member of the Board of Education or the Personnel Commission with the intent of attempting to favorably influence the recruitment, examination, and/or selection process in any way. Exempted from this restriction would be any formal appeal of the recruitment/examination/selection process to the Personnel Commission as a whole by any candidate through the established appeal process.

PERSONNEL COMMISSION RULES & REGULATIONS

40.100(B) PCRR

~~K. A record of unsatisfactory service with this District even though separation has not occurred.~~

~~Inability to perform the essential functions of the position.~~

~~L. Failure to report for duty after an assignment has been offered and accepted.~~

~~L. Failure, after due notice, to report promptly for review of any of the above bases for rejection.~~

~~L. Refusal to furnish testimony at a hearing or investigation before the Personnel Commission or Board of Trustees.~~

40.100.4 Rejection and Appeal from Rejection

A. Applicants, candidates, and eligibles who are rejected for any of the reasons enumerated in Rule 40.100.3 shall be notified in writing by the Personnel Director. The notification shall state:

1. The reason(s) for rejection.
2. The length of time the individual shall be ineligible to be considered for examination or appointment to a position in the District.
3. That, within seven calendar days, the individual may appeal to the Personnel Director for administrative review, and that failure to appeal for administrative review makes the rejection final and conclusive.

B. If there has been an administrative review, as provided above, and the rejection is sustained, the individual shall be:

1. Given a written notice outlining the reason(s) for sustaining the rejection, and
2. Informed of his right to make a written appeal of the rejection and/or the period of disqualification within seven calendar days, to the Personnel Commission. The appeal may be based on any of the following reasons:
 - a. Discrimination because of affiliation, political or religious acts or opinions, race, color, sex, or marital status.
 - b. Abuse of discretion.
 - c. Inconsistency of the reasons given for the rejection of facts.

C. Upon receipt of an appeal, the Commission shall set a date for hearing, hear all of the evidence, and render a decision. Its decision shall be transmitted in writing to all concerned and shall be final.

40.100.5 Action When Rejection is not Sustained

If a rejection is not sustained by the Director of Classified Personnel or the Personnel Commission, the Director of Classified Personnel shall institute immediate action to insure the rights of the applicants, candidate or person eligible as if the rejection had not been made.

PERSONNEL COMMISSION RULES & REGULATIONS

40.100(C) PCRR

However, appointments made in the interim shall not be disturbed unless they were fraudulently made.

40.100.6 Applications Not to be Returned

All applications papers are confidential records of the District and shall not be returned to the applicants. Applications and examination papers will be destroyed after a period of two years.

40.100.7 Applicants' Names Not Made Public

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

40.100.8 Veterans' Preference

A. Veterans shall be allowed an additional credit of five (5) points and disabled veterans shall be allowed an additional credit of ten (10) points added to passing scores in open examinations as prescribed by *Education Code 45296*. At least 30 days of active service in the Army, Navy, Marines, Air Force, Merchant Marine or Coast Guard, or as a Nurse on active duty with the Red Cross, between the dates listed below are required.

- World War I April 6, 1917 to November 11, 1918
- World War II December 7, 1941 to December 31, 1946
- Korea June 27, 1950 to January 31, 1955
- Viet Nam August 4, 1964 to May 7, 1975
- Service in the Coast Guard between December 7, 1941 and January 1, 1946 is also credited.
- DD Form 214 indicating a Southwest Asia Service Medal from the Gulf War, August 2, 1990 to Present
- Gulf War August 2, 1990 to Present
- National Defense Service July 24, 1987 to Present

B. In order to obtain credit, the applicant shall furnish satisfactory proof of qualifying military service prior to establishment of the eligibility list. No adjustment of rank on the list shall be made when such proof is presented thereafter.

C. Veterans' preference points shall be awarded only in examinations for classifications designated as entry level. Entry level classifications shall be designated by the Personnel Commission.

Oxnard School District
Personnel Commission Rules and Regulations

- 40.100.1 Revised: June 23, 1980
- 40.100.2 Revised: June 23, 1980
- 40.100.3 Revised: June 10, 1999; August 13, 2020 (first reading)
- 40.100.6 Revised: June 8, 2000
- 40.100.8 Revised: March 4, 1974; September 4, 1986; December 5, 1991

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(A) PCRR

40.200 **Examinations**

40.200.1 **Examination Barred**

No examination announcement shall be issued nor any other part of the selection process commenced to fill a newly created position until:

- A. The Board of Trustees has approved the list of duties to be assigned to the new position; and
- B. The Personnel Commission has properly classified the position, including the establishment of any minimum education and/or work experience requirements.

Note: A newly-created position is one which does not have a previously separate existence.

40.200.2 **Types of Examinations**

Promotional – Examinations shall, where practicable, as determined by the Commission, be limited to promotional applicants.

Open and Promotional – When the Director of Classified Human Resources believes that the efficiency of service can be increased, an examination may be announced as a simultaneous open and promotional examination. The promotional list will take precedence over the open list.

Dual Certification – When the same examination is held on an open and promotional basis, the Commission may, prior to the examination authorize dual certification from the resultant eligibility lists. The examination process shall result in a merged list of the promotional and open candidates in order by highest examination scores, including seniority credit as indicated in Sections 40.200.3 and 40.200.15 of these rules, but without veteran’s credit.

