

# INTRODUCTION

## Background

Schromm Associates established an audit team to visit the district to review the quantity and quality of services provided by the Human Resources Division. The team reviewed and selected industry standards of acceptable practices. Over 100 specific measurable standards were developed through FCMAT input and the expertise of the consultants.

The study team gathered information regarding how the Human Resources Division of the district addressed each identified standard. The team reviewed internal operations, and interviewed users of services to determine the effectiveness of specific activities. Key factors examined included, but were not limited to, the division's written and applied procedures, compliance with state and federal regulations, timely and accurate processing of personnel actions, organizational planning and goal setting, and effective labor relations.

The audit of Oakland Unified School District began in the first week of October 1999, with study team members spending numerous days conducting interviews during this month and throughout November. All team members participated in interviewing all Human Resources Division members, all district board members, the leadership of all unions, district site and program administrators and supervisors, the district's legal counsel, the Alameda County Office Chief Human Resources Administrator, and selected new hires for both certificated and classified personnel.

During these visits, the team interviewed over 200 individuals. The largest number of individuals interviewed represented the division's customers – the users of the services the Human Resources Division provides. During the interviewing phase of the audit, 13 areas of human resources management involving more than 100 standards were reviewed.

The Human Resources Division is composed of six separate, but interrelated offices:

1. Four Service Teams (Two for Elementary Schools and one each for High Schools and Central Office)
2. Operations
3. Recruitment
4. Training and Organizational Development
5. Benefits/Workers' Compensation
6. Labor Relations and Compliance

The four Service Teams are under the direction of the Director of Recruitment and Employment and the Director of Labor Relations and Compliance. Labor Relations activities such as bargaining are the responsibility of the Director of Labor Relations and Compliance, who is assisted by the Human Resources Coordinators and four Labor Relations Analysts from the Service Teams.

The Director of Recruitment and Employment oversees the four Service Teams' activities in hiring and placement of employees. The Recruitment Managers and the Operations Manager report to the same Director. The two Directors report to the Assistant Superintendent of Human Resources. The division has an unfilled position, Manager of Training and Development. This position reports to the division Head. Another management position, Manager of Benefits Programs, recently has been assigned to the Human Resources Division and reports to the Assistant Superintendent of Human Resources.

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The Human Resources Division provides personnel services to approximately 7,002 employees. This figure includes of 229 certificated administrators, 96 classified administrators, 2,934 certificated non-management personnel, 27 classified confidential personnel, and 3,716 classified non-management.

There are 10 recognized unions, or bargaining units, representing employees of the Oakland Unified School District:

1. Oakland Education Association
2. Oakland Child Development Paraprofessional Association
3. Oakland American Federation of Teachers, Local 771
4. United Administrators of Oakland Schools, AFL-CIO, Local 83
5. Brotherhood of Teamsters, Truck Drivers, Local 70 of Alameda County; and Brotherhood of Teamsters, Warehouse, Local 853 of Alameda County (same contract)
6. Oakland School Employees Association, Local 790, SEIU, AFL-CIO
7. California School Employees Association, Oakland Chapter 1
8. Buildings and Construction Trades Council of Alameda County
9. American Federation of State, County and Municipal Employees, Local 257
10. American Federation of State, County and Municipal Employees, Local 2078

### **Executive Summary of Findings and Recommendations**

Over the years, the district has been criticized for allowing poor practices and inadequate services to develop in the Human Resources Division. The district never implemented recommendations provided in a 1993 audit of division services. New leadership of the division recommended a major reorganization, citing a desire to be more efficient and proactive in order to reach higher performance standards. The office remodeling completed to date provides an excellent working environment for the Service Teams. Additional remodeling plans have yet to be implemented. New Human Resources Division staff members are energetic and optimistic.

Due to the changes in the Human Resources Division in both staff and direction, the study team found numerous standards of professional activities needing vast improvement. The auditors struggled to find documentation to validate existing practices; the team received many documents that were not current. A large number of the resource documents provided were undated and without evidence of distribution.

Because of the large turnover of staff and individuals in newly developed positions, the auditors found that many individuals were still learning their jobs having yet to complete a full-year cycle in their new responsibilities.

The audit report presents a great number of findings and recommendations, followed by recovery plans that would challenge the most ambitious human resources staff. This division has put forth significant planning, training, and effort to provide improved services, and it is moving in the right direction.

#### **1. Organization and Planning**

The district does not have updated Board Policies and Administrative Bulletins. This deficiency needs immediate correction. The Human Resources Division has a Mission Statement, which needs to be published and distributed. Human Resources Division employees and management personnel need to establish annual goals with accomplishments recognized as part of each employee's annual performance evaluation. Individual professional growth goals also should be included.

The Human Resources Division needs to provide monthly calendars of activities and the names of persons responsible for completion of each activity. Regularly scheduled staff meetings, where written operational procedures can be incorporated into the agenda, need to be provided.

## **2. Communications: Internal and External**

Technology is ineffective for communication. Most management employees have access to e-mail; however, staff members in other areas of the district report no access. The telephone system is outdated and ineffective. Fax machines do not have broadcast capabilities, and some are in need of repair. Copiers are often inoperable. There is no current published list of Human Resources Division employees showing their areas of responsibility and direct telephone numbers. There were complaints in the past that voice mail messages were ignored; however, a policy is now in place requiring employees to return calls within 24 hours. Some individuals interviewed expressed frustration and concern that it is difficult to find the right person to talk with about any issue in the Human Resources Division.

Internal communication within the division needs to be improved through regularly scheduled staff meetings and written policies and procedures. Communication with the business, payroll and finance staff needs to be improved through regularly scheduled meetings with staff members and managers in order to resolve issues before they become major problems. It is important especially for the Human Resources Division to establish open, friendly and frequent communication with payroll personnel. Site and department personnel report improved communication from the Human Resources Division since the Service Team concept was established.

## **3. Certificated Recruitment and Selection**

The Human Resources Division achieved a significant goal in the timely staffing of all schools for the 1999-2000 school year. The majority of those interviewed recognized this as a major accomplishment. The auditors found that the division lacks a written recruitment plan, which needs to be developed for future planning. Critical components of the recruitment and selection process, i.e., application, reference checks, interviews, and credentials, should be reviewed, revised and streamlined for compliance, uniformity and user friendliness.

The Human Resources Division leadership team is in the early stages of providing training to its staff members. Extensive staff development in teacher credentialing is needed to provide credentials staff, certificated recruiters, and service teams with the in-depth knowledge required to assist teachers in earning or maintaining their credentials and to better serve schools in general. In addition, more focused and expanded training in the area of recruitment should include principals, special education staff, early childhood education staff, and other staff involved in recruitment activities.

## **4. Classified Recruitment and Selection**

The individual responsible for classified recruitment and selection has been in the position for about six months. The district currently participates in job fairs throughout the county, advertises positions on the district's Web Page, sends job postings to a mailing list of private and public organizations, posts openings throughout the district, and maintains job postings in the lobby at the Education Center. A formal, written plan needs to be established for classified recruitment and selection so that effective and cost efficient methods of recruitment can be identified and expanded.

## **5. Employee Orientation**

The district does not provide adequate orientation for new employees. Employee handbooks should take the place of numerous handouts provided to some employee groups. The use of a video presentation would enhance the orientation program and assure that all employees receive required information.

## **6. Operational Procedures**

The collection and maintenance of information in personnel files for all employees is one of the major undertakings of the Human Resources Division. By law, personnel files are permanent records. The purpose of this file is to collect credentials, licenses, educational information, payroll and employment information, promotional data and evaluations. The files are not well organized or stored in an area that is fireproof. The records are accessible to employees without supervision, are unlocked during working hours, and contain medical and confidential information that should be filed separately. Current technology would allow for electronic storage of the files, making retrieval more effective and efficient. An investment in imaging and scanning equipment could be recovered quickly through savings realized in the reduction of staff time required to process these documents.

Desk manuals are needed for most positions in the Human Resources Division. In addition, a human resources procedures manual could be written and distributed for use by internal and external staff such as site principals, office managers, secretaries, and others. The manual would explain clearly policies and procedures for staffing, leaves, salary placement, and other issues, and it should be revised annually to assure that procedures are current, accurate and consistent. When technology becomes more advanced, the manual could be posted on the district's Web Page for access internally to all employees. An area of responsibility chart that includes names and telephone numbers, and an annual Human Resources Division calendar would provide customers with specific contact information. Frequent and honest internal communications within the Human Resources Division is necessary for the smooth functioning of the office.

## **7. State and Federal Compliance**

The district has made significant efforts to comply with state and federal non-discrimination laws. There are numerous policies and administrative bulletins aimed at issues concerning non-discrimination in employment practices. The district's legal counsel has worked with the Human Resources Division to develop non-discrimination statements to be included in virtually every district publication. Letters from the Superintendent to employees and community members stressing the district's non-discrimination policy, and providing easy access to a complaint process, emphasize the importance of the district's policy. A full-time Compliance Officer in Human Resources and an Ombudsperson allow fair and complete investigations into any complaints.

The Human Resources Division is progressing under its reorganization. The district has implemented the Live Scan fingerprinting process, allowing the Human Resources Division to get clearance on prospective employees in just a few days. The TB testing, physical examination, and drug and alcohol testing processes are well organized, facilitating the processing of new employees in a timely manner.

The district must act to improve its practices and compliance in various areas. Many of these areas involve record keeping and development of processes relying on computers and electronic databases. The recording and reporting processes related to teacher credentials is inadequate and must be addressed immediately. It has to be constructed into an integrated system with all other Human Resource functions and databases. This also is true for the ongoing TB testing program, the in-service notifications and record keeping, and all other employee notification needs. There are several policies and procedures that need to be brought up-to-

date and into alignment with various laws, such as Title IX, Americans with Disabilities Act, Fair Labor Standards Act, and Family and Medical Leave Act. These should be reviewed with district legal counsel on an on-going basis.

The Ewing and Company salary and classification study was a great beginning to updating position descriptions; however, the district must complete that project, approve the new position descriptions, and move on to other management, certificated and classified positions to bring them into alignment with current job responsibilities.

It is essential that the Human Resources Division develop a comprehensive plan for training division staff in areas of individual responsibilities, and for training administrators, supervisors and employees in the several areas of state and federal laws related to employment.

### **8. Use of Technology**

The Human Resources Division needs upgraded computer equipment and training in the efficient use of computer software programs. The personnel, finance, and payroll applicant tracking systems are not integrated, and position control is ineffective. The district has an internally developed payroll/personnel software program that is limited in the types of reports and functions available. Staff members are unable to produce reports or write queries and must rely on Management Information Services personnel for all reports. Therefore, information often is not available, accurate or timely.

The district uses the Substitute Employment Management System (SEMS) to obtain and place some classified substitute personnel and all certificated substitutes. The SEMS users have not been trained thoroughly in the use of the system, nor have they attended annual user group meetings. Advanced training is necessary for effective and efficient use of SEMS.

Access to e-mail is not consistent throughout the district. E-mail has not yet become an accepted form of communication and many people do not access their messages daily. The Internet is not available to all staff members, and some computers are old and lack sufficient memory and speed to run current software programs. There are not enough functional fax machines with broadcast capability, and copy machines are often in disrepair. There is no document imaging system for file storage. The district has recently installed an applicant tracking software program, Green Tree, but training and access are limited.

The Human Resources Division should develop a written technology plan that includes short and long-term goals for improved technology and training staff. This plan should include the addition of new hardware and software on a defined schedule throughout the Human Resources Division.

### **9. Staff Training**

The Human Resources Division has undergone major changes, not only in the physical facility but also in the organizational structure of the entire personnel operation. A majority of the division staff is new to education but comes to the district with personnel experience. Division priorities have been to be "customer oriented" and to staff the schools in a timely manner. Staff training has taken place internally by the administrators working with their teams. However, with the opening of school, in-service training has been delayed. Training has taken place at all levels as time has permitted. Comprehensive training opportunities should be developed for Human Resources staff as well as district managers and supervisors. There has not been an administrator assigned the responsibility for coordinating all Human Resources Division staff training to ensure that appropriate and quality training takes place. An assessment of training needs should

be accomplished as soon as the division teams are in place and job functions are confirmed for all positions. Additional training is needed for Service Teams in the credentials area, insurance claims monitoring, and employee evaluation processing. Some training has been offered; however, not all individuals who require the training attended the sessions. Handbooks and materials should be a required part of each training model. Department and division meetings should include time on the agenda that will enable training information to be shared with all staff.

#### **10. Evaluation and Due Process**

The evaluation of all personnel has not been a district priority until the past year. The new administrator and supervisor evaluation instrument specifically addresses the accountability of management to assess employees. More evaluation and due process training activities are necessary. There is a need to provide handbooks to participants as part of the training of administrators and supervisors. The division must monitor the evaluation process to hold evaluators accountable for employee evaluations. There is an identified need for more due process training and the establishment of a plan of action (remediation) for dealings with ineffective employees.

#### **11. Employee Services**

The district does not have a formal recognition program for all employee groups. There is recognition by the various school sites, departments and divisions. Consideration could be given to establishing a broad-base committee to develop and coordinate a district-wide recognition program.

At one time, the district had an employee assistance program for all employee groups. Currently, the HMO carriers provide some assistance. Additional assistance often is needed for employees with alcohol, drug, stress, family, or other personal problems. The Human Resources Division should consider providing a list of agencies where employees may receive assistance. The district should develop and calendar a retirement counseling program where employees can discuss options available to them after retirement, e.g., substituting, part-time work, travel and recreational activities.

#### **12. Employer-Employee Relations**

Employer-employee relations, locally referred to as Labor Relations, are a critical function of the Human Resources Division. With the unusually high number of bargaining units and collective bargaining agreements, district administration constantly is negotiating and monitoring labor agreements. The recent reorganization of the Human Resources Division into Service Teams appears to be an effective way to address a complex system of contracts and numerous bargaining units.

The process of negotiations in the district is very time-consuming. Interest Based Bargaining requires cabinet-level administrators to spend time away from their daily administrative duties. The district constantly must evaluate the value of this process and the apportionment of administrative time. The district should also consider more involvement by site-level administrators in the bargaining process.

Over the years, the district has bargained away certain management rights that take discretion away from district managers. In preparing for negotiations the Human Resources Division must survey administrators and discuss with the board of education any contract changes necessary to assist district managers in operating programs more effectively and efficiently.

Bringing salary schedules and fringe benefits into alignment with other Bay Area school districts will require research and commitment. Determination of, and adjustment to, comparable program staffing formulas may allow the district to reapportion money in the budget.

It is critical that the Human Resources Division and the Legal Office work jointly to evaluate the need for attorney representation in arbitration cases and Public Employee Retirement Benefit hearings. They should match the district needs with individual attorneys, both in-house and outside, who are specialists in each particular case.

### **13. Employee Benefits and Workers' Compensation**

The Human Resources Division employee benefits section handles all medical, dental and other miscellaneous benefits for active employees and their dependents, retirees, and dismissed employees. The district provides benefits in accordance with negotiated agreements with each of the district's bargaining units. Staff answers general questions about benefits for employees, and refers complex issues to the health care provider. The staff is customer oriented and provides quality service. In past years, employees were not notified about open enrollment. There is no procedure in place to notify new hires that they must sign up for benefits within 30 days of employment. Union contracts are relied upon to impart this information to employees. The Human Resources Division should assume a more active role in informing employees of their rights and responsibilities as they relate to the benefits programs.

The Human Resources Division staff is meeting legal requirements for Workers' Compensation issues. The Department of Workers' Compensation Forms 1 and 5020 are completed and submitted in a timely manner. Staff training efforts should be continued to assure that reporting requirements for job related illness or injury continue to meet or exceed those required by law. There currently is no formal bridge or modified duty program in place for injured workers. The division should work with the third party administrator to develop and implement a formal plan, since it is likely to result in large savings in Workers' Compensation costs and ultimately reduce the number of claims.

### **Recovery Plan**

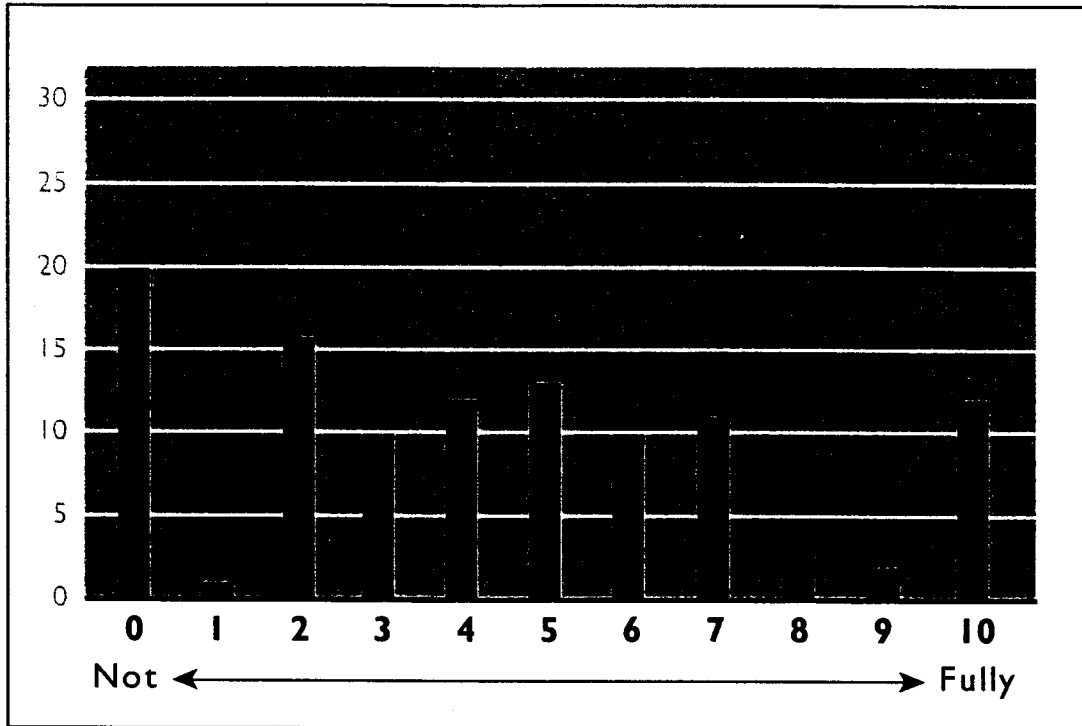
Presented on the following pages are the professional standards for school district personnel management along with the findings and recommendations of the auditors. Together they constitute goals and strategies for instructional recovery in the Oakland Unified School District. Based on the analysis of the district's current implementation of each standard, project staff developed recommendations for improvement with the goal of helping the district fully and substantially implement each standard and then sustain that level of performance. On the following page, individual standards have been identified as priorities or principal focus points as the district begins implementation of its recovery plan.

<b>Personnel Management</b>	
<b>Standard to be addressed</b>	<b>Score</b>
3.7 – A summary or evaluation of the results of the year's recruitment efforts is provided in written form.	0
3.10 – The district appropriately monitors teacher assignments and reports as required under Education Code 44258.9.	0
6.3 – The Human Resources Division has an operations procedures manual for internal department use in order to establish consistent application of personnel actions.	0
6.11 – Established staffing formulas dictate the assignment of personnel to the various sites and programs.	7
7.5 – All certificated persons hold one or more valid certificates, credentials or life diplomas that allow the holder to engage in the school services designed in the document.	3
7.11 – The district is in compliance with the Consolidated Omnibus Budget Reconciliation Act of 1986.	5
7.12 – The district is in compliance with the Family and Medical Leave Act, including posting the proper notifications.	2
7.13 – The district is in compliance with the Americans with Disabilities Act of 1990 in application procedures, hiring, advancement or discharge, compensation, job training and other items, conditions and privileges of employment.	4
7.14 – The district has identified exempt and nonexempt employees and has promulgated rules and regulations for overtime, which are in compliance with the Fair Labor Standards Act and California statutes.	3
8.1 – An online position control system is utilized and is integrated with the payroll/financial systems.	0
8.4 – The Human Resources Division has in place a program of providing funds and time for staff training and skill development in the use of computers.	0
8.5 – The Human Resources Division utilizes the latest technology to provide staff and clients with improved communication (i.e., voice mail, fax, and e-mail).	4
10.1 – The Human Resources Division provides a process for the monitoring of employee evaluations and the accountability reporting of their completion.	0
10.4 – The evaluation process is a regular function related to each employee involving criteria related to the position.	2
10.7 – The Human Resources Division has developed a process for providing assistance to marginal employees (remediation).	0



# Standards Implemented

## Personnel Management



The total number of assessment standards for this study area was 104  
The average rating of assessment standards for this study area was 4.09  
The average rating of assessment standards for all study areas was 4.23

# 1.1 Organization and Planning

## Professional Standard

An updated, detailed policy and procedures manual exists which delineates the responsibilities and operational aspects of the personnel office.

## Sources and Documentation

- 1. District's Policy Manual Series 8000
- 2. District's Administrative Bulletin Series 8000
- 3. Interviews with Human Resources Division personnel
- 4. Interviews with Central Office personnel

## Findings

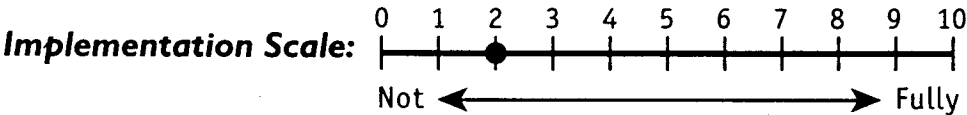
- 1. The district's Policies and Administrative Bulletins show the 8000 Series was adopted from May 17, 1978, to the most recent in October 1995.
- 2. These policies and administrative bulletins do not reflect Education Code changes since 1995.

## Recommendations and Recovery Steps

Update the 8000 Series of the Board Policies and Administrative Bulletins.

- 1. Contract with the California School Boards Association or other agency to update the Board Policies and Administrative Bulletins.

## Standard Implemented: Partially



## 1.2 Organization and Planning

### Professional Standard

The district has clearly defined and clarified roles for board and administration relative to recruitment, hiring, evaluation, and dismissal of employees.

### Sources and Documentation

1. District's Policy Manual 8000 Series
2. District's Administrative Bulletins 8010, 8011 and 8020
3. District and employee groups' collective bargaining agreements
4. Interviews with Human Resources Division personnel
5. Interviews with district and program personnel

### Findings

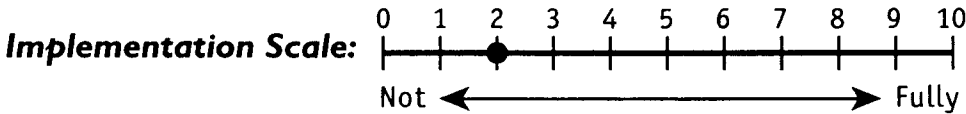
1. The district's Policy Manual 8000 Series and Administrative Bulletins have sections related to recruitment, hiring, evaluation, and dismissal of certificated and classified employees. The last adoption of the 8000 Series was dated October 11, 1995, with the earliest on May 17, 1978.
2. Collective bargaining agreements address transfers and evaluation procedures.

### Recommendations and Recovery Steps

The district must bring both the District Policy Series 8000 and the corresponding Administrative Bulletins up-to-date to reflect current legal mandates.

1. Contract with the California School Boards Association or other agency to update the Board Policies and Administrative Bulletins.

### Standard Implemented: Partially



## **I.3 Organization and Planning**

### **Professional Standard**

The division has developed a Mission Statement that sets clear direction for human resources staff.

### **Sources and Documentation**

1. Written Mission Statement (undated)
2. Written Human Resources Division Motto (undated)
3. Interviews with Human Resources Division personnel

### **Findings**

1. Division Mission Statement:

Guided by the Superintendent's vision, the Human Resources Division is prepared to serve as a key facilitator of organizational and developmental change. The primary mission of the Human Resources Division is to ensure that our students are served by the best qualified personnel who are committed to professionalism and excellence in public education. We will establish and consistently follow practices and procedures to govern personnel recruitment, employment, EEO-AA, record-keeping, counseling, staff development, evaluation and modern labor relations practices.

We affirm that our mission is among the most worthwhile human endeavors, and in believing such, we are committed to:

Service – providing responsive, courteous service to all employees, as well as to persons requiring pre- and post-employment assistance.

Quality – delivering services of the highest quality to all employees and the public.

Efficiency – providing timely responses to requests from individual employees, school sites, inter- and intra-division personnel, and the public.

Teamwork – recognizing individual and team contributions, respecting the dignity and worth of each individual, and trusting one another.

Through our combined efforts to manage the district's human resources effectively and efficiently, powerful outcomes can be achieved.

2. Division Motto:

“Human Resources Division on the Move — The Driving Force to Excellence”

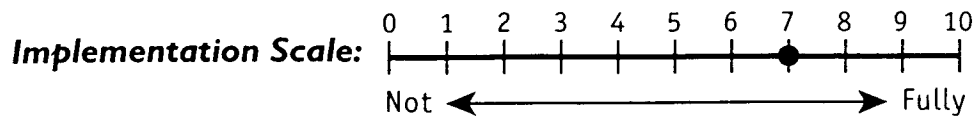
### **Recommendations and Recovery Steps**

Review the Mission Statement and Motto on an annual basis.

1. Review and revise as needed, date, publish, and distribute the division's Mission Statement annually.

**FCMAT 3024**

**Standard Implemented: Partially**



## **I.4 Organization and Planning**

### **Professional Standard**

The division has an organizational chart and a functions chart that include the names, positions and job functions of all staff in the Human Resources Division.

### **Sources and Documentation**

1. Management Structure Chart (Human Resources) dated September 23, 1999
2. Interviews with Human Resources Division personnel

### **Findings**

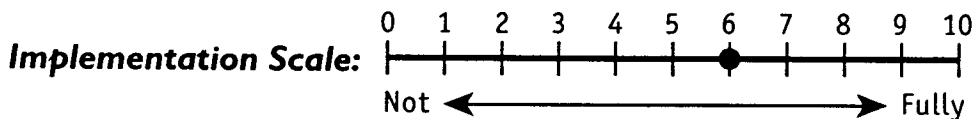
1. The division has an organizational chart that includes all positions and reporting relationships.
2. There was no evidence of a functional chart for the Human Resources Division.

### **Recommendations and Recovery Steps**

Provide an accurate division organization chart, listing the major functions for which staff members are responsible.

1. Continue to provide a current organizational chart for the division.
2. Finalize a functions chart that includes position titles, names and major functions for all Human Resources Division staff. This may be portrayed separately by service and operational team.
3. Update the organizational chart and functions chart annually.

### **Standard Implemented: Partially**



FCMAT 3026

## **1.5 Organization and Planning**

### **Professional Standard**

The division has established goals and objectives directly related to the district's goals that are reviewed and updated annually.

### **Sources and Documentation**

1. Status of 1998 strategic planning goals for the Oakland Board of Education, dated February 19, 1999
2. Interviews with Human Resources Division personnel
3. 1999-00 Goals (faxed copy dated November 22, 1999)

### **Findings**

1. The district established six goals for the 1997-98 school year. Some of the objectives of the identified goals related directly to Human Resources Division responsibilities. A status report was prepared on August 19, 1999, and Human Resources Division accomplishments in regard to the 1997-98 goals were reported as follows:

#### **Goal 1**

Guarantee that conditions exist for student achievement.

1. Complete class size reduction and evaluate impact. (Fully implemented 1-3 reduction and 185 of 222 kindergartens.)

#### **Goal 2**

Ensure staff and organizational effectiveness, efficiency and accountability.

1. Monitor and improve evaluation processes at all levels. (none reported.)
2. Develop recognition awards for parents, students and employees. (Recognition at board meetings.)
3. Implement redesign of Human Resources Division. (Implemented in November 1998.)

#### **Goal 3**

Develop partnerships of responsibility with students, parents and community. (None listed for Human Resources Division.)

#### **Goal 4**

Create and maintain a clean, safe and healthy learning and work environment.

