

**Memorandum of Understanding and Agreement**  
**By and Between**  
**State Center Community College District**  
**And**  
**Peace Officers' Association Bargaining Unit**

This non-precedent setting Memorandum of Understanding and Agreement ("MOU") is entered into by and between the State Center Community College District ("District") and the Peace Officers' Association Bargaining Unit ("Exclusive Representative" or "POA"). POA enters into this MOU as the Exclusive Representative for the bargaining unit of peace officers.

The District and POA reached agreement on a successor collective bargaining agreement on June 8, 2023, which was then ratified by the POA unit members on June 17, 2023 and approved by the Board of Trustees at its meeting on July 11, 2023. The parties signed a separate MOU to explore and evaluate the impact of classifying Sergeants as supervisory. Title 5 regulations were also adopted that made changes to the evaluation requirements for Police Officers and Sergeants which required the parties to review the evaluations process and instrument. The parties met several times between Fall 2023 and spring 2024 to discuss how to address both issues and June 18, 2024 the District presented a conceptual proposal to POA to address both matters. The parties discussed the conceptual proposal, made some minor modifications, and reached agreement in principal, and asked the District to memorialize agreement in a formal proposal for the parties to sign.

Therefore, the parties agree as follows:

- This Agreement shall amend the terms of the existing CBA only as provided herein, and in no other way modify, change, alter, diminish, or increase the existing terms or conditions of the CBA.
- Article 30 of the July 1, 2023-June 30, 2025 collective bargaining agreement between the District and POA will be modified as per the attached exhibit A.
- The POA evaluation instrument in the NeoEd Perform platform will be modified as per the attached exhibit B effective with evaluations for Police Officers and Police Sergeants that are due on or after November 1, 2024.
- The District will continue to work with NeoEd to formalize the workflow to include the Sergeants input for Police Officer evaluations into the system and until that workflow is finalized, Sergeants will be provided a fillable .pdf to complete and submit to the Lieutenant and the Human Resources Technician that will be uploaded into NeoEd as an attachment.

The parties agree that the terms of this MOU are non-precedential and will not constitute any waiver of any rights not specifically addressed in this agreement.

By affixing their signatures to this MOU, the parties acknowledge that the matters set forth are agreed. The signatories signify they are the authorized representatives of the parties to this MOU and that all actions necessary for the parties to ratify and accept this MOU as a binding and bilateral agreement will be completed in the manner required by each party or by the law.

This Agreement is made this 27 day of September in the year 2024 in the City of Fresno, County of Fresno, State of California.

**State Center Community College District**



Julianna D. Mosier, Vice Chancellor, HR

**Peace Officers' Association Bargaining Unit**

  
Robert Kifer (Sep 27, 2024 10:09 PDT)

Robert Kifer, POA President

## **EXHIBIT A**

### **Article 30 – Performance Evaluations**

- A) The Chief of Police, or their designee under whom the unit member has served for sixty (60) working days or more during any rating period (herein, the “Evaluator”), shall evaluate the unit member by means of a performance evaluation according to the procedures and schedules set forth in this article.
1. The performance evaluation shall be completed on forms prescribed by the District and may be in an electronic format. The District and POA shall meet to review changes to the performance evaluation criteria.
  2. Performance evaluations are not subject to the grievance article of this Agreement.
- B) Evaluation procedures for unit members in the Police Officer classification:
1. The Evaluator shall assign a Sergeant or Sergeants to complete an initial proposed performance evaluation of the unit member. The assigned Sergeant(s) shall in all cases be someone with direct knowledge of the unit member’s work performance.
  2. Upon receipt of the Sergeant’s proposed performance evaluation, the Evaluator shall review and make any such revisions as they deem appropriate.
  3. Upon completion of the performance evaluation, the Evaluator and the Sergeant(s) who prepared the initial draft shall meet with the unit member, present the performance evaluation, and give the unit member an opportunity to discuss it. The unit member shall then sign the performance evaluation at the time of the meeting to indicate receipt and shall be given a signed copy to keep.
  4. In the event a unit member is no longer supervised by the person preparing the performance evaluation, it may be delivered by mail or email.
- C) Evaluation procedure for unit members in the Sergeant classification:
1. The Evaluator shall complete the Sergeant’s performance evaluation.
  2. Upon completion of the performance evaluation, the Evaluator shall meet with the Sergeant, present the performance evaluation, and give the Sergeant an opportunity to discuss it. The Sergeant shall then sign the performance evaluation at the time of the meeting to indicate receipt and shall be given a signed copy to keep.
  3. In the event a Sergeant is no longer supervised by the person preparing the performance evaluation, it may be delivered by mail or email.
- D) The following schedule shall be followed for the completion of the performance evaluation:
1. For probationary unit members, at the end of the fifth and eleventh months of service.
  2. For all regular permanent unit members: at least once each year, based on the unit

member's anniversary date in their classification.