40.200.3 **Examinations for Certain Positions or Classes**

A. **Management Positions in the Classified Service**

- 1. Examinations for management and confidential positions in the classified service, including that of Assistant Superintendent of Business and Fiscal Services, shall be held on an open as well as a promotional basis (dual certification).
- 2. When such examinations are held, permanent employees of the District (classified and certificated) who meet the minimum qualifications for the positions(s) shall be allowed to compete.
- 3. The names of candidates passing all parts of the selection process shall be merged into a single eligibility list. Rating and ranking candidates will be in accordance with the final score attained by each of the candidates plus any additional credits authorized by the Personnel Commission.
- 4. Since management and confidential positions in the classified service are not entry-level positions, military or veteran's preference credits are not authorized and shall not be included in determining the final ranking of names on the eligibility list(s).

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(B) PCRR

5. Promotional candidates (those having successfully completed all parts of the selection process) for these positions shall have seniority credits added to their final overall passing scores in the amount of one-half (1/2) point for each full year of service with the District to a maximum of five (5) points.

B. Proficiency Testing for Paraeducators

1. In accordance with the provisions of *Education Code* 45344.5 and 45361.5, no person shall be initially employed and assigned to work as a paraprofessional, working in an educational setting, unless and until such person has demonstrated proficiency in basic reading, writing and mathematics skills.

Proficiency in basic reading, writing and mathematics skills shall be demonstrated by successfully passing an appropriate written examination which meets or exceeds the requirements for graduation from high school.

2. The names of those persons passing the proficiency tests plus any other part(s) of the selection process shall be ranked on an eligibility list in accordance with Personnel Commission Rule 50.100 et sq (Eligibility Lists).
3. Applicants/candidates shall not be charged any fee(s) for participation in the proficiency test(s) or other selection processes for employment as an instructional aide in the District.

C. Proficiency Testing for Typing or Bilingual Skills

1. Typing proficiency may be demonstrated by presenting a typing certificate issued within the previous year or must be on file.
2. Bilingual skills proficiency must be demonstrated by examination or must be on file.

40.200.4 When Held

Whenever it is necessary to fill existing or anticipated vacancies in the classified service and an appropriate eligibility list does not exist (as determined by the Director of Classified Human Resources), the Director of Classified Human Resources shall cause an examination to be held to provide an appropriate list of eligibles. At least ~~fifteen (15)~~ ten (10) working days in advance of the date of the first part of the examination, public notice of such examination(s) shall be given. For purposes of this section, "public notice" means an examination bulletin will be posted electronically at the District's website and distributed in paper format at the Personnel Commission office and by mail to each site of the District. Failure of a school or other District site to post the paper notice will not cause a delay in the examination process so long as the electronic version was posted on timely basis.

The public notice shall contain such information as:

- A. Information concerning the location of employment (if available), the expected number of vacancies (if known), plus other conditions of employment;
- B. A description of the duties and responsibilities of the positions and/or class;
- C. The minimum qualifications required;

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(C) PCRR

- D. Salary and other forms of compensation;
- E. The final date for filing an application;
- F. The nature of the examination for which the applicant/candidate may be tested (supplemental application screening, written, oral, skills, performance, bilingual, or other);
- G. The relative weights of each part of the selection process (See Rule and Regulation 40.200.09);
- H. Whether there will be a designated minimum rating required for each part of the examination, as provided in Personnel Commission Rule and Regulation 40.200.10, to qualify for the next succeeding part, or whether the designated minimum rating will be combined. (Also see 40.200.10)
- I. Any special requirements for filling the position as required by Education Code Section 45277;
- J. If the exam is open and promotional, whether the Personnel Commission authorized certification under the provisions of Education Code Section 45284; and
- K. Such other information as will assist employees and the general public in understanding the nature of the available positions, and the procedures to be followed for participation in the selection process;

Note: If an examination is held as a result of a vacancy created by the death of an employee, the public notice shall not be made until after services have been held for the deceased, or until five (5) working days have elapsed after the death, whichever is earlier.

40.200.5 Who May Compete

Competitive examinations for positions in the classified service shall be open to all applicants who meet the minimum qualifications and who are not rejected as provided in Rule 40.100.4; provided that examinations may be restricted to promotional candidates at the discretion of the Commission.

40.200.6 Notice of Examination

Each applicant whose application has not been rejected shall be notified a reasonable time in advance of the time, date, and place of the examination, and such notice shall be the applicant's authorization to take the examination. No candidate may be admitted to any examination without such authorized or other satisfactory evidence of having filed an acceptable application.

40.200.7 Character of Examinations

- A. Examinations shall be administered objectively and shall consist of test parts that relate to job performance.

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(D) PCRR

- B. Examinations may be written and/or oral and/or in the form of practical demonstration of skill and ability, or any combinations of these; or any investigation of education and/or experience, license or certificate required, and test of technical knowledge, manual skill, or physical or mental fitness which, in the judgment of the Personnel Commission, serves this end, may be employed.

40.200.8 Examination Procedures

- A. Make-up examinations are not generally authorized. Participants in the examination process must take the test(s) on the prescribed date at the prescribed time except as indicated below.

