

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

MINUTES

January 16, 2013

5:30 P.M.

I. CALL TO ORDER

A. The meeting was called to order at 5:37p.m. by Commissioner Early.

B. Roll-Call

1. Commissioner Rhonda Early, Chair
2. Commissioner Gino Barabani, Vice-Chair
3. Commissioner Michael Salazar, Member
4. Abram Flory, Personnel Commission Director
5. Nersidalia Garcia, Secretary III

C. Pledge of Allegiance

D. Administration of Oath to Michael Salazar, Board appointee to the Commission for a 3 year term commencing January 8, 2013:

Ms. Early: "We will now have the administration of the oath of office for Commissioner Michael Salazar the district appointee, administered by Abe Flory"

Mr. Flory: "if you could raise your right hand" "I Michael Salazar"

Mr. Salazar: "I Michael Salazar"

Mr. Flory: "do solemnly swear or affirm"

Mr. Salazar: "do solemnly swear or affirm"

Mr.: Flory: "that I will support and defend the Constitution of the United States"

Mr. Salazar: "that I will support and defend the Constitution of the United States"

Mr. Flory: "and the Constitution of the State of California"

Mr. Salazar: "and the Constitution of the State of California"

Mr. Flory: "against all enemies, foreign and domestic"

Mr. Salazar: "against all enemies, foreign and domestic"

Mr. Flory: "that I will bear true faith and allegiance to the Constitution of the United States"

Mr. Salazar: "that I will bear true faith and allegiance to the Constitution of the United States"

Mr. Flory: "and the Constitution of the State of California"

Mr. Salazar: "and the Constitution of the State of California"

Mr. Flory: "that I take this obligation freely"

Mr. Salazar: "that I take this obligation freely"

Mr. Flory: "without any mental reservation"

Mr. Salazar: "without any mental reservation"

Mr. Flory: "or purpose of evasion"

Mr. Salazar: "or purpose of evasion"

Mr. Flory: "and that I will and faithfully"

Mr. Salazar: "and that I will and faithfully"

Mr. Flory: "discharge the duties"

Mr. Salazar: "discharge the duties"

Mr. Flory: "upon which I am about to enter"

Mr. Salazar: "upon which I am about to enter"

Mr. Flory: "and I do further swear or affirm"

Mr. Salazar: "and I do further swear or affirm"

Mr. Flory: "that I do not advocate"

Mr. Salazar: "that I do not advocate"

Mr. Flory: "nor am I a member of any party or organization"

Mr. Salazar: "nor am I a member of any party or organization"

Mr. Flory: "political or otherwise"

Mr. Salazar: "political or otherwise"

Mr. Flory: "that now advocates the overthrow of the Government of the United States"

Mr. Salazar: "that now advocates the overthrow of the Government of the United States"

Mr. Flory: "or of the State of California"

Mr. Salazar: "or of the State of California"

Mr. Flory: "by force or violence"

Mr. Salazar: "by force or violence"

Mr. Flory: "or other unlawful means"

Mr. Salazar: "or other unlawful means"

Mr. Flory: "that within five years immediately preceding the taking of the oath"

Mr. Salazar: "that within five years immediately preceding the taking of the oath"

Mr. Flory: "or affirmation"

Mr. Salazar: "or affirmation"

Mr. Flory: "I have not been a member of any party or organization"

Mr. Salazar: "I have not been a member of any party or organization"

Mr. Flory: "political or otherwise"

Mr. Salazar: "political or otherwise"

Mr. Flory: "that advocated the overthrow"

Mr. Salazar: "that advocated the overthrow"

Mr. Flory: "of the Government of the United States"

Mr. Salazar: "of the Government of the United States"

Mr. Flory: "or of the State of California"

Mr. Salazar: "or of the State of California"

Mr. Flory: "by force or violence"

Mr. Salazar: "by force or violence"

Mr. Flory: "or other unlawful means except as follows"

Mr. Salazar: "or other unlawful means except as follows"

Mr. Flory: "there are no exceptions"

Mr. Salazar: "there are no exceptions"

Mr. Flory: "and that during such time as I hold the Office of District appointee"

Mr. Salazar: "and that during such time as I hold the Office of District appointee"

Mr. Flory: "to the Personnel Commission"

Mr. Salazar: "to the Personnel Commission"

Mr. Flory: "I will not advocate nor become"

Mr. Salazar: "I will not advocate nor become"

Mr. Flory: "a member of any party"

Mr. Salazar: "a member of any party"

Mr. Flory: "or organization"

Mr. Salazar: "or organization"

Mr. Flory: "political or otherwise"

Mr. Salazar: "political or otherwise"

Mr. Flory: "that advocates the overthrow of the Government"

Mr. Salazar: "that advocates the overthrow of the Government"

Mr. Flory: "of the United States"

Mr. Salazar: "of the United States"

Mr. Flory: "or of the State of California"

Mr. Salazar: "or of the State of California"

Mr. Flory: "by force or violence"

Mr. Salazar: "by force or violence"

Mr. Flory: "or other unlawful means"

Mr. Salazar: "or other unlawful means"

Mr. Flory: "thank you very much"

Mr. Salazar: "thank you".

