

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

Regular Meeting Minutes

3:30 PM, May 10, 2022
Virtual Meeting

REGULAR MEETING/OPEN SESSION

1. CALL TO ORDER

The meeting was called to order at 3:32 p.m. by Commission Chair JOHN BAIRD

2. PLEDGE OF ALLEGIANCE

Commissioner Baird led the pledge of allegiance.

Personnel Commissioners in Attendance

John Baird
Jeff Charles
Justin Cunningham

Personnel Commission Staff in Attendance

Susan Dixon, Director
Jennifer Laity, Human Resources Technician

3. APPROVAL OF THE AGENDA FOR THE May 10, 2022, PERSONNEL COMMISSION
REGULAR MEETING.

Public Comments-None

It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve the agenda for the May 10, 2022, Personnel Commission Regular Meeting.

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

4. APPROVAL OF THE MINUTES OF THE April 12, 2022, PERSONNEL COMMISSION
SPECIAL MEETING.

Public Comments-None

It was moved by JOHN BAIRD, seconded by JUSTIN CUNNINGHAM, to approve the minutes of the April 12, 2022, Personnel Commission Special Meeting.

John Baird-Aye
Jeff Charles-Abstain (did not attend the 4/12/22 meeting)
Justin Cunningham-Aye
Passed with two Ayes

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of the commission or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code §54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of the commission or its staff may ask a question for clarification, make a brief

announcement, or make a brief report on his or her own activities. Furthermore, a member of the commission, or the body itself, subject to rules or procedures of the commission, may provide a reference to staff or other resources for factual information, request staff to report back to the commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda. Public comments shall be limited to three minutes per individual. A total of fifteen minutes shall be allotted per item.

- A. California School Employees Association-None
- B. San Dieguito Union High School District-Associate Superintendent, Olga West, shared that the district and CSEA had settled negotiations and the updated contract would be presented at the 5/19/22 board meeting.
- C. Public –None.

ACTION ITEMS-(See Supplements)

6. ELIGIBILITY LISTS TO BE RATIFIED/APPROVED

Public Comments-None

- A. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve an Eligibility List for Accounting Assistant-ASB, SR 40, Open/Promotional-Dual certification, effective 4/12/22, individual eligibility valid for six months.
John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

- B. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve an Eligibility List for Administrative Assistant II, SR 40, Open/Promotional, effective 4/12/22, eligibility valid for six months.
John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

- C. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve an Eligibility List for Theater Technician, SR 41, Open/Promotional-Dual Certification, effective 4/12/22, eligibility valid for six months.
John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye
Passed with three Ayes

- D. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve a Continuous Filing Eligibility List for Instructional Assistant Special Education –Behavior Intervention, SR 36, Open/Promotional, updated 4/25/22, individual eligibility valid for six months.
John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye

Passed with three Ayes

- E. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve a Continuous Filing Eligibility List for Instructional Assistant Special Education, SR 34, Open/Promotional-Dual Certification, updated 4/25/22, individual eligibility valid for six months.

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

- F. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve a Continuous Filing Eligibility List for Instructional/Personal Care Assistant, SR 37, Open/Promotional, updated 4/25/22, individual eligibility valid for six months.

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

- G. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve an Eligibility List for Executive Assistant (Confidential), SR 1, Open/Promotional-Dual Certification, effective 4/26/22, eligibility valid for six months.

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

Commissioner Baird shared Education Code 45272 stating that confidential employees do not accrue seniority and was concerned if people were aware of that. Baird then read the code which explains that the board may elect to exempt certain executive secretarial positions which includes a provision that they would not achieve permanency in the classification. Director Dixon explained that the only position that has been exempted from the merit system since she has been in the district is the current Assistant to the Board and Superintendent (formerly Executive Assistant to the Superintendent). This Executive Assistant assignment follows the merit system provisions including permanency.

- H. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to approve a Continuous Filing Eligibility List for Custodian, SR 32, Open/Promotional-Dual Certification, updated 4/27/22, individual eligibility valid for six months.

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

- I. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve a Continuous Filing Eligibility List for Nutrition Services Assistant I, SR 25, Open/Promotional-Dual Certification, updated 5/02/22, individual eligibility valid for six months.