When the Director of Classified Human Resources finds that circumstances beyond the control of the applicant prevent his/her participation in a written examination as scheduled and the applicant has so notified the Director prior to the examination date (except in emergencies not foreseeable at the time), a make-up examination may be scheduled prior to the date of the qualifications appraisal interview. Circumstances beyond the control of the applicant, include, but are not limited to, inability to participate in the written examination due to lack of a notice of the date/time/location of the examination, or of "reasonable notice." "Reasonable notice" means seven working days for open and dual certification examinations and five working days for promotional examinations. An applicant may be required to certify in writing that he or she did not receive notice of the examination.

Make-up examinations are not available for oral qualification appraisal interviews.

- B. Participants in the selection process or other unauthorized persons shall not be given or allowed to copy tests or test questions which would give them an advantage over other participants.
- C. Whenever written tests are utilized a part of the selection process, they shall be so managed that none of the test papers will disclose the name of any participant until the test papers of all participants have been marked and rated.
- D. Any participant in any examination who places an identifying mark upon his/her test papers other than the identifying mark prescribed at the time of examination, or makes any attempt to disclose to others the identity of his/her paper prior to the completion of the examination, shall be disqualified, provided he or she has been given notice of the prohibitions.
- E. Any participant who utilizes the internet, cell phones, portable translators, calculators, or similar equipment to complete the examination, unless such use is part of the examination process, shall be disqualified, provided he or she has been given notice by the proctor shall result in disqualification.
- F. The Commission may designate examinations for specified classes as continuous examinations. When so designated, applications shall be accepted on every working day and an examination shall be administered as applicants are available. Procedures for review of written tests shall be suspended. Continuous testing may be suspended by the Director of Classified Human Resources provided such action is ratified by the Commission at the next regularly scheduled meeting and such action was necessary for efficient administration of the overall examination process.

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(E) PCRR

- G. Applicants are prohibited from taking subsequent written or oral examinations for the same classification which are comprised of the same questions until a period of three (3) months has elapsed since the prior taking of the examination. This prohibition shall not apply to skills tests for shorthand and typing.
- H. Applicants are prohibited from taking a subsequent bilingual exam until three (3) months have elapsed.
- I. An applicant who has been diagnosed by a recognized agency or licensed California physician as having a reading disability may have the written test read to him/her.

40.200.9 Examination Weighting

The relative weights of the different parts of the examination shall be determined by the Director of Classified Human Resources, and shall be prepared and rated under the direction of the Director of Classified Human Resources.

40.200.10 Rating Required

Competitors may be required to attain a designated minimum rating in each part or in combined parts of the examination to qualify for participation in the next succeeding part.

40.200.11 Review of Minimum Qualifications

- A. A minimum qualifications and experience shall be reviewed and determined by staff of the Personnel Commission, as designated by the Director of Classified Human Resources. Applicants who do not meet the minimum requirements shall be notified in writing.
- B. A participant may appeal a disqualification for failure to meet minimum requirements to the Director of Classified Human Resources in writing within five (5) working days from the date of notification. The Director of Classified Human Resources shall respond to the participant in writing no later than ten (10) working days after receipt of the appeal. If the appeal is rejected, the participant may appeal to the Personnel Commission in writing within five (5) working days after the rejection by the Director of Classified Human Resources. The filing of an appeal shall not stop or otherwise delay the examination process.

40.200.12 Review of Supplemental Applications

- A. Where an examination includes submission of a supplemental application, the Director of Classified Human Resources shall determine the panel composition, which may constitute one panel member. The Director may serve as a panel member or may designate Personnel Commission staff to serve.
- B. Panel members shall be qualified to make a determination as to which applicants are the most qualified to move to the next part of the examination process. Where the supplemental application tests technical proficiency, the panel or panel members must be technical experts.
- C. Applicants who do not meet the supplemental application requirements shall be notified in writing.

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(F) PCRR

- D. A Participant may not appeal a disqualification for failure to qualify as “most qualified,” unless the Director of Classified Human Resources or other human resources staff, constituted the panel. In that case, the appeal may be made to the Personnel Commission in writing within five (5) working days from the date of notification. The appeal must state the basis for the appeal. The filing of such an appeal shall not stop or otherwise delay the examination process.

40.200.13 Review of Written Test

- A. When the written test papers of all participants have been rated, each candidate will be notified in writing of his/her grade. At the time of the examination, it will be announced that a protest sheet is available and a participant may protest any question, provided that he/she outlines the basis for the protest. Protests of test questions or testing instrument must be submitted to the test proctor at the time of the examination. Protests of written questions will not be accepted after the candidate has left the examination room. Protests of the general written examination process or procedures must be made within five working days of the notification of the examination score or within five working days of the date the examinee should reasonably have been aware of occurrence. No candidate may copy or remove from the review room any of the test questions or answers, or any other materials utilized.
- B. The protest sheets (if any) shall be filed with the Director of Classified Human Resources. The Director of Classified Human Resources shall review and act upon all protests. He/she may allow more than one answer to a question or may disqualify a question entirely if he/she finds the protest to be valid. If protest results in any change, the test papers or other materials of all applicants will be reviewed and re-rated accordingly.
- C. The Director of Classified Human Resources shall inform the person who submitted the protest of his/her decision within 10 working days. Should the Director of Classified Human Resources rule against the protest, that decision may be appealed to the Personnel Commission within five working days. However, the filing of such an appeal shall not stop or otherwise delay the examination process. The time period for a response by the Director of Classified Human Resources may be extended where the protest involves more than one applicant and/or an investigation, and the response is rendered within a reasonable time period.