Applause

Ms. Early, "Congratulation"

Mr. Flory: "would you like to sign that and I'll sign that"

Mr. Flory: "This is his second term, so his been through this before and then would you like to make a comment"

Mr. Salazar: "I will just make my comments very brief. It's a privilege for me to have the opportunity to serve as commissioner for the San Bernardino City Unified School District. As many of you know this is the district where I received my entire education. I believe in the public school system. I hope that we can work together um with regards to what we are doing here as a commission to better things here at the district and I just thank you all for your support and it's nice to see everyone here tonight thank you.

Applause

II. APPROVAL OF AGENDA

Moved	Ms. Early	Seconded	Unidentified
Vote:	Aye	Early	Salazar
Barabani		Aye motion carries	Nay
Ms. Early	Next item is approval of the agenda.		
Mr. Salazar	I move to approve the agenda.		
Ms. Early	Open for discussion. Mr. Salazar I would like to pull action Item IV (B) it's the item to approve the recruitments for the following classification, the bulletins were not attached to the the agenda as a supplemental information so I would like to pull that and have it agendized for our next meeting. Are there any opposition?		
Mr. Salazar	I would like to keep the items on the agenda; however, what I would like to do is leave it opens for discussion.		
Ms. Early	Ok.		
Mr. Salazar	So what I would like to do is have since it's on the agenda already I would like to have some input from our personnel commission director with respect to this action item 4B, and do we have any back up information, what kind of information can you give us on that?		
Mr. Flory	Thank you honorable chair, members of the commission, part of the reason that we don't have the recruitment flyers is because you already approved the job description, and back five years ago there wasn't a need to put the job description, job bulletin on there. Mr. Maher when he was here for 6 months didn't have to do that, and I think that requirement is just a little excessive. You've already approved the descriptions come directly. The job descriptions come directly from the job announcement come directly from the description, and so we would appreciate your approving us opening these up. If there is any problems that anyone has once there open then we can certainly a take care of it at that time. Our goal is to fill jobs and I think a lot of people in this room would like to see jobs filled. We have a number of lists for you to ratify then this is the next step of us moving forward. If we keep going backwards were never going to get any jobs filled. So I would appreciate you approving these to be filled letting us know if there is any problem with the announcements. As you know the Senior Personnel Analyst is vacant and we have been told that if we try and fill it we have to put Mr. Maher in there which is not acceptable. Also, these are positions that are highly important to everybody in this room. Any you have approved as I said, the job descriptions, the announcements will be a byproduct of those. So appreciate moving ahead with these next 8 jobs to open up which we can get the announcements ready. We also have one member of our staff that is going to be gone to the inauguration of the President, which is wonderful, wish I could go, and so we are going to be even shorter on staff. But we are trying to get jobs filled.		

Ms. Early Who let while you are at the mike who told you that a Senior Analyst position would have to fill with a individual?

Mr. Flory I have been told a number of times by Commissioner Barabani that if we have a vacancy it's got to be filled with Mr. Maher, and there is a legal opinion from the district that says Mr. Maher can't necessarily be appointed. Si I did not want to get into that conflict I'd like to get the job open. Mr. Maher like everyone else is encouraged to apply for the job.

Ms. Early One other question, what was the position that was held by Dr. Williams?

Mr. Flory It was a Personnel Analyst.

Ms. Early So it wasn't a Senior Personnel Analyst?

Mr. Flory Right.

Ms. Early Understand, a why are you recommending that the Senior Analyst position be opened as opposed to the Personnel Analyst?

Mr. Flory Well the Personnel Analyst was paid at the highest step; he was not that affective while he was here. And so we figure that we're figuring that we might draw a better pool of applicants for this job if we put it a senior level but start it step 1 which would be essentially equivalent what Mr. Williams was making at step 5.

Ms. Early Thank you.

Mr. Flory Thank you.

Ms. Early I too want to expedite the filling of positions, but as you are aware we have an item on tonight's agenda to discuss a report that we received from the Department of the California Education. So for us to say to not to continue to provide the bulletins that are used for recruitment as supplement material because it's too excessive. I am more in favor of us moving forward, correctly, as opposed to us going backward and having to address one of the issues on the agenda tonight. So I am still in favor of pulling Action Item B until we have received the bulletins that will be utilized for recruitments and I am willing to come in and meet for a special call meeting to address that issue, but because we have not received all the information, I am not in favor moving forward without all the information.

Mr. Barabani Madam Chair sorry for interrupting, are we on approving the agenda?

Ms. Early Yes, Welcome Commissioner Barabani.

