

RULE 2

COMMISSION ORGANIZATION AND PROCEDURE

201 Terms of Commissioners

By law, the term of each Commissioner is for three years and expires at noon, December 1. The term of one Commissioner expires each year. On or about September 1 of each year, the Director-Classified Human Resources shall notify the Governing Board of the name and home address of the Commissioner whose term will expire and whether or not the Commissioner will accept reappointment. The notification shall also list the appointing authority and indicate that the Board must follow the provisions of Education Code Sections 45245, 45246, 45247, and 45248.

EDUCATION CODE SECTIONS 45247 and 45248

202 Election of Chairperson and Vice Chairperson

At its first meeting following December 1 of each year, the Commission shall elect one of its members as Chairperson and another member as Vice Chairperson, to serve a term of one year until their successors are duly elected.

203 Quorum and Majority

Two members shall constitute a quorum for any regular or special meeting of the Commission. The affirmative vote of two members shall be necessary to any action.

204 Public Meetings

All regular and special meetings of the Commission shall be open and public, and all persons shall be permitted to attend any meetings of the Commission, except as provided in Section 207. This rule shall not be construed as permitting employees to be absent from duty to attend Commission meetings.

205 Regular Meetings

Subject to cancellation or proper change, the Commission shall meet on the 4th Monday of each month at 4:00 pm the District Office, located at 1163 E. 7th Street, Chico. When the regular meeting date falls on a holiday, the Commission shall meet on a date to be prescribed at the immediately preceding meeting. In cases of emergency, the Commission may meet at some other time and/or place, provided that at least 48 hours' notice is given to the employee and administration representatives and posted on the Commission's official bulletin board.

206 Special Meetings

Special meetings may be called at any time by the Chairperson and shall be called upon the written request of any two members. Written notice shall be delivered personally or by mail to each member of the Commission. Notice must be posted on the District's website and electronic notice must be sent to the CSEA Chapter 110 President. Such notice must be electronically delivered at least 24 hours before the time of such meeting as specified in the notice. A copy of the notice shall be posted on the Commission's official bulletin board. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission.

207 Closed Sessions

The Commission may hold closed sessions to consider the employment or dismissal of any employee or to hear complaints or charges brought against such employee, unless such employee requests a public hearing. The Commission shall not consider any matter in closed session relating to an employee unless the employee has been notified of the right to a public hearing and has declined the public hearing or properly failed to request same. The Commission may also hold closed sessions to consider administration matters relative to its own staff and to consider examination materials as provided in these rules. The Commission may also meet in closed session with its designated representatives relative to and during negotiations affecting employee salaries and fringe benefits for its employees.

208 Agenda Data

- A. Insofar as possible, at least 48 hours prior to every regular meeting or 24 hours prior to every special Commission meeting, the agenda shall be emailed to the designated labor representative (president) of all employee organizations representing District classified employees. The agenda will also be posted on the Commission's official bulletin board and distributed to news media which have requested it.
- B. Individual employees, employee organizations, and other interested parties may submit their written views on any matter before the Commission, except those matters listed in section 207, and will be provided reasonable opportunity to present their views orally. The Commission will consider their comments and recommendations prior to arriving at a course of action.

209 Enforcement of the Education Code and Merit Rules

The Commission shall enforce the provisions of the Education Code and of these Merit Rules and hold such hearings and conduct such investigations as may be necessary to this end.

210 Amendment and Suspension of Rules

The Commission shall prescribe, amend, and suspend, subject to the provisions of the Education Code, such rules as may be necessary to insure the efficiency of the service and selection and retention of employees upon basis of merit and fitness.

The Board of Education shall prescribe, amend and suspend, subject to existing provisions of the law, such other rules governing classified employees as are deemed necessary in the conduct of school business.

EDUCATION CODE SECTION 45260

211 Minutes

The Classified Human Resources Assistant or designee shall record in the minutes the time and place of each meeting, the names of the Commissioners and staff present, all official acts of the Commission, and the votes of the Commissioners. When requested, a Commissioner's dissent or approval and reasons shall be recorded. The minutes shall be written and presented for correction and approval at the next regular meeting. The minutes shall be distributed to recognized employee organization representatives who have requested them.

212 Status of Commission Employees

The Executive Director/Director of Classified Human Resources, Classified Human Resources Assistant and other persons required to carry out the responsibilities of the Commission, shall be employees of the Personnel Commission. They shall be considered classified employees of the School District and shall be accorded all the same rights, benefits, and burdens of any other classified employee serving in the classified service.

EDUCATION CODE SECTION 45264

213 General Duties of the Executive Director/Director of Classified Human Resources

- A. The Executive Director/Director of Classified Human Resources shall perform all of the duties and carry out all of the functions imposed upon the Executive Director/Director of Classified Human Resources by law and these Rules. The Executive Director/Director of Classified Human Resources shall act as secretary to the Commission and shall issue and receive all notifications on its behalf. The Executive Director/Director of Classified Human Resources shall direct and supervise the employees of the Commission and conduct administrative transactions consistent with the law and necessary to the proper functioning of the office and staff of the Commission.