3. For any regular unit member, an evaluation may be completed at the time a critical incident (which beneficially or adversely affects the public service) occurs. Such a performance evaluation is considered a legitimate record of the District's continuing appraisal of its unit members.
  4. The unit member may request a follow up meeting to review the performance ratings with the Evaluator and Union representative if the performance evaluation states discipline is likely to occur. Such a review meeting shall be scheduled with the Evaluator in advance of a mutually acceptable time, but in no event beyond ten (10) working days.
  5. The unit member shall have the right to respond to any performance evaluation within thirty (30) calendar days of the date they received the performance evaluation or the date a review meeting was conducted pursuant to section 4 above.
  6. If the performance evaluation was completed after the unit member received a step or longevity increase, and the unit member received a less than "meets standards" overall rating, that increase will not be reversed. The unit member will not receive a future step or longevity increase until the unit member receives a "meets" or "exceeds" standards on a performance evaluation.
- E) When a unit member assumes the duties and responsibilities of a higher classification on a temporary basis for at least four (4) months, one or more performance evaluations may be completed for that period of time and will be retained in their personnel file.



**Direct Manager:**  
Gary Mejia

**Andrew Poundstone**

**Annual TEST-NEW POA Evaluation (due 10 / 12 / 2024)**

**Due Date: Sat, Oct 12, 2024**

## General Information

**Position**  
Police Officer

**Department**  
Campus Police

**Evaluation Type**  
Periodic

**Division**  
DO Operations

**Class Spec**  
Police Officer

## Ratings Summary : Gary Mejia

**Overall Rating**

Rater

Type

Overall Rating

**Gary Mejia**

Rater

## Content

Competency Section I Classified Rating

### Core Competencies

#### 1. Attendance and observance of work hours | POA

Is punctual, maintains a consistent attendance record, communicates promptly about any deviations, and follows Department Policies. Is available for additional shifts or coverage when needed. Receives authorization when time off is needed. Observes appropriate break schedules. (Do not include FMLA, PDL, CFRA or any protected leaves.)

Authority: Traditional Policing Skills

Rater & Rating

Comment

Gary Mejia

#### 2. Attitude (including acceptance of feedback and attitude toward police work) | POA

Displays a commitment to public service, ethical conduct, respect and empathy, problem-solving skills, adaptability, effective communication, teamwork, conflict resolution abilities, dedication to continuous learning and community engagement, as well as the capacity for self-reflection and emotional resilience. Demonstrates a commitment to upholding high ethical standards, fostering community trust, and effectively addressing the complex and dynamic challenges of the profession while continuously striving for personal and professional growth

Authority: Traditional Policing Skills

Rater & Rating

Comment

Gary Mejia

### 3. Communication (including the proper use of radios, mobile computers, law enforcement databases, etc.) | POA

Communicates clearly and concisely, actively listens, and uses appropriate non-verbal cues. Maintains composure during crises, shows empathy and compassion, resolves conflicts effectively, and demonstrates cultural sensitivity. Exhibits proficiency in report writing, teamwork communication, public relations, and technology use. Displays awareness in ensuring officers' and public safety, and maintaining the department's positive image. Keeps supervisor and coworkers appropriately informed.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59703

Rater & Rating	Comment
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Gary Mejia

### 4. Interpersonal skills | POA

Treats all individuals with respect and empathy, actively listens, communicates effectively, resolves conflicts, and exhibits cultural sensitivity. Demonstrates teamwork, de-escalation techniques, customer service, rapport building, and conflict management. Possesses the ability to foster trust within the community, defuse tense situations, and maintain a harmonious and cooperative work environment within the police department.

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

Competency Section I Classified Rating

### POA Competencies

### 5. Demonstrated/progress toward, DEIAA competencies/practices contributing to student success through respectful/equitable environment; ability to work & serve persons in diverse college environment.

