

**PERSONNEL COMMISSION MEETING**  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION COMMUNITY ROOM

**MINUTES**

October 17, 2012

5:30 P.M.

**I. CALL TO ORDER**

- A. The meeting was called to order at 5:35 p.m. by Commissioner Barabani.
- B. Roll-Call
  - 1. Commissioner Gino Barabani, Chair
  - 2. Commissioner Rhonda Early, Vice-Chair
  - 3. Commissioner Michael Salazar, Member
  - 4. Abe Flory, Personnel Commission Director
  - 5. Nersidalia Garcia, Secretary III
- C. Pledge of Allegiance

**II. APPROVAL OF AGENDA**

Moved	<u>Mr. Barabani</u>	Seconded	<u>Early</u>
Vote: Barabani	<u>Aye</u>	Early	<u>Aye</u>
		Salazar	<u>Aye</u>

Mr. Barabani            Item II approval of the agenda. I make a motion to approve the agenda. Open for discussion.

Mr. Salazar            I would like to amend the agenda to remove Action Item IV. (A) I've taken a look at Ed Code and decided and we can't afford, people but it says they shall be from appointed from eligibility lists to establish pursuant to provisions of this article, etc., etc. and I have not seen an eligibility list for that position. So we are probably jumping ahead of from on that until we have either flown the position, or we have at least at a minimum an eligibility list, or perhaps we would consider taking someone who is already currently employed from out of class and putting them into that position. But I think it is premature for us to take action on that item, again citing the Ed Code 45264, which is cited in this agenda item. On page 1135 of my Ed Code and I've got a 2011 version. So anyway, that's the item that shouldn't be on our agenda tonight.

Mr. Barabani            This is just a provisional appointee. It's only good for 90 working days. What page is that on?

Mr. Salazar            It's on 1135 there in the middle. Again, I've got a 2011, I know we all seem to have different versions. It says,  
*"The commission shall appoint all employees paid from funds budgeted for the support of the commission and shall supervise the activities of those employees that are performed as part of the functions of the commission. Such employees*

*shall be appointed from eligibility lists established pursuant to the provisions of this article, be classified employees of the school district and be accorded all the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, including representation by the appropriate exclusive representative, if any. "And it says, "personnel director and other employee's appointment duties and rights." Again I've not seen a list.*

Ms. Early Mr. Barabani, you need to look under the section in the Ed Code that specifically deals with provisional appointee. Because when someone appointed as a provisional appointee there are duties sees ones eligibility list is generated, so it is a different Ed Code.

Mr. Barabani That is correct. That provision is only for 90 working days; and they must vacate the position. They can't stay in the position for 1, 2, 3 years, continuously reappoint.

Mr. Salazar So again, that code is not agendized tonight. So I think, again, if nothing else gets some additional research. I could only go to what was agendized, in my research.

Pat Maher If you look up Ed Code on 45287 you will find provisional appointments.

Mr. Salazar It's not the time for public comments.

Ms. Early Ed Code 45287 reads, *When no eligibility list exists for a position in the classified service, an employee may receive provisional appointments which may accumulate to a total of 90 working days. A 90-calendar-day interval shall then elapse during which the person will be ineligible to serve in any full-time provisional capacity. No person shall be employed in provisional capacities under a given governing board for a total of more than 126 working days in any one fiscal year, except that when no one is available on an appropriate eligibility list for a part-time position, as defined in Section 45256, successive 90 working days provisional appointments may be made to the part-time position for a total of more than 126 working days in any one fiscal year.*

Mr. Flory Honorable chair, members of the commission, a point of clarification, and the key word is an employee.

Mr. Salazar That's the key word there. The key word is employee and we

are not talking about an employee here.

Ms. Early                    When no eligibility list for a position in the classified service, an employee may receive provisional appointments which may accumulate to a total of 90 working days.

Mr. Salazar                You are absolutely right.

Mr. Barabani              You reading as employee, you are reading as employees of the District.

Mr. Salazar                That's absolutely correct.

Mr. Barabani              No, they are just saying they have to be an employee.

Mr. Salazar                I totally disagree with that. And, you are entitled to your own interpretation.

Mr. Barabani              By the way, I am sorry to hold you guys up out there in the audience. I was giving a 2008 book instead of a 2011.

Mr. Salazar                I believe they are referring to an employee of the District. Now I'm sure we can perhaps we can get some clarification on that as well, legal. Our legal person is not here tonight. In any case, in any event, I think we need to get clarification on that. So, again I would strongly suggest that we take and table this item, do some more research, first of all that code is not cited in our agenda tonight, so we need to cite that code , that part of the code in our agenda, and do the research on, it and come back and look at this again.

Mr. Barabani              Citing the code is not necessary. We already said we are going to put it as provisional personnel. Provisional. We all know what that means.

Mr. Salazar                No, we don't all know what that means.

Mr. Barabani              No, actually, you are correct. You are correct. The District doesn't. Because they continue to put in 90 days, 90 days.

Mr. Salazar                You and I disagree on this. We need to get some clarification of what an employee means, in this section. For provisional appointments 45287. I'm not comfortable with this item on our agenda tonight. I think if we vote on this, we are violating our own principles. And, I don't think it hurts us, we've waited long enough to do the right things. I don't think it hurts us to get the information that we need to make sure that we are doing the thing.

Mr. Early                    Right now the item we are on is to pull from the action item of approval of the agenda. We have a motion to pull action item IV. (A) On the floor. The motion is simply to pull the item. We

can actually vote the item up on down, even if we didn't pull it.

Mr. Salazar            That's correct. I can be out voted, of course.

Mr. Early              Which will allow us to discuss it during the meeting?

Mr. Barabani         Well, please restate your motion.

Mr. Salazar           I move to. Well, actually, the motion is already on the table to approve the agenda, it's being moved and second. We are in that discussion. So I am just saying where we are so we are in that discussion. I'm saying that I believe this item should be pulled. Now, we've gone off into a discussion as to why I believe this item should be pulled.

Mr. Barabani         Call for a vote.

Mr. Barabani         Aye.

Mr. Salazar           Nay.

Ms. Early              Aye.

### **III. PUBLIC COMMENTS**

- NOTE:**
- Comments from the public on any agenda item may only be made at this time. This is a special meeting and comments may only be made on matters on the agenda. When speaking, please make reference to the agenda item that you are speaking on.
  - This is a time for the public to make comments only. It is not a time for any member of the public to demand answers to questions from the commission or its staff.
  - Public comment during the commission's discussion of an agenda item will not be permitted.