1. Develop long-term strategy for staffing custodial and buildings and grounds services. (The Human Resources Division will be working with two different CALWORKS programs to improve the quality of the substitute pool for custodians and food service workers. This will lead to permanent placements as turnover occurs.)
2. Train all staff and student on sexual harassment. (Training of principals started in the fall of 1998.)

#### **Goal 5**

Ensure fiscal responsibility and accountability at all levels of the organization.

1. Establish an effective system of position control. (No response given.)

Recruit, develop and retain the most competent and caring individuals at all levels of the organization.

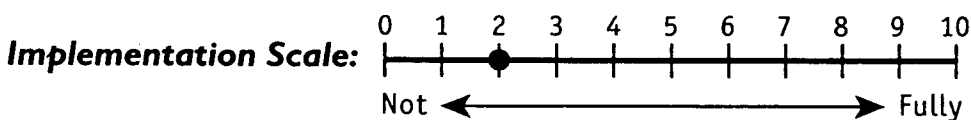
1. Expand computer technology training for all staff. (No response given.)
  2. Implement interest-based bargaining in collaboration with bargaining units. (Started Interest Based Bargaining training with all bargaining units.)
  3. Develop new site administrator management development program. (Implemented orientation for new administrators in August 1998. Ongoing training of all administrators is done during monthly principals' meetings.)
  4. Review Affirmative Action goals and adherence regularly. (No response given.)
  5. Monitor employee evaluations. (No response given.)
  6. Recruit under-represented minorities. (The Human Resources Division meets monthly with Latino Education Task Force to increase outreach in the Latino community, and will begin working with OEA referral in a recruiting program for teachers from African American colleges. The Human Resources Division has increased the number of bilingual staff in order to better serve their multilingual customers.)
2. The audit team was not provided any 1998-99 Human Resource Division Goals.
  3. The Audit Team was faxed from the division dead six handwritten, 1999-00 organizational goals:
    - Goal 1 – Staffing/Recruitment: Reduce number of emergency credentialed teachers
    - Goal 2 – Teacher Retention: Support intervention strategies districtwide
    - Goal 3 – Do something to improve quality of substitutes — certificated and classified
    - Goal 4 – Make our jobs easier, more enjoyable — develop systems, processes, automate
    - Goal 5 – Better teaming within HRD
    - Goal 6 – More cross training

### **Recommendations and Recovery Steps**

Establish major division goals on an annual basis, with individual staff members assigned to prepare similar annual goals with objectives. These annual goals will center around staff members' responsibilities and personal professional development plans, and shall be part of the employee's evaluation.

1. Develop written goals by August 15 annually.

### **Standard Implemented: Partially**





## **1.6 Organization and Planning**

### **Professional Standard**

Individual staff members have developed goals and objectives in their areas of responsibility and also a personal professional development plan.

### **Sources and Documentation**

1. Goals and Objectives, 1998-1999, Director, Human Resources (January 22, 1999)
2. Central Office Team Goals and Objectives (December – July 1999)
3. Secondary School Team Performance Indicators (undated)
4. Elementary Team I Goals and Objectives 1998-99 (January 29, 1999)
5. Elementary Team II Goals (March – June 1999)

### **Findings**

1. The Audit Team was provided copies of the goals and objectives for the following:
  - a. Director of Recruitment and Employment – 1998-99 (January 22, 1999). There were four goals with 22 objectives.
  - b. Central Office Service Team (December – July 1999). There were three goals with 12 objectives.
  - c. Secondary Schools Team (undated). There were 10 goals without any objectives.
  - d. Elementary Team I (January 29, 1999). There were three goals with 11 objectives.
  - e. Elementary Team II (March – June 1999). There were six goals with 26 objectives.
2. The Audit Team was not provided any goals or objectives for the following teams:
  - a. Labor Relations and Compliance Team
  - b. Recruitment Team
  - c. Benefits/Workers' Compensation
  - d. Operations Team
3. The Audit Team was provided documents for the Operations Team which included:
  - a. Performance/Service Standards (undated)
  - b. Operations Team Responsibilities (October 19, 1999)
  - c. Front Desk (Guidelines Undated)
4. The Audit Team was provided a document titled "Central Office Team H.R. Technician Expectations (undated).
5. Professional development goals were not evident for individuals within the Human Resources Division.
6. The limited documentation provided lacked uniformity in presentation.

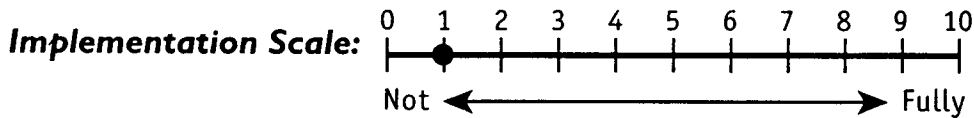
### **Recommendations and Recovery Steps**

Establish annual management goals.

1. Develop management goals and objectives for each service unit within the division:
  - Labor Relations and Compliance Team
  - School Services Teams

- Recruitment Teams
  - Operations Team
  - Benefits/Workers' Compensation Team
  - Training and Organizational Development Team (when position is filled)
2. Standardize the format for goals and objectives.
- Establish the practice that each member of the Human Resources staff annually establishes goals for the specific activities for which he or she is responsible. The attainment of identified goals should be measurable and recognized as part of each employee's annual evaluation.
  - Each employee in the division will establish annual goals which are mutually agreed upon with the supervisor.
  - Include personal professional goals.
  - Successful completion of identified goals to be measured in performance evaluation.

**Standard Implemented: Partially**



## **1.7 Organization and Planning**

### **Professional Standard**

The division has a monthly activities calendar and accompanying list of ongoing Human Resources activities to be reviewed by staff at planning meetings.

### **Sources and Documentation**

1. 1998-99 School Year Human Resources Division Time lines (3 Pages)
2. Interviews with Human Resources Division personnel
3. Procedures - Human Resources Division dated January 1999 (4 Pages)

### **Findings**

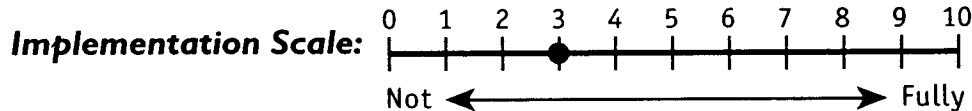
1. The Audit Team was provided from the Operations Manager a three-page monthly listing for 1998-99 activities to be completed by Human Resources Division staff.
2. There was no evidence of a listing of ongoing Human Resources activities for the division.
3. Reviewed a three and one-half page document titled, "Procedures" which listed nine functions. Each function was followed by statements of how the tasks were to be handled within the Human Resources Division.

### **Recommendations and Recovery Steps**

Continue to develop a monthly activities calendar and accompanying list of ongoing Human Resources Division activities to be reviewed by the staff at planning meetings.

1. Establish regularly scheduled staff meetings in which upcoming activities can be identified and plans developed to handle projects.
2. Develop an annual calendar of major monthly Human Resources Division activities to be completed by staff. Provide the date of the activity and the name of the person or position responsible for completion.
3. Each Human Resources Division team leader (i.e., Service Team, Operations, Recruitment) should develop with their staff members specific operational procedures used in the implementation of each major function.

### **Standard Implemented: Partially**



## I.8 Organization and Planning

### **Professional Standard**

The division head is a member of the Superintendent's Cabinet and participates in decision making early in the process.

### **Sources and Documentation**

1. Organizational Chart
2. Interviews with Human Resources Division personnel

### **Findings**

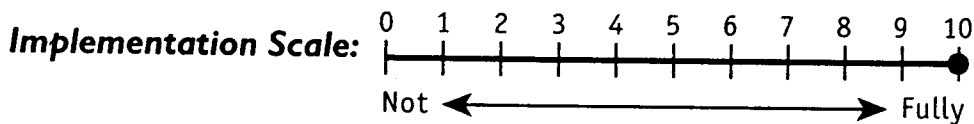
1. The Human Resources Division head is a member of the Superintendent's Cabinet.

### **Recommendations and Recovery Steps**

Continue participation in the decision making process at the Cabinet level.

1. The Human Resources Division head should remain as a Cabinet-level position.

### **Standard Implemented: Fully - Sustained**



## 2.1 Communications: Internal/External

### **Professional Standard**

The Human Resources Division utilizes the latest technological equipment for incoming and outgoing communications.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Review of existing technology and Audit Team observations

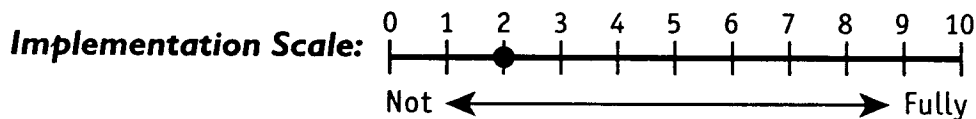
### **Findings**

1. It was reported by some interviewees that the Human Resources Division staff return phone calls within 24 hours.
2. Fax machines are broken and do not have broadcasting features to send communications to multiple locations at one time.
3. There are no speaker phones, phone calls do not roll to other numbers, and some offices have up to four phones connected which must be answered individually.
4. E-mail is not accessible to all offices or areas and there is resistance to fully utilizing it as a means of communication.
5. Callers often reach voice mail, yet tapes are often full.
6. It was reported that recently, communication has improved and access is easier; however, principals report that when they need immediate assistance, some Human Resources Division staff does not quickly respond.
7. There is no up-to-date phone directory with a menu of services for the Human Resources Division; therefore, several calls are required to reach the appropriate person.
8. The employment process for classified and certificated personnel is not communicated effectively to sites and departments.
9. The reception area has been designed for good communication and includes job announcements, application forms, other district forms and information about the interview and selection process.
10. It was reported that the Human Resources Division does not communicate information regarding classified new hires or changed assignments to sites or departments.

## **Recommendations and Recovery Steps**

1. Provide adequate telephone communication systems and necessary hardware.
2. Establish a policy requiring staff members in the Human Resources Division to answer phones personally during working hours rather than allowing calls to be taken by voice mail.
3. Establish telephone answering groups to provide personal phone coverage when employees are absent.
4. Cross train staff members to address callers' concerns instead of taking messages.
5. Operations Manager should schedule regular meetings with Human Resources Division staff to communicate information and provide updates on issues and progress.
6. Operations Manager should schedule regular meetings with business, fiscal, payroll, technology, and other departments to communicate needs, information, and resolve issues.
7. Operations Manager should schedule regular meetings for Service Teams with principals, school site secretaries, and other groups.
8. Produce a Human Resources Division newsletter that addresses both classified and certificated issues and send to employees. Post the newsletter on the district's web page.
9. Develop a flow chart of the interview and selection process and distribute to principals and managers.
10. Develop an up-to-date directory and menu of services for the Human Resources Division to be sent to all district personnel and update regularly.
11. Obtain and install fax machines with broadcasting capability or have current equipment repaired.

**Standard Implemented: Partially**



**FCMAT 3034**

## 2.2 Communications: Internal/External

### Professional Standard

The Human Resources and Business Divisions have developed and distributed a menu of services which includes the activities performed, the individual responsible, and the telephone numbers where they may be contacted.

### Sources and Documentation

1. Interviews with Human Resources Division and Business Division staff
2. Operations Team Responsibilities Draft School Year 1999-2000 dated October 19, 1999
3. 1999 Guide to Central Offices & Services dated May 1999

### Findings

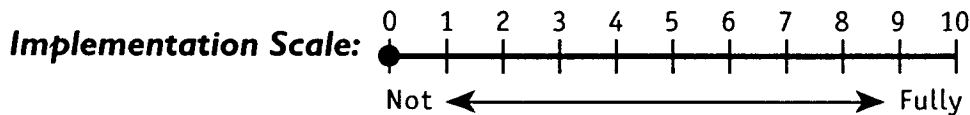
1. The Human Resources Division has published a directory of phone numbers of staff; however, this is not updated when changes occur.
2. The division has a draft list of job functions for the Operations Team with the names of staff responsible; however, this has not been finalized and does not encompass the entire division.
3. The division does not have a menu of services; however, the 1999 Guide to Central Offices & Services provides phone numbers, department names, and locations.

### Recommendations and Recovery Steps

Prepare and distribute an alphabetical menu of services, responsible person, phone number, and e-mail address.

1. Develop and distribute a menu of services which covers personnel, payroll and benefits activities. Obtain samples from other districts to assist development of Oakland document.

### Standard Implemented: Not



## 2.3 Communications: Internal/External

### **Professional Standard**

The Human Resources Division provides an annual report of activities and services provided during the year.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Review of materials provided to the Audit Team

### **Findings**

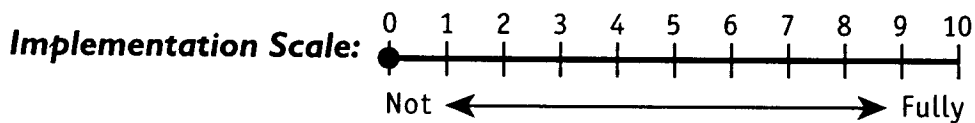
1. The Human Resources Division does not present an annual report to the Superintendent's Cabinet or Board of Education of activities and services provided during the year.
2. It was reported that periodic oral presentations are given to the board.

### **Recommendations and Recovery Steps**

Develop a comprehensive annual report which describes Human Resources Division services, functions and accomplishments for internal and external customers.

1. Assign staff to complete the report.
2. Record monthly activities and services of the Human Resources Division and review at staff meetings. When technology is updated and training on the use of effective software programs is provided to staff members, activities and services should be maintained on a computer database.

### **Standard Implemented: Not**



FCMAT 3036



## **2.4 Communications: Internal/External**

### **Professional Standard**

The Human Resources Division staff is cross trained to respond to client need without delay.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel

### **Findings**

1. Internal and external customers perceive that when employees are absent, there is no plan in place to handle inquiries.
2. There is no formal plan for training or cross training of staff members in the Human Resources Division; however, some cross training does occur in specific areas.
3. The Human Resources Analysts are scheduling meetings for the purpose of cross training and writing procedures.
4. There is outstanding cooperation and some cross training among staff members in the four Service Teams; however, the coordinators are not involved in these efforts.
5. There is no cross training for the Live Scan fingerprinting process except for a substitute employee.
6. Cross training plans are difficult because many of the current employees are new and lack experience in their areas of responsibility.
7. Priorities have been placed in areas such as staffing. Cross training has been put temporarily on hold.
8. Individual staff members in the Human Resources Division do not have an awareness of their relationship to others within the division, and there is confusion regarding assignment of duties.
9. Employees who work with the Substitute Employee Management System (SEMS) are cross trained out of necessity.

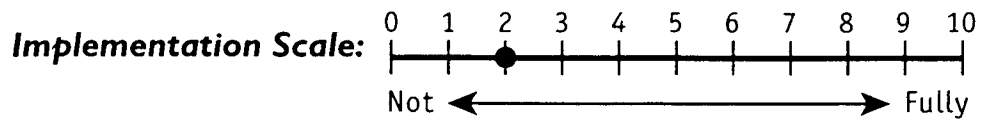
### **Recommendations and Recovery Steps**

Develop a plan for cross training employees that provides an overall view of the division and all employees' responsibilities as they related to the division as a whole.

1. Provide cross training for Human Resources Division employees within the context of the entire division.
2. Use group training sessions and staff meetings as one method of cross training.

3. Encourage employees to substitute for each other for planned absences as a method of cross training.

**Standard Implemented: *Partially***



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## 2.5 Communications: Internal/External

### Professional Standard

The Human Resources Division holds regularly scheduled staff meetings.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Review of materials provided to the Audit Team

### Findings

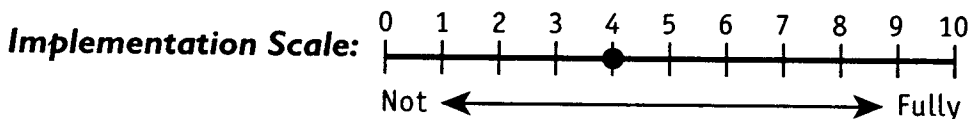
1. Staff meetings are held in the Human Resources Division with all staff once a month.
2. Labor Relations Analysts meet on a periodic basis.
3. Human Resources Analysts meet weekly.
4. The Operations Team meets weekly.
5. The Service Teams meet, but not on a regularly scheduled basis.

### Recommendations and Recovery Steps

Weekly staff meetings should be established in the Human Resources Division.

1. Establish a calendar with the regular weekly staff meetings noted.
2. Assign a person to act as the connecting link divisionwide and to coordinate meetings and other activities.
3. Coordinators, recruiters, and job-alikes should hold regular meetings.
4. Managers in the Human Resources Division should schedule regular meetings with staff members.

### Standard Implemented: Partially



## **2.6 Communications: Internal/External**

### **Professional Standard**

Various publications are provided on a number of subjects to orient and inform various clients.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Materials provided to the Audit Team
5. Observation by Audit Team members
6. New recruitment brochure (Fall 1999)

### **Findings**

1. The Human Resources Division has published the following publications:
  - a. New Teacher Orientation Agenda dated September 1, 1999
  - b. Pre-employment orientation sample letter to potential employees
  - c. Employment checklist packet for classified employees (17 pages)
  - d. Certificated Orientation Packet (5 Administrative Bulletins)
  - e. Certificated Post-employment Processing (Sample Letter)
  - f. New teacher packet for use of automated sub calling system
  - g. Information packet for substitute teachers
  - h. Administrator's Information Packet: Teacher Substitutes and Classified Substitutes
2. The following information is available in the lobby:
  - a. Classified and certificated job applications
  - b. Classified and certificated job postings
  - c. Employment and interview process
  - d. 1999 Guide to Central Offices & Services dated May 1999
  - e. 1999-2000 Calendar for Oakland Public Schools
  - f. Account Codes for Substitute Teacher and Classified Hourly Employees Time Sheets
  - g. Schools & Principals 1999-2000 School Year
  - h. School Directory and Map for Oakland Public Schools dated July 1999
  - i. Substitute Teacher Time Sheets
  - j. Classified Hourly Employees Time Sheets
3. Observation by Audit Team members indicates that there is an improved look of professionalism of memos and other materials produced by the Human Resources Division.

### **Recommendations and Recovery Steps**

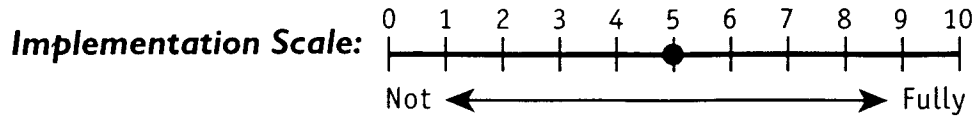
Continue to provide existing publications to orient and inform and develop new publications on topics not currently addressed.

1. Develop and distribute employee handbooks for classified and certificated staff.
2. Develop additional professional recruitment materials for classified and certificated staff.

**FCMAT 3040**

3. Produce an external reference/operations manual detailing Human Resources procedures and policies for use by site principals and other administrators.

**Standard Implemented: Partially**



## **3.1 Certificated Recruitment and Selection**

### **Legal Standard**

The governing board will provide equal opportunities for all persons without regard to race, color, creed, sex, religion, ancestry, national origin, age, or disability. Education Code 44100-44105.

### **Sources and Documentation**

1. Board Policies and Administrative Bulletins – Series 8000
2. Samples of job announcements and application packets
3. Review of Collective Bargaining Agreements
4. Observation of work site bulletin boards
5. Interviews with Human Resources Division staff and other district personnel
6. Flyer: “New Employment Cases and Statutory Changes to Labor and Employment Laws”

### **Findings**

1. Board Policy, Chapter 8, Personnel (8000 Series) states that the district is an equal opportunity employer.
2. A nondiscrimination statement appears on the certificated application form, Optional Employment Questionnaire, and certificated job announcement.
3. A nondiscrimination clause appears on the OUSD/Oakland Education Association Bargaining Unit Agreement.
4. Uniform Complaint Procedures bulletins are posted at work sites in five different languages.
5. Required state and federal laws, including but not limited to OSHA, Workers’ Compensation and Sexual Harassment and Discrimination in Employment, are posted within the Human Resources Division site.
6. There is a no “nondiscrimination policy” statement printed on Recruitment Data Sheet of application packet.
7. There is no evidence that in-service training regarding appropriate questions and techniques are provided to interviewers or interview teams to avoid any possible discrimination.
8. Recruitment Data Sheet repeats questions asked on the Optional Employment Questionnaire and Certificated Application form.
9. Human Resources Division staff attended a workshop on discrimination and sexual harassment on October 1, 1999.

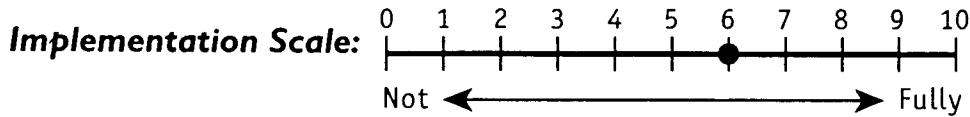
### **Recommendations and Recovery Steps**

The governing board provides for equal employment opportunities; however, some processes and procedures need revision. Attention to staff development needs to be increased.

1. Review and revise Series 8000 of the Board Policies and Administrative Bulletins.

2. Eliminate Recruitment Data Sheet in application packet and incorporate non-duplicative questions into a revised and streamlined Optional Employment Questionnaire and Certificated Application form.
3. Develop and conduct a workshop on Acceptable and Unacceptable Pre-employment inquiries for Human Resources Division interviewers directly involved in the employment process.
4. Expand training on discrimination law to all levels of Human Resources Division staff, site administrators and program managers.

**Standard Implemented: Partially**



## **3.2 Certificated Recruitment and Selection**

### **Professional Standard**

Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided.

### **Sources and Documentation**

1. Interviews with Principals and Leadership Directors
2. Interviews with ECE and Special Education personnel
3. Interviews with Human Resources Division personnel and other Central Office staff
4. Board Policies and Administrative Bulletins – 8000 Series
5. Written application process dated March 8, 1999
6. Written application process (revised) dated July 1, 1999
7. Flyer from “1999 Annual Fall Workshop – Current Law for Educators” – Human Resources Division staff attended workshop on labor and employment laws on October 22, 1999

### **Findings**

1. Numerous interviews indicated that reorganization of Human Resources Division has visibly contributed to improved employment practices and procedures and is developing a service-oriented attitude within Human Resources Division staff, which ensures equal employment opportunities.
2. Administrative Bulletin 8011, Affirmative Action Employment Plan (October 11, 1995) contains language that is no longer required. There is appropriate language regarding nondiscrimination in employment on application forms.
3. There are some written hiring procedures, but they are still in the developmental stage.
4. No procedural desk manuals exist or are in progress delineating the responsibilities and duties of Human Resources Division staff.
5. Written directions were evidenced for posting a certificated position on the Web Site.
6. The Optional Employment Questionnaire currently is not being inputted consistently.

### **Recommendations and Recovery Steps**

Employment policies, practices and procedures must meet current legal and professional standards. All employment criterion should be distributed and appropriate staff development conducted for both Human Resources Division staff and its clients.

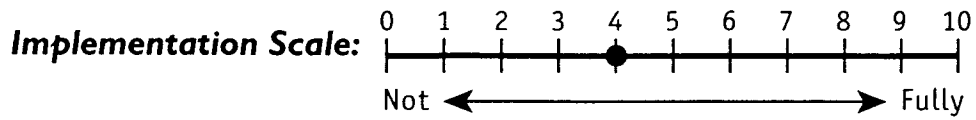
1. Complete development of well-defined and uniform written employment procedures that ensure equal opportunity and dispel any notion of discrimination.
2. Seek assistance from outside organizations, such as the California School Boards Association, Association of California School Administrators, or private consultants to assist in updating personnel policies and procedures, board policies and administrative bulletins.

**FCMAT 3044**



3. Direct Human Resources Division Compliance Unit to conduct an internal audit of Human Resources Division practices and procedures. The internal audit should provide a basis for staff development relative to practices that promote equal opportunity and prevent discrimination.
4. Develop a process and procedure that capture optional questionnaire data so that it can be retrieved upon request.

**Standard Implemented: Partially**



### **3.3 Certificated Recruitment and Selection**

#### ***Professional Standard***

The job application form requests information that is legal, useful, pertinent, and easily understood.

#### ***Sources and Documentation***

1. Employment application and information packet dated July 1, 1998
2. Substitute Teacher Application and other forms dated July 1, 1998
3. Interviews with Human Resources Division personnel and Central Office staff
4. District telephone hotline
5. District web site

#### ***Findings***

1. The certificated application packet (12 pages) is outdated, cumbersome and duplicative.
2. The Application for Certificated Position, Recruitment Data Sheet, and Optional Employment Questionnaire ask questions that are redundant.
3. Phraseology in application is outdated (e.g., NTE, Language Development Certificate) or incorrect (e.g., "Have you applied to the CA State Dept. of Ed. for a credential?")
4. The substitute packet and certificated application packet are inconsistent relative to informing candidate of required medical examination, TB clearance, and drug and alcohol test.
5. Reported by interviewees that certificated candidates are, at times, discouraged from applying because of unrelated and confusing questions on the application.
6. Web site provides telephone number, e-mail, or interest form to request an application.
7. An application tracking and file management process flow chart was evident (undated).
8. There are two stand-alone applicant tracking systems, Green Tree and Brown Tree. There is limited knowledge about the use of Green Tree, and neither system is being utilized effectively.
9. The certificated hotline invites callers to leave their names and addresses to receive applications, but does not list current vacancies or discuss substitute positions.

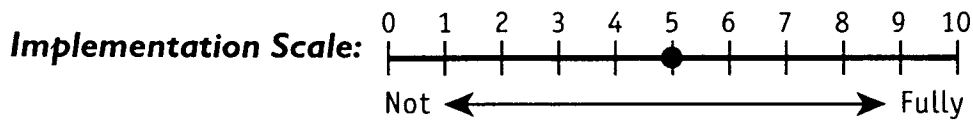
#### ***Recommendations and Recovery Steps***

Streamline and revise application packet to be informative, relevant, user friendly, and compliant with both state and federal laws.

1. Revise current application after reviewing several other district applications, and submit draft to legal counsel for review prior to printing.
2. Collaborate with Early Childhood Education and Adult Education to redesign and clarify applications. These distinct applications could be distinguished from each other by type size and style.

3. A flow chart or other document diagramming the employment process should be included with application packet.
4. A certificated application should be developed on the Web Site, which can either be downloaded or be on-line. This would expand efficiency and recruitment outreach.
5. To the extent possible, reduce duplicate information on the Employee Application, Data Form, and Employment Questionnaire.
6. Provide more training for staff on Green Tree system.

**Standard Implemented: Partially**



## 3.4 Certificated Recruitment and Selection

### **Professional Standard**

The Human Resources Division recruitment plan includes a training component for the district recruitment team.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with site administrators and other Central Office staff
3. Review of Human Resources Division Organization Chart
4. Flyer: Credential Counselors and Analysts of California Conference, October 12-15, 1999

### **Findings**

1. In 1998-99, there was no written comprehensive recruitment training plan for Human Resources Division staff.
2. There was no evidence of special education, ECE, or adult school personnel receiving in-service on Human Resources Division recruitment procedures and strategies. Each has developed its own procedures.
3. Site administrators reported a lack of input or understanding of Human Resources Division's recruitment goals and objectives. Administrators also cited a lack of participation in recruitment.
4. A majority of the people interviewed by the audit team believed the newness of Human Resources Division staff (approximately 50%) was a factor for a need to organize and implement a meaningful staff development for both Human Resources Division staff and its users.
5. Selected Human Resources Division staff attended a Commission on Teacher Credentialing workshop, "New Personnel Training Academy," on October 12-15, 1999.