Mr. Barabani Are we on item B?

Ms. Early We have currently we have a motion to approve tonight's agenda we are on discussing on we have a recommendation actually my recommendation to pull action IV. B and that is the discussion.

Mr. Barabani Open for discussion.

Ms. Early We are open for discussion right now.

Mr. Barabani Well I have some issues with that too if I'm not too late to mention it?

Ms. Early No you're not just right in time.

Mr. Barabani I wrote them down the best I could, on the first one the Senior

Personnel Analyst. I don't know if you discussed, it's not a Senior position. So that would that would entail a change in our budget and also a change in the position. It's not just a simple matter of recruitment here. We have been asked to approve the Senior rather than the regular Personnel Analyst, so what we got here is a change in staffing and an increase in the budget now, but we haven't been told why. If we are going to consider approval of this we should at least prior to this meeting had a discussion asking to have that position changed to a Senior than a regular analyst. Basically, number one would go with that one. I believe we have to have a review of the budget, a reallocation of our total budget runs on that, because when we did the budget we did it for the Personnel Analyst. So once you start changing the staffing budget according to my notes I personally have not been informed that we were going to change the staffing budget, I don't know about any other members here. So now that were are being asked to treat this as just a regular old recruitment which it's not. This we also have some litigation with this position because how the district wants to fill it as opposed to how we want to fill it and that issue is being decided in court right now.

As to the Cafeteria Worker this other one at our November 14th meeting, we passed the motion we moved, I wrote it down, we move that the commission approve the job bulletin for the Cafeteria Worker as submitted and directs the Personnel Commission Director, Mr. Flory to submit an eligibility list to the commission for certification by December 12th. So now we are being asked to approve the recruitment again. When we were already done with the recruitment when asked to have the exam list done. I mean we are kind of swinging backwards here on that one. This appears like I don't know what it appears like it it feels like to me that this been placed on the agenda to try fill jobs, and I don't know why we weren't given a list of the certifications as we directed on December 12th. We had that that is one of those priority jobs that we are trying to get and I don't know why we're bringing this back and wasting everybody's time, when we were asked to have the certification on December 12th, and now a month later were right back where we are. This looks like make work to me.

On number 3 Instructional Tutor learning same thing, it was moved by the commission and the personnel commission director to publish a job bulletin as approved on October 17th 2012, Instructional Tutor Learning Handicapped and we asked for that to be processed December 12th and it wasn't. The Lead Electrician the only thing there was that I don't know what happened with that or the Lead Mechanic heating and air conditioning that was not on Mr. Vollkommer's essential position list neither one of those. So, since it is not on his essential position list I thought we should prioritize on this and set aside a priority list and we were going to follow them. The School Police Clerk, we also did that one too, we directed personnel commission to published the job bulletin, approved it, and when we approved it October 17th 2012 for school police clerk we asked have that eligibility list to the

commission for certification on December 12th. We approved the recruitment for School Police Clerk two times; this is not the first time, it's being two times, now we are being asked to do it again. I don't know what's going with the Educational Interpreter III there was not enough information. And then I came in you were talking about the last item the Instructional as a CSEA representative on this panel the state I read what it says. The State has requested to contract this work out. Ok, they have ordered that that we change the class specification and that becomes out before the recruitment. How can we recruit when we have to change the class specification at the State's request that is my understanding? I think we need to have a comprehensive job analysis on this job so we can meet the guidelines in the uniformed guidelines. These were standards Mr. Flory himself said he wanted to meet for all jobs a while back when he first came here. And I'm that I as I proposed in my writings on that we haven't got there yet, but if they can find contractors to fill these position than we should be able to find people. We are not in the position here to contract out jobs. As a representative for CSEA I'm definitely not in that position. We have no job bulletins, were are being asked to give a blank check, were supposed to take to the authority on this, a lot of this we have proof that is we done, it looks like make work, it looks like it was being done for just something is being done and actuality its slowing the process down.

Ms. Early Is there any other comments on the item to approve tonight's are agenda?

Mr. Salazar None.

Ms. Early Mr. Barabani?

Mr. Barabani None.

Ms. Early So the motion before us is to approve tonight's agenda. Again my recommendation is to pull action Item IV. B and at this time I'm would just like to, I'm approving tonight's agenda in an effort to move us forward to fill positions, but there are items that I asked to be placed on tonight's agenda that are not agendized. And, I also requested that a draft agenda go out to all seated agendas prior to it being posted and we did not receive it. So I am approving tonight's agenda with realization that there are items that are not placed on the agenda that were asked to be place at the commissioner's request.

Mr.Barabani Madam chair, I did not receive my agenda until yesterday. I won't get into the issues on that. I did not have enough time to read the minutes, I know and we are behind. I asked for the agenda two times and I did not receive it. And I'm not even asking for it to come to my home, all I wanted was a simple e-mail with a PDF.

