

**San Dieguito Union High School District
PERSONNEL COMMISSION**

Regular Meeting Minutes

3:30 PM, July 14, 2020
Virtual Meeting

REGULAR MEETING/OPEN SESSION

1. CALL TO ORDER

The meeting was called to order at 3:42 p.m. by JUSTIN CUNNINGHAM

2. PLEDGE OF ALLEGIANCE

Commissioner Cunningham led the pledge of allegiance.

Commissioners in Attendance

John Baird
Jeff Charles
Justin Cunningham

Staff in Attendance

Susan Dixon, Director
Barbara Bass, Human Resources Analyst
Kathy Potter, Human Resources Technician

Guests

April Llamas
Tina Peterson

3. APPROVAL OF THE AGENDA FOR THE July 14, 2020, PERSONNEL COMMISSION REGULAR MEETING.

It was moved by JOHN BAIRD, seconded by JEFF CHARLES, to approve the agenda for the July 14, 2020, Personnel Commission Regular Meeting.

Commissioner Baird stated he would like to read provisions from the Brown Act during the Public Comments portion of the meeting.

John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

4. APPROVAL OF THE MINUTES FOR THE June 9, 2020, PERSONNEL COMMISSION REGULAR MEETING.

The original motion was amended after discussion. It was moved by JEFF CHARLES, seconded by JOHN BAIRD, to approve the minutes, with correction of misspelled words in Item 6, for the June 9, 2020, Personnel Commission Regular Meeting.

John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

ACTION ITEMS

5. ELIGIBILITY LISTS TO BE APPROVED

- A. It was moved by JOHN BAIRD, seconded by JEFF CHARLES, to approve an Eligibility List for Registrar, SR 40, Open/Promotional, effective 6/08/20.
Director Dixon explained that restrictions in the ability to test candidates prompted her to move forward with testing just the “Promotional” candidates via a virtual Qualifications Appraisal Interview (the rank on the Open list is an employee serving initial probation so that individual does not meet the promotional criteria). As six promotional candidates successfully completed the exam and no additional vacancies in the classification are anticipated, she suggested that external candidates be notified that due to the limitations as a result of COVID-19 we are unable to qualify them for this eligibility list. Commissioner Baird agreed with the suggestion as well as stating that the Ed Code favors promotional opportunities in a merit system. Director Dixon explained the process for determining how a recruitment is posted such as looking at the data from previous postings to see how many internal candidates applied and successfully completed the exam components. In the case of Registrar, there was hope we would have a minimum of three internals based on past experience but some factors (e.g. current vacancy is a split assignment) led to uncertainty so it was posted open as well so external candidates could be considered if there were fewer than three internal candidates. Erring on the side of caution avoids having to repost which would delay filling the position. Commissioner Charles reiterated Baird’s comment about the importance of providing promotional opportunities for current employees as well as recognizing the need to fill positions in a timely manner. He asked that the process be formalized if it’s not already. In addition, he asked if there could be an additional column on the eligibility list indicating the “source” of the candidate when there are not distinct lists. Commissioner Cunningham acknowledged the value of filling positions with promotional candidates when all other things are equal but when you don’t cast a wide net it’s not necessarily in the best interest of the District. Dixon reminded the commissioners that internal applicants receive up to five preference points based on years of service which also elevates them on the list. Dixon made the suggestion again that for this particular list, due to current challenges and a solid promotional list, the commission approve the list as presented rather than testing external candidates. Commissioner Baird agreed, then reiterated the importance of promoting employees and asked about the practice of rounding scores to the nearest whole number since he sees ties as problematic. Dixon explained that based on the wording of the EdCode, there isn’t an option to waive this practice. Baird suggested that CSEA might want to try to change the Ed Code legislatively since it is a source of complaints. The commissioners then provided direction to notify external candidates that we are unable to qualify them for inclusion on this list. This is an ad-hoc decision based on circumstances.

John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

- B. The original motion was modified after discussion. It was moved by JEFF CHARLES, seconded by JOHN BAIRD, to extend the eligibility list for School Plant Supervisor-HS from 4/23/20 to 8/11/20 with an appropriate footnote of circumstance and remove the word “reestablish”.
The commission discussed and agreed that given the unique circumstances and limitations of testing candidates as a result of COVID-19, this list could be extended to fill the existing vacancy.

John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

6. ELIGIBILITY LISTS TO BE ESTABLISHED

- A. It was moved by JOHN BAIRD, seconded by JEFF CHARLES, to establish an Eligibility List for Theater Technician, SR 41, Open/Promotional-Dual Certification, six months eligibility. (Anticipated vacancy)
Director Dixon explained the reason for the term anticipated; decisions to move forward with staffing may be affected by the District’s ability to conduct in-person instruction. To be fair to applicants, the

commission requested that the posting be clear as to its status as anticipated. Commissioner Charles asked for clarification as to what makes a position vacancy anticipated. Dixon also explained that due to remote testing of candidates, it could take longer to establish eligibility lists so getting an advanced start will help ensure positions will be filled once approved.

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

- B. It was moved by JEFF CHARLES, seconded by JOHN BAIRD, to establish an Eligibility List for Skilled Maintenance Worker, SR49, Open/Promotional-Dual Certification, six months eligibility.

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

- C. It was moved by JOHN BAIRD, seconded by JEFF CHARLES, to establish an Eligibility List for Student Health Care Specialist, SR36, Open/Promotional-Dual Certification, six months eligibility.