Alexis Jenks,  
HR Specialist  
for PC                    Good afternoon. Alexis Jenks. I am here on my own behalf as a member of the public tonight. I will be speaking regarding action Item H and also action Item I on tonight's agenda. First off for action Item I, *the commission will consider revised class specs for the following classifications. Each classification will be discussed and voted on separately.* First of all, in the agenda back-up for action Item H the Commission Chair is specifically asking the commission staff for the approval of verification from

CSEA for Public Safety Dispatcher and for School Police Clerk. Just to let you know, for the record, that information is available in the Commission office. We do have that. Also, the Commission Chair is asking for approval from the District regarding proposed changes that staff had presented for Cafeteria Worker and for Custodian I. That's also available for commissioners in the PC office, of that approval. The commission staff, we do not have records of any proposed changes by the former PC director for Cafeteria Worker or Custodian I. As in the previous meetings the Commission Chair has asked commission staff to submit approval sheets by the CSEA and approval sheets by the District for any proposed changes. Just to state for the record, the commission staff has not found any record of such items from when the previous PC director was there. For example, I mean anything that has strike through's on class specs or add ins or approval signature sheets. But we don't have that for Cafeteria Worker or Custodian. So, as I stated, the District has agreed to proposed changes for Cafeteria Worker and Custodian I. We have proof of that.

The second thing, in that back-up for action Item H the Commission Chair is asking specifically about a requirement or a thing that the commission staff was trying to present for approval for a Cafeteria Worker. In doing research at the February 10<sup>th</sup> 2011, Personnel Commission meeting despite District objections, the PC Chair approved changes to remove the high school diploma requirement for Cafeteria Worker. The agenda backup with that particular agenda did not include and/or commission staff has no record of proposed changes agreed upon between the District and the CSEA. I mean this in the form of strike through, add-ins and/or approval signature sheets. On the March 23, 2011, and also the March 30, 2011, Personnel Commission meeting, only the Cafeteria Worker recruitment flyer with changes was approved. Prior to this, February, we had no actual job description with strike through on it. It was just presented to the public and to commission as a job flyer with the previous director's proposed changes, but we do not have any record of that. When the previous director was hired in October 11, October 2011, the class spec for cafeteria worker has still not been changed. To date it has still not been changed. Commission staff recruited for the position based upon the recruitment flyer approval which was from the February 10, 2011 meeting. I have copies if you would like the flyer that was approved by the previous personnel director, and that commission staff used from November 1<sup>st</sup> to November 21<sup>st</sup>. So there are some discrepancies with the previous director's class specs versus the actual recruitment flyer that we used. So the recruitment flyer that commission staff presented to you guys for our approval, this is a way with CSEA's approval and the Districts changes how we would like it to be approved, if that can be arranged. Also just to note, as of September 12, 2012 PC meeting, which was not too long ago, all commissioners voted to approve the modification of the food worker trainee classification

spec, and that included an addition of the high school diploma.

The food worker trainee position is a lower class than a cafeteria worker position. Commissioners also approved the classification spec for Senior Cafeteria Worker, that position requires units. So logically, if personnel commission chair and members of the commissioner approved a food worker trainee class spec with high school diploma requirements, it would be logical or make sense that a cafeteria worker should have the high school diploma as well. Also, again the district and CSEA representative support the high school requirement for cafeteria worker.

The next item I'm going to be speaking about is Action Item I: *The commission will consider approving recruitments for the following classification with each eligibility list due to the commission for certification no later than December 12, 2012.* I'm not speaking on the date that the commission staff is expected to have the list certified. But just to give you a little background about this position in relation to the back-up for Action Item I. When the class spec approval meeting was held with the special education at the meeting with subject matter expert and CSEA in August of this year, district staff agreed that the No Child Left Behind and or assessment was necessary in obtaining viable candidates. This would ensure that district employees who did not meet educational requirements could still apply. As a reminder to the Commission at the September 12, 2012 Commission PC meeting, the Commission Chair approved Instructional Tutor Aurally Handicapped, which is a similar position to Education Assistant SI and Instructional Tutor LH/PH; it was approved with No Child Left Behind compliancy requirements. Commission staff brought back Instructional Assistant SI and Instructional Tutor back to you for approval; just so that we can be consistent because you did approve a similar position like this at the September 12<sup>th</sup> meeting.

When the recruitment for the classifications of Instructional Tutor SI, excuse me, Instructional Tutor LH/PH and Education Assistant SI, when the recruitments were run under the direction of the previous personnel commission director, the commission staff ran into the following problems that were discussed at that time with the previous director. Number 1, district employees were not given the opportunity to take an assessment exam. If you refer to the class spec that was revised by the previous director for those two classifications, it is stated on there that we accepted, we were directed to accept, only 48 units and or degree only. The class spec specifically says 48 units or degree, or an assessment. When the position was recruited for, the flyer did not state or assessment, it only had 48 units, and it only had a college degree. So we had a little problem with that when applicants would come in because there are district employees who may not meet requirements for 48 semester units or they may not meet requirements for having a college degree. However, they do meet requirements for having maybe

subbed in a position or maybe have worked in a lower classification and would like to promote; however, they do not have education requirements. In the past the District has allowed an assessment type of exam which we are familiar with as being the No Child Left Behind. When we did administer that exam, in the past, that exam did test on knowledge of reading, knowledge of writing, and mathematics.

A second issue that we came into when we recruited for those positions is that the Human Resource Department had a lot of difficulties filling that position. When you recruited and you only accept applications from people that have only 48 units or only a college degree, sometimes they ran into situations where people were still in school. Our district is an all year round district so we do not recruit for positions only for the summer times. We don't only need employees to work in these positions only in the summertime. If these are 9 month, 10 month, 11 month, and 12 month employees if that person is on the eligibility list we need that person to be ready, willing, and able to accept any position or any interview when it is offered to them. So a problem that the Human Resource department ran into is by the time the interviews came the people had went back to school; they were continuing units, they were not available to work the hours in the position. It is the logic of the commission staff that if an assessment or a no child left behind exam was given that maybe this will allow us a little flexibility as far as how many people we have on the eligibility list and how many people are actually successfully able to be hired.

Another point is when the list was established, the previous director allowed people that applied for SI positions to be on the list for instructional tutor. Human Resource ran into a problem because the Education Assistant Severe Impairment duties are very different from instructional tutors learning handicapped/physically handicapped. Number 1 being the diapering, toileting; a lot of people do not want to do that. Number 2, the pay is different. The salary range for an instructional assistant SI is a 32. The tutor is a 34A. So when the interviews came around, a lot of people no longer wanted to accept those offers for employment because of the pay.

In final, as a consideration, as I stated we have used, or the District has used the No Child Left Behind. I understand that with the previous director, he kind of wanted to go away from using past practices with the district. That's not a problem. Commission staff is requesting that we have some type of consistency. If the job description says that an assessment can be given, we need specifics from what kind of assessment is there. We were told that when the assessment was taken off of the actual job flyer, that it would be up to the discretion of the PC director to use whatever current testing methods he wanted. So we are asking that the same type of discretion be given to our current PC director that was given to the previous PC director. I have back-up and copies of previous agendas and flyers that will

back-up the points that I spoke about tonight. If you would like a copy of them I can have them available for you. Thank you.

Mr. Barabani

Can you email all those to each commissioner?

Alexis Jenks

Absolutely.

