

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION
District Office Board Room
1651 Sixteenth Street, Santa Monica CA 90404**

MINUTES

**REGULAR MEETING
June 8, 2010 @ 5:00 p.m.
District Office Board Room**

Electronically Recorded

PERSONNEL COMMISSIONERS: Mrs. Pam Brady, Ms. Suzanne Kim, and Mr. Shane McLoud

I. General Functions:

- A. Call to Order: The Regular Meeting of the Personnel Commission was called to order at 5:06 p.m.**
- B. Roll Call: Commissioners Brady, Kim, and McLoud were present.**
- C. Pledge of Allegiance: Commissioner Brady led all in attendance in the Pledge of Allegiance.**
- D. Motion to Approve Agenda:**

Motion by: **Suzanne Kim**
Seconded by: **Shane McLoud**
Vote: **3 – 0**

Additional documentation was provided for Agenda Item IV.A.2.: Classification Study – Instructional Assistant – Special Education.

- E. Motion to Approve Minutes: May 11, 2010;**

Motion by: **Shane McLoud**
Seconded by: **Suzanne Kim**
Vote: **3 – 0**

- F. Public Comments: Public Comments is the time when members of the audience may address the Personnel Commission on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes. When there are a large number of speakers, the Personnel Commission may reduce the allotted time to two (2) minutes per speaker. The Brown Act (Government Code) states that Personnel Commission members may not engage in discussion of**

issues raised during “Public Comments” except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff.

1. Request to Speak on Agenda Items
None
2. Request to Speak on Non-agenda Items
None

G. Communications: The Communications section provides an opportunity for the Personnel Commission to hear from the individuals or representatives listed below. All reports are limited to 5 minutes or less.

1. SEIU Report

Ms. Cartee-McNeely, the Chief Steward, provided information regarding the Measure A Committee as it continues working on a revised measure for the November elections. There is a strong sense of commitment in the Santa Monica – Malibu community to support the District. The Education Foundation as well as individual community members are conducting various fund raisers to save the District programs and staff.

Ms. Cartee-McNeely stated that there were twelve (12) abolished positions out of the original twenty-eight in the classified service; some positions were reduced in hours. Three (3) Instructional Assistant – Classroom positions were saved by PTA funding.

2. Board of Education Report

Dr. Michael Matthews, Assistant Superintendent of Human Resources, updated the Personnel Commission about the layoff scenario based on the Board of Education rulings. There were around forty-five (45) certificated layoffs instead of the original ninety-two (92).

Dr. Matthews emphasized the significance of employees choosing furlough days instead of additional layoffs. He expressed hopes that the PTA, the Education Foundation, and the District will work in a collaborative manner to raise the necessary funds.

II. Report from the Director of Classified Personnel: This is an opportunity for the Director of Classified Personnel to present informational items of interest to the members of the Personnel Commission, which are not action items on the agenda.

A. Acknowledgement of Dr. Michael Matthews, Assistant Superintendent of Human Resources, as the new Superintendent of Manhattan Beach Unified School District

Dr. Young congratulated Dr. Matthews on his new post as the Superintendent of MBUSD wishing him best of luck in this new endeavor. He expressed his appreciation of working with Dr. Matthews over the years.

On behalf of the Personnel Commission and the classified staff, Commissioner Brady presented Dr. Matthews with a plaque honoring his service to the District.

Commissioner Kim and McLoud also wished Dr. Matthews the best of luck in his new position and expressed their appreciation of his contribution to the District.

B. Board of Education Agenda Item – Recommendation No. A.10: *Approve Personnel Commission Budget for 2010 – 2011* (May 26, 2010)

Dr. Young informed the Personnel Commission that the Board of Education reviewed and approved the Personnel Commission budget for the next fiscal year.