40.200.14 Examination Papers

All examination papers and other testing materials submitted by the participants are the property of the District and are confidential records. Examination papers will be destroyed after a period of two years. (Also see 40.100.6.)

40.200.15 Qualifications Appraisal Interview (Oral Examination)

- A. If the selection process includes a Qualifications Appraisal Interview (QAI), those participants deemed eligible for the QAI will be examined at the earliest practicable date following the conclusion and rating of the earlier test(s).
- B. A QAI board shall consist of at least two persons, but preferably three; one of whom shall be technically qualified to interview for knowledge in the area of the class of positions being tested. The names of the panel members shall not be disclosed prior to the day of the QAI. Reasonable efforts shall be made to constitute panels with employees and experts from outside the District.

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(G) PCRR

- C. Members of the Governing Board or Personnel Commission shall not serve on an oral examination panel. The Director of Classified Human Resources may designate, whenever necessary, an employee of the District to serve as a member of an oral board; provided that such employee is not in the first or second level of supervision over a position or class for which the examination is being held. The Director of Classified Human Resources, or other designated Commission staff, may serve as a panel member where no other panel member is available to serve and reasonable efforts have been made to constitute a panel of other District employees or outside experts.

All members of an oral board shall be persons who can reasonably expect to be unbiased. If a member feels he or she cannot be unbiased as to a particular applicant, he or she shall disclose that bias to the Director of Classified Human Resources and the panel shall be reconvened.

- D. 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.
- E. The Personnel Commission shall provide for the proceedings of all oral examinations to be electronically recorded. Recordings shall be retained for ninety (90) days.
- F. In no case will an oral examination board be provided with confidential references of 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.

40.200.16 Appeal of Participants From a Qualifications Appraisal Interview Rating (QAI)

- A. A participant may protest the composition of a qualification appraisal interview panel filed specifying the challenge to the composition of the panel. The applicant shall specify, in writing, whether the panel member is not qualified to serve as a panel member, whether the panel member is a first or second line supervisor, or if the challenge is based on bias, the specific nature of the alleged bias. The protest shall be submitted to the Director of Classified Human Resources in writing the same day the panel is convened. The Director of Classified Human Resources shall respond to the participant in writing no later than ten (10) working days after receipt of the protest. The Director of Classified Human Resources shall reject the protest if a candidate chose not to participate in the oral interview and the panel did not otherwise disclose any bias. The Director's response shall incorporate a response from the panel member or members who are subject to a challenge. If the protest is rejected, the participant may appeal to the Personnel Commission in writing within five (5) working days after the rejection by the Director of Classified Human Resources. If the protest is upheld, a new panel shall be convened.
- B. A participant may protest the content of a QAI, provided that he outlines the basis for the protest and states how the interview lacks job-relevancy (in part or in total) or how there is a flaw in the currency or accuracy of the interview material. Protests of interview questions or other content must be submitted in writing to the Director of Classified Human Resources within one (1) working day from the end of the business day on which the interviews are held. Protests of QAI content will not be accepted following the close of business on the day following the day on which the interviews are held. The Director of Classified Human Resources shall investigate the appeal and

PERSONNEL COMMISSION RULES & REGULATIONS

40.200(H) PCRR

respond to the participant in writing no later than ten (10) working days after receipt of the appeal. If the appeal is rejected, the participant may appeal to the Personnel Commission in writing within five (5) working days after the rejection by the Director of Classified Human Resources. If the appeal is upheld, interview questions or other content and scores associated with the specific content in question may be removed from the scoring of all candidates resulting in new candidate scores based entirely off of the remaining examination content. Alternatively, a new panel may be convened.

40.200.17 Seniority Credit

Seniority credit in the amount of .5 points for each full year of service with the District up to a maximum of 5.0 points shall be added to the final score of all promotional candidates who have passed all sections of the examination process for non-management positions.

40.200.18 Notice of Final Score

Each participant shall be notified in writing of his/her final score and of his/her relative standing on the eligibility list (if qualified).

Legal References:

Education Code

45273	Examinations; Examination Records
45274	Retention and Availability of Examination Records
45278	Written Notice Regarding Tests, Vacancies
45282	Examination for Certain Positions
45344.5	Proficiency Testing
45361.5	Proficiency Testing

Oxnard School District

Personnel Commission Rules and Regulations

Adopted: October 23, 1980

40.200	Revised:	April 7, 1983
40.200.1	Adopted:	November, 1972
40.200.2	Revised:	June 10, 1999; March 12, 2009
40.200.3	Adopted:	November, 1972; Revised: May 5, 1983; December 5, 1991; June 10, 1999; June 8, 2000; March 12, 2009
40.200.4	Revised:	June 23, 1980; June 10, 1999; March 12, 2009; <u>August 13, 2020</u>
40.200.5	Revised:	March 12, 2009
40.200.7	Revised:	December 5, 1977, June 23, 1980; December 5, 1991
40.200.8	Revised:	July 2, 1987; February 14, 1990; February 7, 1991; December 5, 1991; April 2, 1992; June 10, 1999; March 12, 2009
40.200.9	Revised:	June 23, 1980; June 10, 1999; March 12, 2009
40.200.11	New:	March 12, 2009
40.200.12	New:	March 12, 2009
40.200.13	Revised:	October, 1972; April 7, 1993; June 10, 1999; Revised and renumbered (previously 40.200.11) March 12, 2009
40.200.14	Revised:	June 10, 1999; Revised and renumbered (previously 40.200.12) March 12, 2009
40.200.15	Revised:	June 23, 1980; July 2, 1987; December 5, 1991; Revised and