Gladys Byrd,  
Interim  
Director for  
Human  
Resources  
Classified

Good afternoon. My name is Gladys Byrd. I too am not speaking on behalf of the District. I'm speaking on behalf of myself, as an employee in the District. My comments maybe a little bit in reference to IV. A and IV. C. It says in IV (A) that only one recruitment has been opened since the current PC director has been here. I've sat in several meetings. I've sat with in the Personnel Commission and with Mr. Flory had a plan to open up recruitments, but it appears to me when I come to a Personnel Commission, Mr. Flory is not able to open any recruitments. So, if he can't open them, he can't produce the eligibility list. I agree Mr. Flory seems to have, or the Personnel Commission chair seems to have difference standards for Mr. Flory than he had for the previous director. The previous director did not have to have every single recruitment opened approved prior. The previous director did not have to have every single job spec open prior. It is my observation that at this time there may not be a need for a personnel analyst. I remember the personnel analyst coming here and talking about recruitment, I believe it was for Environmental Safety Compliance Officer. I checked some of the data that was presented and I'm not an analyst, I'm sure I can do that job if it was given to me; but a lot of the information that was given was not what I found on the websites. And, if someone is going to be working in the job, preference should be given to a staff member in this office. Because just like that analyst I'm sure they can learn what to do as well. Thank you.

Carl  
Greenwood,  
CSEA  
Representative

My name is Carl Greenwood, CSEA Officer. I came in kind of late, but on the tail end I heard where we approved the high school equivalency and I want to tell you why we're in the field of education. And, what we are telling to our public or what we are telling to our community is that it's ok to be illiterate. It's ok to not be able to read or write or have the skills that just the basic entry level skills that a person needs to be able to graduate high school. There's a lot of employees that I've worked with in the past that didn't have high school diplomas or they were subbing or whatever and if it wasn't for someone there that could read the chemicals, someone that could help them not to mix a chemical, we would probably been in a big jam a few nights. So, we do need to have at least a base. We need to have at least an entry level of at least a high school diploma. I believe that it will save off law suits, it will save off people getting injured, and that's just an open door for someone to say, "well I couldn't read, and it was ok, I don't have a high school diploma and they knew it."

And that's just something that I want to see you district get into.

My next concern is we had an incident this week at one of our elementary schools to where one of our custodians was robbed at gun point. We need our school police officers out there, we need them now. And, whatever we need to do that is legal, I'm not asking you to do anything illegal, but whatever you need to do as a commission, let's quit playing around and let's get our officers out there. I hear a lot of people complain, well, what is school police doing? If we had a plan, we couldn't implement it because we don't have the manpower. So, if we have a plan that we were going to take place next week that said we were going to have officers come in early, where are we going to get them? You know a surprise example of something that could have turned deadly because he was met at gun point and he was humiliated, asked to take your pants off. People said why did they ask him to take his pants off? Well, in your pants is your wallet, your cell phone, your car keys. So if they take your pants, you can't call for help. You can't go to your car. And most people will be too humiliated to walk down the street in their underwear. As a matter of fact, you'd probably get stopped by San Bernardino PD. So, it's not, it's come to a point where it critical, it's starting to affect our people. And we have one hell of a good police department, but they need the help. And they need it now. We need the officers, we need equipment, we need, we need units, we need whatever we can get them to help them better protect us. So those are the two things that I am going continue to fight for. Let's get through it all, the problems or whatever we have to go through that's personal, or whatever it is and let's move on because now people are actually being damaged and hurt, and that could have also been a burial service we could have been going to next week. So, let's look at it like that. It's time to get our officers in this district. And it's time to get them in now. Thank you.

Mr. Barabani Mr. Greenwood, we have an eligibility list that has been approved of police officers. I've been informed that they filled all but one position, unless I've been told wrong. That's what I've been told, that officers are in background and they should be hired. Maybe you can set up an appointment with Mr. Vollkommer and discuss that. You have an eligibility list, it's an approved list by the Commission and they can hire off of it. And, I believe they have. That's what I was informed. I hope I'm not mistaken.

Carl Greenwood, CSEA Representative Do you know who informed you of that?

Mr. Barabani Yeah, I spoke with Mr. Vollkommer.

Carl So, we are moving forward. Ok, thank you very much.

Greenwood,  
CSEA  
Representative

Mr. Barabani      There is one position filled.

Carl  
Greenwood,  
CSEA  
Representative

Ok, thank you.

Dr. Harold  
Vollkommer,  
Assistant  
Superintendent  
to HR  
Certificated  
and Classified  
Mr. Barabani

Good evening commissioners. Harold Vollkommer. Human Resources. Hope you have had a good last few days. I know this isn't on the agenda, but I'm going to just break the rules a little bit.

Well, this is a special meeting. We can't.

Harold  
Vollkommer,  
Assistant  
Superintendent  
to HR  
Certificated  
and Classified

I know. Just going to let you know we've had three days of strategic planning over the last couple of days. We've got good direction. We will have action planning teams after that and you will all be invited to participate in those action planning teams if you should have the time and inclination to be a part of that. We would love to have you. I'll get you more information on how that will go. Ok, sorry.

Mr. Barabani

No, that's alright. We do need a little more than 10-12 hours.

Harold Vollkommer, Assistant Superintendent to HR Certificated and Classified Yes, I know. We don't have the dates yet, or I'd give them to you. And there will be a number of different strategies you can work on. Hopefully, you'll pick the one that you really want to work on.

I have several comments, I apologize. On Action Item A. We want to make sure that the Commission does not take any action that is contradictory to Ed. Code or even your own personnel commission rules. You have a discussion earlier that transpired during the agenda setting portion of the meeting. If you would like, I would be happy to get a legal opinion if you would like that. We do agree actually that 45287 says an employee may get that provisional appoint. Not a non-employee. So if you would like a legal opinion, we would be happy to provide that to you. Let me see if there's anything else I was going to say. We have again, 45264 does say that the commission will appoint its employees; however, it also says that those employees shall be members of the classified service of the school district, not the personnel commission. You don't assume the liability of employment as a personnel commission. Ok. If there's liability it falls to the district, clearly if someone sues they are not going to sue you, they are going to sue us. Ok. So, I just want you to keep that in mind in terms of 45264, 45287 and the action that you make take. We would strongly recommend that you postpone this agenda item, at least until you get a legal opinion.

Mr. Barabani A legal opinion, you're saying that we could only; your contention is that we can only hire an employee.

Dr. Vollkommer I'm reading 45287. It says, "*When no eligibility list exists for a position in the classified service, an employee may receive provisional appointments*" An employee. That means an existing employee. That's what out of class is provisional appointment is.

Mr. Barabani So, that's what you believe now. But when Brian Astrachan was sitting in here, and placed in this position, he wasn't an employee and you guys wouldn't remove him when we asked you to remove him.

Dr. Vollkommer I'm just telling you what we believe this interpretation means.

Mr. Barabani I don't understand. He was in here he wasn't approved he was never on an eligibility list, you stuck him in that office over there you made him our commissioner without our approval and now you're telling us the rules have changed.

Dr. Vollkommer So are you suggesting that two wrongs make a right?

Mr. Barabani No. No.

Dr. Vollkommer Because you are saying we were wrong are you suggesting that two wrongs make a right?

Mr. Barabani So you admit you weren't supposed to put him in there.