Possesses a deep understanding of diverse backgrounds, cultures, and identities. Uses inclusive communication, and prioritizes equity and accessibility for all students. Actively engages in anti-racist practices, focusing on nurturing and supporting students. Displays skills in conflict resolution and mediation. Demonstrates collaboration with campus stakeholders. Displays knowledge of accessibility services, continuous learning, and seeks active feedback from students. Prioritizes student safety, community engagement, and fostering an inclusive, respectful, and equitable campus environment that contributes to student success while aligning with the diverse values and needs of the campus community.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) (5 CCR § 59704)

Rater & Rating	Comment
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Gary Mejia

## **6. Demonstrates a commitment to community policing, evidence-based policing practices | POA**

Actively engages with the community. Collaborates with students, faculty, staff and citizens to address crime and disorder problems. Demonstrates effective problem-solving abilities, active listening, empathy, and willingness to incorporate community input into policing strategies. Has the ability to build trust. Offers transparency, and has the ability to mediate conflicts within the community. Fosters a culture of partnership, and mutual respect. Engages in educational outreach, shares resources, and builds trust by consistently delivering on commitments. Is culturally sensitive and fosters partnerships with community organizations.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59702

Rater & Rating	Comment
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Gary Mejia

## **7. Demonstrates a guardian mindset, and fosters inclusive, anti-racist practices | POA**

Demonstrates consistent attendance and active engagement in training sessions. Demonstrates comprehension and applying the training content, by demonstrating cultural sensitivity, and actively challenging biases. Effectively uses conflict avoidance and de-escalation skills, applies community policing methods, and has a grasp of specialized campus-specific training.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) (5 CCR § 59704)

Rater & Rating	Comment
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Gary Mejia

## **8. Demonstrates command presences and de-escalation abilities | POA**

Possesses the ability to project confidence and authority, actively listening to individuals involved, and communicating effectively using verbal and non-verbal cues while demonstrating empathy and understanding. Conducts quick threat assessment in their de-escalation efforts, along with the use of conflict resolution skills and the prioritization of force as a last resort.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5)

Rater & Rating	Comment
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Gary Mejia

## **9. Demonstrates community interaction by participation in campus activities not involving a "police response" | POA**

Proactively attends events and activities, representing the department positively, and actively supporting the goals and values of the campus. Maintains awareness of safety concerns while promoting community building, engaging with students, and demonstrating conflict resolution skills. Models respectful interactions, adheres to campus policies, and actively supports campus safety and well-being initiatives. Gathers feedback and adapts their participation to meet campus community needs.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59703

Rater & Rating	Comment
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Gary Mejia

## 10. Demonstrates effective response, and decision-making under stress and non-stress conditions | POA

Remains composed and makes rational decisions under stress. Quickly assesses situations, prioritizes actions, and communicates clearly. Displays adaptability, adherence to use-of-force policies, legal and ethical judgment, and risk assessment. Participates in ongoing training and scenario-based learning, and after-action reviews Engages in self-care and stress management to maintain their mental and emotional well-being, ensuring their ability to perform optimally under pressure.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5)

Rater & Rating	Comment
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Gary Mejia

## 11. Demonstrates integrity, ethics, decision making and proper discretion | POA

Demonstrates commitment to honesty and ethical principles, legal compliance, impartiality, and fairness in interactions. Exercises discretion wisely, prioritizes de-escalation techniques, and is able to articulate the legal and ethical justifications for their actions. Deals with ethical dilemmas with integrity, upholding professionalism, and being transparent and accountable for their decisions.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5)

Rater & Rating	Comment
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Gary Mejia

## 12. Demonstrates officer safety, situational awareness, and workplace safety | POA

Demonstrates strict adherence to safety protocols, continuous situational awareness, and effective risk assessment. Prioritizes de-escalation techniques, reasonable use of force, stress management, and ongoing training to ensure safety in high-pressure situations. Displays professional ethical behavior and reports safety concerns promptly, fostering a positive and respectful work environment.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59703

Rater & Rating	Comment
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Gary Mejia

## 13. Effective use and maintenance of all issued weapons | POA

Demonstrates proficiency in the use and maintenance of all assigned weaponry, including both lethal (e.g. Pistol, Rifle, Shotgun) and less-lethal (e.g. Taser, Pepper Spray, Soft Projectiles, Baton, Flashbang, etc.) options. Ensures proper handling, adherence to safety protocols, routine maintenance, and timely reporting of malfunctions or deficiencies.

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

#### 14. Identifies problems and collaborates to solve them | POA

Displays the ability to identify and define problems accurately, gather and analyze relevant data, and apply critical thinking. Effectively collaborates with colleagues, community members, and stakeholders to pool resources and develop innovative, lawful, and ethical solutions to problems.

Authority: Community-Oriented Policing (Title 5)

Rater & Rating	Comment
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Gary Mejia

#### 15. Investigative skills and report writing | POA

Displays the ability to conduct thorough, detail-oriented investigations, apply analytical thinking, handle evidence properly, conduct interviews and interrogations within legal guidelines, demonstrate knowledge of relevant laws, and produce clear and accurate reports. Demonstrates effective time management, collaboration, adaptability, ethical conduct, and testimony preparation.