(Anticipated vacancy)

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

- D. It was moved by JEFF CHARLES, seconded by JOHN BAIRD, to establish an Eligibility List for Grounds Maintenance Worker II, SR39 Open/Promotional-Dual Certification, six months eligibility.

(Anticipated vacancy)

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

- E. It was moved by JOHN BAIRD, seconded by JEFF CHARLES, to establish an Eligibility List for Grounds Maintenance Equipment Operator, SR41, Open/Promotional-Dual Certification, six months eligibility. (Anticipated vacancy)

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

DISCUSSION/INFORMATION ITEMS (See Supplements)

7. RECORDING PERSONNEL COMMISSION MEETINGS

Director Dixon provided an overview of the events leading to this item and what had been discussed to date and then turned it over to the commissioners for discussion and direction. Commissioner Baird stated that in a discussion with April they talked about posting the meeting in a way for the employees only to view. Commissioner Charles cautioned against limiting access to just employees; if it's available for one group it seems to need to be available to all. He further commented that the virtual meetings haven't generated an increase in attendees but acknowledged the concern of the employee who stated that some employees may not be available at the time of the meeting. Commissioner Baird asked about the technology available to record Zoom and post the meetings. Commissioner Charles responded that it could be done and that even in future meetings, in person, we could conduct meetings with Zoom as an option in the Board Room provided we worked out a few details. Director Dixon stated we would need to address the issue of losing anonymity of attendees or find a workaround. Commissioner Charles provided technical expertise on this issue. Commissioner Baird asked about polling employees to see how many are interested in having it posted. Commissioner Charles commented on the option of surveying employees but wasn't sure if that option was necessary. Commissioner Cunningham

suggested an alternative option because of his experience with individuals using recordings as their own political agendas. If someone is really interested in the content of the meeting that's one thing but to have it posted to the website for the sake of posting it is not something he would support. Commissioner Charles suggested streamlining a process to make the audio available as a first step. Director Dixon stated that she can add to the agenda that is posted and emailed a statement that an audio file can be requested. Commissioner Charles explained we would need to inform attendees at the start of the meeting that they are being recorded. The commissioners requested a draft of the modified agenda to be included in the next meeting.

8. ANNUAL REPORT 2019-2020

Director Dixon commented that the ANNUAL REPORT 2019-2020 is a Barbara Bass production. Commissioner Charles stated the report looked great and he noticed an increase in the number of applicants and candidates over the past year. Dixon said that the increased volume impacts Kathy and Barbara more than her and appreciates the commissions' recognition. Commissioner Cunningham commended the team.

9. STAFF COMMENTS ON PERSONNEL ACTIVITIES

- A. Vacancy Report – *Classified Personnel is filling vacancies and moving forward as noted.*
- B. Personnel List Report – *This was discussed during the Annual Report. Commissioner Baird commented he thinks the terminology used should state "retirement", rather than "resignation for the purpose of retirement". Commissioner Charles speculated that it is done this way to give a nod to those who are leaving to retire. Some confusion was created by the difference in terminology between this report and the annual report so clarification of headings was provided. Differences in meaning between resigning, termination and retirement were discussed.*
- C. Other – *Director Dixon commented how classified employees are producing work despite challenges. She further acknowledged all the work Tina Peterson is currently juggling and commended her on a really good job. PC staff is continuing to research options for remote testing (e.g. attended statewide meeting) and Eskills continues to look the most favorable. Commissioner Charles reiterated the efforts of all classified employees who are making adjustments to get work done.*

10. CORRESPONDENCE – None.

11. PUBLIC COMMENTS

The Public Comments Section of the meeting provides the opportunity for individuals to address items that are not on the agenda. In accordance with the Brown Act, Personnel Commissioners may not engage in a discussion of non-agenda items or issues raised during public comments except to 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

Commissioner Baird stated his concern that this statement is inaccurate. He read from the Brown Act and stated that it needs to be corrected. Reference was Govt Code 54954.2 3.a., 54954.3. Commissioner Charles asked about a legal opinion. Director Dixon shared her belief that we do give the public the option to address the legislative body because we hear them before the item because they can speak at the time of the item not just at the end during Public Comments. She asked if we should move the Public Comments for non-agenda items to the beginning of the meeting. Commissioner Cunningham informed the group that there are agencies that have "Public Comment" listed on each agenda item. It was agreed by the commissioners that the Director would draft a revised agenda for discussion at the next meeting prior to legal review. Commissioner Cunningham clarified his belief that the public can request that an item be placed on a future agenda but they can't pull the legislative body into a discussion for something that's not on that agenda; however, the public can make a statement about a non-agenda item. Commissioner Baird stated he is in disagreement with that statement.

A. California School Employees Association-April Llamas thanked the commission for acknowledging all the work being performed by Classified employees, especially during this time of unpredictability for the

coming school year. Eighteen classified employees are part of the reopening work groups. Her goal is to make sure that members are protected, they're safe at work, and they can count on their jobs.

B. San Dieguito Union High School District- Director Dixon reiterated how much Tina Peterson has going on right now to support the District.

C. Public-Commissioner Cunningham asked those in attendance if they had any comments and Director Dixon checked her emails once again to see if anyone wanted to comment. None.

12. NEXT PERSONNEL COMMISSION MEETING

The next regular meeting of the Personnel Commission is scheduled for Tuesday, August 11, 2020, at 3:30 P.M. at San Dieguito UHSD office, 710 Encinitas Boulevard, Encinitas, CA 92024. Please note, this meeting may be conducted as a virtual meeting if necessary

13. ADJOURNMENT – 6:24 PM