40.200.16	Revised:	renumbered (previously 40.200.13) March 12, 2009
	2009; September 7, 2017	June 23, 1980; Revised and renumbered (previously 40.200.14) March 12,
40.200.17	Revised:	October, 1972; June 10, 1993; Revised and renumbered (previously 40.200.15)
		March 12, 2009
40.200.18	Revised:	June 10, 1999; Revised and renumbered (previously 40.200.16) March 12, 2009

PERSONNEL COMMISSION RULES & REGULATIONS

60.200 PCRR

60.200 Change in Position and Class

60.200.1 Transfer

As provided for in California Education Code, Section 45260 (Effective January 1, 1982), this section of the Personnel Commission Rules and Regulations may not be applicable to members of a/the bargaining unit for classified employees. Members of a/the bargaining unit for classified employees should refer to the collective bargaining agreement with regard to this subject matter.

A. Miscellaneous Positions

1. The District shall post at each work location known vacancies as they occur. Such vacancies shall be posted for not less than five (5) working days.

For purposes of this rule, a vacancy shall occur when a new position is created or an existing position becomes vacant, there is a change regarding receipt of a differential or stipend, reclassification (if the incumbent has served less than three years in the position prior to reclassification) or change in the number of hours per day or year.

2. No posted vacancy shall be permanently filled through these procedures or by use of a properly certified eligibility list, reinstatement, or reemployment list until ten (10) working days after the notice of vacancy has been posted.
3. Transfers shall be made without a change in salary rate, anniversary date, accumulated illness leave, or accumulated vacation credit.
4. The Director of Classified Human Resources, as directed by the Personnel Commission, shall determine whether classifications are sufficiently related to permit transfer between them. The decision shall be determined based on the similarity of duties, the KSACs (knowledge, skills, abilities, and competencies) required, minimum qualifications, examination content, and promotional/occupational field. The education, experience, employment history, and individual attributes of employees who have submitted transfer requests will not be considered in determining the relatedness of classifications.
5. A permanent employee who transfers to a position in a classification in which he has not previously attained permanent status shall be considered probationary in that classification for a period six (6) months or one hundred and thirty (130) days of paid service, whichever is longer. Classifications designated by the Commission as executive, administrative, or police shall serve a probationary period of one (1) year of paid regular service. At any time during this probationary period, the employee may be released from his position without right of appeal.
In the event of a release from probation, the employee shall have the right to be returned to a position in his former classification in which he had attained permanent status with the same number of working hours per day and work days per year as the position which he vacated in the former classification. In the event that a vacant position with the same number of working hours per day and work days per year does not exist, the employee shall be allowed to exercise bumping/displacement rights in accordance with his seniority in the previously held classification.

PERSONNEL COMMISSION RULES & REGULATIONS 60.200(B) PCRR

6. Transfers shall have the following effect on seniority:
 - (a) No effect upon seniority where both positions are within the same class.
 - (b) Where the transfer is to a position in another class, the employee shall not receive seniority in the new class for service in the former class(es). However, the employee shall retain his/her seniority in the former class as well as his/her total seniority with the District. Seniority in the new class shall commence with the employee's first day of paid service in the new class.
7. A transfer shall not be used as a device for altering the effects of impending layoff, except as provided for elsewhere in these Rules and Regulations.

B. Voluntary Transfers

An employee may be considered for transfer at his/her request to any vacant position in the same class, or into a position in similar or related class with the same salary range (as determined by the Personnel Commission) if no reemployment list exists for the class or a voluntary demotion from his/her current class to a classification for which he/she qualified with a lower maximum salary rate if no reemployment list exists for the class (as determined by the Personnel Commission) in accordance with the provisions of these Rules and Regulations.

1. The employee may request a transfer to a vacant position by submitting a request to transfer to the Classified Personnel Office within the five (5) day posting period (PCRR 60.200.1A1).

If a transfer request is received after the posting period, the request will not be approved if any other transfer requests were received within the posting period. If a transfer request is received after the posting period and no other requests were received, the transfer candidate will be considered along with eligibles from an eligibility list. Appointment shall be at the discretion of the appointing authority without consideration for seniority.

Consideration shall be given to all requests for transfer which are properly submitted.

2. Whenever more than one employee files a transfer request with the Classified Personnel Director for transfer to the same vacant position, the transfer candidates will be listed in rank order on the basis of seniority.
 - a. The Classified Personnel Director shall certify and submit to the appropriate administrator or supervisor the names on the list (in order of seniority) who are qualified for transfer consideration.
 - b. Whenever the administrator or supervisor determines that at least two (2) of the transfer candidates are substantially equal in qualifications, the classified employee with the greater seniority shall be selected to fill the position.