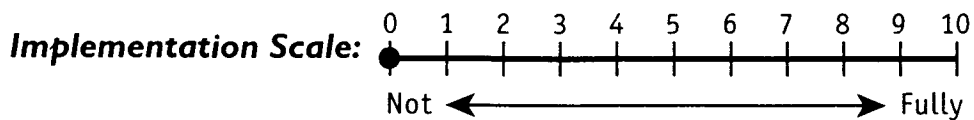
### **Recommendations and Recovery Steps**

Develop a comprehensive, written recruitment plan that includes a training component for all Human Resources Division personnel. This includes, but is not limited to, reviewing a teacher application, interview techniques, steps in conducting a reference check, information relative to obtaining an emergency permit or credential, and requirements for district and university internships and pre-internships.

1. Develop and implement cross training and job-alike training sessions for, but not limited to Coordinators of Human Resources, Labor Relation Analysts, Recruiters, etc.
2. Conduct interview tips ("Do's and Don'ts") and techniques in-services for Human Resources Division staff and Principals. Include information on EEOC standards.
3. Conduct an in-service for recruiters relative to the eligibility of candidates for credentials, internships, permits and waivers and their relation to continued employment and retention.
4. Provide training opportunities for Human Resources Division staff and recruitment team members to attend CCTC credential in-services and ACSA Human Resources workshops.

5. Provide CTC materials, current publications, new regulations, and other information necessary for staff reference regarding credentials and assignments such as the CTC Manual.
6. Expand orientation provided to new administrators institute to all administrators and conduct a needs assessment to determine areas where site administrators need more information about recruitment.
7. Develop a recruitment handbook for use by recruitment team members in the district.

**Standard Implemented: Not**



## **3.5 Certificated Recruitment and Selection**

### **Professional Standard**

The recruitment plan identifies placement centers, colleges and publications where there are significant numbers of candidates to meet the district's diverse needs.

### **Sources and Documentation**

1. Review of Human Resources Division Recruitment Results document, including trips and cost/benefit analysis for 1998-99
2. Review of "Status of Bilingual Staffing for 1999-2000" document
3. Interviews with Human Resources Division and Central Office personnel
4. Interviews with program personnel and site administrators
5. Review of bilingual recruitment calendar
6. ASCUS National Directory of Jobs and Career Fairs 1999
7. OUSD student profiles for 1998-99 enrollment
8. CBEDS report for 1998-99
9. Recruitment brochure (Fall 1999)

### **Findings**

1. There was no districtwide data on last year's recruitment results; however, in May 1999, Human Resources Division made 227 offers to bilingual certificated staff and 90 offers were accepted. Similar information from other areas was not made available.
2. Numerous people interviewed by the Audit Team commented that there is a need to increase the intensity of recruitment of diverse staff.
3. There is a lack of attractive recruitment material, e.g., posters, pamphlets, and banners, for job fairs and campus career fairs. A new, attractive recruitment brochure was recently developed.
4. There is no comprehensive recruitment plan that outlines location, staff, budget, resources needed, training, and evaluation. (A new recruitment brochure was provided to the Audit Team in mid-November.)
5. There was no comparison data available depicting the results of recruitment at various locations from year to year.
6. There is a lack of knowledge about the internship program. As a result, there is an absence of an aggressive effort to recruit interns.
7. It was reported to the Audit Team that several recruitment locations were indicated on the bilingual recruitment calendar, but they were unable to attend because of lack of funds.

### **Recommendations and Recovery Steps**

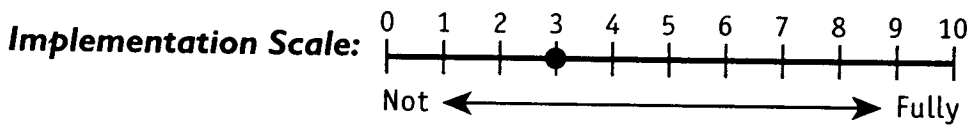
Human Resources Division must develop a comprehensive recruitment plan.

1. Develop short and long-term recruitment goals that address the diversity and subject field needs of the district.

**FCMAT 3050**

2. Develop and train recruitment teams representing the diversity and subject field area needs of the district and include Principals and special education personnel as part of the recruitment teams.
3. Explore the recruitment of para-educators into teaching via a Para-educator Career Ladder Program and other “grow your own” teacher programs.
4. Allocate recruitment budget funds for attractive recruitment materials, e.g., internship brochures, buttons, etc.
5. Allocate funds to fully support recruitment needs with emphasis on bilingual needs. This will help keep the district in compliance with the OCR agreement.
6. Develop a teacher projection formula that forecasts the teacher needs of the district so as to effectively develop a recruitment plan.
7. Via the Internet, explore on-line application and job postings at various university placement centers across the country.
8. Utilize the fax machine in broadcasting employment flyers to several targeted universities in California and selected out-of-state universities.
9. Aggressively publicize district/university pre-internship and internship opportunities.

**Standard Implemented: Partially**



## 3.6 Certificated Recruitment and Selection

### Professional Standard

The recruitment plan provides a cost estimate (included in the division budget) for the recruitment program.

### Sources and Documentation

1. Human Resources Division Budget Document dated June 18, 1999
2. Interviews with Human Resources Division personnel

### Finding

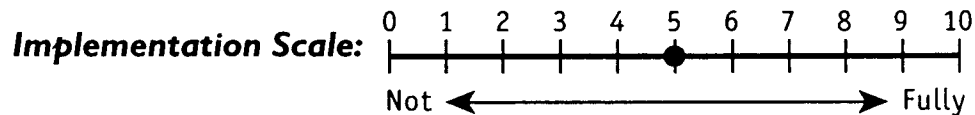
1. Human Resources Division revised budget allocation was for \$93,500. The breakdown of costs was as follows:
  - Travel \$10,000
  - Advertising \$55,000
  - Supplies \$10,000
  - Printing \$18,500
2. There was no budget specifically designated for training.

### Recommendations and Recovery Steps

Recruitment plan must be more comprehensive.

1. Training for selected Human Resources Division staff and recruitment teams should be included in recruitment budget.
2. Handbook development for recruitment should be included in the budget.

### Standard Implemented: Partially





## 3.7 Certificated Recruitment and Selection

### **Professional Standard**

A summary or evaluation of the results of the year's recruitment efforts is provided in written form.

### **Source and Documentation**

1. Recruitment Cost Benefit, 1998 School Year
2. K-8 and Secondary Teacher Placement Document (incomplete) dated July 28, 1998
3. Bilingual/CLAD 1998-99 Bilingual Hiring Report dated August 28, 1998

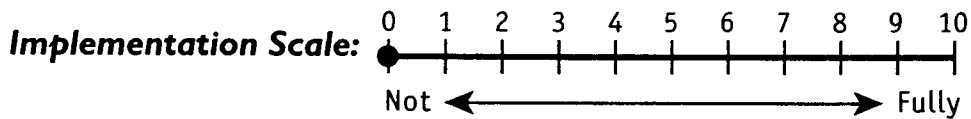
### **Finding**

1. There was no comprehensive document summarizing recruitment efforts and no annual report was presented to the audit team.

### **Recommendations and Recovery Steps**

1. Results of certificated recruitment efforts need to be reported annually.
2. Develop a formal recruitment plan.
3. Provide an annual written report of the results of recruitment efforts to the cabinet, Superintendent, board, and other interested parties.

### **Standard Implemented: Not**



## **3.8 Certificated Recruitment and Selection**

### **Professional Standard**

Selection procedures are uniformly applied.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program Specialist
3. Interviews with Principals and Leadership Directors
4. Review of Human Resources Division selection process forms

### **Findings**

1. Cover page of the Certificated Employment Application and Information Packet generally describes requirements for employment consideration.
2. Several people interviewed by the audit team indicated there was no written handout or visual diagram depicting the employment process.
3. There is a form that is used to rate a bilingual candidate's interviews. There is no standardized form used for other candidates.
4. The placement and assignment process of new teachers was a controversial issue. Principals were told to hire new teachers prior to June 30. Human Resources Division hired and assigned teachers to vacant positions after that date. It was reported that this assignment strategy adversely impacted some schools more than others.
5. At the opening of school in Fall 1999, approximately 17 positions were filled by substitutes compared to over 70 in Fall 1998.

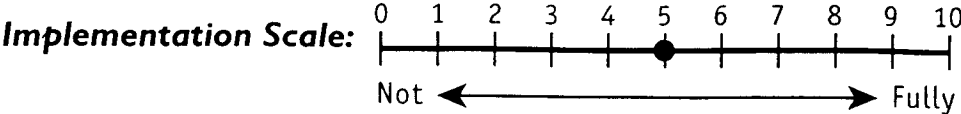
### **Recommendations and Recovery Steps**

Update and develop documents and instruments that uniformly apply selection procedures. Adopt a district-wide policy that describes the placement and assignment of new teachers, and how vacancies will be filled.

1. Develop and train staff in a structured or semi-structured interview process.
2. Develop and implement a standardized interview form, which correlates to the attributes, or dimensions, that are being sought in a teacher candidate.
3. Develop written hiring procedures for all certificated personnel. Include a flow chart describing step-by-step procedures and the position responsible for each step.
4. Flow charts and hiring procedure documents should be available at the reception desk.
5. Human Resources Division should develop an assignment policy for new teachers, with the collaboration of principals and other appropriate parties as needed.

**FCMAT 3054**

**Standard Implemented: Partially**



### 3.9 Certificated Recruitment and Selection

#### **Professional Standard**

The district systematically initiates and follows up on experience and reference checks on all applicants being considered for employment.

#### **Source and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with ECE, Special Education and Adult School personnel

#### **Finding**

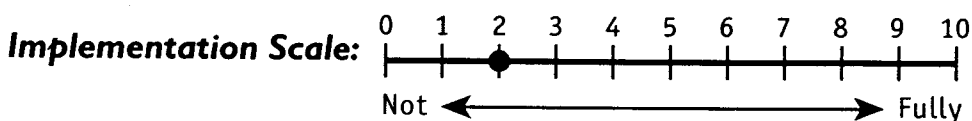
1. Reference checks are a part of the employment process. However, several people interviewed by the audit team indicated there was no consistent or systematic procedure delineating the steps to be taken and who is responsible for references for the various types of applications.
2. Questions on the certificated application form relating to the candidate's prior employment history are minimal.
3. There was no evidence of a process or a form for reference checking.

#### **Recommendations and Recovery Steps**

Develop a written procedure delineating the scope and specific steps to be taken while conducting a reference check, and denote positions responsible.

1. Develop a standard reference checking form showing who was contacted, the date, telephone number, and a summary of the reference received.
2. Assign and train more staff to do reference checks for potential teacher candidates.
3. Reference checks should be completed prior to offers of employment. Forms should be retained in the Human Resources Division.
4. Expand inquiries on application form to include questions on past performance on the job, e.g., "Have you received an unsatisfactory or less-than-satisfactory performance evaluation as a teacher?"

#### **Standard Implemented: Partially**



FCMAT 3056

## **3.10 Certificated Recruitment and Selection**

### **Legal Standard**

The district appropriately monitors teacher assignments and reports as required under Education Code 44258.9.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Alameda County Office of Education staff
3. CBEDS Reported dated October 18, 1999
4. Supplement to Personnel Report dated October 18, 1999
5. Personnel Appointments/Action Report #9899-004 dated September 16, 1998
6. MIS Report HRQ 634A, Teachers with Emergency Permits dated November 1999
7. Observation of Credential Analyst Office

### **Findings**

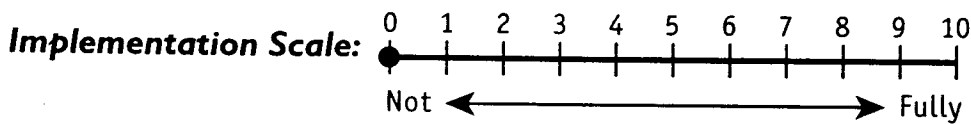
1. The total number of emergency permit teachers districtwide increased from 481 on March 3, 1999 to 825 in November 1999.
2. There was no evidence that appropriate orientation guidance and assistance are being provided by the Human Resources Division for first renewal of emergency permit holders, as required by Title 5 Section 80026.5(b).
3. There has been no county credential terminal hookup since November 1998.
4. The Alameda County Office of Education has offered a proposal for full service credential support.
5. There is no plan to monitor Charter School assignments within the Human Resources Division as required by Education Code 47605(L).
6. There is no Committee on Assignments or selection process of committee members as provided by Education Code 44258.7.
7. Credential staff is new and motivated to learn.

### **Recommendations and Recovery Steps**

1. The division must seek out additional training for its Human Resources staff, provide increased orientation and guidance to its clients, and work closely with the Alameda County Office of Education as it relates to credential service capabilities.
2. Continue to provide training for credentials staff, provide opportunities to visit other large school districts, and seek assistance from the Alameda County Office of Education as needed.
3. Explore the proposal prepared by the Alameda County Office of Education as it relates to credential services and the effect on certification compliance, services to teachers and schools, and budget.

4. Achieve compliance with the law by providing evidence that all first-year emergency renewals are provided with an orientation to teaching as required by Title 5, Section 80026.5.5(b).
5. Collaborate with the Charter Schools Unit to develop a periodic inspection of Charter School teacher credentials as required under Education Code 47605(L).
6. Establish a Committee on Assignments and provide information to principals about the committee. Provide information on professional growth to teachers and publish a directory of professional growth advisors.
7. Explore increasing district employment standards for emergency permit teachers in order to transition them into a teacher preparation program more rapidly and increase the chances of teacher retention.
8. Establish ongoing credentials training for Human Resources Division staff that includes understanding of certification required to serve Limited English Proficient (LEP) students and special education.

**Standard Implemented: Not**



## 4.1 Classified Recruitment/Selection

### **Legal Standard**

The governing board will provide equal employment opportunities for persons without regard to race, color, creed, sex, religion, ancestry, national origin, age, or disability. Education Code 44100-44105.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Board Policies and Administrative Bulletins - 8000 Series
4. Application for Classified Employment dated April 1999
5. Application for Promotions and Transfers (undated)
6. Optional Employment Questionnaire dated April 1999
7. Source of Job Information dated April 1999

### **Findings**

1. The Board Policy states that the district will be an equal opportunity employer by providing and safeguarding the opportunity for all persons to seek, obtain and hold employment and qualify for advancement in the district without discrimination based of race, creed, color, sex, marital status, age, non-impairing handicap, or national origin. It is the policy of the district to promote actively the full realization of equal employment through a positive, aggressive, and continuing affirmative action program.
2. Required state and federal regulations are posted in prominent locations at school sites and in departments; however, many of these are incomplete and/or out of date.
3. The nondiscrimination policy on the classified employment application states, "The Oakland Unified School District will not tolerate discrimination based upon race, color, national origin, ancestry, citizenship, sex (gender), sexual orientation, marital status, physical or mental disability, medical condition (cancer related), religion, age, status as a Vietnam-era Veteran, or special disabled veteran."
4. The nondiscrimination policy on the application for promotions and transfers states: "The Oakland Unified School District does not discriminate in any program, activity, or in employment on the basis of age, creed, sex, race, ethnic background, marital or veteran status, national origin, disability, sexual orientation, or religion."
5. Interview panels are not provided in-service training regarding the nondiscrimination policy as part of the interview and selection process.
6. The Optional Employment Questionnaire is kept separate from the application to avoid discrimination in the employment and selection process.

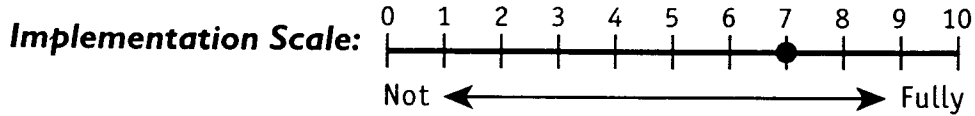
### **Recommendations and Recovery Steps**

The following procedures need to be reviewed and revised:

1. Revise Board Policy to reflect current law and language shown on employment application.

2. Add reasonable accommodation information on the classified employment application, testing forms, and the optional employment questionnaire to comply with the Americans with Disabilities Act.
3. The nondiscrimination policy on all employment forms should be standardized to comply with current law.
4. Provide in-service training to principals and other administrators as part of the interview and selection process.

**Standard Implemented: Partially**





## 4.2 Classified Recruitment/Selection

### **Legal Standard**

Employment procedures and practices are conducted in a manner that ensures equal employment opportunities. Written hiring procedures are provided. Education Code 44100-44105.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Board Policies and Administrative Bulletins – Series 8000
3. Bargaining Unit Agreements
4. Interviews with district office personnel
5. Mailing list used for job postings

### **Findings**

1. Job announcements are distributed and posted in accordance with bargaining unit agreements.
2. Job postings are mailed to over 100 community organizations and educational institutions.
3. Job advertisements are placed in newspapers based on need and budget.
4. The district organizes and participates in job fairs throughout the community in an effort to recruit diverse classified staff.
5. Vacancies are posted inconsistently on the district's web page.
6. A job hotline exists for classified positions; however, it is not kept up-to-date.
7. Custodial and child nutrition departments do most of their own recruiting.
8. Police Services does its own recruiting and testing.
9. Job postings are sent throughout the district on e-mail.
10. A written interview and selection process for classified staff were not provided.
11. Limited training is provided to site Principals and other administrations regarding classified hiring.

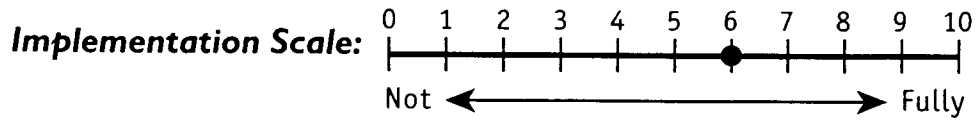
### **Recommendations and Recovery Steps**

Continue to conduct employment procedures and practices in a manner that ensures equal employment opportunities.

1. The Human Resources Division should be held accountable for maintaining fair, consistent and equitable employment practices.
2. The Human Resources Division should develop a plan to post consistently classified job openings on the district's web page, and update the classified hotline as openings occur.

3. Develop and publish a written recruitment and selection process for classified staff.
4. Provide site Principals and other administrators with annual training on recruitment and selection.
5. A member of the Human Resources Division should proctor interview panels as often as possible to ensure that the defined process is followed.

**Standard Implemented: Partially**



## 4.3 Classified Recruitment and Selection

### **Professional Standard**

The job applicant form requests information that is legal, useful, pertinent, and easily understood.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Review of Application for Classified Employment
3. Review of Job Advertisements

### **Findings**

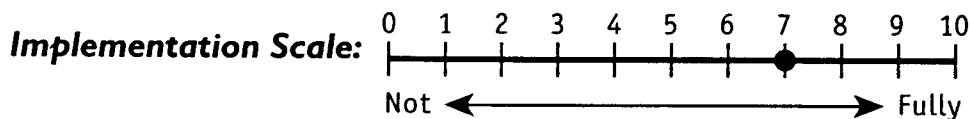
1. The Application for Classified Employment does not include a reasonable accommodation statement in compliance with the Americans with Disabilities Act.
2. The Application for Classified Employment does not include information regarding employee probationary term which would be beneficial if or when employees are terminated with or without cause.
3. The Application for Classified Employment is difficult to complete since a limited amount of space has been provided for applicants to answer questions.

### **Recommendations and Recovery Steps**

The Application for Classified Employment needs to be revised to comply with current laws and should be designed so that it is easier for applicants to complete.

1. Include a reasonable accommodation statement on the form.
2. Consider including additional statements on the form regarding probationary term and other issues that would be beneficial to the district in the event of progressive discipline or termination.
3. Redesign the application to provide adequate space for information and answers to questions.
4. Contact three school districts for sample forms from which to work.

### **Standard Implemented: Partially**



## 4.4 Classified Recruitment/Selection

### **Professional Standard**

The recruitment plan identifies various recruitment sources utilized in the search process for the numerous position classifications.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Review of documents provided to the Audit Team
3. Mailing list of community groups and educational organizations

### **Findings**

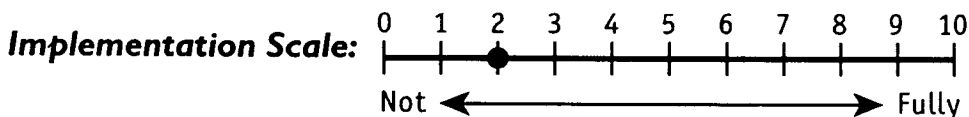
1. No formal recruitment plan has been developed for classified staff.
2. The current Director of Classified Recruitment has been in this position since June 1999.
3. Job openings are sent to community groups and educational organizations.

### **Recommendations and Recovery Steps**

The Human Resources Division should develop a formal recruitment plan for classified staff with defined time lines and specific goals. This plan should be developed annually with recruitment efforts continuing throughout the year.

1. Develop and publish a formal recruitment plan for classified staff.
2. Contact other districts to discuss effective methods for recruiting classified staff in the greater Bay Area.
3. Post open positions consistently on the district's web page.
4. Update the classified job hotline as vacancies occur.

### **Standard Implemented: Partially**



FCMAT 3064

## 4.5 Classified Recruitment/Selection

### **Professional Standard**

The district systematically initiates and follows-up on all applicants being considered for employment.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Applicant interest card (undated)
3. Pre-employment letter (undated)
4. Non-selection letter (undated)
5. Ineligibility for hire letter dated March 22, 1999
6. Fingerprint clearance letter dated April 15, 1999
7. Pre-employment Orientation letter dated September 24, 1999
8. Procedures for Placement on the Salary Schedule dated September 24, 1999
9. Letter to substitute employees regarding the SEMS (undated)
10. General Information Packet for Substitutes (undated)
11. Transcript Evaluation for Substitute Paraprofessional Reclassification (undated)
12. Classified Employee Substitute Status Memo (undated)
13. Processing/Information Letter for Retired Classified Substitutes (undated)
14. An applicant tracking system (Green Tree)

### **Findings**

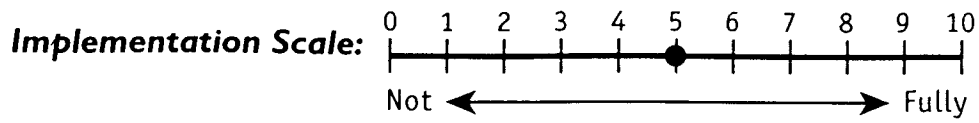
1. An applicant interest card is sent to all classified applicants acknowledging their interest in a position and advising that they will be contacted directly by the hiring manager.
2. Applicants are encouraged to sign-up as substitute employees in their area of interest.
3. Substitute employees are provided with complete and thorough information regarding their employment.
4. Applicants who are not contacted by a hiring manager do not receive further consideration from the Human Resources Division.
5. The Green Tree System for applicant tracking was designed to generate labels for all applicants and provide a database so that the Human Resources Division can access applicants by qualifications; however, this program is not fully functional.

### **Recommendations and Recovery Steps**

Continue to follow-up with applicants through an interest card and make efforts to fully utilize the applicant tracking system.

1. Work with MIS to train employees on Green Tree and ensure that the software is fully functional.
2. Utilize Green Tree to develop various databases from which qualified applicants can be identified for participation in the interview and selection process.
3. Develop a formal interview and selection process and include ways in which applicant tracking will be utilized to fill positions in a timely manner with qualified individuals.

**Standard Implemented: Partially**



**FCMAT 3066**

## 4.6 Classified Recruitment/Selection

### **Professional Standard**

Appropriateness of required tests for a specific position is evident.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Minimum requirements identified for classified positions
3. Job postings for classified positions

### **Findings**

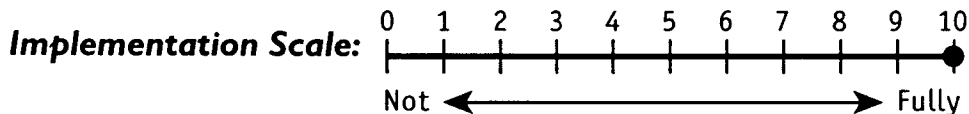
1. Applicants for clerical positions may submit typing certificates from an adult school class, temporary agency, or other source to qualify for employment in the district.
2. The district proficiency test is given to qualified applicants for instructional assistant, aide or paraprofessional positions in accordance with legal requirements.
3. Oral and written bilingual assessments are conducted for applicants who are interested in positions with these minimum requirements.
4. A basic word processing test is given to applicants who apply for clerical positions.

### **Recommendations and Recovery Steps**

Continue to provide appropriate and legal testing to determine whether or not applicants meet minimum requirements for identified positions.

1. Consider utilizing skills testing and training software, such as QWIZ, to give typing tests to applicants rather than relying on documents provided by outside sources.

### **Standard Implemented: Fully - Sustained**



## 4.7 Classified Recruitment/Selection

### **Professional Standard**

A summary of the recruitment efforts for the year is provided in written form.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel

### **Finding**

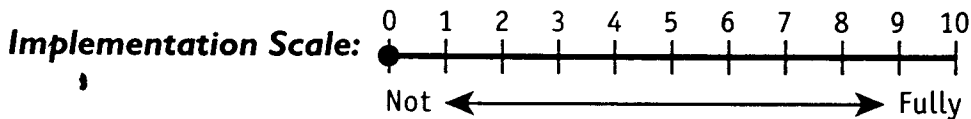
1. There is no annual summary of recruitment efforts for classified staff.

### **Recommendations and Recovery Steps**

Develop an annual report of recruitment efforts for classified staff for the head of the division to present to Cabinet and the Board of Education.

1. Utilize the Green Tree database to develop this report.
2. The information can be analyzed to determine if recruitment efforts are successful. If not, plans can be changed to address the issue of classified recruitment.

### **Standard Implemented: Not**





## 5.1 Employee Orientation

### **Professional Standard**

Initial orientation is provided for all new staff.

### **Sources and Documentation**

1. New Teacher Orientation Agenda dated September 19, 1999
2. Pre-employment orientation sample letter to potential employees
3. Employment Checklist Packet for Classified Employees (17 Pages)
4. Certificated Orientation Packet (5 Administrative Bulletins)
5. Certificated Post-employment Processing Sample Letter
6. New Teacher Packet for use of automated sub calling system
7. Information Packet for Substitute Teachers
8. Administrators' Information Packet: Teacher Substitutes and Classified Substitutes
9. Interviews with Human Resources Division personnel
10. Interviews with Central Department personnel
11. Interviews with district and program personnel
12. New Administrators Institute (August 24, 1999)

### **Findings**

1. The Human Resources Division and its personnel present a program to new teachers covering numerous topics during an hour and a half time slot on the second day of the two-day district orientation.
2. Teachers hired after the start of school will receive only the normal post employment induction orientation.
3. Classified employees are most likely given their district orientation by supervisors.
4. Classified employees receive a number of documents at the time of induction and sign acknowledgment of receipt.
5. The district needs to provide adequate orientation programs and handbooks for new teachers, substitute teachers, new principals, and classified employees.

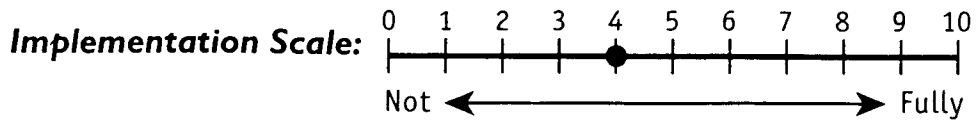
### **Recommendations and Recovery Steps**

Develop processes and procedures for thorough and complete new employee orientations.

1. Develop a document to be signed by the new employee that lists all of the forms completed and information and handouts received. This record should be filed as proof of an individual's receipt of pertinent information.
2. Develop orientation programs to include information about district expectations, employee rights and responsibilities, and how to succeed in the Oakland Unified School District. The development, implementation and presentation of comprehensive orientation programs should include mentor teachers, site administrators, classified supervisors, and others.

3. Develop and distribute employee handbooks as part of the orientation program.

**Standard Implemented: Partially**



FCMAT 3070

## 5.2 Employee Orientation

### Professional Standard

The Human Resources Division provides orientation handbooks for new employee orientation in all classifications: substitutes, teachers and classified employees.