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

7. ELIGIBITLY LISTS TO BE ESTABLISHED/RECRUITMENTS POSTED

Public Comments-None

- A. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to establish a six month Eligibility List for Administrative Assistant IV, SR44, Open/Promotional-Dual Certification.

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

- B. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to establish a six-month eligibility list for Secretary, SR 36, Open/Promotional-Dual Certification.

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

8. ASSEMBLY BILL 361

Public Comments- None

AB 361 provides an option to potentially extend the ability to conduct virtual public meetings. The bill specifies that if a legislative body would like to meet remotely, it must determine, by majority vote, whether as a result of the state of emergency, meeting in person would present imminent risks to the health or safety of attendees. The extension is in effect until January 1, 2024. If a legislative body votes to continue virtual meetings, it can only do so as long as the state of emergency remains active or state or local officials continue to impose or recommend measures to promote social distancing. Furthermore, the legislative body is required to place an item on their agenda each month to vote to continue holding meetings virtually.

- A. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to hold Personnel Commission meetings scheduled in the next 30 days, virtually.

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

- B. It was moved by _____, seconded by _____, to hold a special meeting of the Personnel Commission on a mutually agreed upon date. An agenda item at this meeting would be to possibly announce the June 14, 2022 Regular Meeting as virtual since that meeting date exceeds 30 days from today.

This motion was modified as follows: It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to hold a special meeting of the Personnel Commission on May 24, 2022, at 3:30 P.M.

John Baird-Aye
Jeff Charles-Aye
Justin Cunningham-Aye

Passed with three Ayes

9. 2022-2023 PROPOSED PERSONNEL COMMISSION BUDGET APPROVAL

- A. Open Public Hearing-Commissioner Baird opened the public hearing at 4:04 P.M.
- B. Call for Public Comment-No Public Comments. Commissioner Baird asked whether they could amend the budget. Given the overwhelming workload of PC commission staff, he would like to add short-term employment positions to help with tasks such as substitute calling. Director Dixon stated she did not believe that would be necessary. She is optimistic that the assignment of substitutes will transition back to the operation's staff. All employees in the district are busy now. Now that the AP Test Proctor recruiting/processing is complete and summer is approaching, she is hoping there will be a break in the volume of substitute work overall.
- C. Close Public Comment-Commissioner Baird closed at 4:22 P.M.
- D. It was moved by JEFF CHARLES, seconded by JUSTIN CUNNINGHAM, to approve the 2022-2023 Personnel Commission Budget as proposed.

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

10. CLASSIFICATION REVIEW

Administrative Assistant II-Special Education

Public Comments: See below

- A. It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to reclassify a vacant position in the Special Education Department from Administrative Assistant II (R40) to Information Systems Support Technician (R44).

This motion was amended as follows: It was moved by JUSTIN CUNNINGHAM, seconded by JEFF CHARLES, to direct Susan to bring this item back to the 5/24/22 special meeting after contacting the Classification Advisory Committee for their views.

John Baird-Aye

Jeff Charles-Aye

Justin Cunningham-Aye

Passed with three Ayes

Commissioner Baird asked Director Dixon if she had received any requests for public comments. She stated she had not. Commissioner Baird stated he received requests from Wayne and Carmen.

Wayne Baldwin: This is one they have had concern over and discussed with their executive board. It appears they have been trying to reclass for a couple years. We have one girl who has been working for years and has recently gone out on IA from this position and once she goes out they're going to all of a sudden change it from a 40 to a 44. It seems very timely. We're not sure why now. We're hoping we can get a solid explanation for the reason since they've been asking for a reclass which has been denied. It sounds like it's going to be the same job they were doing as an Admin Assistant II.

Dixon replied that this change is not replacing the assignment of someone who is currently out right now. This is to replace someone who has resigned. The special education department has had two Administrative Assistant IIs and those individuals performed a combination of admin assistant support duties up to and including working in a database and producing some reports. At this time, with a vacant position, the director is looking at organizing the duties in

such a way that one of those two be the person who oversees and is in charge of the data, the accuracy of the data and the data reporting. The other office individual will do duties that are consistent with Administrative Assistant II, supporting the administrators, working with files, calendaring, things of that nature. The director and other administrators currently work a lot with the SEIS system and the reporting and the goal is to employ someone with that specific skill set who will be able to serve as the expert in the department on the student data and ensuring the data is accurate and the reports are produced. Dixon explained in terms of the timing, an administrative assistant resigned eight or nine weeks ago, a requisition came in to replace, it went through the approval process and the district determined that only one administrative assistant was needed and the other vacancy could be used to staff an Information Systems Support Technician.