Mr. Salazar Well you know I would just make a comment on that. I know I get my agenda Friday before every meeting, pretty much the same time, hard copy, because I don't know what happened to yours but I did get mine.

Mr. Barabani Did you get one and the e-mail too?

Mr. Salazar I get a hard a copy of the agenda Friday like I always do.

Mr. Barabani Well I was omitted from getting a copy. Mr. Flory do you know why I didn't get a copy?

Mr. Flory Honorable Chair members of the commission. All commissioners were e-mailed a copy by Nersi, all commissioners were hand delivered a copy on the Friday before it was posted and, when I got your email about not receiving a copy I attached another copy of the agenda plus the original email that went out. I can't explain.

Mr. Barabani And that is the only one received and I never did receive a hard copy and let me state this it is not true about me getting a hard copy unless it was delivered I know for a fact it was not delivered to my house, but on that note it's not if Nersi did the delivery it's not her fault. I don't it's no need to deliver me and waste the printing on the paper. She's always normally just sends me a PDF.

Mr. Flory As far as I know....

Mr. Barabani So I did not receive. If I'm stating that one was delivered to my house it was not. I checked, I have a way to check to seek if something was been delivered view and no body come by.

Mr. Flory Honorable chair and members of commission, I certainly apologize but, I checked the e-mail status and it had gone out when everyone else received theirs via e-mail and, I can assure you one was delivered in hard copy as it has been delivered since at least May 18th that I'm aware of o the Friday before the meeting of the Wednesday the next Wednesday. I will certainly take the blame on that if it did not get to you and, I will be more than happy to hand deliver them myself as soon as they are ready each Friday prior to the meeting if that helps.

Ms. Early Thank you and I did receive my hard copy on Friday. I did receive an e-mail copy but it appears that it was sent to the commissioners via e-mail around 5:30 Friday evening not on honoring our request to receive it graph format to implement what we wanted to have on tonight's agenda, but I did receive the hard copy and the copy that was e-mailed approximately 5:30 p.m. on Friday afternoon via e-mail. So the motion before as is the approval of tonight's agenda

Mr. Barabani Is that with Item B?

Ms. Early The motion before us is simply to approve tonight's agenda. I brought up the pulling of action Item IV. B during the discussion.

Mr. Barabani Ok.

Ms. Early All in favor of the motion to approve tonight's agenda as is signify with a vote inside of Aye.

Mr. Salazar Aye.

Mr. Barabani Nay.

Ms. Early Nay. Would someone like to offer an alternate motion?

Mr. Barabani I would like to make a motion that we approve the agenda with Item B Action Item IV. B taken out or pulled and also that the minutes be pulled and that these minutes reappear on the next agenda with two more sets.

Ms. Early I'll second the motion. Any discussion on the motion? I am disappointed that we will not be able to approve the agenda, the minutes that have been placed on the agenda for this evening. I have expressed my concerns on several occasions about the amount of time that it is taking us to receive the minutes. So it is now January 2013 and the minutes that we have before us are from July 2012. So I am disappointed that we cannot go forward with approving those minutes because I think that we are very far behind and approving those minutes and I'm not sure why it's taking us so long to receive them. So I would be in favor of reagendaing them along with two additional sets for the next meeting. Realizing that the seated commissioners are going to have to be committed because that's going to make our packet very, very thick. And I would like to ask that before the commission packet is submitted if you could number the pages appropriately that would be helpful. Any other discussion in motion?

Mr. Salazar Yea, there is a further discussion of the motion. Since these minutes we are far behind on them and we do need to get them approved. I don't see any reason why we should take them off tonight's agenda let's move forward and let's approve let's let's take care of that piece of the agenda. So although I'm not still not in favor of taking Item IV. B off tonight's agenda I am in favor of keeping those minutes for approval on tonight's agenda, and I would agree with you that it's an important thing for us to get those approved and get moving forward. There is no reason why we can't at the next meeting have another two, excuse me to approve. I don't see why we should have four, if we already have two right here now.

Mr. Barabani My problem is that I received this agenda like I said yesterday late.

Mr. Salazar I understand.

Mr. Barabani I did not get to read them but, if we have two sets I'll have them read for next meeting and I'll even have the other 4 sets. Now we want to speed up I'm willing to go an extra two sets above that, I think I can do six sets. I mean six.

Mr. Salazar Well again, we have two other commissioners here that maybe haven't had the opportunity to look at those minutes and we can approve them. So I'm just throwing that out there because under the umbrella of being timely and somewhat efficient let's do that.