Dr. Vollkommer  
Mr. Barabani I'm here telling you guys what we suggest that you do.  
They're going to become an employee.

Dr. Vollkommer But they are not an employee. Therefore, not eligible for out of class. But if you would like an opinion, again, I'm not an attorney I'm telling you what we believe, but if you would like an opinion we would be happy to provide that to you.

Action Item B. You know I've expressed my concern about how your back up is put together. OK, I've got express concerns about who does it. And here is a perfect example. It says surprisingly this has not been identified by the Director as a key high priority position to fill forthwith. It is not known why this has not happened and if the District has made such a request, and if not, why not? OK, a memo was sent to the director and all 3 commissioners on September 12<sup>th</sup> explaining the direction the District was going to take specifically in relation to this position. I would be happy to give you another copy of that memo. But it doesn't seem that the right hand knows what the left hand is doing. I'm not sure why this was a question, but we have already told you what the direction is.

In terms of item D, the Nutrition Services Custodian/Utility Technician position, I'm happy to tell you that interviews are scheduled for tomorrow. Is that correct Gladys?

Gladys Byrd, Interim Director for HR Classified Yes.

Dr. Vollkommer Interviews are scheduled for tomorrow. So hopefully that position will be filled and will take away one of the out of class position that you have been concerned about. And I wanted to also comment on

Mr. Salazar I'm sorry Dr. Vollkommer can you please repeat what you just said.

Dr. Vollkommer Action Item IV D. We will be doing interview for that position tomorrow. I know that is one of the positions the commission has been concerned about in terms of the out of class position with the person being out of class in that position too long. Hopefully this will remedy that.

I also wanted to as my last comment, in terms of the Public Safety Dispatcher and School Police Clerk there was a question in the backup about whether CSEA approved the job description as they are written and I believe you got an email from Ken Holt that I have a copy of but I know was sent to the commissioners that CSEA is in agreement with those two job descriptions. Did you get that?

Mr. Barabani I did not get that.

Dr. Vollkommer I have a copy for you if you need it and I'm sorry I do have one more comment and that is on the High School diploma issue I

want to point out that in the backup it says, give me just a second to find it. I'm sorry, I do have one more comment, and I apologize. On Action Item IV E, again this is just a question that I have. It says in the back up, It has been more than that time it's referring to the length of time it takes to get a School Police Officer onboard given the background check, background investigation. It has been more than that since the original offers were made and then it asks the question, When did each person in background investigation receive a conditional offer? So I'm not sure, we're saying we know but then we are asking the question when it was, so again it is just curious.

Mr. Barabani It is I am not getting any information out of this office so then I have to go with the old information.

Dr. Vollkommer But, the information in the backup says you already know that.

Mr. Barabani Well I know it from the previous documents that I've gotten, but email doesn't seem to be coming my way.

Dr. Vollkommer Finally, it says in the back of that Cafeteria Worker that the district surreptitiously put the requirement for high school diploma back in. I just want to correct that motion. We have never been surreptitious, clandestine, secretive, or any other word like that about our desire to have the high school diploma included with the Cafeteria Worker. We believe it is a fair and reasonable requirement and you hear CSEA is saying that and the district is saying that. And so with that I wish you a good evening. I thank you for your work, I know it's tough. We are appreciative of the efforts you make. We know it's not easy. I especially appreciate the recruitments you have willing to approve and ask that you continue to do that. I know that there are some questions in reading the backup material about getting testing done and eligibility and I shared with Mr. Barabani last week that even though I have been gone three days, that I will do whatever I can to assist, and my staff is readily available to help in any way we can to facilitate that process.

Mr. Barabani On the high school diploma, um, you had the..., I've read a lot on it.

Dr. Vollkommer I know you have.

Mr. Barabani You know you have the Duke Case Supreme Court that basically says it justifies the high school diploma. I have that; the supreme court says it is justified. Now in the last 6 months the ADA issue came to us about people who weren't getting fair treatment and the inability to get a high school diploma might be prejudicial issue in that regard. I've asked would you please counter those things.

Dr.  
Vollkommer  
Mr. Barabani

You asked me to counter those things?

A while back when we first had this issue back I said if you could come up with something. Again, I would like to see what you can come up with, that's all we are asking.

Dr.  
Vollkommer  
Pat Maher

Request accepted. Thank you, have a good evening.

I want to take a few minutes for a major point. My name is Pat Maher. I am the former Personnel Director that people alluded to didn't want to use my name. A high school diploma back when it was placed into the Cafeteria Trainee was the first time it was added because, when I first came here I did the research and to my knowledge it has never required a high school diploma for that job. That's a 2 hour position. And they were making a comment about how the parents wanted to work that position because their students are there and yet when you add the high diploma that creates a lot of problems for people. Secondly, and this is the problem when you get bombarded with dozens, and dozens and dozens of class specs all at one time with all kinds of changes and you get them 3 days before, 4 days before, or 5 days before the meeting you haven't got a chance to go through them and really analyze them all and that's one of the problems when you get the current process of trying to push things through as possible in large numbers which prevents you from looking at them in detail. So the second thing is what was said is a violation of the education code for merit systems to use a non-job related criteria and to answer Mr. Greenwood's concern the test is a written test. If they can't read and write sufficiently in English, they can't pass the test. I know of an example of a custodian who has a high school diploma but can't speak English.

Dr.  
Vollkommer

Have you ever spoken to that person, ever? Have you ever spoken with that person?

Pat Maher

I'm making my comments, please don't interrupt me.

Dr.  
Vollkommer  
Pat Maher

I'm sorry, I apologize for interrupting.

I know what a hearing officer would say. And so this is the problem we have when you do testing instead of an artificial criterion, you still measure for custodian is the same thing they have to take both a written test and an interview. If they can't speak sufficient English in reading and writing and ability, and part of the test is look at a label, interpret the label and answer questions about it to make sure they can understand and read that label and properly apply it. Another thing is look at a

schedule and asks them questions about the schedule and make sure they could read and write it. If they perform a performance test

Mr. Salazar I just want to ask, are you addressing us?

Pat Maher I am sorry.

Mr. Salazar No, I'm just asking because you are looking over their I'm trying to see who are you looking at.

Mr. Maher I am trying to keep contact with the audience.

Mr. Salazar No, that is ok.

Pat Maher

I am making public comments for the record. The other thing about this issue about the 45382 on the provisional appointments, I have a letter from Yolanda Ortega when she was the Assistant Superintendent of HR and she says that her interpretation that the 2 criteria's are current or former employee of the district. That was the interpretation then. Now you are saying it is only a current employee. In addition, I would argue that I'm a former employee, I'm a retired employee and the district hires dozens and dozens of retired employees and all these kinds of jobs and I am a laid off employee pursuant to the authority of the commission. Now well I know some of these things are in debate, but the fact is, no matter what kind of measure you make I fall under one or more of the criteria currently used by the district to hire people that have been former employees in the various kinds of provisional assignments or limited term assignments and I meet all those criteria.