### Sources and Documentation

1. Reference Guide for Certificated Personnel (undated)
2. Administrative Bulletins Pack including:
  - a. 8011 Affirmation Action Employment Plan dated October 11, 1995
  - b. 7025 Sexual Harassment Policy June 18, 1997
  - c. 6030 Maintain a Drug-Free Workplace dated September 12, 1990
  - d. 6013 Reporting Child Abuse revised October 11, 1989
  - e. 8010 Personnel Procedures October 11, 1995
3. New Teacher Packet – Substitute Employee Management System (SEMS – undated)
4. Information Packet for Substitute Teachers (undated)
5. Administrators' Information Packet: Teacher Substitute and Classified Substitutes (undated)
6. Classified Employment Checklist Packet revised December 4, 1997
7. Interviews with Human Resources Division personnel
8. Interviews with district and program personnel

### Findings

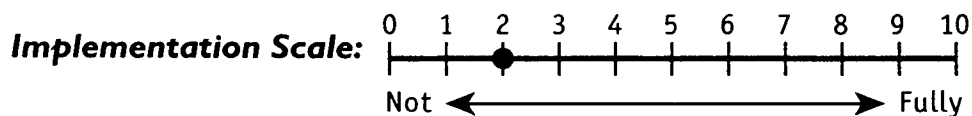
1. The district does provide to new certificated personnel a document titled, "Reference Guide" produced by the Human Resources Division. This guide has useful telephone numbers and references job function descriptions for a number of personnel.
2. The district does not have a Classified Employee Handbook.
3. The district does not have a certificated or classified substitute handbook.

### Recommendations and Recovery Steps

Provide employee handbooks for certificated, classified and substitute employees. These handbooks would provide pertinent information to new employees about district expectations of employees and their rights as employees. These handbooks should be used as part of a new employee orientation program.

1. Revise and distribute certificated handbook to all new teachers employed by the district.
2. Develop and distribute a classified employee handbook to all new classified employees.
3. Develop and distribute a substitute employee handbook for both certificated and classified staff.

### Standard Implemented: Partially



## 5.3 Employee Orientation

### **Professional Standard**

The Human Resources Division has developed a video of the district's activities and expectations for new employee orientation.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel

### **Findings**

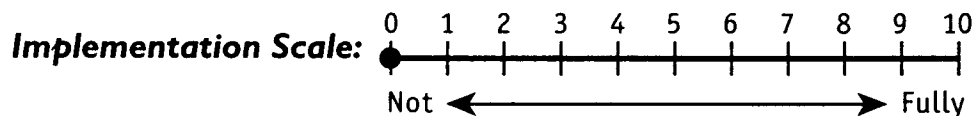
1. There was no evidence provided to indicate the present use or any immediate plans for the future use of a video program for new employees.

### **Recommendations and Recovery Steps**

Purchase or develop a video presentation which can be used as part of the orientation for new employees. This video would provide a standard presentation of the state, federal and district regulations that every employee must know.

1. Provide a videotaped orientation program to all new employees either in individual or group presentations.
2. The Association of California School Administrators has developed a new employee orientation video that the district could review for use in new employee orientations. This video, or its equivalent, would be cost effective and cover all legal issues for new employees.

### **Standard Implemented: Not**



FCMAT 3072

## 6.1 Operational Procedures

### **Professional Standard**

Personnel files are complete, well organized, and up-to-date.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Review of personnel files

### **Findings**

1. The personnel files are not well organized and some files contain confidential or medical information.
2. The housing for personnel files is not locked and is not fire safe.
3. Personnel files are organized from A - Z with classified, certificated, student and other files in the same area.
4. Files and papers frequently are misplaced or lost.
5. One staff member handles all of the filing.
6. Duplicates of documents are often filed with up to 10 copies of one document being placed in the personnel file.
7. Some inactive files are located in the basement of the Education Center and other files are stored on High Street in boxes that are not placed in any particular order. This makes it time consuming and difficult to obtain information from files for employees who have been terminated.
8. Employees are not supervised when they review their own personnel files.

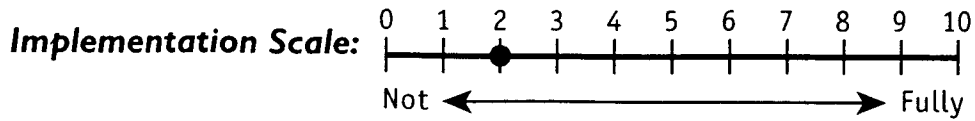
### **Recommendations and Recovery Steps**

The district should:

- Organize personnel files
  - File information in appropriate areas
  - File medical information in a separate, locked cabinet
  - File confidential information in a separate section of the personnel file
  - Develop and follow a system for check-out or review of personnel files
  - Make arrangements for fireproofing areas where files are stored
  - Ensure that files are locked when the file clerk is not present
1. Review the feasibility of installing an electronic document imaging system to store personnel files on a computer software database. The conversion of existing files can be contracted out, and it is likely that lost or misplaced files will be recovered. Electronic filing will solve storage problems and ensure that files are available and accessible. Daily back-ups of electronic files should be kept on site and off site in case of a disaster.

2. If an electronic document imaging system is not practical at this time, new file cabinets that are fireproof and can be locked should be considered. Also, new file jackets should be obtained, personnel files should be reorganized and duplicate documents should be removed.

**Standard Implemented: Partially**



FCMAT 3074

## 6.2 Operational Procedures

### Professional Standard

Human Resources Division nonmanagement staff members have individual desk manuals for all of the personnel functions for which they are held responsible.

### Sources and Documentation

1. Interviews with Human Resources Division personnel

### Findings

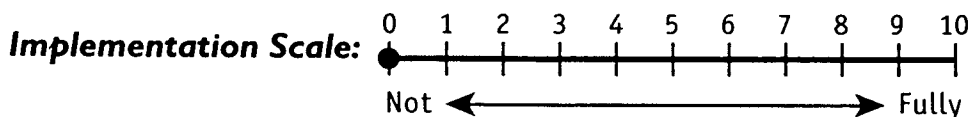
1. Individual desk manuals do not exist for all of the functions assigned to the Human Resources Division.
2. Many employees in the division are new and have not been trained well to complete the duties of their positions.
3. Formal training for new hires has not been developed.
4. Many employees were hired from private industry and often do not know why they are completing tasks or how their duties relate to the overall functions of the Human Resources Division and the district.
5. There is little understanding of which jobs are assigned to which employees.

### Recommendations and Recovery Steps

Develop desk manuals in the Human Resources Division for each position to identify specific responsibilities and time lines.

1. Designate a manager to be responsible for determining the overall functions and assignments for all employees in the Human Resources Division.
2. Schedule regular staff meetings to establish a process for developing accurate and complete desk manuals.
3. Work with personnel in the Human Resources Division to cross train so that more than one person has knowledge of a position.
4. Support staff development activities for Human Resources Division employees by sending them to programs such as the ACSA Personnel Academy or Personnel Institute, legal workshops, and human resources meetings held throughout the county and the state.
5. Develop a chart of responsibilities for staff members in the Human Resources Division.

### Standard Implemented: Not



## 6.3 Operational Procedures

### **Professional Standard**

The Human Resources Division has an operations procedures manual for internal department use in order to establish consistent application of personnel actions.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel

### **Findings**

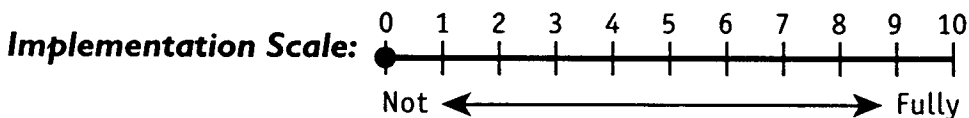
1. An operations procedures manual does not exist in the Human Resources Division.
2. Some procedures have been developed, but distribution and understanding is inconsistent and the procedures have not been formalized.
3. Since many employees are new and were hired from private industry, there is a lack of consistency in processes and procedures.
4. Reports and other documents often are not completed accurately or in a timely manner because of the lack of knowledge about school district operations.

### **Recommendations and Recovery Steps**

Develop an operational procedures manual for internal use by the employees in the Human Resources Division to establish consistent and timely completion of personnel actions and required reports.

1. Designate a manager to develop and maintain an operational procedures manual for internal use by Human Resources Division employees and external use by managers and supervisors.
2. Develop procedures for consistent application of personnel actions that are legal and sound.
3. Identify projects and reports with time lines to ensure compliance with legal and contractual directives.

### **Standard Implemented: Not**



FCMAT 3076



## 6.4 Operational Procedures

### **Professional Standard**

The Human Resources Division has a process in place to systematically review and update job descriptions. These job descriptions should be in compliance with the Americans with Disabilities Act (ADA) requirements.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel.
2. Review of job descriptions developed by Ewing & Company.

### **Findings**

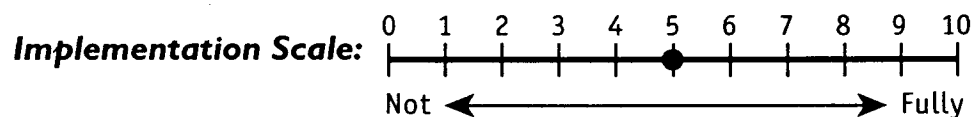
1. Ewing & Company has developed new job descriptions that comply with the ADA for all classified positions.
2. These job descriptions currently are being negotiated with bargaining units and have, therefore, not been submitted to the board for approval.
3. Job descriptions that comply with current laws (ADA) are not in place for certificated personnel.
4. A formal process has not been established to review and update job descriptions as needs and positions change.

### **Recommendations and Recovery Steps**

Continue negotiating new classified job descriptions with bargaining unit representatives and develop a systematic process for reviewing and updating position descriptions as needs change.

1. Develop job descriptions for certificated positions that comply with current laws (ADA) and regulations.
2. Add Fair Labor Standards Act exempt or nonexempt status to position descriptions.

### **Standard Implemented: Partially**



## **6.5 Operational Procedures**

### **Professional Standard**

The Human Resources Division provides an office environment with appropriate furniture, equipment and materials.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Observations by Audit Team members of the work environment

### **Findings**

1. The Service Teams are located in a recently redesigned and remodeled area. The environment is very pleasing and has improved the standard and appearance of that area considerably.
2. Several members of the Human Resources Division currently are located in a portable building adjacent to the Education Center, which impedes effective communication and service. Plans are in progress for design and development of new and improved office space for this group.
3. Doors do not have names of employees or departments; therefore, it is difficult to find a person or department unless you know the exact room number.
4. Employees of the Maintenance and Operations Division performed excellent remodeling work in the area where the Service Teams are located.
5. The area where personnel files are located is inadequate, OSHA noncompliant, and not fireproof.
6. Fax machines and copiers often are inoperable.

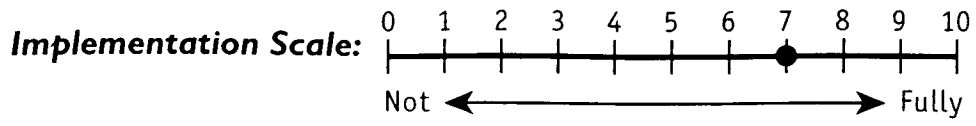
### **Recommendations and Recovery Steps**

Continue to work on the remodeling that is in progress for the Human Resources Division. When it is complete, review the feasibility of employee work locations.

1. Continue the design plan to locate the Human Resources Division in one area. The design and location of workstations should be based on work flow and service requirements.
2. The area where personnel files are located should be reviewed to determine steps that can be taken to house these files adequately.
3. Basic pieces of equipment, such as fax machines and copiers, are needed for employees to complete tasks quickly and competently.
4. Names of employees or departments should be lettered onto doors so customers will be able to access more easily specific areas or people within the division.

**FCMAT 3078**

**Standard Implemented: Partially**



## 6.6 Operational Procedures

### Professional Standard

The Human Resources Division has procedures in place that allow for both personnel and payroll staff to meet regularly to solve problems that develop in the processing of new employees, classification changes and employee promotions.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with district office personnel

### Findings

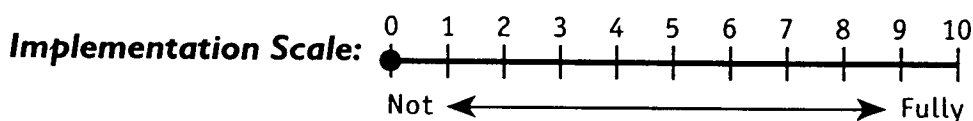
1. A great deal of frustration was reported with processes in the Human Resources Division regarding pay issues.
2. There are no regularly scheduled meetings for staff members in Payroll and Human Resources to resolve or discuss issues affecting both departments.
3. The situation has deteriorated during the past year due to the large number of new and inexperienced employees in the Human Resources Division.
4. Payroll does not know when employees terminate, change pay locations, change job classifications, take leaves of absence, etc.
5. Human Resources Division personnel believe that personnel actions must be approved by the board before they can enter the information into the payroll/personnel system. As a result, terminated employees continue to be paid until after board approval. Payroll is responsible for collecting back payments and they resent the extra work that this creates for them.
6. Payroll personnel report that the Service Team concept is not meeting their needs since they have difficulty finding anyone willing to take ownership of a problem.

### Recommendations and Recovery Steps

Establish regular meetings with Human Resources and Payroll staff, which should include the Payroll Manager and Operations Manager in Human Resources, to resolve issues.

1. Define and publish job responsibilities for employees in the Human Resources Division for effective communication with Payroll and others in the district.
2. Clarify that data entry should be done immediately, especially for employees who are terminated or who will be overpaid if changes are not made in a timely manner.

### Standard Implemented: Not



FCMAT 3080

## 6.7 Operational Procedures

### Professional Standard

Wage and salary determination and ongoing implementation are handled without delays and conflicts (substitutes, temporary employees, stipends, and shift differential, etc.)

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Payroll personnel
3. Review of bargaining unit agreements
4. Review of salary placement documents

### Findings

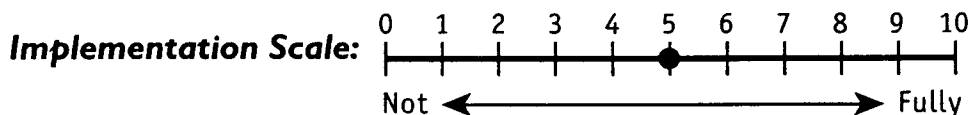
1. Wage and salary determination for classified staff are consistent and in compliance with district policy and bargaining unit agreements.
2. There often are delays in processing new employees, starting out-of-class pay, adding differential, and completing required documents for processing pay for promotions or transfers.
3. Some employees who have terminated have continued to remain as active employees of the district and have received pay and/or benefits inappropriately.
4. It was reported that management employees are expected to inform the division of Human Resources when longevity increments are due.

### Recommendations and Recovery Steps

Continue to make fair and consistent wage and salary determinations. Establish a written procedure for handling pay issues so that they are processed in a timely manner.

1. Process personnel action forms immediately so employees are appropriately paid or removed from the payroll.
2. Review the longevity process for management.

### Standard Implemented: Partially



## **6.8 Operational Procedures**

### **Professional Standard**

Regulations or agreements covering various types of leaves are fairly administered.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. District Board Policy Series 8000
4. District Administrative Bulletins Series 8000
5. Review of collective bargaining unit agreements

### **Findings**

1. The Service Teams handle leave of absence requests.
2. Consistency is ensured by training Service Team staff members on types of approved leaves and regulations surrounding each type.
3. Standard leaves, such as vacation and short-term sick leave, are handled by administrators at sites and departments.
4. There is no current Board Policy that includes references to the Family Medical Leave Act (FMLA).
5. Administrative Bulletin 8050, Certificated Managers' Absences and Leaves, dated May 1978, contains no reference to the FMLA.
6. Administrative Bulletin 8051, Classified Absences and Leaves: Management, Supervisory and Confidential, dated July 1978, contains no reference to the FMLA.
7. Seven out of ten bargaining unit agreements contain language regarding the FMLA.
8. There are limited posted notifications of FMLA, no evidence of notification to new employees and no evidence of annual notification.
9. No records or reports of FMLA absences were provided to the Audit Team.

### **Recommendations and Recovery Steps**

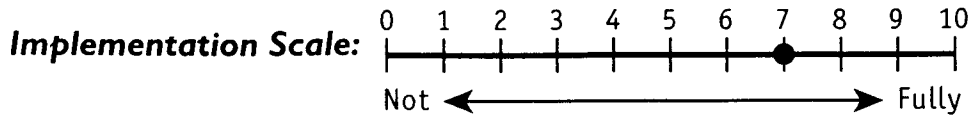
Continue training of Service Team members to comply with district regulations and bargaining unit agreements related to various types of leaves.

1. Provide training in specific leaves to all Human Resources Division staff members.
2. Provide specific training in interpreting language in bargaining unit agreements related to leaves.
3. Maintain a database of type of leave by bargaining unit for cross-referencing and checking for errors.

**FCMAT 3082**

4. Obtain and review Board Policies and Administrative Regulations from other school district to assist in developing appropriate policies and procedures regarding the Family Medical Leave Act.
5. Encourage staff to attend legal workshops and remain aware of new or revised legislation.
6. Develop a chart of leaves granted by bargaining unit as a quick reference tool for Human Resources Division staff members responsible for approval or denial of different types of leave.

**Standard Implemented: Partially**



## 6.9 Operational Procedures

### **Professional Standard**

Personnel staff members attend training sessions and workshops to keep abreast of the most current acceptable practices and requirements facing personnel administration.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel

### **Findings**

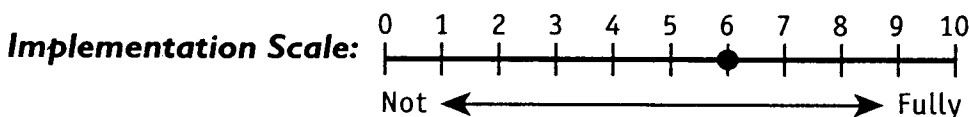
1. Credentials technicians attended the Commission on Teacher Credentialing workshop in October 1999.
2. Several management employees in the Human Resources Division regularly attend the Personnel Institute in Pomona in February of each year.
3. Human Resources Division staff members do not have formal plans for professional growth, legal workshops, or other training.
4. Many employees are new and lack a background in K-12 education; therefore, they are frustrated about their lack of knowledge. All staff members expressed a desire to participate in training.
5. Training in computer technology is available through the district; however, very few people take advantage of it since it is not paid training, and staff members perceive themselves as too busy to attend during working hours.
6. Human Resources staff members express a desire to be cross trained.
7. Staff members in Human Resources expressed a need for training in interpreting and understanding the language in bargaining unit agreements.

### **Recommendations and Recovery Steps**

Establish an annual training plan that includes all employees in the Human Resources Division on issues related to personnel functions.

1. Managers should meet with employees to establish training needs, goals, and plans.
2. Develop and distribute information regarding training programs that are available in the district and attempt to schedule these the first or last hour of the workday to encourage participation.
3. Develop formal cross training programs for all staff in the Human Resources Division.

### **Standard Implemented: Partially**



FCMAT 3084



## 6.10 Operational Procedures

### Professional Standard

The Human Resources Division provides employees with appropriate forms for documenting requested actions (i.e., leave, transfers, resignations, and retirements).

### Sources and Documentation

- 1. Interviews with Human Resources Division personnel
- 2. Review of numerous forms produced by the Human Resources Division

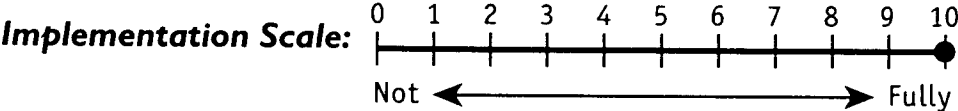
### Findings

- 1. Forms required by employees are available for pick-up in the lobby of the Education Center.

### Recommendations and Recovery Steps

None

### Standard Implemented: Fully - Sustained



## 6.11 Operational Procedures

### **Professional Standard**

Established staffing formulas dictate the assignment of personnel to the various sites and programs.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with district and program personnel
3. Interviews with site staff

### **Findings**

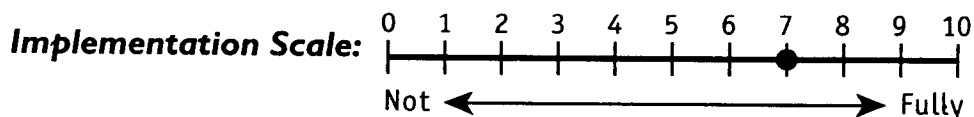
1. Some staff members in the Human Resources Division do not understand staffing formulas or utilize them in processing personnel actions.
2. Position control exists; however, it can be bypassed easily.
3. Staffing formulas are sometimes exceeded due to special circumstances at some sites and departments.

### **Recommendations and Recovery Steps**

Utilize existing staffing formulas to hire and assign personnel to sites and programs.

1. Provide training to staff in the Human Resources Division regarding the staffing process.
2. Develop a written process to authorize an override of the position control system so that the person making the request will be accountable for the additional budget required to increase staffing.
3. Implement a process by which any increases in staffing must receive written approval and justification from the Associate Superintendent in Business, the Assistant Superintendent in Human Resources, and the Superintendent.

### **Standard Implemented: Partially**



## 7.1 State and Federal Compliance

### **Legal Standard**

Policies and regulations exist regarding the implementation of fingerprinting requirements.

### **Sources and Documentation**

1. District's Board Policy Manual Series 8000
2. District's Administrative Bulletin Series 8000
3. Form letter from Human Resources Division "RE: Pre-employment Orientation" (undated)
4. Interviews with Human Resources Division personnel
5. Interviews with Central Office personnel
6. Review of fingerprint reports for certificated and classified employees, dated October 25, 1999
7. Observations of Live Scan and office computer system

### **Findings**

1. Board Policy 8001 and Administrative Bulletin 8010 require all applicants to be fingerprinted prior to employment.
2. The Human Resources Division notifies each potential employee in writing of the process by which they are to be fingerprinted at an orientation at the district office.
3. Applicants pay for the fingerprinting through payroll deduction.
4. Volunteers are fingerprinted where schools have funds to pay for the fingerprinting process. It was reported that the Marcus Foster Institute used to cover the costs for all volunteers.
5. There is an office prominently located in the district office on the first floor where a full-time district technician operates the Live Scan fingerprinting system and provides the necessary services for potential employees.
6. Once fingerprints are taken, the district normally receives the results from the Department of Justice within one to 10 working days.
7. The district subscribes to the Department of Justice service that alerts the district to any subsequent criminal activity of employees.
8. An appointed district police officer (sergeant) is designated to analyze criminal reports from the Department of Justice and make the determination to stop the employment of an applicant.
9. The district has a procedure to notify any applicant who is rejected and allow the appeal of the decision.
10. Data records of the applicants are kept on a single computer in the fingerprinting office and clearances for employment are sent electronically to Human Resources Division personnel for processing.

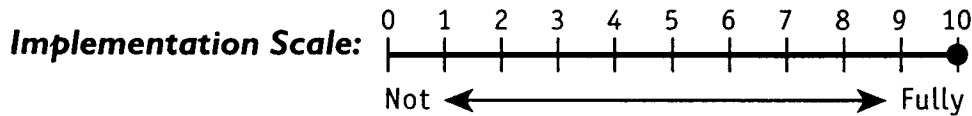
11. Fingerprint records are secured in locked files in the office and access is limited to the fingerprinting technician and appointed police officer.
12. A substitute employee has been trained to perform the fingerprinting function on days when the technician is absent or unavailable.
13. The district participates in the state fingerprinting program, which requires the district to provide fingerprinting services to any person presenting himself/herself to the technician.

**Recommendations and Recovery Steps**

Continue implementation of fingerprinting process.

1. Develop and implement a plan for the fingerprinting of volunteers.
2. Develop an office procedural manual for the coverage of the fingerprinting process.

**Standard Implemented: Fully - Sustained**



## 7.2 State and Federal Compliance

### Legal Standard

The governing board requires every employee to present evidence of freedom of tuberculosis as required by state law. Education Code §§ 44839 and 49406.

### Sources and Documentation

1. District's Board Policy Manual Series 8000
2. District's Administrative Bulletin Series 8000
3. Form letter from Human Resources Division "RE: Pre-employment Orientation" (undated)
4. Interviews with Human Resources Division personnel
5. Interviews with Central Office personnel
6. Personnel files
7. Log of TB tests of employees in district Health Services Office
8. Tuberculin Skin Test form, dated 7/1/93

### Findings

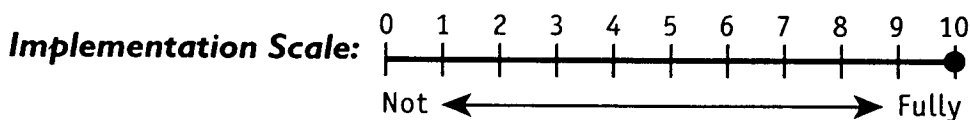
1. Board Policy 8002 and Administrative Bulletin 8010 detail the requirements for all potential employees to receive a tuberculosis test prior to being employed and for periodic testing after employment.
2. The Human Resources Division notifies all potential employees by letter to report for an orientation at the district office where they will receive a referral form to a local medical facility to receive a physical examination, TB test and a drug and alcohol test.
3. Results of the TB test for new employees are returned to Human Resources Division and filed in a separate confidential file in the district office.
4. The Human Resources Division periodically sends to the Health Services Office lists of current employees needing a renewal of their TB test.
5. School nurses notify the current employees and perform the necessary TB test.
6. TB test results for current employees are filed with the Health Services Office and in Human Resources Division.

### Recommendations and Recovery Steps

Continue and refine the process for TB testing.

1. Work toward integrating the TB test process and records into a paperless office system.

### Standard Implemented: Fully - Sustained



## 7.3 State and Federal Compliance

### Legal Standard

No person shall be employed as a teacher's aide unless that person has passed the basic reading, writing and mathematics skills proficiencies required for graduation from high school. Education Code § 45361.5

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Review of testing materials, "The 3-R's" Riverside Publishing, 1982
4. Information sheet regarding Proficiency Test, dated November 1997

### Findings

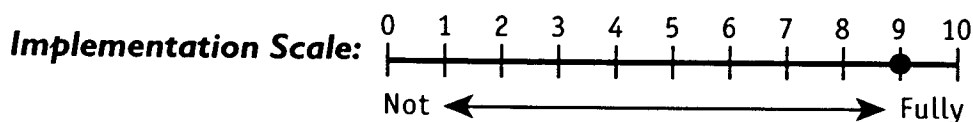
1. A high school proficiency test is administered by Human Resources Division Classified Recruitment staff to candidates who did not graduate from the Oakland Unified School District.
2. A testing schedule is posted and each applicant calls for an appointed testing time.
3. The test is administered every second and fourth Friday from 9-12 a.m. in Hunter Hall.
4. The test is a paper and pencil test.
5. Retired school teachers proctor the test.
6. Applicants are permitted to take the test again if they fail.
7. The test is used to screen applicants for the positions of Academic Mentor, Instructional Assistants in Special Education, Child Development, Bilingual and Aides to the Handicapped.

### Recommendations and Recovery Steps

Continue current testing practices and move toward an automated system of testing.

1. Identify needs for hardware and software for administering a computerized proficiency exam.
2. Work with the Technology Services Department and other sources to determine costs of implementing a computerized system for testing.
3. Develop a budget for the computer project.
4. Seek unused or donated computer hardware that could be used for the testing service.

### Standard Implemented: Fully - Substantial



FCMAT 3090

## 7.4 State and Federal Compliance

### **Legal Standard**

A clear implemented policy exists on the prohibition of discrimination. Government Code § 11135.