Ms. Early I would support the decision to move on with the approval of the minutes if my fellow commissioners stated that he received the packet during the same time frame with as we did and just had not reviewed the minutes, but since he is saying that he just got the information I think yesterday and I know that this is a lengthy packet I would like to afford him the same opportunity to have input into the minutes. You and I have already reviewed the minutes and probably have our marked up copies that we can bring to the next meeting so it wouldn't be an extra burden on us we would simply be reviewing the next two sets of minutes. But this would allow him the opportunity to have input to the July 11th

minutes and the July 25th minutes. If he has any corrections or comments on the minutes. So because of the untimeliness and him having access to the agenda I would like to support his request. It wouldn't be an extra burden on us because we already we already read. And I'm willing to present my marked up copy to Ms. Garcia if that would assist in making corrections for the next agenda.

Mr. Salazar And if we are going to have staff redo this and put four and two sets we have already have to tonight's packet the next packet as well.

Ms. Early Is that a problem?

Mr. Salazar I'm asking is that's what is going to happen right?

Ms. Early If they are placed on the agenda they would have to be a part of the agenda packet.

Mr. Salazar Just asking a resourceful question.

Ms. Early Any further discussion on the motion? Commissioner Barabani I'm going to ask you to repeat your motion.

Mr. Barabani My motion was to approve the agenda with Item B removed and removing also the two sets of minutes but requesting that at the next personnel commission meeting to replace those two sets to bring back those two sets of minutes and two more sets for a total of four.

Ms. Early We have a motion in favor in approving tonight's agenda with the omission of Action Item IV. B and the omission of approval of the minutes from July 11th and July 25th with the July 11th and July 25th 2012 minutes to be agenized at the next scheduled personnel commission meeting along with the next two sets of minutes. All in favor of the motion signify with the voting sign of aye.

Mr. Barabani Aye.

Ms. Early Aye.

Mr. Salazar Nay.

Ms. Early Motion carries.

III. PUBLIC COMMENTS

- NOTE:**
- Comments from the public on any agenda item may only be made at this time. 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.

Ms. Early Our next agenda item is an item where members of the public are able to come and address the commission rendering your comments, and we welcome the opportunity to here welcome

Dale Marsden,
Superintendent
for San
Bernardino City
Unified School
District

Hello Ms. Early, and Mr. Barabani, Mr. Salazar, Dale Marsden, Superintendent for the district. I don't know I think we have met once before Mrs. Early and I know I met the others as well. And I just wanted to come tonight to say that we are as you know as I have come on board I have been working really hard. To ask all of our employees and our community really, what do we want to see? Hear and feel in a district of excellence, what do we want to always want to see, hear and feel and what, what do we want to never see, hear or feel. And I want to bring to your attention. That we have created some basic, and there are basics for excellence and I encourage you to take some time to review them I will pass them along to your team. But we got them by asking not just a few people or a couple leaders, or a couple of folks around their ideas but we asked every single employee, every one, what would you want to see, here and feel in a district of excellence and the things that they said were things that like focus on results together that we work collaboratively to produce exemplary outcomes for our community, service we achieve success by consistently and effectively serving others, A since of purpose our actions of focused to contribute to the obtainment of our mission, positive passion we experience in enthusiasm in encourage as evidence by our excitement and joy in what we do every day.

Emotional commitment we exhibit in inspired behaviors that look like pride, motivation and empowerment through involvement of others, parameters of trust we establish consistent parameters of trust that are characterized by honesty, transparency and collaboration and professionalism. We exhibit professionalism by providing superior customer service while adhering to quality professional standards. Now I bring these to you tonight and to bring your attention to what we are doing because what I can tell you is that every effort is being made to bring San Bernardino City Unified School District and transform it into one of the most effective districts in the nation for what works in public education. And I recognize that for a variety of reasons it's like we have a stall here in this room, and I'm not going to get into all the details of who and why and all those things, it gets us blaming making excuses and that could fall on any one of us to district people to anybody at the table or anybody in this room.

But I think we're at a place in this districts history where we are changing the tide. The relationships that have been broken where trust has been all but you know devoured. We're finding new ground, common ground and beginning efforts really making great strides in building trust in the organization. And I know that takes time, trust is earned and its hard, especially when we have passed things that you know that we think on we think about all the passed experience's we've had and those passed experiences brings us into today and today takes us forward, but there is some point in time where each of us as individuals each of us as leaders really have to say you know it's enough and were going to make a decision that we cannot change what has been or you know all the things that us

plagued us in our former experiences and thoughts, true or not true, there comes a time when we have to change to course there is much pain right now because we have so many positions not filled, the pain is felt I know in by everybody in this room and I mean everybody there is not a person that is not affected. The costs to the district because of those position not being filled are enormous and the struggles that have occurred along the way have caused great pain I would say to probably just about everybody in this room, no one from the commission exempt, and so I would just ask you to consider with all that you have making every effort to approve what's before you in terms of this eligibility list right now and help me. I need your help as an entire body to come together and somehow get beyond all these things that are distracted from the real task at hand. This community needs employment, our school district needs these positions, and we need your help, I need your help and so I ask you to set aside your personal difference, set aside the pains that stick in the background, all those things that distract, and if you could I'd ask you to come back to just the core a values of why this commission exist the core purpose of this commission and find a way a to go forward and help us get to where we need to go as an organization and to turn the tide, we have a reputation we are earning and building in this community San Bernardino City Unified School District takes a turning tide and we need your help with that. We want to put a new face on all the things that we do and it's no easy task, you know I want to work hard to create an organization where we eliminate fear we eliminate you know blame, excuses but we get to a place where we each are 100 percent responsible and we take control over the things that we have control over and we do the work we need to do to get the job done.