The second things, every personnel commission in this state uses provisional or hire people who are not current employees especially for major management or executive jobs where you don't have a lot of people within the district to find them. For example, you have a provisional, not an interim a provisional Chief of Police. But suppose you didn't have someone within the district to fill that spot. What would you do not have a Chief of Police or have someone that doesn't have the qualifications? No, you would hire someone from the outside. The same thing about any other position at the management level. If you have a personnel director vacancy and no one in the district qualified to be personnel director, how do you fill that position? You fill it by a provisional hired who has no prior association with the district. A retired personnel director going around the state temporarily filling in when there is a vacancy until they can do recruitment and get a new vacancy. So the interpretation that Dr. Vollkommer is advancing is one inconsistent with his predecessor. In two, inconsistent with the fact of every single merit system in the state. Thank you.

Alexis Jenks,  
HR Specialist  
for PC

Alexis Jenks again, I just want to mention something for clarification purposes. The Food Worker Trainee position is only 1 ½ hours. The Cafeteria Worker position varies between 3 and 4 hours. The Greeks vs. Duke power, that case was not mentioned at the September 12, 2012, meeting when the Food Worker Trainee class spec was approved with the high school diploma requirement. That classification that was approved on the 12<sup>th</sup> of September for Food Worker Trainee 1 ½ hours has a high school diploma requirement. The Cafeteria Worker position

that is between 3 and 4 hours does not currently have a high school diploma requirement. The Senior Cafeteria Worker which is above a Cafeteria Worker requires Cafeteria Worker, that person should have a high school diploma and college units. So just want to bring to mind that there is a bit of a discrepancy. You have a 1 ½ hour position that requires a high school diploma, you have a 3 or 4 hour position that does not have a high school diploma and then you have a 6 hour position, Senior Cafeteria Worker position that requires a high school diploma and college. A Cafeteria Worker could not realistically promote to a Senior Cafeteria Worker because they are not required to have a high school diploma right now. Senior Cafeteria Worker requires high school diploma and college education. So I just need to reiterate that you have previously approved, regardless of whether or not you got it in enough time to review the agenda or do the research, the Food Worker Trainee 1 ½ hour position has been approved with a high school diploma requirement.

Carl  
Greenwood,  
CSEA  
Representative

I want to discuss some of the things Mr. Maher has brought up. He brought up some things about not being able to speak English. Mr. Vollkommer said something to the effect do two wrongs make a right. That was under a different administration, it was under a different director and we are trying to correct wrongs here. We're not trying to go back to last year, this year and all this good stuff. OK we feel strong about it as the district and the union because we want people that know how to speak English. We want people, you know they can take a test, and all that good stuff and that's great. But what does it say about people like me that at every job I've ever been at, every single one, that was the number one requirement. That was just the bare minimum. You had to have a high school diploma. What does that say to the people who came here to this district years ago and you had to show them how to be a custodian, show me how you do that, show me how you vacuum and it was 190 questions when I came in. I remember that Gino. We didn't just come out of the street and take a job, we had to show this district and what we've done over the years is that we have lowered our standards every single year. So now we have lowered our standards so far that we can say hey, you didn't even want to go get a GED. We'll hire you. And in closing, Gino Barabani has said to our district personnel to find out what can we do to get around it basically from what I heard, what we can legally do to get past this. Let's just do that. Why do we have to get up here and bring each other down? He said he would take care of it. It has to be taken care of. Let's move forward. Thank you.

Gino Barabani Any more? Alright, move to Action Item no. IV. A

**IV. ACTION ITEMS**

A. The commission will consider filling the vacancy of Personnel Analyst. A proposed motion is:

It is moved that Patrick T. Maher be appointed as a provisional Personnel Analyst not to exceed 90 working days at range M40, Step 5, \$336.96 per diem effective October 17, 2012 pursuant to the authority of Education Code section 45264 giving the commission the exclusive authority to appoint any and all staff.

Moved	<u>Mr. Barabani</u>		Seconded	<u>Ms. Early</u>
Vote: Barabani	<u>Aye</u>	<u>Early</u>	<u>Aye</u>	<u>Salazar</u> <u>Nay</u>

Mike Salazar I will make my comments brief. I think I made my point about this issue. I think it is against everything that we stand for as a personnel commission. To make such an appointment, further I would like to take up the offer that Dr. Vollkommer has made for us to at a minimum gather a legal opinion and take a look at that, analyze that, and perhaps bring this action item back to the table at a later date. I cannot and will not support this action item. We have gone to the ed code and I know there is a difference in interpretations of that here, but that ed code is is very clear to me in terms of what it was saying. Again, I strongly urge my fellow commissioners to do the right thing and at the minimum, the very minimum at least explore the legal opinion of what we are actually trying to do here, ok?

Mr. Barabani No more discussion? Call for a vote.

Ms. Early Aye.

Mr. Salazar Nay

Mr. Barabani Aye. Item B.

B. The commission will discuss the recruitment plan for Chief Business and Financial Officer and give direction to staff as appropriate.

Mr. Barabani Open up for discussion. I have some notes here. Mike?

Mr. Salazar I guess I am interested in hearing of what you have to say.

Mr. Barabani Ok. Abe, Mr. Flory, What steps have you taken to try to fill we are real bad in budgetary times. This is probably one of the most important positions right now. Especially that bond that passed.

Mr. Flory Honorable chair members of the commission, as you heard from the District and according to the Ed Code, the District makes the determination as to what the duties and responsibilities are to classified jobs, then the District tells us what decisions and how many they would like to fill. At the present time we have received a letter from the District

indicating at this time they are not going to fill the job. To answer your question, we have not done anything on this other than received the information from the District that this is not a priority. Thank you.

- Mr. Barabani With that in mind, though, I would like to make a motion anyway that let's be prepared, and Personnel Commissioner, And the motion is provide us with an updated job description and a job bulletin for Chief Business and Financial Officer and have that done by October 24<sup>th</sup>.
- Mr. Flory Mr. Chair, just a point of order it will be a second to that.
- Gino Barabani Well I'm making a motion of the day of October 24<sup>th</sup>; I forgot to ask that ok. Second it? Do I have a second on that?
- Ms. Early I'll second the motion with input from Dr. Vollkommer.
- Mr. Barabani It's now open for discussion.
- Dr. Vollkommer Am I allowed to do that?
- Mr. Barabani Yes. This is troubling times.
- Dr. Vollkommer We understand that completely. As I put in a memo to you, the District is looking at, under the strategic planning, as I mentioned earlier, I guess it does relate to what we were talking about today. We are also at the same time having School Services of California looking at our staffing at every level. They are going to make recommendations to us in terms of; are we heavy, are we light, are we good here, are we bad here, in relation to comparison Districts. Districts that are about our size and have similar demographics. So, based on what strategic planning is going to tell us what we need to do and where we need to go, and School Services information which we do not have yet, by the way, we are holding on that position to say, ok, what are we going to need? Will that position change? For instance, if we said we want to add the M&O department into that particular position. That would be a change that we would have to incorporate into the class specs. So we don't have that information at this point. Strategic planning should be done on or near December 1, hopefully, and I don't know what the timeline is for the School Services reports. If that helps.
- Mr. Barabani Yes and your professional opinion. I want to be prepared this is an important position.
- Dr. Vollkommer I agree.
- Mr. Barabani So I am asking my motion was to make sure we have the job descriptions to move forward.
- Dr. Vollkommer I think any job spec or job description that was approved prior to that information being available would be premature. I think we can begin to look at it. We can say we know these duties are going to stay pretty consistent; it would only be a matter of whether we add duties to that position or perhaps take some

away if there is some other model that we may adopt. I think I agree with you, Mr. Barabani, if I am not explaining correctly, I apologize if I am not explaining it clearly. We do need to be ready. I am absolutely 100% on board with that. I don't know what ready is all the way yet.