Carmen Blum stated she works in the department and could see for quite a while that the two positions needed to be looked at and it's been the case where these two positions have been working with the platforms of SEIS, CalPADS and Aeries. The two who work as Information Systems Support Technicians work with the two systems of AERIES and CalPADS. These positions, on top of that, have to do SEIS specific to special education. She feels that if we have an increase of requirements and state reports and everything and we have been operating with two people doing this why do we want to go to one only? The other question she had is how it came about going to the commission without going to the CAC and also without having the job description attached here. She pointed out there was no voting from the CAC and there's a statement that says changes to classification of vacant positions have historically not been discussed with the CAC. Why? She's been in the meetings for the Personnel Commission for almost 10 years and asked Dixon what was meant by that. She read in the CSPCA the reclassification is removal of positions from one class into placement of another as a result of the gradual accretion of duties, stating this is what we have here. Dixon responded, Tiffany is limited to two office support individuals. She can't give up both Admin Assistants. The program needs someone to perform those duties and in discussing the division of work, right now you have 80 hours a week of work assignments and she feels she can assign 40 hours of admin assistant duties to the existing employee and the information systems, the SEIS and the data reporting, and managing and manipulating the data to produce a really wide variety of complex reports, that that's the other 40 hours. Tiffany feels like having one of each at this time is a model that would work for special ed. Dixon further explained that in terms of gradual accretion, the individuals who have been working as admin assistants, from the last conversations she had, were not performing the full scope of this Information Systems Support Technician. This particular role will be responsible for all of the data. It will allow Tiffany to focus more on her administrator role and the coordinator to focus on their role and not have to do a number of the reports. This person will also provide direct training to individuals who use the SEIS system so it's going to be a dedicated role, it's not going to be someone who does a combination of duties across admin assistant and supporting SEIS. It's going to be a stand-alone data systems information systems position. The individual who is hired in this role will be doing higher-level tasks and tasks that haven't currently been being performed by people who are currently in the department. Dixon then referenced the history part of Ms. Blum's question by stating that when she started working here seven years ago, the commission advised her that the commission in this district didn't weigh in whether a vacant position remains staffed as is or upward or downward. The approval of the change is inherent in when we do the job posting and we go to establish the eligibility list. The reason it's coming to the Personnel Commission now is largely to correct processes and systems. It was late last week that she was advised the change should be routed through the Personnel