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

#### 16. Judgment and initiative | POA

Makes sound decisions through critical thinking, risk assessment, and ethical considerations. Exhibits problem-solving skills, takes proactive measures to address issues, and communicates decisions effectively while prioritizing non-violent de-escalation techniques when appropriate. Demonstrates adaptability, practical application of legal knowledge, situational awareness, feedback incorporation, and teamwork

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

#### 17. Knowledge and compliance with federal and state laws, criminal statutes, case law, district and department policies and procedures | POA

Demonstrates a depth of legal knowledge, thorough understanding of District and departmental policies and procedures, and commitment to ethical conduct. Engages in ongoing education to stay updated on laws and regulations. Communicates legal matters clearly and maintains accurate records of their actions. Upholds and respects constitutional rights, adhering to use-of-force standards and guidelines, understanding search and seizure laws, handling evidence correctly, and demonstrating professionalism are all integral components of proper behavior.

Authority: Traditional Policing Skills 5 CCR § 59703 and 5 CCR § 59704

Rater & Rating	Comment
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Gary Mejia



### 18. Knowledge of work and job skill level | POA

Displays a comprehensive understanding of legal frameworks, strict adherence to departmental policies, proficiency in crime investigation, technical equipment usage, and understanding of use-of-force protocols. Demonstrates proper emergency response capabilities, community policing principles, communication skills, problem-solving abilities, and pursues continuous education . Has the knowledge, skills and abilities to effectively perform their duties.

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

### 19. Observes the rules of the road and demonstrates proper driving skills | POA

Adheres to traffic laws, including defensive driving techniques and emergency vehicle operation. Follows proper pursuit protocols, transports firearms safely , maintains and reports vehicle issues promptly, and communicate effectively during emergencies. Displays safe parking. Avoids distracted driving, and displays risk mitigation.

Authority: Traditional Policing Skills

Rater & Rating	Comment
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Gary Mejia

### 20. Participation in regular training relating to methods of community policing, anti-bias, cultural responsibility, conflict avoidance, de-escalation, and policing on a community college campus | POA

Demonstrates consistent attendance and active engagement in training sessions. Demonstrates comprehension and applying the training content, by demonstrating cultural sensitivity, and actively challenging biases. Effectively uses conflict avoidance and de-escalation skills, applies community policing methods, and has a grasp of specialized campus-specific training.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59702

Rater & Rating	Comment
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Gary Mejia

### 21. Professional Appearance and Wellness | POA

Complies with departmental appearance standards and grooming, maintenance of physical fitness, prioritization of overall health and mental well-being, compliance with drug and alcohol policies, and commitment to injury prevention. Presents a positive image within the community and the department.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59703

Rater & Rating	Comment
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Gary Mejia

## 22. Proper operation, care and maintenance of assigned equipment | POA

Demonstrates proficiency in equipment operation, adherence to safety protocols, routine maintenance, record-keeping, and timely reporting of deficiencies. Complies with the proper storage of equipment, undergoes thorough training, and demonstrates ethical behavior in equipment management. Displays resource conservation, ensures emergency equipment readiness, fosters effective communication and promotes a sense of ownership.

Authority: Traditional Policing Skills

Rater & Rating

Comment

Gary Mejia

## 23. Teamwork | POA

Demonstrates the ability to collaborate effectively with colleagues, campus community, and other agencies, communicate clearly, and understand their roles within the team. Displays respect, conflict resolution skills, adaptability, and accountability, all within a positive and inclusive team environment. Demonstrates leadership when necessary and recognizes the value of followership, engages in collaborative problem-solving, and appreciates the diversity of their team.

Authority: Traditional Policing Skills and Community-Oriented Policing (Title 5) 5 CCR § 59703

Rater & Rating

Comment

Gary Mejia

Narrative Section | Text Only

### Narratives

**Expansion of STRENGTHS and SUPERIOR performance of already listed competencies. If not applicable, please enter N/A.**

Rater

Comment

Gary Mejia

**Expansion of specific work performance DEFICIENCIES or job behavior requiring improvement or correction already listed. If not applicable, please enter N/A**

Rater

Comment

Gary Mejia

Goal Section | Classified Rating

### Progress Achieved

No items to display

### Future Goals

Items will be added during rating step

Evaluation Overall Section I Classified Rating

### Overall Rating

### Process

1

Attach Prior Year's Goals to Current  
Evaluation  
**Gary Mejia**

x \_\_\_\_\_

2

Rater  
**Gary Mejia**

3

Approval & Signature  
**Jose Flores**

x \_\_\_\_\_

4

Approval & Signature  
**Gary Mejia**

x \_\_\_\_\_

5

Confirm Evaluation was Reviewed  
with Employee  
**Gary Mejia**

6

Signature  
**Andrew Poundstone**

x \_\_\_\_\_

6

Approval  
**Human Resources (Classified  
HR Technician)**