So I just again ask you to consider approving the eligibility list that is before you here and now and the ones that are coming to you in the future and just continue to work with us as we can go forward to I believe will be one of the greatest district in the state of California. So thank you it's a pleasure to see all of you and meet you and appreciate your work and I have every confidence that you will pull together as a team work with the district, with the folks that are represented in this room, and do what we need to do to turn the tide we need your help to turn that tide. Thank you, thank you very much.

Audience

Applause

Dr. Marsden

Of all the times I have to leave now

Carl
Greenwood
CSEA

I would like to also see that everything is a passed and that is as far as the jobs are concerned. This has been going like you just said since July. We've argued over should certain position have a high school diploma shouldn't it? We are a company of learning this is what we do. Of course there should be at least a high school diploma when you come to this district. I fought that for months now, but that was one thing that just kept going and going. What I see every time I come to these

meetings is that we didn't have that we didn't dot an I we did do this we didn't do that, if it is something very inaudible I do say let's deal with it, but we also said here that this things have been passed before without what you're asking for tonight. Like Dr. Marsden has said we are suffering, and the ones that are suffering are classified. Without the type of without the numbers of people on jobs doing the job the ones that are there are suffering they are the ones that are being injured going on IA which is costing this district more money. I'm ashamed that we have to go through all of this every single month there is something new with this commission. It seems like you refuse to pass anything, it's always something every month and I guarantee it will be something next month, something that wasn't done. I'm at the point now where I just don't know what to do. You know I have the thought maybe we will be better off without a commission and we just deal with CSEA and our attorneys and work with the union and work with the district because you guys are here to make sure the jobs are done to make sure that we hire, to make sure it's not being abused, to make sure that laws are being kept, but the biggest thing you are here for is to keep this district working with the classified people and you are not doing that you are failing classified and its wrong what you're doing. If it's something that is against the law then of course we do not want to break the law but inaudible, I am just am tired of hearing it I really am. It's going nowhere; it's not getting us anywhere blaming who did this and who did that, you didn't put this in the agenda. As a business man myself if don't have something I'm going to go get it. If you didn't get something by last Friday why weren't you on the phone or email saying I don't have it? All this reading your talking about you have had months to read it why has it not been done. These are things that you just keep holding back and holding back and holding back, and it might be a tiff between the districts and that you guys and us but, the ones that are hurting are the people in this room every single body here. They're not here because they like the room, they're here because their departments are hurting, they're here because they are hearing from their classified people that we can't do this, we're doing the best we can but we're people at the scene we can't do this anymore, we come to you to do your jobs in a inaudible, so I'm tired hearing what shouldn't be done, just do it, if you don't have something get in your car and go get it, if you don't have something pick up the phone and ask where is it? You have a month between these meeting to have special meetings myself and the president have been here for all these special meetings what are they for you still don't get anything done, so I'm saying get off your butts and do your jobs or we'll find some way to do it without you.

APPLAUSE

Maria
Espinoza,
Interim Director

Good afternoon honorable chair members of this commission, my name are Maria Espinoza and I have been working out of class as a transportation director for over 6 years. My

for
Transportation

department is responsible for all the routing, scheduling, parent notification customer service safety aspects of transportation for this district. Some important facts, over 10, 0000 students which is approximately 20 percent of our student population ride school buses, we have 268 bus routes, over 2000 bus runs 5 days a week, my department is at 50 percent staffing, the numbers haven't changed over time and I have been here since 2004, numbers haven't changed but my staff has decreased and decreased and decreased. I along with my staff I feel it is our duty to assure our students have the safest most reliable transportation and service do to them. We are constantly challenged to meet those demands and to do our jobs; it is more common than none that we work 6, 7 days a week, overtime or not. It is unfortunate when one of your staff members call you and say "oh I am so sorry I'm too sick to come to work", because they know by them not coming to work we are already short that means everybody else has to carry the load.