PERSONNEL COMMISSION RULES & REGULATIONS

60.200(C) PCRR

The following factors shall be considered in evaluating transfer applicants: education and training; work experience in the same or related field; work related personal attributes; and specific needs of the District for the particular position.

Transfer applicants who received an overall rating of less than satisfactory on their last evaluation shall not be eligible for transfer unless the District elects to waive this provision. If the last evaluation was dated more than sixty (60) working days prior to his/her consideration for transfer, the employee may request an updated evaluation.

Subsection B.3 shall not apply to classified management positions or classified positions designated "confidential."

C. Involuntary Transfers

1. A classified employee may be transferred for the good of the District at the discretion of the District provided that such action shall not be taken for arbitrary or capricious reasons.
2. Any classified employee affected by an involuntary transfer shall be given notice of such transfer as soon as possible.
3. In cases involving involuntary transfer, the reasons for such transfer shall be discussed in detail with the affected employee(s) by the employee's immediate supervisor. The employee shall have right of representation.
4. In multi-involuntary transfers, the most senior employee shall have preference.

60.200.2 Demotions

- A. A permanent employee may request voluntary demotion to a class with a lower maximum salary rate through the transfer process.
- B. Voluntary demotion is a privilege available to a probationary employee only in cases when he would otherwise be laid off for lack of work or lack of funds.
- C. Involuntary demotion is a disciplinary action for cause and is subject to the pertinent rules and procedures.

60.200.3 Restorations

- A. A former permanent employee who has resigned in good standing may be reinstated to a vacant position ~~in his former class and status~~ within 39 months of the last date of paid service. Also, he may be reemployed to a vacant position in a lower related class, if qualified, or in limited term status in the same or lower class. Such actions are discretionary with the appointing authority. (*Education Code*, Section 45309)
- B. An employee who has accepted a lateral transfer to a different classification, a promotion, or a voluntary demotion may be restored to a vacant position in a class in which he formerly held permanent status. Such restoration is discretionary with the appointing authority. The employee will be considered for the position alongside transfer candidates, candidates for reinstatement, and candidates on a current

PERSONNEL COMMISSION RULES & REGULATIONS

60.200(D) PCRR

eligibility list for the class. An employee who has been placed in a position or involuntarily demoted due to disciplinary action or an agreement made in lieu of disciplinary action will not be eligible to be restored in this manner.
(*Education Code*, Section 45298 and 45308)

- C. An employee who has accepted demotion in lieu of layoff for lack of work, lack of funds, abolishment, or reclassification of his position has the right to be reemployed, in accordance with his seniority, in a vacant position in his former class within 39 months after demotion and shall retain eligibility to be considered for reemployment for an additional period of up to 24 months, provided that the same tests of fitness under which they qualified for appointment to the class still apply. Intervening reassignments to other classes shall not abrogate that right. Such restoration shall take preference over all outside candidates and is not discretionary with the appointing authority.
(*Education Code*, Section 45298 and 45308)
- D. Reinstatement or reemployment of a former employee within 39 months shall have the following effects:
 - 1. Restoration to the former step in the salary range for the class, or if reemployed in a lower class, to the rate closest to that of the step to which he would be assigned if he were reinstated to his former class.
 - 2. If restored to permanent status, restoration of accumulated sick leave and seniority as of the date of separation.
 - 3. Restoration of former anniversary date, deducting time away from the district and without step-advancement credit for the off-duty period.+
- E. Restoration of an employee to a position in a classification which he formally held shall have the following effects:
 - 1. Salary placement shall be on the salary range for the class to which the employee is being restored. Step placement will be at the step which is closest to the employee's current rate of pay on the salary range for the class from which he is leaving.
 - 2. If the employee has not completed a probationary period in his current class prior to being restored to his former class, he shall retain no seniority and have no bumping/displacement rights to a position in the class from which he is leaving.
2.
- F. A break in service is defined as the severance of an individuals' employment relationship with the District. A break in service may be cancelled by subsequent reemployment or reinstatement within 39 months.

60.200.4 Increases in Assigned Time

- A. Part-time employee whose assignment time is increased an average of thirty (30) minutes or more per day for twenty (20) consecutive days shall have his/her regular assignment adjusted upward to reflect the change in assigned time in order to acquire benefits (vacation, sick, and holiday pay). Such changes will be effective beginning on the twenty-first (21st) day.

- B. When an existing position is assigned an increase in time, the position so increased shall be considered "vacant" for the purpose of this rule.

Oxnard School District

Personnel Commission Rules & Regulations

Adopted: October 23, 1968

60.200 Revised: January 7, 1982; May 7, 1992

60.200.1 Revised: November, 1972; February 10, 1981; February 14, 1990; May 7, 1992;
September 7, 2017

60.200.2 Revised: May 7, 1992

60.200.3 Revised: May 7, 1992 ; September 7, 2017; August 2020

60.200.4 Revised: May 7, 1992

PERSONNEL COMMISSION RULES & REGULATIONS

70.200(A) PCRR

70.200 Application of Salary Schedule

As provided for in *Education Code* 45260 (Effective January 1, 1982), this section of the Personnel Commission Rules and Regulations may not be applicable to members of a/the bargaining unit for classified employees. Members of a/the bargaining unit for classified employees should refer to the collective bargaining agreement with regard to this subject matter.