EDUCATION CODE SECTION 45266

- B. The Executive Director/Director of Classified Human Resources shall conduct classification, salary and rules studies and shall make such other investigations as directed or delegated by the Commission. The Executive Director/Director of Classified Human Resources may be designated as a hearing officer in accordance with Education Code Section 45312.
- C. In cases where two or more rules appear to be in conflict, or when no rule provides a clear-cut answer to a problem, the matter shall be decided by the Commission.

214 Communications

- A. Communications and requests shall, insofar as practicable, be in writing. Communications and requests shall be acknowledged and replied to, noting official Commission action when appropriate.
- B. Individuals or groups who wish to present proposals for action by the Commission shall be encouraged to present them to the Executive Director/Director of Classified Human Resources for placement on the Commission agenda. It is against the policy of the Commission to take up proposals except at open meetings, although the Commission may designate one of its members to investigate a specific subject.

215 Budget

The Executive Director/Director of Classified Human Resources shall prepare and submit to the Commission a proposed operating budget for the Commission for the next fiscal year. The budget shall be submitted not later than the first Commission meeting in April.

The Commission shall hold a public hearing in May prior to adoption of the budget and shall provide appropriate notification to the Board of Education and District administration. Effort will be made to resolve any differences that may exist between the Commission and the Board.

The Commission shall then forward its proposed budget to the County Superintendent of Schools for action.

If the County Superintendent of Schools proposes to reject the budget as submitted by the Commission, the County Superintendent of Schools, shall, within 30 days after the Commission's submission of the budget, hold a public hearing on the proposed rejection within the District, and may after the public hearing reject, or with concurrence of the Commission, amend the proposed budget.

In the absence of agreement between the Personnel Commission and the County Superintendent of Schools, the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the Commission.

EDUCATION CODE SECTION 45253

216 Annual Report

- A. The Executive Director/Director of Classified Human Resources shall prepare an annual report of Commission activities. When approved by the Commission, the annual report shall be submitted to the Board of Education.

EDUCATION CODE SECTION 45266

- B. The report shall be prepared for Commission approval as soon after each fiscal year as possible. The report shall cover Commission activities for the preceding fiscal year.

217 Official Roster

The Executive Director/Director of Classified Human Resources shall maintain an official roster containing the names and complete employment records of all employees holding positions under the provisions of the Education Code.

218 Payment for Meeting Attendance

On June 20, 2012, at the regular Board of Education meeting, the Board reviewed and approved an increase to the stipend to allow for an amount from ten dollars (\$10) to twenty dollars (\$20) per meeting. Each Commissioner may receive the twenty-dollar (\$20) sum for each meeting attended in any one month, including regular, adjourned or special meetings, but not to exceed a total of seventy-five dollars (\$75) per month. This section was originally approved by the Board of Education on January 28, 1970 at its regular meeting.

EDUCATION CODE SECTION 45250

219 Requirements for Personnel Commissioners

To be eligible for appointment or reappointment to a Commission, a person shall (a) be a registered voter and resident within the territorial jurisdiction of the School District and (b) be a known adherent to the principle of the Merit System. No member of the governing board of any school district or county board of education shall be eligible for appointment, reappointment, or continuance as a member of the Commission. During

the term of service, a member of the Commission shall not be an employee of the School District.

EDUCATION CODE SECTION 45244

220 Distribution of Rules

The Rules of the Commission shall be posted on the District website and made available electronically, to each school, office and permanent worksite where employees report. With the exception of exempt employees, each regular employee shall be given the link to the Personnel Commission Merit Rules.

EDUCATION CODE SECTION 45262

221 Certification of Payrolls

- A. All payrolls or claims containing the names of any person or persons to be paid for services rendered in positions subject to the provisions of the Education Code shall be submitted to the Executive Director/Director of Classified Human Resources, who shall cause such payrolls or claims to be examined to determine whether the employees whose names appear thereon are employed in accordance with law.
- B. If, upon examination of a payroll or claim, the names, titles, periods for which payments are to be made, and rates of pay of the persons to be paid are all found to be in accordance with the provisions of the Education Code, and the rules and regulations prescribed thereunder and all statutes relating in any manner to employment, certification of that fact shall be made upon such payroll or claim by the Executive Director/Director of Classified Human Resources or an authorized representative. This process is authorized through the final approval of all new classified positions by the Executive Director/Director of Human Resources using the electronic positions approval process.
- C. If, upon examination of a payroll or claim, it is found that any person named thereon has been employed in violation of any provision of the Education Code or the rules and regulations, notice of such violation shall be made upon such payroll or service report, and such notice shall serve as official notification of the Governing Board and the county offices that the drawing, signing, or issuing of any warrant on the Treasurer or other disbursing officer of the county for the payment of salary or compensation to such person is unlawful.

EDUCATION CODE SECTION 45310

Rule 2 - 02/2004, 12/2005, 11/2012, 7/2018, 4/2024