C. Approved Professional Experts Request (less than 90 working days or total of 720 work hours per Personnel Commission Rule §3.1.5.(C): *Professional Expert Program*) by the Director of Classified Personnel

• Ms. Eileen Mayelian, Technical Specialist II, from May 17 to June 18, 2010, Grant Elementary School

D. Merit Rules Advisory Committee (A.R.C.) Update

• Advisory Rules Committee Agenda – May 13, 2010; May 27, 2010

Dr. Young drew attention to the A.R.C. agenda from May 13 and 27, 2010 for the Personnel Commission’s review.

E. SMMUSD Press Release: *SMMUSD Board of Education Takes Action in Preparation for the 2010-11 Budget*

Dr. Young presented the letter from the Superintendent for the Personnel Commission’s review. Some of the information was already revised based on the latest ruling by the Board of Education.

F. Tucker v. Grossmont Union High School District (2008) 168 Cal. App.4th 640

• The court expressly held that a laid-off classified employee has reemployment rights to positions in classes other than that from which he was laid off, if he or she meets the qualifications of the position. The court agreed with the trial court that, under Education Code section 45298, the employee had “the right to be reemployed by District in preference to new applicants for any position for which he applies and for which he is qualified.” Id., at 644.

Dr. Young provided a brief background and explanation of the Tucker Rule. He attended several CASBO meetings of Classified Personnel Directors regarding a possible implementation in various Districts.

G. Disciplinary Hearing – Ref. Number: 7003 1680 0002 6368 3180

**• Pre-conference Hearing
• Regular Hearing**

Dr. Young informed the Personnel Commission about the upcoming disciplinary hearing on July 21, 2010.

III. Consent List: It is recommended that the Personnel Commission consider approving a number of Agenda Items as a Consent List. Consent Items are routine in nature, and can be enacted in one motion without further discussion. This procedure conserves meeting time for a full discussion of significant issues.

A. Approve Classified Personnel – Merit Report - No. A. 29

1. May 26, 2010

Approve Classified Personnel – Merit Report - No. A. 25

2. June 3, 2010

B. Approve Classified Personnel – Non-Merit Report - No. A. 30

1. May 26, 2010

Approve Classified Personnel – Non-Merit Report - No. A. 26

2. June 3, 2010

C. Approve Classified Personnel Eligibility List(s):

<u>Classification</u>	<u># Eligibles</u>
Instructional Assistant – Physical Education	13
Motion by: Suzanne Kim	
Seconded by: Shane McLoud	
Vote: 3 – 0	

IV. Discussion/Action Items/or Other Information:

A. Action Item(s):

1. Classification Revisions:

Director’s Recommendation: *Approve*

- a. The Director of Classified Personnel recommends that the Personnel Commission approve the revision to the Accounting Technician classification specification

Motion by: **Shane McLoud**
Seconded by: **Suzanne Kim**
Vote: **3 – 0**

2. Classification Study – Instruction Assistant–Special Education

Director’s Recommendation: *Approve*

The Director of Classified Personnel recommends that the Personnel Commission approve the Classification Study for Instructional Assistant-Special Education

Motion by: **Suzanne Kim**
Seconded by: **Shane McLoud**
Vote: **3 – 0**

Ms. Stephanie Perry, Personnel Analyst, provided a detailed overview of the classification study including background, methodology, and final findings, as well as proposed recommendations. Employees who performed additional duties beyond the scope of their classification will be compensated retroactively.

Revision of the classification specifications within the Special Education department will take place in order to clearly define specific duties performed by employees in such classifications.

Ms. Pearl Gershuni, Instructional Assistant – Special Education in McKinley Elementary School, shared her experience of working with the Special Education students and their specific needs which the Instructional Assistants have to meet on daily basis.

Motion by: **Suzanne Kim**
Seconded by: **Shane McLoud**
Vote: **3 – 0**

3. Second Reading of Changes to Merit Rules:
Director's Recommendation: *Approve*

- a. Chapter VI: *Eligibility Lists*

Motion by: **Suzanne Kim**
Seconded by: **Shane McLoud**
Vote: **3 – 0**

- b. Personnel Commission Rule 7.3.3: *Summer Session Assignment*

Motion by: **Suzanne Kim**
Seconded by: **Shane McLoud**
Vote: **3 – 0**

B. Discussion Item(s):

1. First Reading of Changes to Merit Rules:

• *Chapter VII: Appointment to Classified Positions*

There were no concerns or revisions.