- Mr. Barabani Well, alright. Thank you. Motion is on the table. Do I have a second? Call for the vote.
- Ms. Early Can you repeat your motion?
- Mr. Barabani Yes, my motion was, I would like the personnel commission director to provide an updated job description and a job bulletin for Chief Business and Financial Officer that was as of October 24<sup>th</sup>.
- Ms. Early Dr. Vollkommer said that he would have more detailed information by December 1<sup>st</sup>.
- Dr. Vollkommer We are hoping the strategic plan will be done by December 1<sup>st</sup>, and we should have the School Services prior to that point.
- Mr. Barabani The thing is by December 1<sup>st</sup> with holidays and everything we would have to come back with an emergency meeting.
- Mr. Salazar We have a regular scheduled meeting in December.
- Gino Barabani Yes, however, there's barely enough time. We wouldn't able to be making it trying to get this job done.
- Dr. Vollkommer With what I know today, strategic planning is an intense process and could be delayed, but what I know today, I'm fairly certain that by the 1<sup>st</sup> Commission meeting in December we should be able to have that ready to bring to you. I'm fairly certain.
- Mr. Salazar So, I would be comfortable with that. It would seem like we would be inventing something now that might not be useful later. Rather than do this twice, do it once right. I am sure the district would be well prepared in terms of what they want to present to us in this matter of approving. I don't think it is a cumbersome process for us as it is for them.
- Mr. Barabani Call for the vote.
- Mr. Salazar Nay.
- Mr. Barabani You said December 1<sup>st</sup> right?
- Dr. Vollkommer Again, with what I know today.
- Ms. Early I'm going to vote Nay for the motion that you have on the floor, but I would be in favor of the modifying the date and agreement with what Dr. Vollkommer just suggested.
- Mr. Salazar That's what I stated.
- Mr. Barabani Nay. Also, ok. Yes, my motion is I would like the personnel commission director is ordered to provide an updated job description, job bulletin for Chief Business Financial Officer.

And the date is the first commission meeting in December.

Mr. Salazar I second.

Mr. Barabani Any more discussion? Call for the vote.

Ms. Early Aye.

Mr. Salazar Aye.

Mr. Barabani Aye. Item C.

C. The commission will receive and discuss a report on all approved recruitments and their current status.

Mr. Flory Honorable Chair and members of the Commission, currently our recruitments are going forward. Some recruitment have closed and right now we are waiting for the District as you said we are in budget crisis to establish the priority for vacant positions. We had at least one general meeting and I believe there will be a couple more meetings and the cabinet will decide with the direction and assistance of the Board of Education which jobs are the highest priority, and then we would move forward with those. I can assure you that the jobs that we have already announced are all ready to go; we are just waiting on the priorities from the District as to which ones to fill.

Mr. Barabani Have you worked with the District on any priorities on any of these jobs?

Mr. Flory Yes, we work very closely with the District, but the District is establishing the priorities. We are assisting with that and I went to at least one meeting that we had at the high school where priorities were discussed, the approach was discussed and some discussion of which jobs were more important than others.

Mr. Barabani What I'm concerned with is what are we going to need and when are we going to get this exams so we can start hiring for stuff.

Mr. Flory Well we would be ready the minute the District tells us. For instance, Police Dispatcher is a top priority. It is on your agenda and we would be ready to move immediately on that. Any other jobs we would be ready to move immediately on that.

Mr. Barabani But as a director, you do have authority to schedule exams without getting approval from the district, right?

Mr. Flory Yes.

Mr. Barabani I am curious as to why we haven't gone ahead so far on some of these.

Mr. Flory Because we would be wasting a lot of time if you'll recall the position that we spent quite a bit of time and effort on and the District has told us that they weren't interested in filling that job

at this time.

- Mr. Barabani Well, obviously the priorities were wrong then. I've got people out here complaining that jobs and positions aren't getting filled, and right fully so. And the only way we can fill these jobs is recruiting and start hiring.
- Mr. Early Mr. Barabani can we hear from Dr. Vollkommer
- Mr. Flory That's what I was going to ask for.
- Dr. Vollkommer If I can, if we are looking for a prioritization of this entire list, I can do that. In other words there are twelve classifications here. If we want to prioritize 1 through 12 I can certainly do that. If you just want a yes or no and push go, which is what I hear you saying, but correct me if I'm wrong. Then we have push go on everything but Community Relations Worker II and Superintendents Assistant. The rest of them go.
- Mr. Barabani What's the number one most important thing?
- Dr. Vollkommer OK, which department should I alienate?
- Gino Barabani You got to start somewhere.
- Dr. Vollkommer I agree Mr. Barabani, completely. After tonight if you approve Dispatcher which we would ask that you do. We would make Dispatcher number 1. Ok, after that, then anything related to Special Ed.; Instructional Tutor Aurally Handicapped, Special Educational Education Assistant, I think that is three, not two; Special Education Liaison; ok?
- Gino Barabani Ok, thank you
- Dr. Vollkommer Do you want me to keep going?
- Gino Barabani Well, what I'm going to do is follow through with this, I am looking for five.
- Dr. Vollkommer Excellent.
- Gino Barabani I'm looking for 5 right now. But I know this isn't CSEA's business but they've been complaining too because of safety and other issues. What do you consider on this list that is one of the priorities? Carl?
- Carl Greenwood, CSEA Representative Well, you have the one and that was School Police Officer, but we desperately need custodial, secretarial.
- Dr. Vollkommer And if I may, the Buyer, Electrician and HVAC Mechanic are all positions related to Manpower and Arrow and we are anxious to get those filled so we can get rid of contracting out.
- Gino Barabani Electrical, Buyer, and then HVAC?
- Dr. Vollkommer Correct.
- Gino Barabani We'll work on that.

Dr. Vollkommer Thank you.

Mr. Barabani Item D. The Commission will receive

Mr. Flory Just a point of order, Honorable Chair, thank you for asking that. And we now have some priorities. I wasn't able, nothing personal against the District, but I wasn't able to get those priorities. But thank you for asking that and we now have them and we will be right on top of those. Thank you very much.

Mr. Barabani Alright.

Ms. Early And I just want to comment it might be in the better interest of time if we get priority list filled and then generate our position specification for approval and so it can be consistent with the priority filled list as opposed to getting a whole bunch of things to approve and then say well we don't know what order we are going to do this things. I can remember when Brian Astrachan was appointed as a provisional personnel commission director. The first order of business is for him to meet with Yolanda Ortega and for her to provide her with a priority filled list and based on that list is the information the information that was brought to us for approval. So I would think that would streamline the process. I'm sorry.