There is nothing harder when a parent calls you and says why can't you schedule my child why is it going to be 5 days, that makes no sense, I can't tell them that it's because I don't have the staff, all I can do is apologize and promise them will do whatever we can. I'm not the director I'm scheduling I'm out in the field and it's not just me, my staff and I have staff members here, we all carry many hats because we care, our students are our first priority and we take our duties very seriously. In my opinion by not having adequate staff we're placing not only our students at risk on a daily bases but this commission is at risk and the district is at risk because there is a liability factor that we have to keep in mind. Our Special Ed students, legally there is a time frame that you have to get them schedule, if I don't have the staff and 12 hours is not enough there is a liability factor, if my staff can't go out in the field and evaluate those bus stops how can we say that's a safe bus stop if we can't fiscally go out there. Over 10,0000.00 students, over 268 buses over 2000 bus runs that is not possible when your running at 50 percent staff. I just want to plead with this commission keep in mind just like Mr. Flory said earlier there's going to be delay because there's a staff member is not going to be in the office. Well imagine what kind of delays we have to in factor or our kids have to encounter when one of us is sick or we can't be there because we are sick, or we need a vacation because we're tired of working 7 days a week. I have to beg because overtime is not a luxury, they would rather work their regular shift, but I'm very fortunate I have a very committed group I'm very blessed because my staff is so awesome, but they shouldn't have to come to me apologize for being sick, or for asking for time off that they are entitled to because at the end of the day our duties inaudible our responsibility are those kids, I don't sleep when I know that the job is not going to get done I'll figure it out, and luckily I have a very supportive staff but how much can I ask of them before it becomes too much, what is going to take, one student is one student to many. So please be aware of that, think of that, I go

home every day knowing that the last child has been delivered and is home safely, but I still think about those 34 that haven't been placed on the bus yet. That's what we have to deal with. You know out of sight out of mind. I'm here to share with you what our challenges are and why it's so important that you move forward cause I know that it's not just my department that is facing this I talk to my peers we are all in the same boat. Please put everything aside and think of our students, our duty everybody here our duties are those kids. Where we make sure their needs are met. Thank you

Applause

Unidentified Inaudible I'm hearing support of my staff.

Charles Arroyo, CSEA President Good afternoon commissioners, Charles Arroyo president of CSEA, basically I am here to give the same message that everyone else is giving, I represent about 17 hundred employees and I think my message is going to be pretty clear and in pretty much what everybody else is thinking. You know enough is enough I have been to these meetings and I hear the same thing over and over. All I hear is bickering asking a bunch of questions and not getting any work done. What we need to do is move forward, approve these agenda these eligibility list and we need to hire people. Classified employees are suffering their being over worked, when classified employees suffer, the district suffers, the community suffers, and the students ultimately suffer. So whatever you guys need to do you guys need to get it together and work as a team and not has individuals. I come in here and all I feel the hostility from this commission, I can feel it when I walk into this room. It's time for this commission to please move forward and I speak for all classified employees and I'm pretty sure the rest of this district, it's time to move forward. I have conversation with most of you and I have expressed what you guys should be doing here. Mr. Barabani CSEA appointee, you know exactly what I want. I would hope and I would urge you to move forward. I've been asked many times I have only been president for like 2 months now and I have been asked many times do we need this personnel commission? My answer right now is no because it is ineffective I would urge you to move forward. Thank you

Applause

John Peukert Good evening commission, thank you for this opportunity I'm John Peukert I'm the Assistant Superintendent for Facilities and Operations. I have the distinct pleasure of having a large section of the classified employees in this district. And we provide operational support for the transporting of food and serving and transporting of students. The building of schools, refurbishing and the great support we get from the custodians in a lot of ways for the personal success of the students on the campus either through their presence or what they provide as service to the community of schools. I'm here to ask you to set aside what differences you may have that exist inside the commission. And

fill the positions that have been opened in a lot of ways over 3 years. Clearly the power to make a difference in the students life's now lies with your decisions and with this commission. We need to move forward tonight with the filling of positions for the safety and security of our students. I'm sure you can appreciate and the lilaceous society that we have that if for some reason that something happens to a student or a series of them that you can be assured that something would come back to the district and personally to this commission. I think all you have to do is pick up the paper and see what happens and who's always trying to blame somebody for the result of something happening. The positions not filled whether its school police, a custodian that might catch something might not be there to chat with a student, a food service worker that represents maybe being a mother image to a student or some other support. Each one of these departments has certain requirements that must be fulfilled. I'm not sure what the differences inside the commission if they would be at the level of creating an umbrella from that litigation, talking about missing agendas, talking about this wasn't here, this isn't the first time I heard it. These minor issues that could be avoided tend to distract from the main purpose which is the safety and security and service of this community with these students. So I ask you to be proactive in this, work on what relationships you need to we're here to support you, but we must fill these position before it becomes irreversible. Thank you.