2. Personnel Requisition Status Report

Ms. Stephanie Perry, Personnel Analyst, provided an overview of the vacancies. There were eight (8) personnel requisitions. The low numbers of vacancies has been maintained since March 2010.

The Swimming Instructor-Lifeguard position is vacant, but the current substitute is continuously performing his duties in Malibu High School.

Commissioner Brady also inquired about the System Analyst position. The Qualification Appraisal Interviews will take place on June 11, 2010 for six (6) candidates who successfully passed the written exam.

3. Personnel Commission's Twelve-Month Calendar of Events

- 2009 – 2010
- 2010 - 2011

Commissioner Brady announced that the Director's Progress Report will take place on July 13, 2010 at 3:00 p.m. in the District Office Board Room.

C. Information Item(s):

1. Merit Rules Review Tracker

Commissioner Brady appreciated the well-organized table for tracking Merit Rules development.

2. Process to Replace a Personnel Commissioner

Dr. Young provided a detailed overview of specific activities and timelines that will be implemented in the Personnel Commissioner recruitment process.

Based on discussions with the District and SEIU representatives, the current recruitment practice will be open to the Santa Monica – Malibu community. However, this will not set precedence for future Personnel Commissioner vacancies – each Personnel Commissioner will have the right to chose if he/she would like to request re-appointment or open recruitment.

Commissioner Brady requested that she or Commissioner Kim would be serving on the selection committee representing the Personnel Commission.

Commissioner McLoud requested open recruitment for his term which expires in December 2010.

Dr. Young will meet with the Superintendent or his designee to clearly define the recruitment process and specific responsibilities of each involved party. Commissioner Brady and Kim are committed to providing assistance in advertising the position in their communities.

The Board of Education, as well as the SEIU, will be notified about the Personnel Commission’s intent to conduct an open recruitment for the new Personnel Commissioner.

V. Personnel Commission Business:

A. Personnel Commissioner Comments

None

B. Future Items

Subject	Action Steps	Tentative Date
Director’s Update – Progress of Mid-term Goals	Review of Specific Goals	June 2010
Hearing Procedures	Review of Current Personnel Commission Procedures	July 2010
Classification Study: Child Care Assistant	In Progress	August 2010
Electronic Version of the Full Personnel Commission Agenda	In Progress	August 2010
No-shows Study	Survey Implementation/Report	August 2010
NEOGOV Electronic Position Control Processing	Meeting with Human Resources, Fiscal, and Personnel Commission staff	January 2011

VI. Closed Session:

•Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC §54957 as cited in the Brown Act

Motion by: **Shane McLoud**

Seconded by: **Suzanne Kim**

Vote: **3 – 0**

TIME ADJOURNED TO CLOSED SESSION: 6:55 p.m.

TIME RETURNED TO OPEN SESSION AT: 6:56 p.m.

The Commission reported out of Closed Session at 6:56 p.m. No action was taken.

VII. Next Regular Personnel Commission Meeting:

Tuesday, June 8, 2010, at 5:00 pm - *District Office Board Room*

VIII. Adjournment: There being no further business to come before the Personnel Commission, it is recommended that the meeting be adjourned.

Motion by: **Shane McLoud**

Seconded by: **Suzanne Kim**

Vote: **3 – 0**

TIME ADJOURNED: 6:57 p.m.

Submitted by:

Wilbert Young, Ph.D.
Secretary to the Personnel Commission
Director, Classified Personnel

If you wish to receive a full copy of the Personnel Commission Agenda Packet, please contact the Personnel Commission Office at (310) 450-8338, ext. 279.