

CONCEPTS AND ROLES

The Governing Board wishes to establish, through the personnel policies and regulations of the District, conditions that will attract and retain the best qualified personnel who will devote themselves to the education and welfare of the students of the District.

The Board believes that its personnel policies shall reflect these conditions and must be developed through the cooperation and participation of the employee organizations, the administrative staff, and the Board in an atmosphere of mutual faith and good will.

The Board affirms its intention to have all personnel policies, regulations and procedures of the District conform to requirements of law and state regulations, including affirmative action, equal employment opportunity, Districtwide salary schedules, and comparable staffing.

Provisions for the implementation of adopted policies should include channels of communication and procedures for handling professional and ethical problems, through which all persons or groups affected may voice their opinions.

The Governing Board

The role of the Board includes the following major responsibilities:

1. Adopts wage and salary schedules.
2. Accepts or rejects the hiring, promotion or assignment of employees on the recommendation of the Superintendent.
3. Determines principles of treatment for employees, such as those in connection with sick leave, leaves of absence, inservice training, retirement, etc., either through the policies and regulations of the District or through negotiations with exclusive representatives (employee organizations).
4. Serves as a court of appeals in discipline cases referred by the Superintendent or designee or which may be appealed by employees directly from the Superintendent's judgment, or as specified in adopted employee organization bargaining agreements.

CONCEPTS AND ROLES (continued)

The Superintendent

The role of the Superintendent includes the following major responsibilities:

1. Recommends employment of all certificated and classified personnel.
2. Recommends disciplinary action, including suspension and dismissal, against employees whenever there is sufficient evidence warranting any such action according to Board policy and administrative regulations, and/or state or federal laws and regulations.
3. Assigns, directs and supervises the work of staff with due regard for the individual rights involved, proposing salary schedules for staff members not covered by an employee organization agreement, and serving as consultant to the Board throughout negotiations with employee organizations on all matters under negotiations.

Working Relationship between Board and Superintendent

The Board desires to be guided principally by the advice of the Superintendent in regard to its relations with District personnel. The Board agrees that all approaches by employees to the Board or to the individual members of the Board shall be referred to the Superintendent for consideration and judgment.

The Board does not desire to exercise its employment responsibilities contrary to the recommendation of the Superintendent, and will not employ any person unless recommended by the Superintendent. If a nomination by the Superintendent is not acceptable to the Board the nomination shall be withdrawn. The Superintendent shall then present other nominations to the Board for consideration.

The Board desires that the Superintendent conduct the District's personnel relations with fair and sound practices approved by the Board.

Legal Reference: (See next page)

EDUCATION CODE

35020 Duties of employees fixed by governing board

35035 Powers and duties of superintendent

35160 Powers of governing board

GOVERNMENT CODE

3540-3549.3 Public educational employer-employee relations

12940 et seq. Discrimination prohibited; Unlawful practices generally

Policy

adopted: February 24, 1997

CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California