

Information Request * CAUSE * CFT # 2216
Carpinteria Association of Unified School Employees

7/1/2020

Superintendent Diane Rigby, Assistant Superintendent Maureen Fitzgerald, & Human Resource Director Diana Zapata
Carpinteria Unified School District
1400 Linden Ave
Carpinteria Ca 93013

Dear Ms. Rigby, Ms. Fitzgerald, & Ms. Zapata:

The Federation CAUSE #2216 requests the following information which is necessary and relevant to represent our members under EERA:

After conducting research into concerns associated with the frequency, process, and timelines associated with 2019-20 Classified evaluations (*as per Article 3 of the Classified CBA*) CAUSE leadership has been advised that several contractual violations appear to have occurred.

- . Whereas, 10.2 Each employee shall be given a copy of the evaluation form prepared by his/her supervisor. Copies of these reports shall be available only to the supervisor, the Assistant Superintendent-Business Services, the Personnel Department, the Superintendent, and the Board of Education and other members of the District management team.
- . Whereas, 10.4 Permanent employees shall be evaluated at least once a year by the end of the school year for 10-month employees and by the end of the last work day in June for 11-month and 12-month employees, and at other times as the supervisor, the Assistant Superintendent Business Services or the Superintendent may require evaluation of an individual, a class or all employees.
- . Whereas, 10.1 The District shall provide for at least an annual evaluation of all permanent employees in the District in achieving the standard of work performance required. Employees who receive not effective ratings on their Classified Employee Performance Appraisal (CEPA) must be provided prior written notice of the performance problem. The notice must specify the

improvement (areas), linked to the CEPA. If subsequently, the CEPA shows a “not effective” rating for the improvement area(s) specified in the prior written notice, the CEPA will include the following: (1) specific improvement needed; (2) the specific assistance/training that has been and/or will be provided to help the employee become effective,” and; (3) a reasonable time frame for the employee to become “effective.” The time frame will also specify a series of “feedback” meetings; so that the employee can understand his/her progress toward the specified improvement deadline. Written notice previously provided will be attached to the CEPA. If the identified problem is corrected, the Supervisor shall note the improvement and attach it to the CEPA. The CEPA shall be forwarded to Human Resources by the supervisor.

- . Whereas, the Union is compelled to remind the District of previous serious shortcomings in 2017-2018, while the responsibility for classified evaluations fell under Ms. Fitzgerald’s direct supervision. The Union needn’t remind the District of the harm and liabilities associated with errors in this area of administrative responsibility.
- . Whereas, CAUSE Leadership expects that the District, under the leadership of Superintendent Rigby, has learned from those significant errors of the past (*referenced above*).
- . Whereas, the Classified CBA contains the single collectively bargained summative evaluation document; APPENDIX D (page 54).

The Carpinteria Association of United School Employees has every hope that the data (requested below) will allow CAUSE to reconcile its concerns regarding contractual violations associated with employee evaluations.

The evaluation concerns, potentially violations as we understand them, currently fall into three categories:

1. the recording of evaluation marks/comments that failed to meet the criteria and provisions in Article 3.

2. evaluations processes that do not resemble the provisions and timelines in Article 3
3. evaluations that should have been conducted, but appear not to have been either completed and/or conducted at all.

In light of these concerns, the union now requests the following data and information.

I. Each “Summative Evaluation Form” for any Classified employee under the supervisory responsibility of either:

(A) Assistant Superintendent Fitzgerald (*Or any District administrators under her supervision; to include but not be limited to the Transportation Director, Maintenance & Custodial Director, Food-Service Director, Director of Pupil Services, Grounds, Etc.*)

...or...

(B) Human Resource Director Zapata (*Or any District administrators under her supervision; to include but not be limited to the Transportation Director, Maintenance & Custodial Director, Food-Service Director, Director of Pupil Services, Grounds, Etc.*)

II. To include:

a. ... the total number of Classified unit-**members entitled to the evaluation process in 2018-19 & 2019-20 school year** (*i.e.as defined by Article 3 of the Classified CBA*).

b. ... the total number of Classified unit-members **who participated in the formal evaluation process during the 2018-19 & 2019-20 school year** (*as defined by Article 3 of the Classified CBA*).

c. ... the total number of Classified unit-members **who completed the evaluation process, including the summative evaluation document (Appendix D of the Classified CBA) during the 2018-10 & 2019-2020 school year** (*i.e. as per Article 3 of the Classified CBA*).

d. ... the total number of employees **who participated in a portion of the evaluation process, but did not complete the evaluation process during the 2018-19 & 2019-2020 school year.** (*i.e as per Article 3 of the Classified CBA*).

e. ... the total number of employees **who received "Not Effective" evaluation marks during the 2019-20 school year.** (i.e. on Appendix D of the Classified CBA).

Union Leadership appreciates the District's effort to support CAUSE as we work together to ensure that said violations did not occur and can be reconciled with the Districts data. Please provide this information as soon as possible, but prior to the first School Board meeting July 14, 2020. Electronic delivery of information can be submitted directly to myself; jhotchner@cusd.net.

Respectfully Submitted,

j. Hotchner * CAUSE President * CFT # 2216



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