### **Sources and Documentation**

1. District's Board Policy Manual Series 8000
2. District's Administrative Bulletins Series 8000
3. District's Administrative Bulletins Series 2000
4. Certificated Employment Application and Information Packet, dated July 1998
5. Application for Classified Employment Application, dated April 1999
6. Application for Promotions and Transfers – Classified Employees (undated)
7. Various Employment Opportunity postings for management, certificated and classified positions
8. Memorandum from Leadership Directors to Assistant Superintendent of Human Resources regarding confirmation of presentations at New Site Administrators Orientation, August 13, 1999
9. Agenda for New Administrators' Institute, August 24, 1999
10. Letter from Superintendent to district Managers and Secretaries RE: Uniform Complaint Procedures with attachments, dated September 1999
11. Letter from Superintendent to Students, Parents/Guardians, Visitors and Employees regarding Nondiscrimination Policy and Uniform Complaint Procedure, dated August 1, 1999
12. Parent Guide to Oakland Public Schools 1999-2000
13. Interviews with Human Resources Division personnel
14. Interviews with Central Office personnel
15. Proposal for Development of Affirmative Action Program from a management group, August 23, 1999
16. Proposal for Investigator Training from a consulting group, October 1999
17. Observations of district buildings and bulletin boards
18. Laminated posters including state and federal nondiscrimination laws, PC Limited 1990-1998
19. Letter from district Compliance Officer to Site Administrators regarding the distribution and posting of state and federal laws and district Compliance Policies, dated October 22, 1999
20. Memorandum from district Compliance Officer to All district Employees regarding Nondiscrimination Statements in Publications, dated January 15, 1999.

### **Findings**

1. Board Policy 8000 provides for a school district free of discrimination.
2. Administrative Bulletin 8010 contains a general statement similar to the Board Policy that prohibits discrimination.
3. Administrative Bulletin 8011, dated October 11, 1995, is the district's Affirmative Action Employment Plan, covering procedures for employment standards, recruitment, selection, evaluation and training.
4. Administrative Bulletin 8012 provides procedures for filing complaints with the district over alleged discrimination.

5. The Application for Certificated Position contains a nondiscrimination policy statement.
6. The Application for Certificated Position is used for all teaching positions, including Adult Education, Pre-school and substitute teaching.
7. The Application for Classified Employment contains a nondiscrimination policy statement.
8. The Application for Promotions and Transfers for Classified employees contains a nondiscrimination policy statement.
9. All Employment Opportunity postings for job vacancies contain a nondiscrimination policy statement.
10. The Superintendent has communicated in writing to all district managers and secretaries to maintain and issue, when requested, the district's Nondiscrimination Policy and Uniform Complaint Procedure, Administrative Bulletin 2014 (printed in five languages).
11. There are various postings, with various dates, throughout district buildings related to nondiscrimination, yet very few are current and comprehensive.
12. Laminated posters with state and federal notices concerning nondiscrimination have been purchased and modified to update certain information. They currently are being distributed by Human Resources Division staff to site administrators for posting in the district buildings.
13. Human Resources Division staff is also distributing the Superintendent's letter to students, parents, visitors and employees outlining the district's nondiscrimination policy and complaint procedures. All site administrators are being instructed to discuss the policy and procedures with employees, to post the letter and policy in a visible, public and conspicuous place, and to sign and return a posting compliance form to Human Resources Division together with a map of the location of the postings in the building.
14. The Parent Guide to Oakland Public Schools 1999-2000 contains the district's nondiscrimination and affirmative action policy statement.
15. Human Resources Division currently is reviewing a proposal from a management group to work with the district to develop a nondiscrimination program consistent with federal regulations on affirmative action and Department of Education job group categories.
16. Human Resources Division is currently reviewing a proposal from a consulting group to work with the district and train administrators on how to conduct investigations of complaints of discrimination and harassment.
17. The Human Resources Division has done some training with administrators and other employees in the area of nondiscrimination, and has plans for additional and regular training.
18. The district Compliance Officer and the district Ombudsperson are responsible for investigating complaints from employees and the public regarding alleged discrimination.



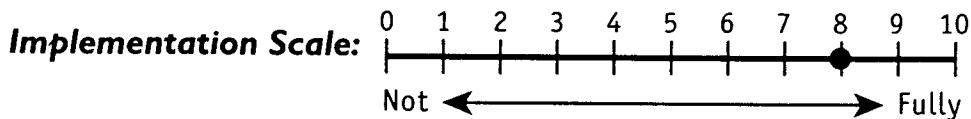
19. The district Compliance Officer has taken steps to require systematically that all district publications, wherever produced, contain the district's nondiscrimination statement.

### **Recommendations and Recovery Steps**

Continue and expand the district efforts to declare and enforce nondiscrimination policies and regulations.

1. Have district legal counsel review all policy statements and procedures concerning nondiscrimination and affirmative action annually to ensure compliance with changing state and federal laws.
2. Complete the review of the current affirmative action plan and the management proposal and develop modifications to comply with state and federal laws.
3. Strong consideration should be given to the consultant's proposal to train administrators to investigate complaints of discrimination and harassment.
4. Develop a comprehensive plan for training of administrators, district employees, students and parents concerning nondiscrimination policies and procedures.

### **Standard Implemented: Fully - Substantial**



## 7.5 State and Federal Compliance

### **Legal Standard**

All certificated persons hold one or more valid certificates, credentials or life diplomas that allow the holder to engage in the school services designed in the document. Education Code § 44006.

### **Sources and Documentation**

1. District Administrative Bulletins Series 8000
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Review of credential database in Human Resources Division
5. Review of credential reports from Technology Services Department
6. Review of personnel files

### **Findings**

1. A Credential Analyst keeps credential information on a computer database in the Human Resources Division office and electronically transfers information to the Technology Services Department.
2. The applicant tracking system used by the Human Resources Division recruitment office has no provisions for coding credentials.
3. The Substitute Teacher software system is a separate system and when substitute teachers renew their credentials, it is necessary to run a printout and give it to the Substitute Office.
4. As employees update their credentials or receive new credentials, the information is submitted to the analyst and entered into the database. All information concerning previous credentials, including expiration dates, is retained in the database.
5. The Technology Services Department runs periodic printouts of employees with records showing expiring credentials and submits the listings to Human Resources Division staff. The reports contain all information from previous expired credentials as well as current credentials.
6. The Credential Analyst manually must match technology reports with the Human Resources Division database information to verify current status of individual credential holders.
7. There was no evidence of use of an electronic system to match the credentials of certificated employees with their specific school service assignment.
8. Site principals are responsible for manually matching credentials of their staff with specific teaching assignments.
9. The Credential Analyst is new on the job and has received limited training.
10. There also is a Credential Technician in the office working with day-to-day issues surrounding credentials.

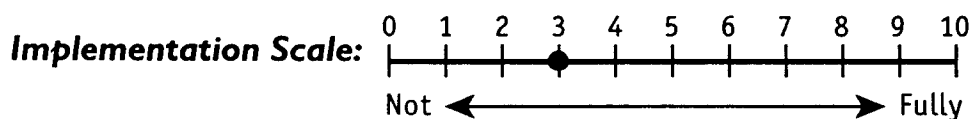
11. Administrative Bulletin 8010 provides information regarding the credentialing process and employees' responsibility to keep credentials current.

### **Recommendations and Recovery Steps**

Develop an integrated computer database system within the district that allows Human Resources Division to enter credential information, retrieve information and run appropriate reports concerning credentials and assignments for all certificated staff.

1. Evaluate the various current computer systems to determine capabilities for maintaining and integrating credential information.
2. Develop a plan to integrate all programs containing employment, credential and work assignment information.
3. Explore the potential of going on-line with the Alameda County Office of Education for maintaining a credentials database and assignment query program.
4. Develop a training plan and provide training, including attendance at California Commission on Teacher Credentialing (CTC) workshops for all staff involved in the credentialing process.
5. Provide principals, recruiters and all administrators involved in the hiring and assignment of certificated staff with current publications from the CTC and send them to CTC training where appropriate.
6. Run annual reports by site and department showing the credential(s) that each staff member has and require principals and department heads to verify that credentials are consistent with assignments.
7. Develop an office manual when similar manuals are developed in other Human Resources Division offices.

### **Standard Implemented: Partially**



## 7.6 State and Federal Compliance

### **Legal Standard**

Duties to be performed by all persons in the classified service and other positions not requiring certification are fixed and prescribed by the governing board. Education Code § 45109.

### **Sources and Documentation**

1. Management position descriptions (dated from 1982 to 1998, some undated)
2. Classified position descriptions (dated from 1976 to 1993, some undated)
3. Interviews with Human Resources Division personnel
4. Interviews with Central Office personnel
5. Letter from Superintendent to Board of Education regarding the Ewing & Company study concerning compensation and classification, September 16, 1998
6. Salary and Classification Study conducted by Ewing & Company, October 19, 1999
7. Drafts of numerous and varied position descriptions developed during Ewing & Company study, August 1999

### **Findings**

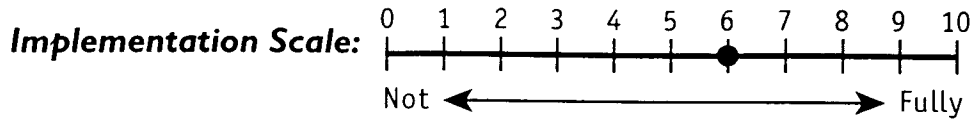
1. There are numerous position descriptions for management positions, in various formats; however, they do not necessarily match current position titles in the district, have not been revised in accordance with the ADA, and do not show evidence of approval by the Board of Education.
2. There are numerous position descriptions for classified positions. Most have been revised recently during the Ewing Study, but have not been approved by the Board of Education.
3. The Ewing Study position descriptions use standardized titles, organization and evaluate job-related characteristics necessary for Americans with Disabilities Act review.
4. The position descriptions from the Ewing Study currently are being negotiated with the appropriate bargaining units prior to Board of Education review and approval.
5. New Human Resource Division staff position descriptions recently were approved by the Board of Education. However documents presented did not show the board's adoption date .

### **Recommendations and Recovery Steps**

Develop a plan to adopt and keep current and accurate position description for all noncertificated positions.

1. Continue the process to negotiate and adopt new and revised position descriptions from the Ewing Study.
2. Update any management and classified position descriptions not covered by the Ewing Study and keep the descriptions current with job titles and responsibilities.
3. Develop written procedures and guidelines for periodic review and update of all position descriptions by the Human Resources Division.
4. Prepare a schedule for the Board of Education to review periodically and adopt position descriptions and record on each position description the date of board approval.

**Standard Implemented: Partially**



## 7.7 State and Federal Compliance

### Legal Standard

Professional growth requirements for maintenance of a valid teaching credential exist. Education Code § 44277.

### Sources and Documentation

1. District's Administrative Bulletins Series 8000
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Beginning Teacher Support Programs 1999-2000 calendar and information handbook
5. Memorandum from Office of Mentor Teacher/New Teacher Support Program to all credentialed teachers, dated September 9, 1999

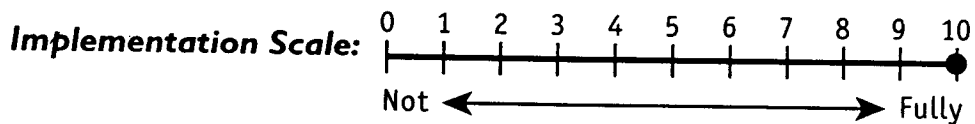
### Findings

1. The district's Office of Mentor Teacher/New Teacher Support Programs (Mentor Program) is responsible for working with district teachers through Professional Growth Advisors.
2. The Mentor program provides at least two in-service workshops, conducted by Mentor Teachers, for Professional Growth Advisors during the school year.
3. Professional growth requirements for preliminary clear credential holders are the responsibility of the individual and the immediate supervisor, including district Mentor Teachers.
4. The Mentor Teacher Program offers on-going counseling to teachers in the area of professional growth.

### Recommendations and Recovery Steps

This process is satisfactory and appears to be working well. Continue the current process.

### Standard Implemented: Fully - Sustained



FCMAT 3098

## 7.8 State and Federal Compliance

### **Legal Standard**

Current position descriptions are established for each type of work performed by certificated and classified employees. Education Code § 35020.

### **Sources and Documentation**

1. Classified position descriptions (dated from 1976 to 1993, some undated)
2. Management position descriptions (dated from 1982 to 1998, some undated)
3. Teacher/Certificated position descriptions (dated from 1982 to 1993, some undated)
4. Interviews with Human Resources Division personnel
5. Interviews with Central Office personnel
6. Numerous and varied position descriptions developed during Ewing & Company study, August 1999

### **Findings**

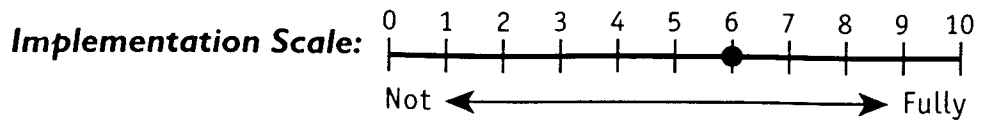
1. There are numerous position descriptions for management and classified positions, in various formats; however, they do not consistently match current position titles in the district, have not been revised in accordance with the ADA, and do not show evidence of approval by the Board of Education.
2. The position descriptions developed during the Ewing Study are current and include ADA-related information; however, most of these have not yet been approved by the Board of Education.
3. There are various position descriptions for teachers and other certificated employees; however, they periodically are not current and often are not revised in accordance with the ADA, and show no evidence of adoption by the Board of Education.

### **Recommendations and Recovery Steps**

Develop a plan to adopt and keep current and accurate position descriptions for all certificated and classified positions.

1. Continue the necessary process to effect the new position descriptions developed during the Ewing Study.
2. Update any management, certificated or classified position descriptions not covered by the Ewing Study and keep the descriptions current with job titles and responsibilities.
3. Develop written procedures and guidelines for periodic review and update of all position descriptions by the Human Resources Division.
4. Prepare a schedule for the Board of Education to review periodically and adopt position descriptions and record on each position description the date of board approval.

**Standard Implemented: Partially**



**FCMAT 3100**



## 7.9 State and Federal Compliance

### **Legal Standard**

The district has established a process by which all required notices/in-service training has been performed and documented, i.e., child abuse reporting, blood-borne pathogens, Hepatitis B vaccination, etc. Education Code § 44691 and Government Code § 8355.

### **Sources and Documentation**

1. District Administrative Bulletins Series 6000
2. Orientation packet for all new employees entitled "Bulletins Received Signature Sheet," September 13, 1999
3. Memorandum from Assistant Superintendent of Human Resources to Applicants for Employment regarding Child Abuse Reporting, including required employee signature (undated)
4. Review training records by school nurses in Health Services Office
5. Review file of verification forms from sites, signed by employee, principal and school nurse regarding training on preventing infectious diseases, AIDS, Hepatitis B and precautions in preventing spread of communicable diseases.
6. Observations of district buildings and bulletin boards
7. Interviews with Human Resources Division personnel
8. Interviews with Central Office personnel
9. Parent Guide to Oakland Public Schools 1999-2000

### **Findings**

1. New employees receive the mandatory notification concerning the reporting of child abuse; however, no information was presented regarding subsequent annual notification or training.
2. There was evidence of annual training of staff by school nurses in the areas of preventing the spread of infectious diseases including AIDS, Hepatitis B and the use of precautions in preventing the spread of communicable disease.
3. Training sessions are scheduled around individual work site schedules.
4. There is evidence of some postings at work sites regarding current laws in this area.

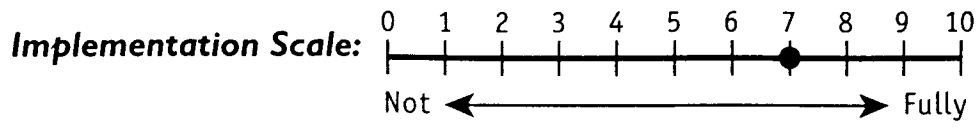
### **Recommendations and Recovery Steps**

Establish a plan, including a computer database, which provides in-service training in all required areas of the law and documents attendance of employees at such in-service sessions.

1. Review plans developed by other school districts.
2. Develop a schedule of annual refresher training programs on mandatory subjects. Send notices and document attendance.
3. Establish a database, containing all current employees that can be used to notify employees of in-service training and records their attendance at such training.
4. Develop and send required annual notification packets to each employee.

5. Post information regarding legal requirements for employees at all work sites.

**Standard Implemented: Partially**



## 7.10 State and Federal Compliance

### **Legal Standard**

The district is in compliance with the Title IX policies on discrimination and Government Code § 12950 (a) posting requirements concerning harassment or discrimination.

### **Sources and Documentation**

1. District Board Policy Manual Series 8000
2. District Administrative Bulletins Series 8000
3. District Administrative Bulletins Series 7000
4. District Uniform Complaint Procedure, set forth in Administrative Bulletin 2014
5. Employment application packets for administrative, certificated and classified positions
6. Various Employment Opportunity postings for administrative, certificated and classified positions
7. Parent Guide to Oakland Public Schools 1999-2000
8. Orientation packet for new employees containing acknowledgment of receipt of Administrative Bulletin 7025 regarding Sexual Harassment and Administrative Bulletin 8011 regarding Affirmative Action (nondiscrimination), (undated)
9. Interviews with Human Resources Division personnel
10. Interviews with Central Office personnel
11. Observation of district buildings and bulletin boards
12. Laminated posters including state and federal employment-related laws, PC Limited, 1990-98

### **Findings**

1. The district Uniform Complaint Procedure, Administrative Bulletin 2014, is well distributed and posted and is translated into five languages.
2. The district has employed a full-time Compliance Officer in the Human Resources Division who is responsible for receiving and investigating a broad range of complaints, including Title IX, discrimination and harassment.
3. The district employs an Ombudsperson to investigate complaints against the district.
4. The Compliance Officer has been designated as the Title IX Officer in state and federal compliance matters.
5. Legal postings at work sites of Title IX, harassment and discrimination laws are sporadic and outdated.
6. The Compliance Officer is in the process of sending out laminated posters and district information regarding Title IX, harassment and discrimination laws and policies to be posted at all work sites, with signed verification of the posting and a map of the location of the postings.
7. The Annual Notification to Parents contains information concerning sexual harassment, discrimination and Title IX and provides district employee names, addresses and telephone numbers for filing complaints.

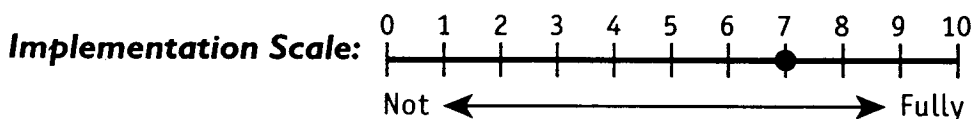
8. A standard nondiscrimination statement has been developed in conjunction with district legal counsel to be used on all district publications.
9. There is no evidence that the general public is informed annually of compliance with Title IX.
10. There is notification to new employees, which includes information on sexual harassment and nondiscrimination.
11. It was reported that there is training to employees in the areas of sexual harassment and discrimination.

### **Recommendations and Recovery Steps**

Continue to refine the position of Compliance Officer and the procedures associated with notification and monitoring of the laws related to Title IX, harassment and discrimination.

1. Use district legal counsel to assist in updating the policies, administrative bulletins, procedures and legal postings related to Title IX, harassment and discrimination.
2. Develop a more comprehensive Title IX program of notification (including local newspaper) and reporting. Publicize the name and location of the Title IX Officer in the notification to parents and in every employee manual at work sites.
3. Annually budget for and purchase current laminated employment law posters and Title IX notification posters for every work location.
4. Update the Uniform Complaint Procedure postings when a new Superintendent is employed.
5. Maintain a supply of complaint forms at each work location.
6. Provide for annual notification to all employees of the district policy on sexual harassment and nondiscrimination.
7. Expand training to employees in the areas of sexual harassment and discrimination, including training in a new employee orientation.

### **Standard Implementation: Partially**



**FCMAT 3104**

## 7.11 State and Federal Compliance

### Legal Standard

The district is in compliance with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Outline of COBRA process (undated)
4. Form letter from district Benefits Office to employees regarding COBRA (undated)

### Findings

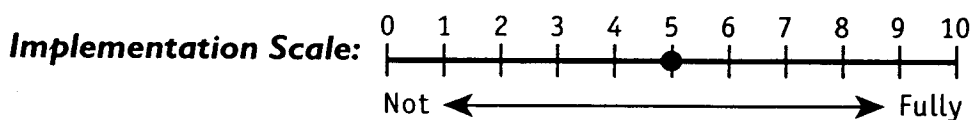
1. There is no system in place for timely notification to the Benefits Office when an employee terminates.
2. Once the Benefits Office knows an employee has separated, they prepare and send a letter to the employee explaining employee rights under COBRA.
3. The letter details the monthly cost of coverage for medical, dental and vision insurance and the conditions for continuing coverage.
4. The employee's benefits are terminated in the Human Resources data system and his/her benefits folder is moved from the active drawer to the closed file drawer.
5. The employee is given 60 days from the date of notice to return an election form to the district.
6. If the employee elects COBRA coverage, a record is reinstated in the Human Resources system and identified as "Active COBRA enrollee" and the benefits folder is pulled from the closed file drawer.
7. A COBRA tracking form is initiated and placed in the COBRA drawer.
8. The Benefits Office then monitors the monthly payments from the employee.

### Recommendations and Recovery Steps

Develop a system of communication that provides timely information.

1. Establish a consistent system of notification of employee separations.
2. Provide notification to the Benefits Office of employee separations immediately to allow legal notifications to employees of their rights under COBRA.

### Standard Implemented: Partially



## 7.12 State and Federal Compliance

### **Legal Standard**

The district is in compliance with the Family and Medical Leave Act (FMLA), including posting the proper notifications.

### **Sources and Documentation**

1. District Board Policy Series 8000
2. District Administrative Bulletins Series 8000
3. Interviews with Human Resources Division personnel
4. Interviews with Central Office personnel
5. Review of ten Collective Bargaining Agreements with various employee organizations
6. Observations of district buildings and bulletin boards

### **Findings**

1. There is no current Board Policy that includes reference to the FMLA.
2. Administrative Bulletin 8050, Certificated Managers' Absences and Leaves, dated May 1978, contains no reference to FMLA.
3. Administrative Bulletin 8051, Classified Absences and Leaves: Management, Supervisory and Confidential, dated July 1978, contains no reference to FMLA.
4. Seven of the 10 collective bargaining agreements refer to the FMLA. Several have detailed language concerning employee rights to the leave.
5. There are limited posted notifications of FMLA, no evidence of notification to new employees and no evidence of an annual notification.
6. There was no evidence of an employee handbook containing FMLA information.
7. There was no evidence of a written procedure for FMLA.
8. There was no evidence of in-service training for managers in the area of FMLA.

### **Recommendations and Recovery Steps**

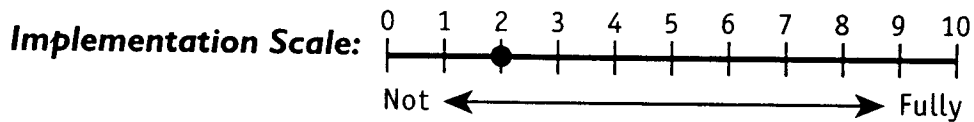
Develop a Board Policy and written procedures for FMLA and provide notices to all employees of their rights under FMLA.

1. Obtain and review board policies and administrative procedures from three other school districts and develop an appropriate policy and procedures for the district.
2. Contact the Council on Education in Management in Walnut Creek, CA, to obtain pertinent information regarding FMLA.
3. Coordinate the posting of FMLA information with other legally required, employment-related information and post current FMLA information at all work locations.

**FCMAT 3106**

4. Inventory employee manuals that exist in the district and add information regarding FMLA to their contents.
5. Identify the position in Human Resources Division that will process FMLA leaves.
6. Develop a system of interface with the office handling benefits and risk management to process leaves that require the continuation of medical benefits.
7. Develop a process that allows the district to monitor FMLA leaves through a Human Resources Division computer system, including notification to employees, form letters and medical certification form recording.
8. Work with bargaining unit representatives and district legal counsel to include current language concerning employee rights in the area of FMLA.

**Standard Implementation: Partially**



## 7.13 State and Federal Compliance

### **Legal Standard**

The district is in compliance with the Americans with Disabilities Act (ADA) of 1990 in application procedures, hiring, advancement or discharge, compensation, job training and other items, conditions and privileges of employment.

### **Sources and Documentation**

1. District Board Policy Manual Series 8000
2. District Administrative Bulletins Series 8000
3. District Administrative Bulletins Series 2000
4. Certificated Employment Application and Information Packet
5. Application for Classified Employment
6. Various Employment Opportunity positions postings for administrative, certificated and classified positions
7. Management Position Descriptions
8. Classified Position Descriptions
9. District Interview Sheet with interviewing instructions and an Interviewing Guide (undated)
10. Interviewing Manual for Supervisors (undated, reportedly February 1999)
11. Interviews with Human Resources Division personnel
12. Interviews with Central Office personnel

### **Findings**

1. Board Policy 8002 requires all employees to take and pass a physical examination.
2. Administrative Bulletin 2014 prohibits discrimination on the basis of physical and mental disability.
3. Administrative Bulletin 8013 provides for reasonable accommodation in employment to qualified persons with disabilities and details a process of review through a Reasonable Accommodation Committee.
4. All applications for employment contain some language concerning nondiscrimination with regard to disability. The Application for Classified Employment contains the most recent and complete statement referring to "...physical or mental disability, medical condition (cancer related) ...or special disabled veteran."
5. All Employment Opportunity postings contain some language concerning nondiscrimination with regard to disability; however, they are not as complete as the district's language in the Application for Classified Employment or in Administrative Bulletin 2014.
6. Position descriptions developed during the Ewing & Company study contain a section that assesses the physical abilities necessary to perform the job. Other position descriptions lack such assessment.
7. The district Compliance Officer is responsible for ADA monitoring.

**FCMAT 3108**



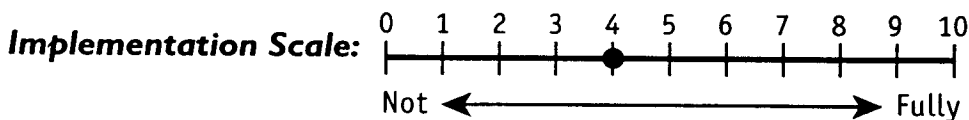
8. There has been some training in the area of ADA and additional training is planned.
9. Medical records for new employees are kept in separate files from the personnel files; however, older personnel files may contain medical information.
10. There was no evidence of written procedures to illustrate how determination is made in claims of ADA and how accommodations are determined.
11. The Interviewing Manual for Supervisors specifically instructs interviewers not to ask questions regarding the applicant's physical disabilities.

### **Recommendations and Recovery Steps**

Review ADA provisions with district legal counsel to evaluate and modify, if necessary, physical examination requirements, district policies and procedures, employment application forms and position descriptions to comply with ADA.

1. Determine specific language that complies with ADA and take steps to include it on all district publications and materials.
2. Revise employment applications to comply with ADA requirements where necessary.
3. Review district physical examination requirements under ADA regulations.
4. Review all position descriptions for ADA compliance and modify descriptions that lack ADA provisions.
5. Develop a training program for site, program and district administrators and supervisors to recognize potential ADA cases in their environment and provide an outline of the steps to be taken in exploring accommodation, including use of the Reasonable Accommodation Committee.
6. Develop a plan to review personnel files and separate medical records from the general personnel files.
7. Review and expand upon the listing of questions to be used in pre-employment interviews, especially with relation to ADA.

### **Standard Implemented: Partially**



## **7.14 State and Federal Compliance**

### **Legal Standard**

The district has identified exempt and nonexempt employees and has promulgated rules and regulations for overtime, which are in compliance with the Fair Labor Standards Act (FLSA) and California statutes.