Alexis Jenks, HR Specialist for PC What commission staff has been trying to do is get all of the class specs approved that need approving. When we put agenda items for recruitment flyer approval those are the ones we thought they were priority that need to be opened immediately. But like if there is a long list of stuff on there we are just trying to get the class specs approved so that when we bring them to you in the future that is one less thing that we have to do. So you know on today's agenda or the draft agenda that we sent we do have class specs to be approved. Agenda item H reflects on some of the priorities that the district has communicated to commission staff. We need to with. So if you approve H tonight then those will be the ones that are priority for us to open and start recruiting for it.

D. The commission will receive and discuss a report on filling of the vacancy for Nutrition Services Custodian Utility/Technician.

Mr. Barabani: Is there interviews on that position?

Mr. Flory: Honorable Chair members of the commission that is correct.

E. The commission will receive a report on the status of the recruitment for Environmental Compliance and Safety Officer and on the status of filling vacancies for School Police Officer.

Mr. Flory                    Would you like me to do that or would you like that from Dr. Vollkommer? This is the one that you recall, pardon my expression, we jumped the gun on it. And the district similar to the business services director is defining what that job is going to be or if it is going to be 1, 3 or 5 jobs we are waiting on the definition on that. We don't want to be spending a lot of time. Giving you the job descriptions working with the district and the union on that but we don't know what the job is or the jobs are going to be.

Mr. Salazar                May I ask a question? Is this also something if it is going to come out of strategic planning? Maybe that is a question Dr. Vollkommer can answer.

Mr. Flory                    I can tell you for once it is coming out of the strategic planning. In somewhere shape or form

Mr. Barabani              Dr. Vollkommer

Dr. Vollkommer            I am sorry if I can help. Well I take that back I don't know what exactly will come out of this strategic planning at this point. So I will take my quick no back. As you know not to bore you with history but just too kind of bring you up to speed. We had a job description for environmental safety officer. Our previous interim superintendent wanted to change that position significantly, make it a police class; she has a rationale for that. We went around the block with that a number of times as I know you are aware of. We have since had a discussion with the new superintendent about looking at the duties that were once per instance in school police and allowing those to go back to school police, keeping the environmental compliance officer safety officer more in line with what is coming from the lawsuit that we have that is really a compliance issue more than kind of an investigative get in there school police officer type of thing. So, I would say fairly close I think we have a general agreement; we just need it to touch it up and give it back to the commission. I would commit to try to get that back to you by, when is your next meeting? I think that the direction that the commission had concern was has been rethought and we are actually going on line that I think is with the commission was looking for. So time will tell I can commit to the meeting after next. In terms of having a draft, using the process of everybody looking at it. CSEA, the district etc., and bringing it to you.

Mr. Barabani              November 14<sup>th</sup>.

Mr. Salazar                That will be the next one after.

Mr. Barabani              Item E on School Police Officer, we already talked about that. I talked to Dr. Vollkommer last Wednesday you said three of

the four and back ground.

Dr. Vollkommer We hired one, we have two in background. Which should be I am going to guess another 30 days?

Joseph Paulino, Chief of School Police Depending on the outcome right around 30 days.

Dr. Vollkommer It's on back ground right now.

Mr. Barabani Right, then if they pass back ground I understand

Dr. Vollkommer And that would be one position left and that would be the position that Erick would go back into.

Mr. Barabani Ok.

Dr. Vollkommer Once we get the environmental safety officer position filled.

F. The commission will consider extending the eligibility list for Campus Security Officer. A proposed motion is it is moved that the commission extend the expiration date for Campus Security Officer I (Exam 11-001) from October 24, 2012 to April 1, 2013.

Moved: Mr. Barabani	Seconded	Ms. Early		
Vote: Barabani	Aye	Early	Aye	Salazar Aye

Mr. Barabani That will be six months. Do I have a second?

Ms. Early I second.

Mr. Barabani Open for discussion. Call for the vote.

Ms. Early Aye.

Mr. Salazar Aye.

Mr. Barabani Aye.

G. The commission Chair will discuss the recent forging of his email address and the sending of false emails.

Mr. Barabani Item G that is on me, recently emails have flowing around the district. I will try to make this quickly it is recently come to my attention the person or persons have been masquerading themselves as a personnel commission chair, they sent the list mail threats and the form of violent email statements. The intent of the emails by the senders was to make statement for public officials on purpose. The intent was to make deceitful statements while manipulating the statements for some minor own personal games for damaging my reputation and the personnel commission chair. I have an example of an email that was sent out on October 9<sup>th</sup>. This was sent forward to me, I personally have not been receiving this list that is why it says, "Rhonda, Mike and what is funny is that they send it to Rhonda and Mike and the funny part about it, it says work in my union problems are bad. I small capital can't make it to

Wednesday meeting, go ahead without me. Mike is in New York. They knew that but they still sent an email to him. So don't bother driving over. I will blame Flory for this." Then they signed my name, put chair and personnel commission. What they did is I use a sbusdpcchair. What they did is they had spcuspcc and added an om. So I want to make everybody aware that I am not sending these emails out. I don't know what the attempt to deceive or manipulate the outcome. I think this was purposely sent out, we had some problems and that is why we are here today it was to manipulate the outcome of the personnel commission meeting on the 10<sup>th</sup> that they made statements of the personnel commission chair. Now this is not the first time this has happened. The email has been tampered before, the personnel commission chair. There seems to be going some ongoing attack. Tempering with the emails, making false statements, using emails public personating and discredit they are trying to manipulate, forge and present fabrication of statements that are not posted on the emails. Due to this attack I am going to have to probably do something with the email, I haven't decided what to do. It's not district policy or Mr. Vollkommer we already talked about this. Because we are kind of not employees, as far as I state not even the board members get emails so we have been using this no fee emails, like Gmail and this is gone kind of childish. I don't understand what they had to gain from this. Please disregard, look at the email real close. If there is any questions make sure you give them my original email, if I send it back it is because I answer it soon as I can. I brought this attention to assistant super Vollkommer to Mr. Chief Paulino. Speaking about that I called and I want to file a police report but no has returned my phone call

Chief Joseph Paulino, for School Police

I returned your call

Mr. Barabani

Pardon

Chief Joseph Paulino, for School Police

I did return your call.

Mr. Barabani

I did not get it but that is not unusual. What is the best time to come down and file a report?

Chief Joseph Paulino, for School Police

Whenever you are ready just come on down.

Mr. Barabani

Ok, I mean I was trying to make an appointment. Ok. Just walk on in. Ok. Thank you. So this is great concern because they can manipulate the meeting they can manipulate the personnel commission we were kind of standing around here wondering around here how it would work out. I don't know who wants to stop this like I said, Basically what they done is they stole the identity of the public officer or official to stop a

public meeting. And they stole my identity to do that and once again I don't know why so be careful if you get any emails. So that is the only thing I have to say on that.

Mr. Salazar I just want to say for the record it wasn't me.