70.200.1 Initial Placement

All new regular employees shall be paid in accordance with the salary range established for the class to which assigned. Initial placement will normally be the first step of the salary range. However, a new employee may be granted advanced step placement upon recommendation of the appointing authority and approval by the Director of Classified Human Resources, subject to ratification by the Personnel Commission. In determining the appropriateness of an advanced placement request, the Director of Classified Human Resources shall base his decision on the following factors:

1. Additional education at the college level which is directly related to the classification and beyond the established requirement for entry into the class. Credit for one step may be given for two years or greater of additional directly related education.

2. Experience in a related position equivalent to/higher than the classification to which the selected candidate has been assigned. Credit for one step may be given for two years or greater of experience in a similar or higher level related position outside of the District.

~~3. Evidence that the salary received by the selected candidate from his most recent employer is greater than the first step of the salary range of the class. A selected candidate may be given credit for multiple steps based on evidence of an equal or greater recent salary. In no circumstances shall the initial placement exceed the top step of the salary range for the class.~~

3. Exceptional recruitment difficulties for the classification.

4. The additional skills or qualifications of the candidate that make him/her especially qualified for the position.

This section doesn't pertain to employees upon promotion. Please refer to Rule 70.200.3 for salary placement following promotion.

70.200.2 Anniversary Date and Step Advancement

- A. Regular non-management employees hired after July 1, 1989, shall receive a one-step advancement on their assigned salary range on the first of the month following satisfactory completion of their 130 day probation.
- B. Beginning July 1, 1989, July 1 shall be the salary date for all regular classified employees. Employees hired between July 1 and December 31 inclusive, shall be eligible to receive an anniversary step advancement the ensuing July 1. Employees hired between January 1 and June 30, inclusive, shall not be eligible to receive an anniversary step advancement until the second July following their date of hire. Subsequent annual step advancement, including supermaximums (longevity increments) defined below, shall become effective on July 1 of each year until the maximum step on the assigned salary range is attained.

- C. An employee, in order to gain credit for a year of employment toward annual step advancement on the salary schedule, must be employed in a paid status for at least two-thirds (2/3) of the annual working days assigned to his/her position during the preceding fiscal year.
- D. Eligibility to receive supermaximums (longevity increments) shall require the employee to be in paid status as a regular employee in the classified service for at least two-thirds (2/3) of the annual working days assigned to his/her position during the preceding fiscal year.
- E. Regular classified employees who meet the conditions contained in these rules shall become entitled to receive the District-authorized or collectively-negotiated supermaximums (longevity increments) as follows:
 - 1. Upon completion of six (6) years of service to this District, the employee will receive an additional \$30.00 per month.
 - 2. Upon completion of nine (9) years of service to this District, the employee will receive an additional \$30.00 per month.

PERSONNEL COMMISSION RULES & REGULATIONS

70.200(B) PCRR

3. Upon completion of fourteen (14) years of service to this District, the employee will receive an additional \$30.00 per month.
4. Upon completion of nineteen (19) years of service to this District, the employee will receive an additional \$30.00 per month.
5. Upon completion of twenty-four (24) years of service to this District, the employee will receive an additional \$30.00 per month.
6. Part-time employees shall be entitled to receive the above-noted supermaximums (longevity increments) on a pro-rata basis.

70.200.3 Promotions

In determining appropriate salary placement for classified employees upon promotion, step placement shall be limited to Steps A through E of the new salary range.

An employee who receives a promotion to a class allocated to a higher salary range shall be placed on the first step of the new salary range which affords the employee an increase in salary of at least 5% but in no case shall such placement exceed the top step of the salary range to which assigned. Upon successful completion of a six-month period of probation, the employee will be advanced another step (5%) on the salary schedule if not initially placed on the top step.

70.200.4 Placement After Leave of Absence

- A. Approved unpaid leaves of absence of one year or less shall not constitute a break in service. However, an unpaid leave of absence of more than one-third (1/3) of the employee's duty days in any fiscal year shall render the employee ineligible for salary step advancement on the ensuing July 1. Time spent on such leave(s) of absence will not be counted toward accruing either salary step adjustments or supermaximums (longevity increments).
- B. Upon return from a leave of absence, an employee shall be placed on the same step of the range for the class which he/she had achieved prior to taking the leave, including any change in rate or range applicable to the employee's class; except that step advancement within the range shall be granted if:
 1. The common anniversary date (July 1) has passed during the employee's leave and the employee has substantially met the requirements for step advancement on the salary schedule prior to commencing the leave by having worked two-thirds (2/3) of the annual working days assigned to his/her position during the preceding fiscal year.
 2. The law and/or these rules provided that credit for advancement shall accrue during such leave(s) of absence.

Credit for step advancement shall accrue during leaves of absence for military service, and any paid leaves of absence e.g. industrial accident/illness leaves.

70.200.5 Placement When Demoted

- A. An employee who selects voluntary demotion shall be placed on the step of the range of the lower class which is closest to the rate he/she earned in the higher class; provided that he/she shall not receive a salary increase thereby.