### **Sources and Documentation**

1. District Board Policy Manual Series 8000
2. District Administrative Bulletins Series 8000
3. Management and classified position descriptions
4. Ten Collective Bargaining Agreements with various employee organizations
5. Laminated posters containing state and federal employment laws, PC Limited, 1990-98
6. Observations of district buildings and bulletin boards
7. Interviews with Human Resources Division personnel
8. Interviews with Central Office personnel

### **Findings**

1. There was no evidence that district Board Policies address overtime or set forth positions which are exempt from overtime.
2. Administrative Bulletin 8010 contains provisions for overtime for supervisory and confidential employees, but does not set forth positions that are exempt from overtime.
3. Some of the newer management and classified position descriptions identify exempt and non-exempt positions under Fair Labor Standards Act (FLSA).
4. Two of the collective bargaining agreements contain language regarding overtime provisions related to FLSA.
5. There are various postings on district bulletin boards referring to minimum wage and overtime; however, most are out of date.
6. There was no evidence of written procedures for providing overtime and the payment of overtime, other than in the collective bargaining agreements.

### **Recommendations and Recovery Steps**

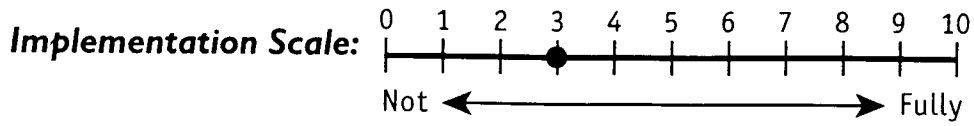
Review all positions for exempt/nonexempt status and develop procedures and forms for handling overtime.

1. Use the California Labor Law Digest as a resource to assist in the analysis of exempt and nonexempt positions.
2. When rewriting position descriptions, identify each one as exempt or nonexempt.
3. Develop written procedures for managers, supervisors and administrators to use in granting permission for overtime and for paying for overtime appropriately and in accordance with collective bargaining agreements.

**FCMAT 3110**

4. Conduct periodic training for managers, administrators and supervisors regarding FLSA.
5. Update postings at all work sites regarding FLSA regulations.

**Standard Implemented: Partially**



## 8.1 Use of Technology

### **Professional Standard**

An on-line position control system is utilized and is integrated with the payroll/financial systems.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Observation of payroll/personnel computer software

### **Findings**

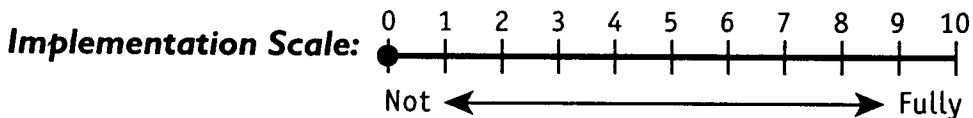
1. The position control system is not fully utilized.
2. The software for applicant tracking, payroll, personnel, and finance are not integrated fully.
3. Positions are often reconciled manually.

### **Recommendations and Recovery Steps**

The district must develop a long-term plan to obtain an integrated payroll/personnel/finance system capable of having an accurate and effective position control system.

1. Explore payroll/personnel/finance/applicant tracking software options and costs.

### **Standard Implemented: Not**



FCMAT 3112

## 8.2 Use of Technology

### **Professional Standard**

The Human Resources Division provides an automated substitute calling system. The system should have the ability to input and retrieve data. Data should be distributed to site and program managers.

### **Sources and Documentation**

1. Computer hardware and software
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Interviews with district and program personnel

### **Findings**

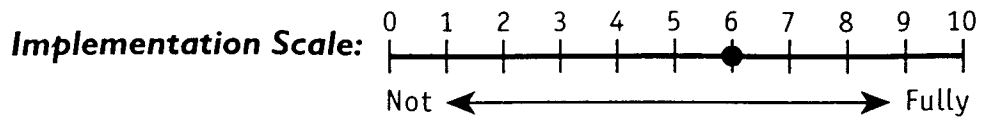
1. The Human Resources Division operates the automated substitute system known as the Substitute Employee Management System (SEMS).
2. The system handles all certificated and some classified substitutes.
3. The system has the capability to produce complex reports, but operators are untrained.
4. Some employees do not want to use the system and rely on SEMS personnel to enter their absences.
5. No SEMS operators have attended a user group meeting.
6. No SEMS operators have received instruction in the advanced functions of the SEMS.
7. Instruction manuals for the use of the SEMS have been developed.
8. The system is not integrated with Payroll, which requires double data entry.
9. The district currently is analyzing the feasibility of eliminating SEMS and purchasing a similar system from another software vendor; however, SEMS is not utilized effectively.
10. The district currently is charged a high maintenance fee of \$16,000 annually.

### **Recommendations and Recovery Steps**

Continue to explore an alternative substitute calling system.

1. Provide training for users of SEMS on an annual basis and at the time of hire.
2. Integrate SEMS with Payroll.
3. SEMS operators should visit districts where the system is being utilized effectively.

**Standard Implemented: Partially**



**FCMAT 3114**

## 8.3 Use of Technology

### Professional Standard

The Certificated and Classified Departments of the Human Resources Division have in place an applicant tracking system.

### Sources and Documentation

1. Observation of computer software and hardware
2. Interviews with Human Resources Division personnel
3. Interviews with Technology Department personnel

### Findings

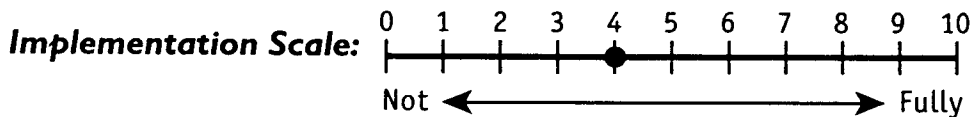
1. The district recently has purchased Green Tree, a new applicant tracking system.
2. The Green Tree system is not integrated with the personnel/payroll/finance software, which results in double data entry.
3. There has been little training in the new applicant tracking system, which is not being utilized fully.
4. The district's user agreement with the software developer provides only for four concurrent users of the Green Tree applicant tracking systems, which limits timely access for many staff members.

### Recommendations and Recovery Steps

Investigate the purchase and installation of an integrated applicant tracking system.

1. Contact the Green Tree software vendor to ensure that the system is properly installed and to provide adequate training to Human Resources Division staff.
2. Review the feasibility of increasing the number of concurrent users to the software licensing agreement.

### Standard Implemented: *Partially*



## 8.4 Use of Technology

### Professional Standard

The Human Resources Division has in place a program of providing funds and time for staff training and skill development in the use of computers.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Review of staff communications and meeting agendas

### Findings

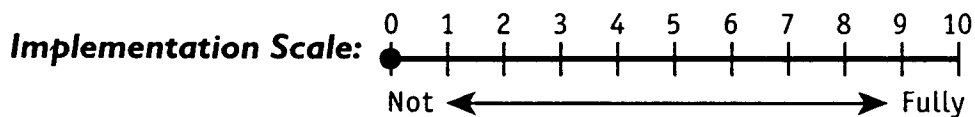
1. There is no formal Human Resources Division schedule of training and development for staff in the use of computer software and hardware.
2. Many new staff members have advanced skills in technology; however, some of the other staff members have rudimentary skills only.
3. Self-directed training is available; however, few employees take advantage of it because of time constraints.

### Recommendations and Recovery Steps

Develop a plan for the use of technology in the Human Resources Division that includes a specific plan and budget to provide staff training in the use of computer hardware and software.

1. Provide training in word processing, spreadsheets, e-mail, applicant tracking, and other areas.
2. Provide options for more advanced training in these and other software programs at local colleges and through private companies.

### Standard Implemented: Not



FCMAT 3116



## 8.5 Use of Technology

### Professional Standard

The Human Resources Division utilizes the latest technology to provide staff and clients with improved communication (e.g., voice mail, fax, and e-mail).

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Observation of computer hardware and software, phone system, fax, and other equipment

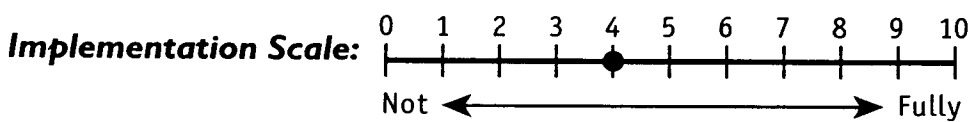
### Findings

1. Voice mail is being used in the Human Resources Division.
2. E-mail is being used in the Human Resources Division, but not all employees have access.
3. A procedure has been developed that requires employees to return calls on voice mail within 24 hours.
4. There is a high dependence on the telephone, fax and personal visits.
5. Fax machines are outdated and in need of repair.

### Recommendations and Recovery Steps

1. Utilize the latest technology to expand the HR staff communications capabilities with its clients.
2. Develop short and long-range plans to implement technology in the Human Resources Division.
3. Implement voice mail and E-mail throughout the district.
4. Continue to return voice mail messages within 24 hours.
5. Identify a position in the Human Resources Division to assist in developing a technology plan that includes upgrades in hardware and software, districtwide e-mail, calendar planning, staff training, web page maintenance, applicant tracking, payroll/personnel/finance software, and other areas.
6. Improved skills in technology should be a professional goal for all Human Resources Division staff.

### Standard Implemented: Partially



## 8.6 Use of Technology

### **Professional Standard**

The Human Resources Division has computerized its employee database system including, but not limited to, credentials, seniority lists, evaluations, personnel by funding source, program, location, and Workers' Compensation benefits.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Review of database reports in Human Resources Division
4. Review of database reports from Management Information Systems (MIS).

### **Findings**

1. The district has a custom-developed computer software program.
2. MIS can produce database reports containing any information entered into the system upon request.
3. Standard reports are produced by MIS on a regular basis and sent to the Human Resources Division.
4. MIS provides printouts of employees with records showing expiring credentials; however, the reports were not sorted on current credentials, and did not contain all information from previous expired credentials as well as current credentials.
5. The Credentials Analyst manually matches listings with the Human Resources Division database information to verify the current status of individual credential holders.
6. There is no system established to electronically match the credentials of certificated employees with their specific school assignments.
7. Site principals are responsible for manually matching credentials for teachers at their site.
8. Database reports can be requested from MIS of seniority lists, evaluations, personnel by funding source, program, and location.
9. A separate database is not maintained for Workers' Compensation benefits.
10. Human Resources Division staff is unable to write reports or queries to obtain needed information from the existing database program.
11. MIS has complete control of the database and reporting features of the current software, and is often unable to produce reports other than the standard ones in a timely manner.

FCMAT 3118

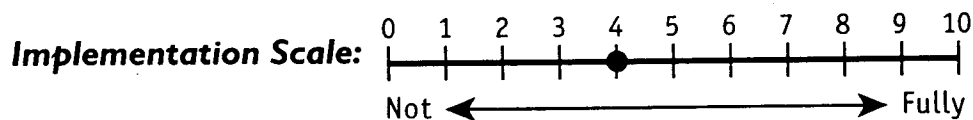
12. Access by Human Resources Division staff to the current payroll/personnel/finance software system is restricted by the Technology Department after 5 p.m. (Changed to 6 p.m. during audit review.)

### **Recommendations and Recovery Steps**

Implement an integrated payroll/personnel/finance software system for the district that will allow employees to manage data, run queries, and develop reports as needed.

1. Visit large districts to review payroll/personnel/finance software programs that are effective for use in school district settings.
2. Develop a request for proposal for a current computer software program that would allow users to develop required reports in an integrated environment.
3. Develop a plan to implement a new system that includes staff training in report writing and advanced queries.
4. Work with the Technology Department to develop a plan to grant additional access to the payroll/personnel/finance software program after 6:00 p.m. as required.

### **Standard Implemented: Partially**



## 9.1 Staff Training

### **Professional Standard**

The district has developed a systematic program for identifying areas of need for in-service training for all employees.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Credentials Conference schedule and agenda
5. Gates McDonald, Unemployment Insurance Program Overview (handbook)
6. Interview Skills Workshop material (handout)

### **Findings**

1. The position of Training Manager has remained unfilled since the beginning of the reorganization.
2. There is no systematic program for identifying areas of training needs for Human Resources Division and district staff.
3. The Human Resources Division administration has identified and provided training for staff in a number of areas, including:
  - October 12-15, 1999, Credentialing Conference, Sacramento (8)
  - October, Unemployment Insurance Workshop, OUSD (6)
  - October 22, 1999, Interviewing Skills Workshop, OUSD (4)
4. There is no in-service calendar that identifies areas of training opportunities for district employees.
5. There is not a Human Resources Division administrator assigned responsibility for identifying, coordinating and monitoring all in-service components.
6. MIS provides and makes available Graphical User Interface (GUI) system training for HR employees (an internal data base system). Some Service Team Analysts are not integrated into the GUI system.
7. HR staff has not had opportunity to be involved in identifying its needs for additional training.

### **Recommendations and Recovery Steps**

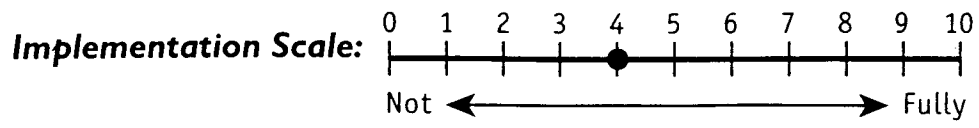
Develop comprehensive training opportunities for Human Resources Division staff, district managers and supervisors.

1. Assign one HR administrator the responsibility for identifying, coordinating and monitoring all in-service training components.
2. Provide GUI system training to all Service Team Analysts.

**FCMAT 3120**

3. Survey all HR staff for identification of training needs.

**Standard Implemented: Partially**



## 9.2 Staff Training

### **Legal Standard**

The district shall make provisions for department-directed staff development activities, including a plan for “buy back” days for certificated and classified employees. Education Codes: 52000, 52034(g), and 44579-44579.4.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. October 22, 1999, Interview Skills Workshop document
5. Interview with Executive from Gates McDonald (OUSD Insurance Authority)
6. Miller, Dannis & Brown “99 Fall Workshop, Current Law for Educators”
7. Workshop materials for “True Colors – A Foundation for Team Building in the Human Resources Division”
8. OUSD Site Administrators Management Training agenda, August 25, 1999

### **Findings**

1. The district participated in the “buy back” provisions and budgeted 1.3 million dollars that were utilized by the Curriculum and Instruction Division for teacher and instructional assistant training during the summer.
2. Two training sessions were held for service team analysts and technicians by Gates McDonald representatives covering insurance claims information.
3. OUSD had \$100,000 in insurance claim losses the past three quarters from uncontested claims.
4. Eight Human Resources Division administrators attended the “Current Law for Educators” workshop.
5. The entire Human Resources Division attended two-day retreat for “True Colors” training that focused on team building.
6. Human Resources Division provided training on “Managing Complaints” to site administrators at the August 25 workshop.
7. Managers should include staff training as an item for discussion with all Human Resources staff.

### **Recommendations and Recovery Steps**

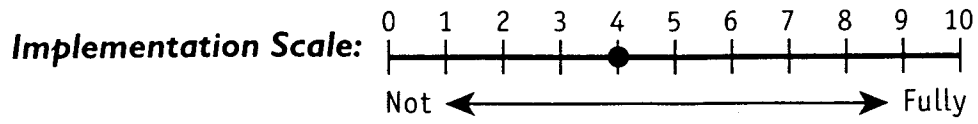
Continue to provide the necessary resources to continue and augment training programs.

1. Provide additional training for all service team analysts and technicians on unemployment insurance issues. Unemployment claims must be contested.
2. Electronically connect with Insurance Authority for expediting separation data.

FCMAT 3122

- HR managers should hold regularly scheduled meetings with staff and include training needs on the agenda.

**Standard Implemented: Partially**



## 9.3 Staff Training

### Legal Standard

Teachers and other professional school services personnel are provided diversity training. Education Code § 44560.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Interviews with board members

### Findings

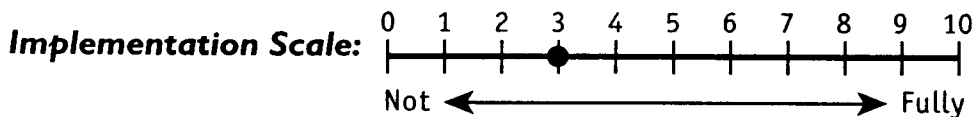
1. No documented evidence was provided of specific diversity training the past year for district and school staffs.
2. Several diversity training sessions have been conducted by the Curriculum and Instruction Division.
3. Clorox provided diversity training for school site clerical staff, August 1998.
4. Diversity training was a provided for the secondary clerical staff, August 1999.
5. There is a need for additional training in the following areas:
  - a. Sensitivity Training
  - b. Cultural Awareness
  - c. Conflict Resolution

### Recommendations and Recovery Steps

Diversity training programs should be developed and designed to prepare all staff to understand and effectively relate to the history, culture and current problems of Oakland students and their environment.

1. Assign appropriate district administrators to develop diversity training programs.
2. Contract with qualified consultants to provide diversity training to all employee groups.

### Standard Implemented: *Partially*



FCMAT 3124



## 9.4 Staff Training

### Legal Standard

The district has adopted policies and regulations regarding the recognition and reporting of sexual harassment. Government Code 12940.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. District's Policy Manual Series 8000
3. District's Administrative Bulletins Series 8000
4. Interviews with Central Office personnel
5. Interviews with district and program personnel
6. ECE and Principals meeting agendas, Managing for Results, September and October 1998

### Findings

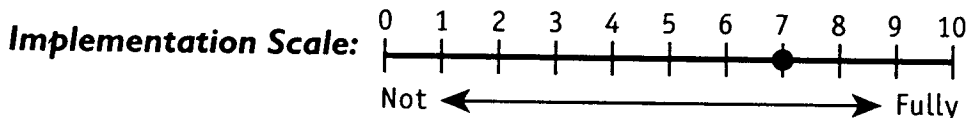
1. The district has adopted policies and regulations as required.
2. Policies and regulations have been disseminated throughout the district by the Compliance Officer as required.
3. Sexual harassment training was included as a part of the Managing for Results meeting held for ECE staff and Principals.

### Recommendations and Recovery Steps

Conduct an annual review of Board Policies and Administrative Bulletins.

1. Confirm the review in the Annual Report
2. Develop and provide expanded sexual harassment training to all employee groups.

### Standard Implemented: *Partially*



## 9.5 Staff Training

### **Professional Standard**

The district provides training for all management and supervisory staff responsible for employee evaluations.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Interviews with site level Managers
5. New Administrators' Institute agenda, August 24, 1999
6. Principals meeting agenda September 1998, Managing for Results
7. Proposal for Investigator Training, October 1999

### **Findings**

1. Principals have had training within the past two years presented by the Legal Department covering Evaluation, Documentation and Dismissal.
2. The Human Resources and the Curriculum department have responsibility for evaluation training. Evaluators need and want additional training in the following:
  - a. Observation techniques
  - b. Evaluation process
  - c. Due process
  - d. Documentation
  - e. Conflict Management
  - f. Contract Management
  - g. Progressive Discipline
  - h. Investigator Training
3. HR administrators provided training in Evaluation and Progressive Discipline at the New Administrators Institute, August 24, 1999.
4. Principals meeting in September 1998 (Managing for Results) provided training and information on Documentation and Investigation, and Certificated and Classified Employee Evaluation, Process and Time line.
5. Principals meeting in October 1999 provided a limited review of Evaluation Time line.
6. Employee evaluation for Certificated and Classified employees does not appear to be a priority, based on the numbers of staff members that are not evaluated according to the required timeliness established.
7. Principals are not receiving accurate data on whom to evaluate. The list is sent but often is late and inaccurate.
8. Service Team Leadership provides support to Principals when called upon to assist with evaluating a difficult or ineffective teacher.

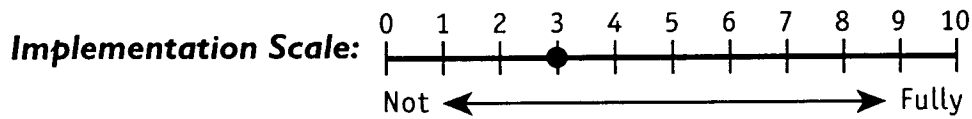
9. There needs to be additional and consistent follow through of the evaluation process with results reported to the Superintendent's Cabinet.
10. There is no calendar established identifying classified and certificated evaluators, when and where training is to take place, and all components of the training process.

### **Recommendations and Recovery Steps**

The Human Resources Division will continue to provide training to managers and supervisors in the area of evaluation and due process.

1. Establish the linkage between Human Resources and Curriculum Divisions to provide a comprehensive evaluation program.
2. Make employee evaluation a priority of the district.

### **Standard Implemented: Partially**



## 9.6 Staff Training

### **Professional Standard**

The district provides training opportunities to managers and supervisors in leadership development and supervision.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Review of Director Human Resources and Service Team Supervisors Goals and Objectives 1998-1999

### **Findings**

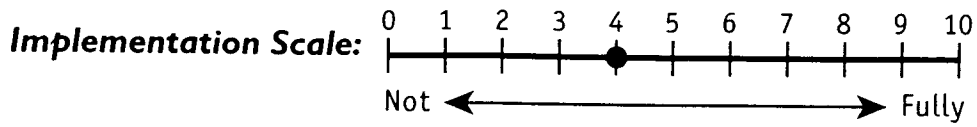
1. The Human Resources Division of Training Manager position is unfilled.
2. Training opportunities have been available to HR managers and supervisors through workshops, conferences and by consultants. Several of the HR leadership team have attended the following:
  - a. Managing Multiple Projects
  - b. New Employment Cases & Statutory Changes to Labor and Employment Laws
  - c. Basic Supervision
  - d. Total Time Management
  - e. Dealing With Upset Citizens and the Public
  - f. Documentation and Discipline of Certificated and Classified Employees
3. Objectives of the Team leaders and the Director of Human Resources expressed that the division has opportunity to provide ongoing training through monthly Principals meetings.
4. A proposal for an Oakland Principals' Academy was drafted this fall by Curriculum and Instruction Division with ACSA involvement.
5. A proposal for Investigator Training is being reviewed by the HR Compliance Office.
6. There is no record of all training that has taken place and no follow-up of the results. Information should filter from training to staff.

### **Recommendations and Recovery Steps**

The Human Resources Division will continue to provide training to administrators and supervisors in leadership development and supervision.

1. Continue training opportunities for administrators and supervisors and have follow-up report of training results to department heads. Establish a process for communicating information to staff.
2. Consider providing funding for an Administrative Training Program and/or the Oakland Principals Academy.
3. Include in all HR department goals , objectives, and training goals for all team staff members.

**Standard Implemented: Partially**



## 9.7 Staff Training

### **Professional Standard**

The division develops handbooks and materials for all training components.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Review training materials provided

### **Findings**

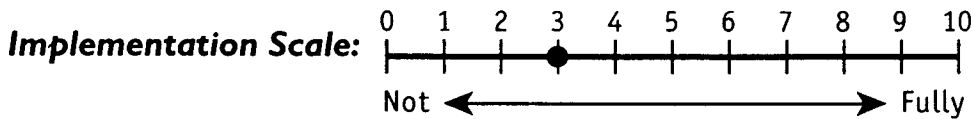
1. Handbooks have been provided for some training components particularly when consultants do training.
2. Materials are provided more often in training sessions provided by district administrative staff.

### **Recommendations and Recovery Steps**

Provide handbooks and/or materials for all participants in training programs.

1. Human Resources Division administrators review and revise handbooks and materials annually to ensure quality and appropriateness.

### **Standard Implemented: Partially**



FCMAT 3130

## 10.1 Evaluation/Due Process Assistance

### **Professional Standard**

The Human Resources Division provides a process for the monitoring of employee evaluations and the accountability reporting of their completion.

### **Sources and Documentation**

1. Personnel/Payroll System Data Sheet "Evaluations Required by Work Location," dated November 2, 1999
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Interviews with district and program personnel

### **Findings**

1. The evaluation of all personnel has not been a district priority.
2. A sampling of 20 employees at one site provided documentation to reinforce that many comments made during the audit process about the lack of evaluation accountability. Six permanent classified employees at the site have not been evaluated for over five years and five permanent teachers have not been evaluated in two or more years.
3. The district has placed increased importance on the evaluation of personnel as evidenced in the recently bargained manager and supervisor evaluation process, which places emphasis on the evaluation of personnel.
4. The Human Resources Service Teams send out evaluation-required lists to district locations. The Director of Recruitment and Employment has the Management Information Systems Department provide these lists upon request. Lists are reported as inaccurate on many occasions.
5. Upon completion of the employee evaluation, the supervisor returns the evaluation form to the Human Resources Service Team Technicians who input receipt of this document into the Management Information System and "red flag" any evaluation that is less than satisfactory, which is forwarded to the Human Resources Analyst.
6. No position has been designated to monitor the site or program managers' fulfillment of the employee evaluation process.
7. Area Directors expressed an interest in seeing all employee evaluations before they are sent to the Human Resources Division.

### **Recommendations and Recovery Steps**

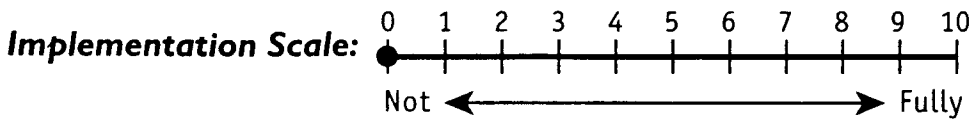
The Human Resources Division Head will be accountable for monitoring all evaluations and sharing results with cabinet.

1. Cabinet should receive an evaluation summary in July regarding the completion and thoroughness of evaluations submitted to the Human Resources Division for all employees. Service Team personnel should provide site and program managers and supervisors with the names of employ-

ees to be evaluated, time lines, and any other related information. They should record and report employee evaluations that are not completed to their Division Head for action.

2. Manager and supervisor evaluations should reflect how well they have completed all required evaluations for employees under their supervision.
3. The Human Resources Division needs to continue to provide the evaluation calendar. A timely and accurate system needs to be established to remind administrators and supervisors of pending employee evaluations.
4. Develop a process that allows principal supervisors the opportunity to review evaluations before submission to the Human Resources Division.

**Standard Implemented: Not**





## 10.2 Evaluation/Due Process Assistance

### **Professional Standard**

Standards for management and supervisors will be developed and implemented to ensure that adequate levels of supervision will be provided at all levels within the district.

### **Sources and Documentation**

1. United Administrators of Oakland Schools Performance Evaluation Forms
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Interviews with UAOS leadership
5. Observations and review of materials
6. Implementation of Evaluation Calendar Memo, dated August 24, 1999
7. Performance Appraisals of Classified Employees, dated August 24, 1999

### **Findings**

1. The Audit Team was presented with the recently negotiated UAOS evaluation process and materials to be used in the evaluation of administrators and supervisors in that unit. Following is the Statement of Purpose of management evaluations:
  - a. Improve Performance
  - b. Improve Communication
  - c. Give recognition for work well done
  - d. Set in motion the kind of action that will enable persons whose work is deficient to become satisfactory.
  - e. Promote an accountability model for the district's goals.
2. The new evaluation instrument for managers and supervisors has placed renewed accountability on the need for them to provide employee supervision and evaluation.
3. The Human Resources Division provided managers who evaluate certificated permanent personnel with a memo reminding them of the required dates for completion of the evaluation process, deadline dates for first-year probationary or temporary contracted teachers, and substitutes serving in long-term positions. This memo also provided information on the six components of performance objectives and warehouse stock numbers for evaluation forms.
4. The administrators' or supervisors' immediate supervisor's summary appraisal statement includes eight standards to be assessed. Under appraisal rating V, Personnel and Professional Growth Management, managers and supervisors are rated on how they follow district directives and contractual guidelines for appraising all personnel. This has placed new emphasis on the evaluation of employees.

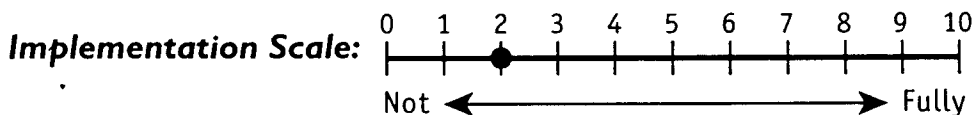
### **Recommendations and Recovery Steps**

The district should provide training to all administrators and supervisors regarding the intent, need, and expected outcomes in the supervision and evaluation process.

