DAA CEO EVALUATION WITH DISCIPLINARY ACTION & TERMINATION

The CEO may be terminated for several reasons, but the process will fall into two categories:

1. Administrative Time Off (ATO) – will not continue to work

2. Non-Performance (NP) - continue to work but be monitored closely

The Board Chair and/or Executive Committee shall contact F&E if the board has concerns and is considering pursuing disciplinary action/termination of the CEO. This process takes a minimum of three (3) months.

The Board Chair should be reviewing, approving, and signing the CEO's Monthly Timesheets, and checking against the Leave Balance Tracking Sheet and confirming that any leave requests are recorded on the monthly timesheets and leave balance tracking sheets.

The Fair Board shall be keeping records of leave balances, all timesheets, signed policies, and training certificates in a locked drawer or be send to CDFA HR for the CEO's OPF file.

Step 1: Board will conduct the CEO evaluation utilizing the duty statement and strategic plan to establish expectations (ATO;NP).

- If expectations are not being met, please contact CDFA HR and/or F&E to discuss progressive discipline.
- If the CEO is conducting business that is not ethical or legal, the CEO could be placed on ATO (Administrative Times off) by the board.
- The ATO may be from five (5) working days (Gov. Code 19991.10) to thirty (30) days.

Step 2: Request twelve (12) days prior to the board meeting, a CEO evaluation is agendized (ATO; NP).

- Twelve (12) days prior to the board meeting, the Board Chair and/or Vice Chair will send a letter to the CEO requesting whether the CEO chooses to have their evaluation in open or closed session.
- 24-Hours prior to the agenda being posted, the CEO must respond, in writing, to the Board Chair, indicating whether they are choosing for their evaluation to be held during the open or closed session.

Step 3: Agendize the CEO evaluation (ATO; NP).

- The Board Chair should be working with the DAAs CDFA HR CAU Analyst and CDFA Legal and/or F&E on how to proceed.
- Based on the decision of the CEO, the evaluation must be agendized and posted on the internet a minimum of ten (10) days prior to the meeting.

Step 4: The Board will present the CEO with the prior evaluations (ATO; NP).

- If the meeting is conducted in a closed session, the Board Chair would take meeting minutes. The board should first deliberate then call the CEO into the closed session meeting. F&E will not be present in these closed session meetings. The board must then reconvene into open session and discuss what action was taken (i.e. CEO has been given goals and objectives to meet for the next month to three (3) months).
- If the meeting is in an open session, the board shall deliberate and discuss with the CEO how they are not meeting the goals and objectives of the board.

Step 5 (ATO): Board will place the CEO on ATO.

- The Board Chair should receive the passwords, keys, cell phone, bank accounts, and status of items from the CEO prior to leaving the premise.

Step 5 (NP): Board will set upcoming expectations

- The board will deliberate and discuss how the CEO is not meeting the expectations of their duty statement, evaluations, and/or strategic plan.
- The board will establish short term goals for the CEO to meet. At each month's board meeting (1 month – 3 months), the board may meet in closed session to discuss that progress.

Step 6 (ATO): After the CEO is on ATO per the board's determined timeframe, the Board Chair will process the final pay – out.

- The CEO's final payment for termination must be received within a max of 72 hours from their last date.
- The Board Chair should obtain all passwords, accounts, and login information from the CEO. (Reference CEO Separation Checklist for the next steps).

Step 6 (NP): If expectations are not being met within the first month, contact CDFA HR.

- Once the board can determine that the CEO is not meeting the shorter-term goals and objectives, the Board Chair and/or Vice Chair shall reach out to CDFA HR and/or F&E and discuss the next options for progressive discipline.
- During the months following the first major discussion, the Board Chair should be documented in writing, all issues, points of conflict, and how the CEO is not meeting goals and objectives.

Step 7: Once the Board has selected a final date for the CEO, the Board Chair should contact CFSA and/or CDFA HR to request a final pay-out to be calculated (ATO; NP).

- The final payment for termination must be received by the CEO within a **max of 72 hours**, once the board votes to terminate the CEO. The check can be sent via **Certified Mail**.
- For resignations, the final pay check must be received by the CEO **within 48 hours**.
- Reference the [CEO Separation Checklist](#) for action items.

NON-CFSA User Final Payment Calculation (ATO; NP)

- CDFA HR will request [timesheets](#) and the updated [leave balance tracking sheet](#) for the CEO.
- THE CDFA CAU analyst and management team will calculate the final pay out amount based on the date the check is delivered to the CEO.
- Once the amount is determined the board must cut a check and have available to the CEO.
- If the CEO will not be at the board meeting when they are terminated, and it is recorded and voted on by the board, the CEO's final check must be mailed with a tracking number to the CEO.

CFSA User Final Payment Calculation (ATO; NP)

- CDFA HR will request [timesheet](#) and the updated lave balance tracking sheet for the CEO.
- The CDFA CAU Analyst and management team will calculate the final pay out amount based on the date the check is delivered.
- CFSA will calculate the final pay check and submit the check or have it available for pickup to provide to the CEO on their last day. Once the amount is determined the board must cut a check and have available to the CEO.
- If the CEO will not be at the board meeting when they are terminated, and it is recorded and voted on by the board, the CEO's final check must be mailed with a tracking number to the CEO.