

RULE XI
PERSONNEL DIRECTOR

Section 11.1 DEFINITIONS AND DUTIES

- A. The position of Personnel Director is established pursuant to, and it's duties and authority defined by, Education Code Sections 45240 et seq. The position of the Personnel Director is a twelve-month, 0.5 FTE position designated as a senior management position of the classified service pursuant to Education Code Section 45256.5. Except as provided for in Section 11.3 F, the person serving in this position will also serve as Director of Personnel for the Office of Education, which is also a 12-month, 0.5 FTE position designated as a senior management position of the classified service pursuant to Education Code 45256.5
- B. Pursuant to Education Code Section 45264, the Personnel Director is appointed and supervised by the Commission.
- C. The Personnel Director shall perform all duties required of a Personnel Director under Education Code Section 45266, other statutory and regulatory provisions, these Rules, and the position's job description.

Section 11.2 TERMS OF EMPLOYMENT

- A. As an employee in a senior management position of the classified service, the Personnel Director shall not obtain permanent status as a Personnel Director, nor as a permanent classified employee based on service as Personnel Director or in any other senior management position.
- B. The Personnel Director will serve a term not to exceed one year which expires on June 30. Pursuant to Education Code Section 35031, if the Commission determines that the Personnel Director is not to be reemployed upon the expiration of the Personnel Director's term it shall give written notice of this determination by March 1 to the Superintendent. Further, pursuant to Education Code Section 35031, if such written notice is not given, the Personnel Director will be deemed to be reemployed for a new term of one year under the same terms and conditions and with comparable compensation.
- C. The Personnel Director will be paid a salary in accordance with placement on the Classified Management Salary Schedule, prorated in accordance with assigned FTE. The Classified Management Salary schedule shall be adjusted by any salary adjustments granted to the classified managers of HCOE as a group. Advancement on the salary schedule shall be in accordance with Personnel Commission rules.

- D. The Personnel Director shall receive other non-salary related benefits, such as medical, dental and vision insurance coverage equivalent to other HCOE Classified Management personnel, pro rated in accordance with FTE.

Section 11.3 APPOINTMENT OF THE PERSONNEL DIRECTOR

- A. Except as provided for in Section 11.3 F, the provisions of this Section shall govern the recruitment, selection, and appointment of the Personnel Director.
- B. On behalf of the Personnel Commission, the Superintendent of Schools shall be responsible for advertising the vacancy of the Personnel Director. The specifics of such an announcement bulletin will adhere to the guidelines as set forth in Personnel Commission Rule V section 5.3 A., B., C.
- C. Persons seeking employment as the Personnel Director with the Personnel Commission and the Office of Education shall be required to submit a written application form and all other requested materials as indicated in the vacancy announcement.
- D. The Superintendent or designee shall initially screen applicants in accordance with the guidelines set forth in Rule 5 section 5.6 A. 1-8. Following the initial screening, the personnel Commission and the Superintendent will separately review the remaining applications with each group selecting candidates for formal review.
- E. All candidates selected shall be interviewed by a panel consisting of one member of the Personnel Commission and such other panel members deemed appropriate by the Superintendent and Personnel Commission. Based on the results of the first round interviews and the written materials, the Superintendent and Personnel Commission shall mutually agree upon one or more candidates to be invited to interviews by the full Personnel Commission and the Superintendent.
- F. In closed session, the Superintendent and Personnel Commission shall attempt to select a candidate who can meet the job requirements of both Personnel Director and Director of Personnel. In the event one candidate is not selected to fill both half-time positions, each half-time position may be offered to separate candidates according to the provisions of Section 11.1 A. or the Personnel Commission may initiate subsequent position vacancy announcements until the position is successfully filled. Under this circumstance, the Commissioners may elect to proceed with re-advertisement of the position, and subsequent filling of the vacancy according to the provisions set forth in Rule 11 with the following exceptions:
 - A) The interview panel members shall be selected only by the Personnel Commission. The Personnel Commission shall select the final candidate.

Section 11.4 EVALUATION

A. In accordance with Rule 8.4 C the Personnel Director shall annually receive a written evaluation on the Commission approved form, titled “Personnel Commission Evaluation of Personnel Director”. The evaluation form shall be distributed to Commissioners at the regular May meeting of the Personnel Commission. Discussion of the evaluation shall be placed on the regular June meeting agenda under Closed Session. An original copy of the final evaluation report shall be placed in the Personnel Director’s personal file. A confidential copy of the evaluation shall be forwarded to the Superintendent, by June 30.

B. When in the determination of the Personnel Commission the evaluation process indicates a need for performance improvement, the Commission shall reduce to writing a plan for improvement including specific recommendations and a timeline for re-evaluation. The Commission shall communicate its plan to the Superintendent concurrently with the notice to the Personnel Director. The timeline for improvement shall normally not be for less than three months nor greater than six months before a formal re-evaluation by the Commission is conducted. In the event the Personnel Director fails to meet the performance expectations of the Personnel Commission, the Commission shall provide written notice to the Superintendent who will implement a process of termination in accordance with the provisions of law in effect.

Section 11.5 NON-RENEWAL OF CONTRACT

In any year, the Personnel Commission may decide to recommend non-renewal of the Personnel Director’s contract for the succeeding year for any reason not deemed to be in violation of law. If the Commission is considering the possible non-renewal of the contract, the Commission shall communicate such fact to the Personnel Director in writing and shall provide the Director with the opportunity to personally address the Commission before a final decision is made. Should the determination to not renew be made, in reference to section 11.2B, the Commission shall communicate its decision in writing to the Superintendent no later than March 1 in order for the Superintendent to be able to provide formal notice to the Personnel Director by March 15. The communication from the Commission shall fully disclose its reasons for non-renewal and all facts pertaining to the decision upon which the Commission relied.

Section 11.6 DISCIPLINE FOR CAUSE

If at any time there appears cause for discipline or dismissal of the Personnel Director for reasons listed in Personnel Commission Rule 9 section 9.1, the Superintendent shall be authorized by the Personnel Commission to initiate a disciplinary process. The process for disciplinary action for cause up to and including termination of the Personnel Director shall include, at a minimum, the following steps:

The Superintendent shall provide the Personnel Director written notice as to the specific charges forming the grounds for the proposed action. The notice shall be

so clear that the Director will know the exact complaints and may be expected to respond to them.

The Superintendent shall provide written notice to the Personnel Commission at the time such notice is provided to the Personnel Director.

Within ten (10) work days from the date the Director received written notice, the Director may request a joint closed session meeting of the Personnel Commission and the Superintendent. This meeting, if requested, shall provide the Director with the opportunity to speak to the proposed action before the decision becomes final. If the Director fails to request a meeting within the specified timeline, the proposed disciplinary action shall proceed without further delay. If there is a difference of opinion in the disciplinary recommendations by the Superintendent and the Personnel Commission, the most serious disciplinary action will be invoked. The Superintendent shall communicate in writing to the Personnel Director the final decision as to whether disciplinary action, if any, is to be imposed, the nature of that action, and the proposed implementation timeline.

Personnel Commission Approved

April 13, 2004

Amended September 7, 2004