1. Provide training with written guidelines for administrators and supervisors covering the importance of supervision and evaluation of employees.

2. The district needs to monitor the evaluation form for administrators, which includes a section regarding the effectiveness of employee appraisals.
3. The Human Resources Division should monitor the evaluation process and report results to Cabinet annually.
4. Continue the practice of sending out early in the school year memos to managers and supervisors regarding the required deadlines in the implementation of the evaluation process for both certificated and classified employees.

**Standard Implemented: Partially**



## 10.3 Evaluation/Due Process Assistance

### **Legal Standard**

A clear policy and practice exists for the written evaluation and assessment of certificated employees. Education Code § 44663

### **Sources and Documentation**

1. Collective bargaining agreement between Oakland Unified School District and the Oakland Education Association (July 1, 1996 – June 30, 1999)
2. Collective bargaining agreement between OUSD and the Oakland American Federation of Teachers, Local 771 (July 1, 1995 – June 30, 1998)
3. Collective bargaining agreement between OUSD and the United Administrators of Oakland Schools, AFL-CIO Local 83 (July 1, 1998 – June 30, 2002)
4. Interviews with Human Resources Division personnel
5. Interviews with Central Office personnel
6. Interviews with district and program personnel
7. Implementation of Evaluation Calendar (5 pages dated August 24, 1999)
8. Teacher Evaluation Handbook (undated)

### **Findings**

1. Develop and distribute training documents as a part of the needed certificated evaluation of employees.
2. The Audit Team was provided collective bargaining agreements that addressed the evaluation of certificated employees.
3. The Audit Team was provided a document titled “Teacher Evaluation Handbook” which covered observation procedures, processes, summative evaluation ratings, glossary of terms, evaluation Form A for teachers, evaluation Form B for counselors, exceptional children staff, nurses and psychologists. This document observation instrument is used for the same positions. A form for substitute teacher evaluations was included. Attached to the document was the district’s and Union’s agreement regarding Employee Absences, Parent Questionnaire, and Student Questionnaire.
4. The Human Resources Division provided certificated evaluators with an evaluation calendar implementation memo dated August 24, 1999. In addition to the 10-month calendar, information was provided on the following:
  - a. First Year Probationary or Temporary Contract Teachers or Substitutes Serving in Long-term Positions
  - b. Six Components of Performance Objectives.

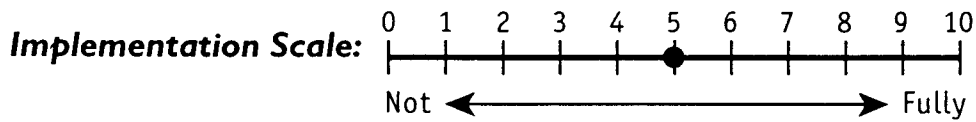
c. Evaluation documents description numbers to be ordered directly through the district Warehouse.

5. There is a need for certificated evaluation training for administrators.

**Recommendations and Recovery Steps**

1. Provide training to certificated administrators covering the evaluation and assessment of certificated employees.
2. Provide an updated Certificated Evaluation Handbook as part of an administrator's training program. This document can also be used as a reference guide for administrators.

**Standard Implemented: Partially**



## 10.4 Evaluation/Due Process Assistance

### **Professional Standard**

The evaluation process is a regular function related to each employee involving criteria related to the position.

### **Sources and Documentation**

1. United Administrators of Oakland Schools Performance Evaluation – Collective Bargaining Agreement, Appendix 7, November 1999.
2. Performance Appraisal – Classified Employees (undated).
3. Evaluation Report for Certificated Employees (Form A)
4. Certificated Evaluation Observation Forms
  - a. Teacher
  - b. Counselor
  - c. School Psychologist
  - d. Nurse
  - e. Teacher Specialists Programs for Exceptional Children
5. Evaluation Report for Substitute Teachers
6. Interviews with Human Resources Division personnel
7. Interviews with district and program personnel
8. Interviews with Central Office personnel

### **Findings**

1. The evaluation of all personnel has not been a district priority.
2. The evaluation of employees has received greater importance during the past year.
3. The administrator evaluation process includes criteria and skills for which they will be assessed. These include:
  - a. Organizational/Climate Management
  - b. Instructional Management
  - c. Academic Management
  - d. Student Management
  - e. Personnel and Professional Growth Management
  - f. Fiscal Management
  - g. Community Collaboration Management
  - h. Facilities Management
4. This evaluation process and forms have been recently developed.
5. Under the Personnel and Professional Growth Management section of the administrator evaluation, a requirement has been included which states, "Follow district directives and contractual guidelines for appraising all personnel."
6. Certificated teachers are evaluated on the following criteria:
  - a. Suitable Learning Environment
  - b. Instructional Strategies and Techniques

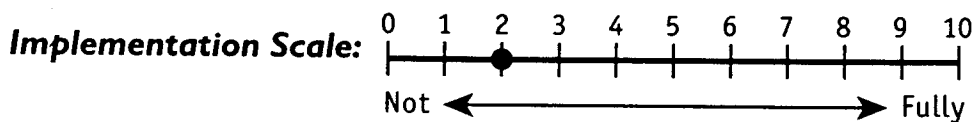
- c. Curricular Objectives
  - d. Pupil Progress
  - e. Other Duties and Responsibilities
7. Permanent classified employees' performance appraisal is based on the following criteria:
    - a. Quality of Work
    - b. Quantity of Work
    - c. Knowledge and Skills
    - d. Job Approach
    - e. Personality and Attitude
    - f. Dependability
    - g. Leadership and Judgment
    - h. Ability to Organize and Plan Work
  8. Certificated support staff (e.g., curricular, nurse, and psychologist) has evaluation criteria that reflects areas of responsibility.
  9. Managers and supervisors need additional training in employee evaluation.

**Recommendations and Recovery Steps**

Develop processes and procedures for successful implementation of the evaluation instruments.

1. Develop a classified evaluation handbook for managers and supervisors. This document should be used in training workshops and also as a guide for individual managers and supervisors.
2. Update the certificated evaluation handbook for certificated managers. This document should be used in training workshops for management, supervisory and certificated personnel.
3. Continue the training of managers and supervisors in evaluation and due process on an annual basis.
4. Provide training on how to conduct employee investigations and appropriately document the process.

**Standard Implemented: Partially**



## 10.5 Evaluation/Due Process Assistance

### **Professional Standard**

The Human Resources Division has developed an evaluation handbook for management and supervisory training.

### **Sources and Documentation**

1. Teacher Evaluation Handbook (undated)
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel
4. Interviews with district and program personnel
5. United Administrators of Oakland School Leadership Interviews

### **Findings**

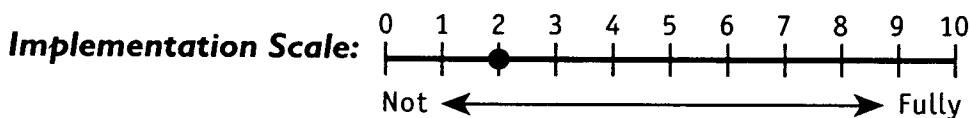
1. The present Teacher Evaluation Handbook is in need of revision. Forms included have dates back to the 1980s.
2. The Audit Team requested, but was not furnished, a classified evaluation handbook for managers and supervisors.
3. Some evaluation informational materials have been distributed by Human Resources at the Management Institute Training meetings held prior to the beginning of school in the fall.
4. More training is needed to assist administrators and supervisors in evaluation and due process. New principals felt it was very important for them to receive this type of training.
5. The Teacher Evaluation Handbook was distributed to new principals.

### **Recommendations and Recovery Steps**

Develop and distribute a certificated and classified evaluation handbook as part of an annual training program.

1. Prepare either separate or combined evaluation handbooks for the certificated and classified employees.
2. Provide in-service training workshops on employee evaluation utilizing the evaluation handbooks.

### **Standard Implemented: Partially**



## **10.6 Evaluation/Due Process Assistance**

### **Professional Standard**

The Human Resources Division has developed due process training for managers and supervisors.

### **Sources and Documentation**

1. Training document, "Administrator Training on Documentation and Discipline of Certificated and Classified Employees" dated January 29, 1999, presented by Emi R. Uyehara of Miller, Brown & Dannis law firm
2. Information Packet (distribution unknown/undated)
  - a. Eight Great Tips for Successful Employee Discipline
  - b. Tests Applicable for Learning Whether Employer had Just and Proper Cause for Disciplining an Employee
  - c. Seven Sample Memos and Letters
3. Site Administrators Management Training Agenda August 23-25, 1999: Evaluation and Progressive Discipline
4. Certificated Dismissal In-service, April 28, 1999
5. Interviews with Human Resources Division personnel
6. Interviews with district and program personnel
7. Interviews with Central Office personnel
8. New Administrator Institute, August 24, 1999

### **Findings**

1. Human Resources Division Heads, Directors, Coordinators and Analysts attended the January 29, 1999, training session on "Administrator Training on Documentation and Discipline of Certificated and Classified Employees."
2. Eight district administrators attended the Certificated Dismissal In-service held on April 28, 1998.
3. The Human Resources Division leadership reported that during the Management Institute in-service days and periodically at principals meetings, various topics were presented related to evaluation and due process. During the past two years, topics included:
  - a. Legal and Labor Compliance Issues
  - b. Eight Great Tips for Successful Employee Discipline
  - c. Tests applicable for learning whether employer had just and proper cause for disciplining an employee.
  - d. Criteria for certificated evaluation.
4. There was a need identified by a number of administrators that the district provides both certificated and classified evaluation and due process annual training.

### **Recommendations and Recovery Steps**

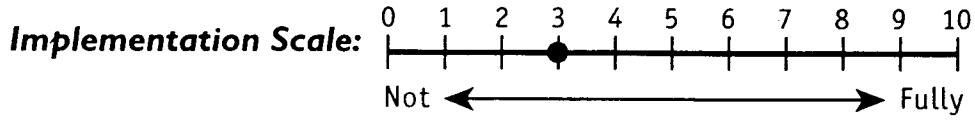
The Human Resources Division will continue to provide training to managers and supervisors in the area of progressive discipline and due process.

**FCMAT 3140**



1. Continue to offer managers and supervisors annual training in evaluation and due process. Utilize outside consultants as well as district staff.
2. Continue certificated administrators training in dealing with ineffective employees.

**Standard Implemented: Partially**



## 10.7 Evaluation/Due Process Assistance

### **Professional Standard**

The Human Resources Division has developed a process for providing assistance to marginal employees (remediation).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel

### **Findings**

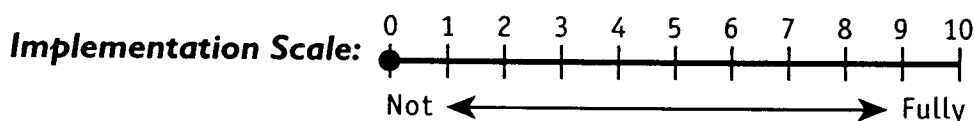
1. Numerous interviewees identified the need for additional training in the evaluation process. Marginal or ineffective employees often are not evaluated and documented.
2. There is no standardized program regarding employee remediation plans. Some assistance has been made available from the Human Resources Division personnel to site/program administrators and supervisors on a case-by-case basis.

### **Recommendations and Recovery Steps**

Evaluations must be seen as a priority by the administration, starting at the top. If top management places importance on the process, the resources training and accountability will follow. Proper evaluation must include support systems for managers and assistance plans for employees. The district must demonstrate its commitment to the implementation of a comprehensive evaluation process.

1. Provide resources and training to administrators in the evaluation process. When this is in place, remediation plans can be established to assist employees to meet established standards.
2. Develop a remediation plan process to effect change in the marginal teacher. This plan must designate available resource personnel, training opportunities, scheduled reviews, time lines for progress reports, and concluding evaluations with predetermined options.
3. Develop a plan of action to be used with ineffective classified employees. Establish procedures and expected outcomes and apply them consistently.

### **Standard Implemented: Not**



FCMAT 3142

## 10.8 Evaluation/Due Process Assistance

### **Professional Standard**

The district has developed a plan to address a Peer Assistance and Review Program (PAR). Education Codes 44498, 44500-44508, 44662, and 44664.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with OEA leadership personnel
3. Interviews with Central Office personnel

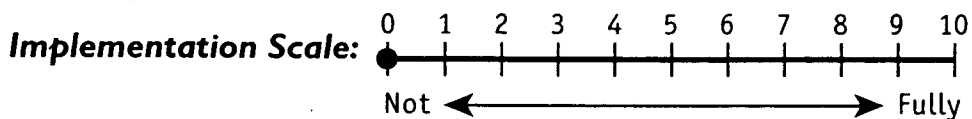
### **Findings**

1. The Audit Team was informed that the Oakland Unified School District and the Oakland Education Association have begun the necessary collective bargaining of the Peer Assistance and Review Program implementation.

### **Recommendations and Recovery Steps**

1. Continue the collective bargaining process to develop a mutual agreement for Peer Assistance and Review and implement the process.

### **Standard Implemented: Not**



## 11.1 Employee Services

### **Professional Standard**

The Human Resources Division has developed a program for retirement counseling, including STRS counseling, PERS counseling and “life after retirement.”

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with central office personnel
3. Interviews with district and program personnel

### **Findings**

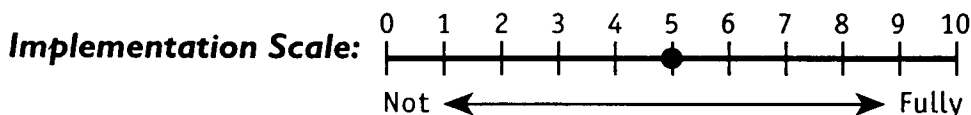
1. There is no evidence of a Human Resources Department developed program for retirement counseling.
2. The Alameda County Office of Education twice each year provides STRS (certificated) counseling.
  - a. A general overview for certificated employees who are planning on retiring.
  - b. Individual counseling for those who are retiring.
3. PERS (classified) counseling is provided for employees who are retiring by sending them to PERS at the Alameda County Office of Education or to the Sacramento PERS Office.
4. Some individual counseling does take place for certificated and classified employees informally by site and district administrators.
5. There is no program for classified or certificated employees to discuss retirement or “life after retirement.”

### **Recommendations and Recovery Steps**

Human Resources Division should assign a division administrative position the responsibility for coordinating retirement counseling activities for classified and certificated employees at all levels.

1. Develop and publish a calendar of all retirement activities for all district employees.
2. Establish a program for those retiring to discuss options and “life after retirement.”

### **Standard Implemented: Partially**



FCMAT 3144

## 11.2 Employee Services

### **Professional Standard**

The Human Resource Division has developed recognition programs for all employee groups.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district site and personnel

### **Findings**

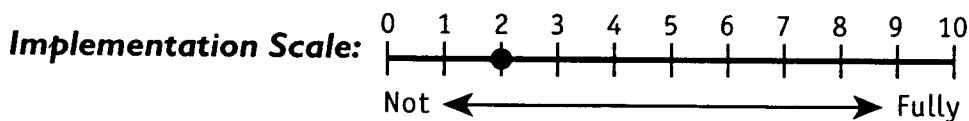
1. The district does not have a formalized recognition program for all employee groups.
2. School Departments' Program areas have some recognition events. No documented evidence was provided showing specific events.
3. Human Resources Division leadership has had recognition events for its staff for staffing schools at the beginning of this year successfully.
4. Retirees are often recognized at school sites or job locations. No documented evidence was received of a district-sponsored program.

### **Recommendations and Recovery Steps**

Work with Cabinet to assign responsibility for development and coordination of a district-sponsored Recognition Program.

1. Monitor all recognition events and report results to the Superintendent's Cabinet.
2. Include results of recognition programs as a part of Human Resources Division end of year report to district and community.
3. Provide a retiree recognition program that involves all employee groups in the planning, developing and presenting.

### **Standard Implemented: Partially**



## 11.3 Employee Services

### Professional Standards

The Human Resources Division has available to employees various referral agencies to assist those employees in need.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Review of materials provided to the Audit Team

### Findings

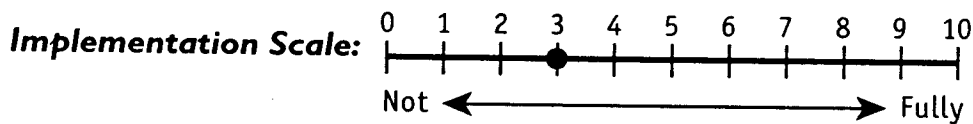
1. Employees may be provided assistance under their HMO carrier provisions or through their union.
2. There was no documented evidence received showing a list of referral agencies available to employees.
3. The HR administrators have, on an informal basis, referred employees to one agency for anger, violence and stress counseling with some success.
4. The district had an Employee Assistance Program available to employees, which was dropped several years ago.

### Recommendations and Recovery Steps

Increase the employee awareness of available employee assistance services.

1. Develop and provide to employees a listing of agencies where assistance is available. Drugs, Stress, Violence, Anger and Family related problems, etc., should be a part of the agencies listed.
2. Through the negotiation process consider the inclusion of an Employee Assistance Program.

### Standard implemented: *Partially*



FCMAT 3146

## 12.1 Employer/Employee Relations

### **Professional Standard**

Salary schedules and benefits are competitive.

### **Sources and Documentation**

1. Salary Comparison Report of Teacher Salaries for 1997-98, dated May 18, 1999
2. Salary Survey Summary 1999, Exhibit F, and backup detail, Ewing & Co., dated October 19, 1999
3. Administrative Salary Comparison Report for 1998-99, dated February 23, 1999
4. Letter from the Superintendent to Board of Education regarding Compensation and Classification Study, September 16, 1998
5. Ten Collective Bargaining Agreements with various employee organizations and various dates.
6. Interviews with Human Resources Division personnel
7. Interviews with Central Office personnel
8. Interviews with district and program personnel

### **Findings**

#### **Certificated Employees**

1. In the survey of 12 Bay Area unified school districts, salaries for Oakland teachers ranked (averages exclude Oakland):
  - B.A. with no experience ranked eighth, \$1,572 below the average.
  - B.A. +45 units with no experience ranked tenth, \$2,997 below the average.
  - B.A. +60 units with no experience ranked tenth, \$2,691 below the average.
  - B.A. at the maximum step ranked sixth, \$785 below the average.
  - B.A. +45 units at the maximum step ranked tenth, \$5,457 below the average.
  - B.A. +60 units at the maximum step ranked eleventh, \$7,633 below the average.
  - Other salary columns were difficult to compare due to the lack of comparable columns on other salary schedules.
  - The survey did not include any information concerning district contributions for fringe benefits, health insurance, annuities, and IRC 125 Plans.
  - The survey did not include any information concerning the length of the teacher work year.
2. In the survey of 12 Bay Area unified school districts, salaries for Oakland principals ranked (averages exclude Oakland):
  - The Elementary School Principal maximum daily rate ranked eleventh, \$35.15 per day below the average. The Oakland work year was seven days less than the average.
  - The Middle School Principal maximum daily rate ranked eleventh, \$29.73 per day below the average. The Oakland work year was 10 days less than the average.
  - The High School Principal maximum daily rate ranked eleventh, \$35.59 per day below the average. The Oakland work year was 11 days less than the average.
  - The Oakland salary amounts included the district-paid annuity.
  - The survey did not include any information concerning district contributions for fringe benefits, health insurance, annuities, and IRC 125 Plans, other than for the annuity for Oakland employees.

## **Classified Employees**

1. The Ewing & Co. Salary Survey included 51 job classifications of classified employees.
  - The study compared the job classifications and salaries in Oakland with six other Bay Area unified school districts, requiring data from at least three other districts to draw conclusions.
  - The Salary Survey Summary indicated that, in 31 of the job classifications, the maximum salaries in Oakland were below the survey median, ranging from \$58 to \$827 per month.
  - The Salary Survey Summary indicated that, in 12 of the job classifications, the maximum salaries in Oakland were above the survey median, ranging from \$93 to \$1314 per month.
  - In one classification, the Oakland salary was the same as the median, and in seven classifications there was insufficient data for comparison.
  - The survey did not include any information concerning district contributions for fringe benefits, health insurance, annuities, and IRC 125 Plans.
2. The Ewing & Co. Salary Survey included eight supervisor-level positions.
  - The Salary Survey Summary indicated that in two of the job classifications, the maximum salaries in Oakland were below the survey median, \$156 and \$548 per month.
  - The Salary Survey Summary indicated that in five of the job classifications, the maximum salaries in Oakland were above the survey median, ranging from \$165 to \$1002 per month.
  - In one classification, there was insufficient data for comparison.
  - The survey did not include any information concerning district contributions for fringe benefits, health insurance, annuities, and IRC 125 Plans.

## **General**

1. The Ewing & Co. Study included recommendations for salary range adjustments and alignment for a greater number of job classifications in the district than those in the salary survey.
2. Negotiations with the United Administrators of Oakland Schools recently had concluded and efforts had been made to bring the work years and salaries into alignment with other Bay Area school districts.

## **Recommendations and Recovery Steps**

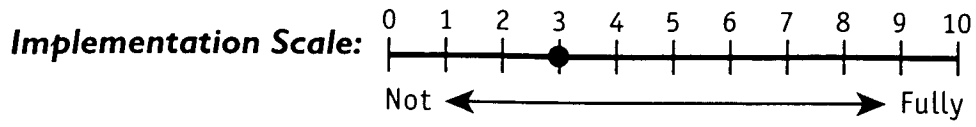
Develop short and long-term goals for salary and fringe benefit improvement where needed.

1. Work with the Alameda County Office of Education and other school districts to perform comprehensive salary and fringe benefit studies for all employee groups.
2. Establish a database with which the Board of Education can evaluate the status of the district's salary and fringe benefit programs in relation to other districts.
3. Develop a survey comparing the number of employees in various district programs with other school districts to evaluate staffing ratios and levels of budget expenditures in comparable programs.
4. Develop a plan to evaluate job classifications on a regular basis and a process to make changes in classifications in a systematic fashion.
5. Develop a comprehensive district financial plan that incorporates improvement in salaries and fringe benefits where needed.

**FCMAT 3148**



**Standard Implemented: Partially**



## **12.2 Employer/Employee Relations**

### **Professional Standard**

The Human Resources Division involves site-level administrators in the bargaining and labor relations decision-making process.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Document identified as a "Principal's Analysis" of a collective bargaining agreement, providing ideas concerning the current agreement on a section by section basis (undated)
5. Memorandum identified as "Re: Early Childhood Education" providing notes and ideas concerning a collective bargaining agreement, dated May 21, 1998
6. Various attendance sheets from negotiating sessions with several bargaining units, setting forth members of both the district and union teams (various dates)
7. "Negotiations Update for CSEA Peace Officers," dated July 27, 1999
8. "Negotiations Update for the Building and Construction Trades Council," dated July 27, 1999
9. Memorandum from the Director of Labor Relations to Assistant Superintendents, Associate Superintendents and Directors, requesting input concerning UAOS negotiations, dated February 20, 1998

### **Findings**

1. Site administrators are members of a formal collective bargaining unit in the district, the United Administrators of Oakland Schools.
2. The Human Resources Division provides an opportunity for site-level administrators to submit ideas concerning collective bargaining agreements with other bargaining units prior to the next round of negotiations.
3. District bargaining teams normally include various administrators from the central office or district programs; however, they rarely include site-level administrators.
4. The Human Resources Division provides updates to site-level administrators on the status of negotiations with various bargaining units.
5. During interviews, various administrators indicated that some necessary management rights (e.g., employee transfer) under certain contracts had been negotiated away.

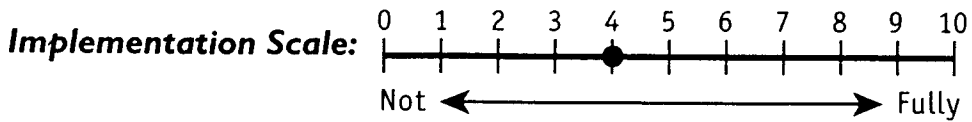
### **Recommendations and Recovery Steps**

Increase the involvement of site-level administrators in the bargaining and labor relations decision-making process, including the development of contract modifications in contracts which affect site programs.

1. Develop a written, annual survey to be used to solicit input from all administrators, especially site-level administrators, prior to contract negotiations with each bargaining unit.
2. Examine the composition of the district bargaining teams and add site-level administrators to those teams where the contract has a potential impact on the management of the site.

3. Hold an annual meeting with site-level administrators to solicit input regarding collective bargaining matters and needs prior to the beginning of the bargaining process.
4. Develop information and data to share with the Board of Education where a need to retrieve management rights exists and develop district proposals addressing the need where necessary.
5. Continue and expand upon the negotiations update bulletins sent to district administrators.

**Standard Implemented: Partially**



## **12.3 Employer/Employee Relations**

### ***Professional Standard***

The Human Resources Division provides all managers and supervisors (certificated and classified) training in contract management with emphasis on the grievance process and administration.

### ***Sources and Documentation***

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Memorandum from the Leadership Directors to the Assistant Superintendent of Human Resources regarding the confirmation of an Human Resources Division presentation at the new administrators orientation, dated August 13, 1999
5. Agenda for New Administrators' Institute for August 24, 1999
6. Agenda for Administrators Institute for August 14-16, 1996
7. Announcement of Fifth Annual Public Sector Labor & Employment Program in San Francisco on April 23, 1999, attended by 10 members of the Human Resources Division.
8. Document identified as the "Division of Human Resources – Management Staff," published by the Human Resources Division in August 1995.

### ***Findings***

1. There has been training provided for administrators in the area of contract management and grievance procedures.
2. Training has been planned and provided by Division of Curriculum and Instruction, the Human Resources Division and the district Legal Office.
3. Numerous Human Resources Division staff members have participated in Bay Area training in current public sector labor and employment law.
4. Members of the Human Resources Division Service Teams work directly with administrators to assist with contract management and grievances, often developing templates that can be used in the future.

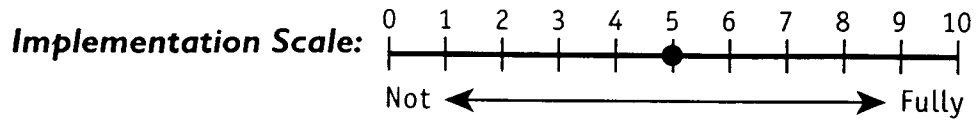
### ***Recommendations and Recovery Steps***

Continue, expand and incorporate the training in contract management and the grievance process into a general on-going training program for administrators.

1. Develop annual training sessions for both veteran and new administrators in the area of contract management, including training in the area of grievance processing.
2. Videotape training sessions and retain a library of tapes in the Human Resources Division to be used with new administrators and as refresher courses for veteran administrators.
3. Train Service Team members and district bargaining team members to become trainers and assign them active roles in the in-service sessions on contract administration and the grievance process.

4. Solicit from district administrators issues they wish to have covered at the in-service sessions.
5. Coordinate in-service information and presentations with the district Legal Office.

**Standard Implemented: Partially**



## 12.4 Employer/Employee Relations

### **Professional Standard**

The Human Resources Division provides a clearly defined process for the bargaining with its employee groups (e.g., traditional and interest-based).