Commission and typically everything that goes to the commission goes through the CAC but everyone said this needed to be done ASAP so she surveyed the CAC and spoke with Wayne over the phone about the need for the change. Dixon summarized that the extent to which the student data, the integration, the reporting, the mandates, the complexity, having a single person solely responsible for that rather than having it distributed across multiple desks, with a vacant position sometimes that's when a reorganization of duties is looked at. It seemed like a good time to make a transition and have a stand-alone expert on the data reporting, somebody who will be tested to make sure they are proficient in a database, have the knowledge and ability to pull reports, manipulate data, show it in the way it needs to be displayed. Commissioner Baird reiterated his concerns about this whole process. He has had conversations with people about this and it's his understanding that the two individuals in those positions had been asking for reclassifications for a long time and he becomes very suspicious when he sees something like this happen where the people who have been asking for a reclass forever they keep getting denied or there's no action on it. The Education Code (and Personnel Commission Rules & Regulations) is very clear on this, if there has been a gradual accretion of duties that you should be the one that's reclassified in that position. Baird also expressed concern about not taking it to the CAC; Education Code 45260 and 61 say that the commission should notify the union of items that are negotiable and this is clearly a negotiable item. A reclassification of a position under Alum Rock and the Sonoma Appellate Court made a decision saying that reclassifications are negotiable so CSEA has the right to negotiate that and one thing that we have kind of relied upon as a commission is if something goes to the committee and they all agree you figure there are three CSEA people on it so they don't necessarily need to negotiate it, they still could but in this case it did not go to the CAC committee and I simply could not support a reclassification of a position that has not gone through that or the negotiation process. Baird said he would make a motion to table this item. There was more discussion on the apportionment of the work (Tiffany, the coordinator, the student information system data techs, dependence on the SELPA, subs) and a need for someone who can guide, support, and train users of SEIS and other systems. The two individuals who work in a different department in the classification have been relied on quite a bit. Ms. Hazlewood reiterated the need for training and also added there could be more compliance monitoring done throughout the school year we just don't have time. That would be another item for this person to do. Commissioner Baird said he would like to have the item go to the CAC and he would like to hear from the incumbent and see what duties she was performing to see if there was a gradual accretion of duties that would qualify her for the Information Systems Support Technician. Dixon stated that the job description for Information Systems Support Technician is old and we will be updating that job description but for immediate purposes in order to get the department staffed we were trying to move forward the action so we can start a recruitment to fill it. She said the current job description has outdated language (e.g. name of system, reporting relationship) but the essential functions aren't going to be too different. The main responsibility of the assignment isn't changing. The duties Ms. Hazlewood envisions for this assignment are more consistent with the Information Systems Support Technician than Administrative Assistant II and to her knowledge, there isn't an employee in the department who has gradually accrued the duties of an Information Systems Support Technician. Commissioner Baird said it's premature to approve this until we find out all these factors until it goes back to CAC. Ms. Hazlewood stated that it's important to note that the duties she sees the Information Systems Support Technician doing have been split among two people as well as herself, the coordinator and lots of communication required from the current employees upstairs and some duties that are not getting done. She would not say that

anyone of her staff in her office has been doing what this role is expected to do. Mr. Baldwin expressed appreciation for the three commissioners and their ability to talk through this. He further said he believes the other employee left because of the workload and we've been with just one employee doing the job for quite a while. He stated he could see this coming through the CAC, he is on the committee. It would be nice to discuss this prior to having to come to the personnel commission and have it open up into this discussion. Mr. Baldwin asked if there was some reason they're making it a reclass instead of just a new position. Dixon stated the wording is her wording. It's not a new position, Tiffany is still going to have the same number of people, not a new position in the budget. It's eliminating one and replacing it with something different. If reclassification is not the proper term, then that's her error. Ms. Blum stated she really heard everything that Susan said and when reading in the personnel commission rules and the CSPCA it doesn't fit for a reclassification with the right procedure for the CAC. She asked if it could be considered bringing it in to the next meeting on the 24th and bring it in an appropriate way so it's not a reclassification so it's get rid of a position and add the technician that you want. That would make more sense than it is right now. Dixon said she was looking at a calendar and stated her understanding is that since it would be an expense (higher range) the goal is to have it go to the board meeting on the 19th, that's why it's here today so it could make that deadline. Ms. West said we could bring it to the board and bring it to the commission afterward. It's not a reclassification, it's a substitution of one position for another. We could do that as long as it's approved by both entities, we wouldn't move forward without both of those. She responded to a question posed by Commissioner Baird, outlining the need for the work of an Information System Support Technician and the two disagreed on how the position would be changed had there not been a current vacancy. There were further disagreements between the commissioners and Commissioner Charles asked about what could be advanced by the meeting on the 24th. Dixon stated that depending upon the direction she was given she redo the report such that it doesn't have the word reclassify. Whether or not there was a move to have the CAC look at it, she could try to arrange. She can check their calendars and get a date early next week or later this week. The commissioners agreed to have Dixon meet with the CAC.

DISCUSSION/INFORMATION ITEMS (See Supplements)

11. STAFF COMMENTS ON PERSONNEL ACTIVITIES

Public Comments-None

A. Vacancy Report

B. Personnel List Report

C. Other – Director Dixon responded to a public comment from last meeting regarding what constitutes a classified position. She referenced Education Code 45104.

12. CORRESPONDENCE

Public Comments- None

13. NEXT PERSONNEL COMMISSION MEETING

The next regular meeting of the Personnel Commission is scheduled for Tuesday, June 14, 2022, at 3:30 P.M. Please note, this meeting will be held virtually. A virtual special meeting was scheduled for May 24, 2022, at 3:30 P.M.

14. ADJOURNMENT – 5:59 P.M.