PERSONNEL COMMISSION RULES & REGULATIONS

70.200(C) PCRR

70.200.6 Placement When Substituting or on Temporary Assignment

- A. When a regular employee works in a temporary position in his/her classification, or a lower classification, he/she will be paid at his/her regular rate of pay, including his/her regular stipends and longevity.
- B. When an employee works in a temporary position in a classification with a higher salary range, the employee will be paid as follows: when the employee works in a higher class for more than five (5) days, the employee shall be compensated at the first step in the higher classification which provides him/her with at least a five percent (5%) increase above his/her regular rate of pay, but in no case above the "E" step of the higher class, exclusive of any differential which shall apply.

When a regular employee is assigned to perform the duties of a position in a higher classification for a period of five (5) days or less, the employee shall be paid a maximum of five percent (5%) but in no case an amount greater than step "E" step of the higher classification, exclusive of any differentials which may apply, above the employee's regular base salary, plus other salary stipends for which the employee is eligible for all hours worked.

- C. When a regular employee works in a temporary position in a classification with a lower salary range, he/she will be paid the same step of the lower range that he/she is paid in his/her regular classification. Regular stipend and longevity credit will be added.

70.200.7 Placement Upon Reinstatement or Restoration to Former Class

- A. An employee reinstated within 39 months of resignation shall be placed on the same step of the range held at the time of resignation.
- B. An employee who is restored to a former class after voluntary demotion shall be placed on the step in the salary range the employee would have held had he/she remained in the position.

Oxnard School District
Personnel Commission Rules and Regulations

Adopted: October 23, 1968

70.200	Revised:	September, 1973; October, 1978; September, 1979; May 7, 1992
70.200.1	Revised:	September 9, 1986; May 7, 1992
70.200.2	Revised:	October, 1981; January, 1982; May 1, 1986; May 7, 1992
70.200.3	Revised:	October 4, 1984; September 9, 1986; May 7, 1992; May 13, 1993
70.200.4	Revised:	January, 1973; August 7, 1984; February 14, 1990; May 7, 1992
70.200.5	Revised:	May 7, 1992
70.200.6	Revised:	May 7, 1992; June 23, 1994
70.200.7	Revised:	May 7, 1992
<u>70.200.1</u>	<u>Revised:</u>	<u>August 13, 2020 (first reading)</u>

Page 1

August 19, 2020

New Hire

Black, Claudia	Speech Language Pathology Assistant, Position #8166 Special Education 8.0 hrs./183 days	08/17/2020
Loera, Miriam M	Risk Management Specialist, Position #97 Risk Management 8.0 hrs./246 days	08/10/2020
Louie, Robyn M	School Occupational Therapist, Position #8474 Special Education 8.0 hrs./203 days	08/17/2020
Lua, Cynthia	Speech Language Pathology Assistant, Position #9296 Special Education 8.0 hrs./183 days	08/17/2020

Limited Term

Gurrola, Mishael	Custodian (substitute)	07/13/2020
Gurrola, Mishael	Site Technology Technician (substitute)	07/21/2020

Transfer

Cota, Rudy	Paraeducator II, Position #7844 Pupil Services 5.75 hrs./183 days Paraeducator II, Position #2952 Special Education 5.75 hrs./183 days	08/16/2020
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Layoff

Camarillo, Carmen	Campus Assistant, Position #8755 Curren 3.25 hrs./180 days	07/01/2020
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Resignation

Dahm, Amy	School Office Manager, Position #429	07/31/2020
Guevara, Christopher	Paraeducator I, Position #9154	08/10/2020

Retirement

Gutierrez, Olivia	Campus Assistant, Position #2997 Haydock 5.75 hrs./180 days	06/18/2020
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New Hire

Ojeda, Yolanda	Paraeducator II, Position #6583 Special Ed. 5.75 hrs./183 days	08/17/2020
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Limited Term

May, Raquel E	Clerical (substitute)	08/10/2020
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Promotional

Garcia Mancini, Leonor	Child Nutrition Cafeteria Coordinator, Position #2158 Harrington 8.0 hrs./189 days Child Nutrition Worker, Position #2679 Soria 5.0 hrs./185 days	08/14/2020
Gaytan, Blanca H	Special Education Data Technician, Position #9997 San Miguel 8.0 hrs./246 days Office Assistant III, Position #2408 Special Education 8.0 hrs./246 days	08/10/2020
Mendoza, Sandra	Technology Services Technician, Position #2899 Technology 8.0 hrs./246 days Information Systems Data Technician, Position #7472 Technology 8.0 hrs./246 days	08/19/2020

Voluntary Demotion

Lane, Maria	Preschool Assistant, Position #2665 San Miguel 3.0 hrs./183 days Preschool Teacher, Position #1443 Ritchen 4.0 hrs./183 days	08/14/2020
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Recall from Layoff

Bradley, Arderick L	Instructional Materials Warehouse Attendant, Position #10000 Information Technology 8.0 hrs./246 days	08/13/2020
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Resignation

Gonzalez, Yolanda	Outreach Specialist, Position #563	06/18/2020
Morales, Celia A	Preschool Assistant, Position #2577	08/12/2020
Padilla, Steven	Paraeducator I, Position #2105	08/13/2020
Tobon, Rosario	Paraeducator I, Position #2697	08/24/2020

Retirement

Holland, Laurie A	Child Nutrition Worker, Position #2190 Sierra Linda 5.0 hrs./185 days	08/12/2020
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