### **Sources and Documentation**

1. District's Policy Manual Series 8000
2. District's Administrative Bulletins Series 8000
3. Interviews with Human Resources Division personnel
4. Interviews with Central Office personnel
5. Interviews with district and program personnel
6. Agendas for Board Labor Relations Committee, dated August 17, 1999, September 2, 1999 and September 16, 1999
7. Calendar of Board of Education Meetings, including Labor Relations Committee, 1998
8. Letter from representatives of the Oakland USD, Oakland Education Association, United Administrators Oakland Schools and the Oakland Coalition of Congregations to participants in Interest Based Bargaining, concerning training, dated June 11, 1997
9. Document titled "The OUSD, OES, UAOS Site Level Training," dated February 1998
10. Document titled "Improving the Relationship" by Glaser and Associates, April and May 1998
11. Memorandum to the Director of Labor Relations regarding Interest Based Bargaining Participant Notification, dated October 18, 1998
12. Agenda for Interest Based Bargaining Training for OUSD and OEA, November 10-13, 1998
13. Presentation materials from a law firm on Interest-based Bargaining Overview, February 19, 1999
14. Various initial bargaining proposals from employee organizations to the district
15. Various initial bargaining proposals from the district to employee organizations
16. Various minutes of Labor Management Committee meetings with district and employee organizations
17. Ten (10) Collective Bargaining Agreements with various employee organizations and various dates
18. Documentation of Reimbursable Collective Bargaining Activities Forms – A, B and C, July 22, 1992

### **Findings**

1. The district currently has 10 different collective bargaining agreements covering several different employee organizations.
2. The number of bargaining units in the district far exceeds the number of bargaining units in most school districts.
3. The district constantly is negotiating with employee organizations.
4. The Human Resources Division maintains Service Teams and staff members specifically trained in labor relations and responsible for serving as the chief negotiator during negotiating sessions with the various bargaining units.

FCMAT 3154

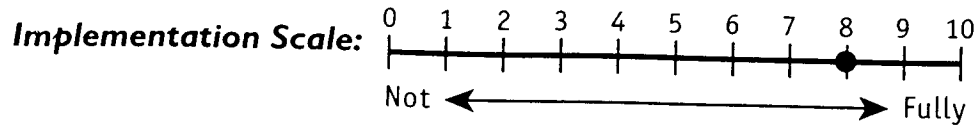
5. The district uses a team approach during negotiations, involving management representatives from district programs in addition to Human Resources Division staff.
6. The district and a large number of the bargaining units use a traditional bargaining model of exchanging proposals and counter proposals.
7. The district and some of the bargaining units (OEA, UAOS) have become involved in an Interest-based Bargaining (IBB) model, using a professional facilitator to work with them in training and in the bargaining process.
8. Some persons interviewed expressed concerns that the IBB process is very time-consuming and takes too many top-level administrators away from their daily responsibilities.
9. The Board of Education maintains a Labor Relations Committee to review the bargaining process between the district and the unions.
10. A system for recording and retaining minutes of all bargaining sessions is not firmly established.
11. A system for developing initial district proposals for review by the Board of Education is not established firmly.
12. The district has a well-defined process in place for documentation of reimbursement for collective bargaining activities.

### ***Recommendations and Recovery***

Continue to use the bargaining model that the Board of Education finds to be effective with each bargaining unit, realizing that certain models are more time-consuming than others.

1. While the Interest-based Bargaining (IBB) model is time-consuming, the parties should continue to work together to strengthen communications and trust, allowing the process to demonstrate its benefits in the long-run.
2. Reevaluate the IBB process annually to assess the benefits of appointing cabinet-level administrators to participate in all sessions of the process.
3. Where a traditional bargaining model is being used effectively with bargaining units, continue the process.
4. Appoint a member of each district bargaining team to take minutes of each negotiating session. Minutes should be permanently retained in the Human Resources Division.
5. Use the Superintendent's Cabinet to establish a standard process for developing initial district contract proposals and for reviewing the proposals with the Board of Education.
6. Continue the process of close monitoring of the district's mandated cost reimbursement for collective bargaining activities.

**Standard Implemented: Fully - Substantial**





## 12.5 Employer/Employee Relations

### **Professional Standard**

The Human Resources Division has a process in place that provides management and the Board of Education with information on the impact of bargaining proposals (e.g., fiscal, staffing, management flexibility, and student outcomes).

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Agendas for Board Labor Relations Committee, dated August 17, September 2 and 16, 1999
4. Calendar of Board of Education meetings, including Labor Relations Committee, 1998
5. Memorandum from the Superintendent to the Board of Education regarding an addendum to STIP Substitute Side Letter of Agreement, dated August 18, 1999
6. "Confidential" financial information document prepared by the Business Office for the Board of Education regarding costs associated with collective bargaining issues, dated November 12, 1999

### **Findings**

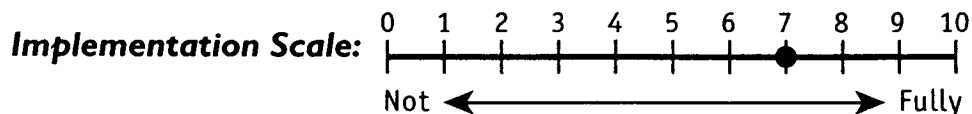
1. The Human Resources Division and district negotiators rely upon information compiled by the Business Division to determine the fiscal impact of negotiation proposals.
2. Information concerning the costs and impacts of collective bargaining proposals are presented to the Board of Education, through the Labor Relations Committee, by cabinet-level administrators, as well as district negotiating team representatives.
3. It is unclear as to which division, Business or Human Resources, is responsible for preparing the information to comply with post-negotiations AB 1200 requirements as to the fiscal impact of negotiated agreements.

### **Recommendations and Recovery Steps**

Continue and refine the process of providing information to management and the Board of Education.

1. Use the Superintendent's Cabinet to strengthen communications between the Human Resources Division and the Business Division, especially with regard to the requirements of AB 1200 reporting.
2. Provide expanded opportunities for district negotiators to meet with the Superintendent's Cabinet and the Board of Education for periodic updates on the progress of negotiations.

### **Standard Implemented: Partially**



## **12.6 Employer/Employee Relations**

### ***Professional Standard***

The Human Resources Division provides clearly defined forms and procedures in the handling of grievances for its managers and supervisors.

### ***Sources and Documentation***

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Interviews with district and program personnel
4. Ten Collective Bargaining Agreements with various employee organizations and various dates
5. "Implementation Tracking Form – (Informal/Formal Grievance Resolution)," (undated)
6. Arbitration Awards Notebook with summaries from 1995 to present
7. November Monthly Labor Relations Report – Team II (undated)
8. Agenda of Staff Meeting – Coordinators, November 8, 1999
9. Agendas of Labor Management Committee Meetings (various dates)

### ***Findings***

1. The various collective bargaining agreements provide detailed procedures governing the grievance process for the respective units.
2. There was no evidence of a formal, universal district grievance form.
3. Different bargaining units use different formats for filing grievances, including letters and memoranda.
4. The Human Resources Division Service Team concept, under the direction of the Director of Labor Relations and Compliance and the Director of Recruitment and Employment, provides a structure for the systematic review of grievances and assistance to district administrators.
5. There are scheduled meetings held between the Human Resources Division Coordinators and the Directors to discuss labor-related issues.
6. District administrators and managers with grievance issues are instructed to contact Service Team members for assistance, where needed.
7. The district uses attorneys to present its cases at arbitration and PERB hearings.
8. The Human Resources Division has provided some training for administrators and supervisors in the area of contract management and grievance processing.
9. The district and various unions use Labor-Management Committees to discuss and resolve issues.
10. The number of newly filed grievances has declined in the past couple of years. No system is in place for data gathering.

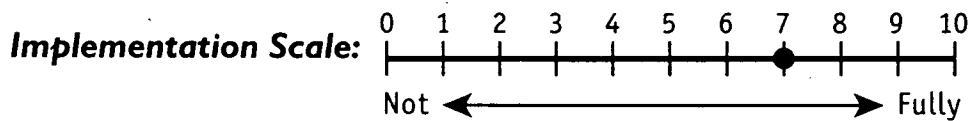
**FCMAT 3158**

## **Recommendations and Recovery Steps**

Continue and refine the system of using the Human Resources Division Service Teams to oversee contract management and the grievance process.

1. Increase the training and cross training for all Service Team members in the areas of contract management and grievance processing.
2. Continue and expand meetings of Service Team members to coordinate information concerning labor management issues and establish consistent practices throughout the district.
3. Develop a plan to involve site-level administrators in the negotiating process and in contract management assistance to other site-level administrators.
4. Provide annual training to all administrators and supervisors on the grievance procedures.
5. Provide in-service training to all administrators and supervisors on changes in any collective bargaining agreements that affect their areas of responsibility.
6. Evaluate the experience and expertise of the district Legal Office staff and outside counsel regarding labor relations matters to develop a master plan which matches the most experienced attorneys with individual cases going to arbitration or PERB hearings.
7. The Human Resources Division needs to develop and implement a data gathering system to capture the numbers and types of grievances filed by the various unions.

### **Standard Implemented: Partially**



## **12.7 Employer/Employee Relations**

### **Legal Standard**

Bargaining proposals and negotiated settlements are “sunshined” in accordance with the law to allow public input and understanding of the cost implications and, most importantly, the effects on the children in the district. Education Code § 3547 and 3547.5, and Government Code § 41242.

### **Sources and Documentation**

1. District’s Board Policy Manual Series 8000
2. District’s Administrative Bulletin Series 8000
3. Letter from CSEA Labor Relations Representative to Superintendent requesting the “sunshining” of proposed contract re-openers for CSEA Chapter #1, dated March 11, 1999
4. Letter from OEA President and Bargaining Team Chair to President of the Board of Education, requesting the “sunshining” of its contract proposal, dated March 26, 1999
5. Minutes of Board of Education meeting of February 4, 1998 with agenda item for “sunshining” of bargaining proposal from Buildings and Construction Trades Council
6. Agenda Board Labor Relations Committee meeting including public presentation item, November 4, 1999
7. Interviews with Human Resources Division personnel
8. Interviews with Central Office personnel

### **Findings**

1. Administrative Bulletin 8095, October 1978, details the “sunshining” process of both employee organization and district proposals.
2. Initial collective bargaining proposals from employee organizations are addressed to the Superintendent and Board of Education with a request for “sunshining” of the proposals.
3. District and union proposals are reviewed by the Board of Education and through the Board’s Labor Relations Committee.
4. The public has the opportunity to review proposals and to address the Board of Education at Labor Relations Committee meetings and at the meetings of the Board of Education.
5. It was unclear as to whether the Business Division or the Human Resources Division was responsible for posting the calculations and budget impact of negotiated agreements with employee organizations.

### **Recommendations and Recovery**

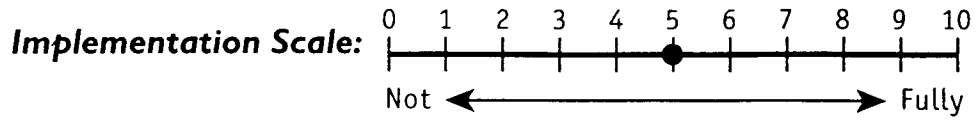
Continue and expand the process of sunshining the collective bargaining proposals and posting the budget impact of negotiated agreements.

1. Continue the process of sunshining initial collective bargaining proposals for public review.
2. Work with the Alameda County Office of Education regarding the requirements for posting public notification of the budget impact of negotiated settlements prior to approval of contracts by the Board of Education.

**FCMAT 3160**

3. Clarify the roles of the Business Division and the Human Resources Division concerning post-negotiated settlement matters.

**Standard Implemented: Partially**



## 12.8 Employer/Employee Relations

### **Professional Standard**

The district systematically has examined the feasibility of implementing the provisions of the law that provides for increasing the minimum teacher's salary to \$32,000. Education Code § 45023.4.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel

### **Findings**

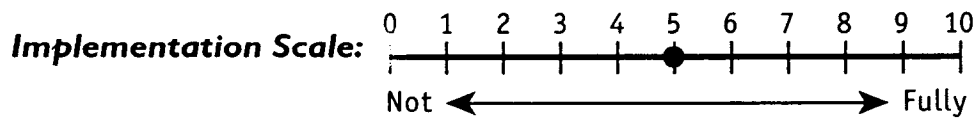
1. Representatives from the district and from the Oakland Education Association currently are evaluating the merits and the cost implications of adopting the new provisions of the law within the Interest-based Bargaining model.
2. The new law has specific provisions regarding the identification of fully credentialed teachers and the district's ability to apply for state money under this program.
3. The new law exposes the district potentially to supplement the granted state money with general funds.

### **Recommendations and Recovery**

Continue to study and carefully analyze the fiscal impact of this provision prior to adoption.

1. Review efforts other school districts have made in this area.
2. Develop detailed budgetary requirements for adopting the provision.
3. Review any and all prospective implementation models with legal counsel and individuals familiar with state auditing procedures of similar provisions.

### **Standard Implemented: Partially**



## 13.1 Employee Benefits/Workers' Compensation

### Legal Standard

The district has its self-insured workers' compensation programs reviewed by an actuary in accordance with Education Code Section 17566 and filed with the County Office of Education.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. 1998-99 Actuarial Study

### Findings

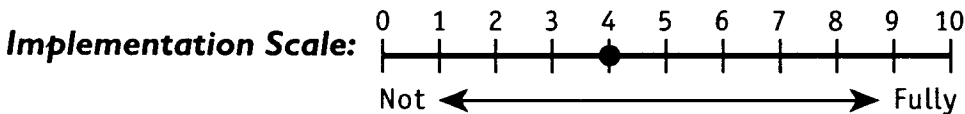
1. The district contracted with an actuarial firm for a review of the Workers' Compensation Program in 1997-98 and in 1998-99.
2. The 1998-99 actuarial report notes that the district changed claims administrators for 1998-99. During the 1998-99 period, there was a reduction in claims reserves described as "precipitous" by the actuary. The reduction was approximately 47 percent.
3. There was no evidence that a copy of either report has been sent to the County Office of Education.

### Recommendations and Recovery Steps

Meet the legal requirements for self-insured programs.

1. The County Office of Education should be provided a copy of both actuarial reports as required by the Education Code.
2. The district should obtain a written explanation from the current claims administrator that details the reasons for a reduction of this magnitude.

### Standard Implemented: Partially



## 13.2 Employee Benefits/Workers' Compensation

### **Professional Standard**

Employee benefits are well understood by employees through periodic printed communications provided by the Human Resources Division.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Brief review of summary plan descriptions for health and dental benefits

### **Findings**

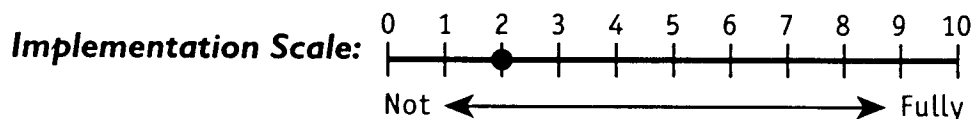
1. Other than the printed material provided to new hires, there is no scheduled distribution of information to employees pertaining to benefits.
2. There was no information provided by the district before or during the September 1999 open enrollment period. Those individuals assigned to the Human Resources Division benefits section were not employees of the division during the 1998 open enrollment period and are not aware of past practices in this area.

### **Recommendations and Recovery Steps**

Expand provision of employee benefits information to district personnel.

1. Provide employees with timely notice of when the year 2000 open enrollment will begin.
2. Have Health Net and Kaiser provide posters that identify whom to contact with specific questions regarding benefit levels.

### **Standard Implemented: Partially**





## 13.3 Employee Benefits/Workers' Compensation

### Professional Standard

Employees are provided reasonable notice of when coverage for dependents will end, and the documentation needed to continue coverage beyond the normal termination date.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Review of several labor contracts

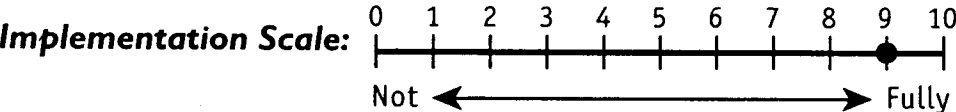
### Findings

1. Negotiated agreements control the normal termination date and the length of time coverage is available for nondisabled dependents.
2. Timely notice is given regarding the termination of dependents and the dependents' rights under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Notice also is provided that coverage can continue for full-time students and disabled dependents.
3. Kaiser and Health Net are used to determine if a dependent's disability qualifies for continued coverage.
4. To continue student coverage, proof that the dependent is enrolled in at least 12 units or the full-time equivalency must be provided.

### Recommendations and Recovery Steps

Continue to provide reasonable notice of when coverage for dependents will end, and the documentation needed to continue coverage beyond the normal termination date.

### Standard Implemented: Fully - Substantial



## 13.4 Employee Benefits/Workers' Compensation

### **Professional Standard**

Employees are provided immediate notification that premiums due under COBRA were not received timely and coverage stopped as of date specified.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Review of materials and COBRA documents provided to the Audit Team

### **Findings**

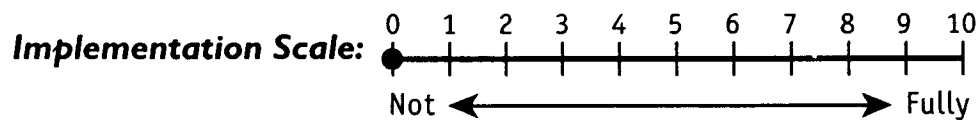
1. Notification to personnel of individual separations are not received in a timely manner by the benefits unit.
2. There is no system in place for immediate notification to the benefits office when an employee terminates.
3. Notice of separation is inconsistent and comes in various ways, e.g., board agendas, separation forms, and word of mouth.
4. Once information is received on separation, the benefits section appropriately sends out notifications as required.

### **Recommendations and Recovery Steps**

Establish a system to notify officially employees of their COBRA rights within 10 days of separation from the district.

1. Establish a consistent system of notification of separations.
2. Position responsible for resignations will provide benefits and payroll with a list of all employees who have separated by Friday of each week via e-mail or formal memo.
3. Establish an electronic system for notification of separations to ensure human resources, payroll, benefits, and budget receive this information simultaneously.

### **Standard Implemented: Not**



## 13.5 Employee Benefits/Workers' Compensation

### Professional Standard

Human Resources employees provide new hires with a detailed explanation of benefits, the effective date of coverage, along with written information outlining their benefits and when enrollment forms must be returned to implement coverage.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Review of summary plan description documents pertaining to health and dental coverage provided to new employees
3. Benefits election form documents
4. Observation of benefits processing

### Findings

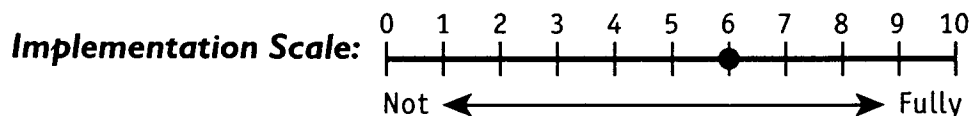
1. Employees must rely on written documentation since there is no specific, detailed benefits orientation program.
2. Employees are told when the enrollment forms must be returned, but there is great reliance on the labor contracts, which gives them 30 days to enroll.
3. Employees can forfeit their rights to benefits until the next open enrollment period if they do not enroll within 30 days.
4. Complex benefits questions are referred to the health care provider. Basic questions are answered by benefits staff.
5. Benefits employees are service oriented and responsive to clients.

### Recommendations and Recovery Steps

Expand provision of employee benefits information to all new hires.

1. Continue providing basic information and refer complex problems to the health care provider.
2. Benefits personnel should be notified about new hires.
3. Establish a separate orientation program by bargaining unit for benefits during peak staffing periods when possible.

### Standard Implemented: Partially



## 13.6 Employee Benefits/Workers' Compensation

### Professional Standard

Timely notice of annual open enrollment period is sent to all eligible employees.

### Sources and Documentation

1. Interviews with Human Resources Division staff

### Findings

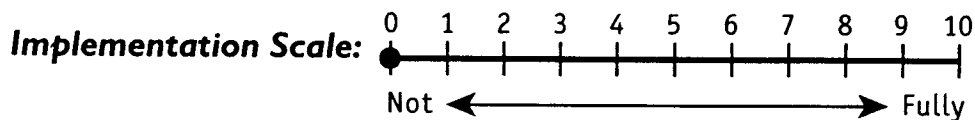
1. Other than the printed material provided to new hires, there is no scheduled distribution of information to employees pertaining to benefits.
2. There was no information provided by the district before or during the September 1999 open enrollment period.
3. Those employees assigned to the Human Resources Division benefits section were not employees of the district during the 1998 open enrollment period.
4. The open enrollment period is similar in all cases.
5. Employees are not notified of open enrollment.
6. Bargaining unit agreements are relied upon for notification.

### Recommendations and Recovery Steps

Provide written notification to employees of annual open enrollment period.

1. The Human Resources Division should provide employees with timely notice of when the year 2000 open enrollment will begin.
2. Request that Health Net and Kaiser provide posters and/or public announcements that identify who to contact with specific questions regarding open enrollment.
3. This type of information can be printed on payroll warrants when electronically feasible.
4. Insert information in a district publication if possible.

### Standard Implemented: Not



FCMAT 3168

## 13.7 Employee Benefits/Workers' Compensation

### Legal Standard

Employees are provided the state's injury report form (DWC Form 1) within one working day of the district having knowledge of an injury or illness.

### Sources and Documentation

1. The State Department of Industrial Safety requires the employer to give the employee who has been injured on the job the DWC Form 1 within 24 hours
2. There is no injury until the employee returns the form
3. The DWC Form 1 requires a person to enter when the form was completed and when the injury occurred
4. The Supervisor's Report of Accident Worker's Compensation Form

### Findings

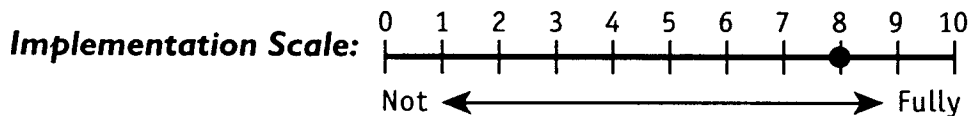
1. The DWC Form 1 is being given to employees appropriately.

### Recommendations and Recovery Steps

Continue compliance with regulation and provide ongoing monitoring.

1. Determine if the claims administrator can provide a report that compares the date of injury and the date the DWC Form 1 is given to the injured worker.
2. Continue to monitor the forms to be sure that the 24-hour requirement is met consistently.
3. Develop a program of feedback from the claims manager of possible problem areas.

### Standard Implemented: Fully - Substantial



## 13.8 Employee Benefits/Workers' Compensation

### Professional Standard

The district notifies the third party administrator of an employee's claim of injury within five working days of having knowledge and forwards a completed Form 5020 to them.

### Sources and Documentation

1. Form 5020
2. Interviews with Human Resources Division personnel
3. Interviews with Central Office personnel

### Findings

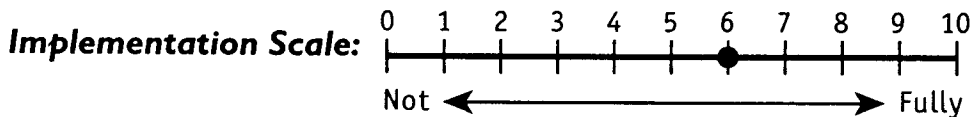
1. There was no way to verify whether or not the notification to the third party administrator, Claims Management Service, takes place within five days.

### Recommendations and Recovery Steps

Work closely with Claims Management Service to obtain appropriate details of district practices.

1. The claims administrator should provide a quarterly report that details by location claims that are being received beyond the five-day requirement.
2. Develop a written process to assist site and program managers who do not report in a timely manner.

### Standard Implemented: Partially



## 13.9 Employee Benefits/Workers' Compensation

### Professional Standard

The district's Workers' Compensation experiences and activities are reported periodically to the Superintendent's cabinet.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Materials provided to the Audit Team

### Findings

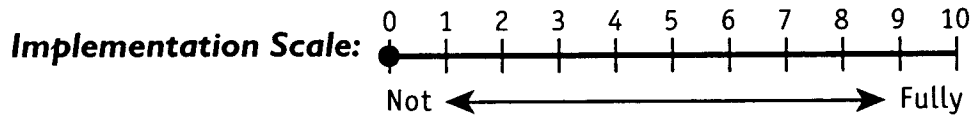
1. The Audit Team was not provided with any information that indicates there is a process in place to report workers' compensation experiences.

### Recommendations and Recovery Steps

There needs to be a greater awareness at the decision-making level of the nature and frequency of accidents through a reporting process to the Superintendent's Cabinet.

1. Develop a program that reviews the problem areas and develop corrective measures.
2. Make recommendations to the Superintendent's Cabinet for a districtwide program.

### Standard Implemented: Not



## 13.10 Employee Benefits/Workers' Compensation

### **Professional Standard**

The district does not pay temporary disability benefits during those times when an employee is in an extended nonpay status.

### **Sources and Documentation**

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel

### **Findings**

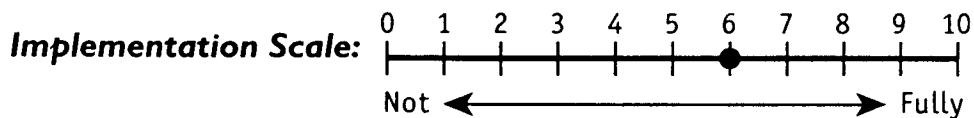
1. The district does not pay 10-month employees in a manner consistent with the Workers' Compensation regulations.
2. This office is applying correctly the temporary disability benefits as prescribed by law.

### **Recommendations and Recovery Steps**

Continue to monitor this process and take corrective action as needed.

1. Obtain a report from the claims administrator identifying the individuals who might have received temporary disability in an inappropriate manner.

### **Standard Implemented: Partially**





## 13.11 Employee Benefits/Workers' Compensation

### Professional Standard

The Workers' Compensation Unit maintains the California OSHA log for all work sites and a copy is posted at each work site during the month of February as required.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel
3. Monthly and annual Cal OSHA log form produced by the third party administrator
4. Memo regarding Distribution and Posting of district Compliance Policies dated October 7, 1999

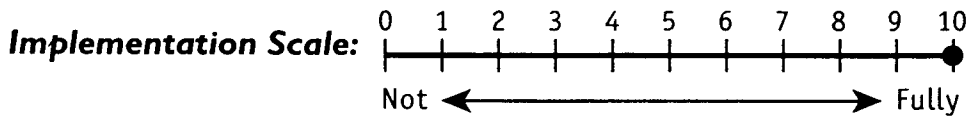
### Findings

1. The log is posted at all work sites during the month of February as required.

### Recommendations and Recovery Steps

Follow-up at the site level to be sure that the documents continue to be posted. To document compliance, the form needs to be returned to the site assuring that everything has been posted and using language similar to that in the October 7, 1999, memo, "Distribution and Posting of district Compliance Policies."

### Standard Implemented: Fully - Sustained



## 13.12 Employee Benefits/Workers' Compensation

### **Professional Standard**

The district has provided the third party administrator with a copy of all current job descriptions and updates them, if needed, quarterly.

### **Sources and Documentation**

1. Interviews of Human Resources Division personnel
2. Position descriptions

### **Findings**

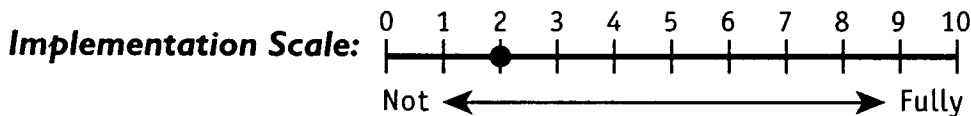
1. Ewing & Company recently has rewritten all position descriptions for classified jobs.
2. The new position descriptions are currently being negotiated with unions.
3. The new position descriptions address minimum qualifications, physical requirements, environment, and other legal compliance issues.

### **Recommendations and Recovery Steps**

Provide current job descriptions to third party administrator.

1. When the new position descriptions are negotiated and approved by the board, copies should be sent to the third party administrator.

### **Standard Implemented: Partially**



## 13.13 Employee Benefits/Workers' Compensation

### Professional Standard

The Workers' Compensation Unit is actively involved in providing injured workers with an opportunity to participate in a modified duty program.

### Sources and Documentation

1. Interviews with Human Resources Division personnel
2. Interviews with Central Office personnel

### Findings

1. A light duty, modified work program is not being effectively implemented.

### Recommendations and Recovery Steps

Adopt a formal program in the Workers' Compensation unit to provide injured workers with an opportunity to participate in a modified duty program.

### Standard Implemented: Not