Mr. Barabani I never suspected that.

H. The commission will consider approving revised classification specifications for the following classifications. Each classification will be discussed and voted on separately:

1. Public Safety Dispatcher

Moved: \_\_\_\_\_ Seconded \_\_\_\_\_  
Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

Ms. Early Mr. Barabani, moving on to Item H. I had a question for public safety dispatcher there post by police. Is it associated with post testing?

Chief Joseph Paulino, School Police It has to go through that process, yes.

Ms. Early Yes.

Chief Joseph Paulino, School Police Dispatcher is post certified.

Ms. Early Commission Barabani I move that we approve the revised classification specification for public safety dispatcher, school police clerk and cafeteria worker

Mr. Salazar I think we have to do each separately.

Mr. Barabani Well we don't have to do you want to separate them individually?

Ms. Early Unless there is an objection, I am willing to move forward or can we take them all as a group?

Mr. Salazar Did we I wanted to have more discussion on the cafeteria worker. That was a piece that we have a high school diploma issue.

Mr. Barabani Do you want to pull that one out and do the other ones in a group?

Mr. Salazar That is fine.

Ms. Early Ok.

Mr. Salazar So one and two.

Ms. Early I move to approve one and two.

Mr. Barabani One and two, public safety dispatcher and school police clerk. All right, I will second that. Open for discussion. Call for the

vote.  
 Ms. Early Aye.  
 Mr. Salazar Aye.  
 Mr. Barabani Aye.

The commission will consider approving revised classification specifications for the following classifications.

2. School Police Clerk

Moved: \_\_\_\_\_ Seconded \_\_\_\_\_  
 Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

The commission will consider approving revised classification specifications for the following classifications.

3. Cafeteria Worker

Moved: Mr. Barabani \_\_\_\_\_ Seconded \_\_\_\_\_ Ms. Early \_\_\_\_\_  
 Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

Mr. Barabani Do number three cafeteria worker. I make a motion that we approve the cafeteria worker. I need a second.

Ms. Early I second.

Mr. Barabani Ok, now we open for discussion.

Mr. Salazar I think the high school diploma I have to wrestle with that because I know there are good people, there are good workers in our community that do not have high school diplomas and at the same time I understand we are an educational institution. And we should have a minimum of the standards and I can relate to what Mr. greenwood was talking about. Anything that I ever applied for you know required the minimum a high school diploma and here we are as an educational institution. I also its not logical Ms. Jenks did a good job of explaining, it's not logical to have someone on a lower position have a higher requirement then somebody senior to them it doesn't add up. So the only thing that I would say is that we I would suggest that we do something with that and I am open to have the discussion with the group here and listen to everybody else input and leading towards and I am open to listen as well.

Mr. Barabani I put this basically similar to get this moving. Just to get this moving but I do agree with you we will look at the other job to

see if we can correct.

Mr. Salazar And again, I may be wrong on this but I think its somewhere to that we can remedy the end and be approved. I don't think we need to wait for the next meeting I think we can remedy in that and improve it. I am looking for your feedback as well commissioners.

Alexis Jenks, HR  
Special Services  
PC I am looking into this class spec I don't know why I didn't realize it until right now for cafeteria worker this is not how commission staff sent it to the commission chair and so this particular class spec is not how we recruited for cafeteria worker in November. So if you approve this today there are discrepancies in what we did a couple of months. This is not correct. So I just want to let you know that there are some discrepancies with what commissions has on file, how we recruited for this position November 1<sup>st</sup> till November 21<sup>st</sup> 2011. This is incorrect. Commission staff didn't submit this for commission approval.

Mr. Barabani No one said anything.

Alexis Jenks, HR  
Personnel  
Commission PC You know I just caught the mistake right now. If you look at the experience and training section.

I. The commission will consider approving recruitments for the following classification with each eligibility list due to the commission for certification no later than December 12, 2012. Each classification will be discussed and voted on separately.

1. Education Assistant III/Severe Impairments

Moved: Ms. Early	Seconded	Mr. Barabani		
Vote: Barabani	Aye	Early	Aye	Salazar Aye

Ms. Early Mr. Barabani.

Mr. Barabani Yes.

Ms. Early I move to approve recruitments for Educational assistant III, Severe Impairments, Instructional Tutor- Learning Handicapped/ Physically Handicapped, Public Safety Dispatcher. Cafeteria, no I am sorry and School Police Clerk.

Mr. Barabani That would be 1, 2, 3, and 5 I would second that motion. Call for discussion. Call for the vote.

Ms. Early Aye.

Mr. Salazar Aye.

Mr. Barabani Aye.

I. The commission will consider approving recruitments for the following classification with each eligibility list due to the commission for certification no later than December 12, 2012. Each classification will be discussed and voted on separately.

2. Instructional Tutor – Learning Handicapped/Physically Handicapped

Moved: \_\_\_\_\_ Seconded \_\_\_\_\_  
Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

The commission will consider approving recruitments for the following classifications with each eligibility list due to the commission for certification no later than December 12, 2012. Each classification will be discussed and voted on separately.

3. Public Safety Dispatcher

Moved: Mr. Barabani \_\_\_\_\_ Seconded \_\_\_\_\_ Ms. Early \_\_\_\_\_  
Vote: Barabani \_\_\_\_\_ Aye \_\_\_\_\_ Early \_\_\_\_\_ Aye \_\_\_\_\_ Salazar \_\_\_\_\_ Abstain \_\_\_\_\_

The commission will consider approving recruitments for the following classifications with each eligibility list due to the commission for certification no later than December 12, 2012.

4. Cafeteria Worker

Moved: \_\_\_\_\_ Seconded \_\_\_\_\_  
Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

The commission will consider approving recruitments for the following classifications with each eligibility list due to the commission for certification no later than December 12, 2012.

5. School Police Clerk

Moved: \_\_\_\_\_ Seconded \_\_\_\_\_  
Vote: Barabani \_\_\_\_\_ Early \_\_\_\_\_ Salazar \_\_\_\_\_

## **V. COMMISSIONERS/DIRECTOR COMMENTS**

Mr. Barabani      It is now 7:07 we will go in closed session. Make it 7:12 p.m.  
Dr. Vollkommer    Thank you for the recruitments that you approved.

## **VI. CLOSED SESSION**

The commission adjourned into closed session at 7:07 p.m. for:

Conference with legal counsel, Kristine E. Kwong, Musick, Peeler & Garrett LLP

EXISTING LITIGATION (Section 54956.9a): California School Employees Association And Its San Bernardino City Chapter No. 183, v. San Bernardino City Unified School District; Governing Board Of The San Bernardino City Unified School District; Superintendent Arturo Delgado; Personnel Commission Of The San Bernardino City Unified School; And Does 1 To 10, Inclusive, Case No: CIVDS 1106215

Pursuant to Government Code Section 54957 to discuss:  
PUBLIC EMPLOYEE DISCIPLINE

The commission reconvened into open session at 7:12 p.m. and announced the following action taken in closed session: There was no report out.

## **VII. ADJOURNMENT**

The commission adjourned the meeting at 7:12 p.m.