Audience

Applause

Alejandro Raya,
School Police
Union

Good evening commission, Alejandro Raya president of the san Bernardino school police officer association. First I want to thank you guys we have been hiring a couple of officers so some stuff has been done in good work with you guys. Still kind of disappointed on the situation with the one officer has been out of class and the commission not stepping up to do anything not even offering to get any further information to try and fix that problem or resolve that. Not just speaking on my behalf but kind a supporting the other unions that are here. I have been here many meetings they are really dysfunctional. There is obviously some personal issues going on among the commissioners and everybody in this audience can see it. And everybody else in this district gets it gets wind of it even if they are not setting in this these meetings. Those problems to be fixed, there's plenty of positions in this district that need to be filled. I've seen stuff go on in this commission which you guys are trying to prevent. The nepotism of bringing on personal people on and friends. I've seen it happen here in this commission hiring people came out of nowhere and of all of sudden and their acquaintances of somebody on this commission, if you guys are really trying to prevent that why were you guys doing it in in house in your guys commission? CSEA has made the comment of looking to pull away from the commission is it really necessary, that is a questions that has been brought up in my association many times, obviously I don't

have the numbers that CSEA does, but we are also looking at that are you guys really necessary? Is this commission really what's it here for, what's it doing for us? I think between all of our legal and working with the district that stuff could be resolved the issues that you guys are created for. I know Dr. Marsden was here earlier and he spoke. I have been at many meetings with him and I do see the district going in a forward direction I've been here for 11 years going on 12 and this is the first time I have]seen the changes in the stuff that is going on. So I think it's time for the commission to realize what their services what they're here to do and maybe jump on board with what this whole district is trying to do and make a new change and a new face in this community. We are all here to serve we all have our parts so that's all I'm asking you guys to do set those differences aside and if you want to exist and be a part of this district you need to set those difference aside, that in fighting or whatever those problems are need to be resolved. Thank you

Audience

Applause

Ed Norton,
Director for
Maintenance
and Operations

It's been hard to hear everybody so I don't know if we need to turn this up or not but can you hear me in the back. Ok. Now I got to lower my head down I'm not very tall. I'm Ed Norton I'm the Director of Maintenance and Operations and I have a couple of three questions before I get into the main part of my dissertation so to speak. First of all I would like to thank the commission for given me the opportunity to come up here and publicly speak. I know most of you I've met all of and some of you, I've known for an extended period of time. So thank you very much. First thing is I would like to say that you know the secretary here for the commission used to be my secretary Nersi, and I know that if Nersi said she did something than she did it, so I'm kind of wondering if Nersi said that she hand delivered something I'm not sure what that act actually means but, if she said that she hand delivered something and sent it out in an email my money is in her basket that says that she did it ok. So that that's one thing, but I would like to know what the term hand deliver means? You know that that is one of the questions. The next thing is I don't know who Mr. Maher is? What his job title and what are his job duties and responsibilities? I think the public would be interested and I know I'm personally am with what is his rolls and responsibilities in relationship to this commission because, it certainly was a position that never existed before, so I'm kind of wondering what is his position? What is his duties and responsibilities and what is he doing for this commission over the last several months or whatever period of time that he has been employed? And lastly I would like to carry forward the same kind of information that has been provided by a couple other speakers, and that is I have approximately 200 positions in my departments one of the bigger departments I have over 50 vacancies, I really have about 80 vacancies but 3 of those position have been deleted because of budgetary issues, and they have not been vacant

since July or since Mr. Abe Flory came back, they've been vacant for over 4 years, so my question is what's been taking so long? The fact that I have 50 positions out of 200 that you know you can do the math that's 25 percent. You know not only the students and the staff deserve to have these position filled but the community needs these job, you know employment is tuff in this area and there's 50 trade jobs that are available they are good jobs good, pay good retirement benefits and people will line up to fill them. More importantly is the continuing emphasis on the safety of the staff and students. What can we do as Dr. Marsden said to convince you to carry out your duties and responsibility with integrity, dedication and collaboration? Will it take a student to get injured by stepping in a gofer hole and breaking his leg? It's already happened because I don't have enough ground workers. Will it take air conditioning systems that that isn't functioning properly and so that students are in over temperature class room for a certain period of time? It's already happened. I have 40 percent of my air conditioning staff is positions are filled 60 percent are vacant. Why? Same thing with heating what's going to take a student that catches pneumonia because we were backed up with tickets. I have been working my people over time and on weekends and 50 hour weeks for over 4 years. I've had almost every other position filled with out of class which is a good opportunity for training but, it also mean that you have an unqualified person in the position. Commissioner Barabani says he doesn't want to a go out after positions and have them filled with contractors; I'm filling positions with contractors because I can't get support to fill the vacancy through this commission. So you're in conflict with your own axiom. So again what will it take and what can we do to get you to carry out your duties and responsibilities as you are required to do? Please let us know, thank you.

Applause

Ronald Mihld,
Supervisor for
HVACR at
Maintenance &
Operations
Department

Good evening Mr. Commissioners, I'm Ronald Mihld the HVACR supervisor, currently I'm responsible for over 3000 pieces of equipment I have 4 techs one off on IA who got hurt on the job, we currently working 10 hours a day sun down 6 days a week, my staff is very dedicated and their trying to do the best they can, this week we've had students freezing in classrooms because we simply we can't get there. This is it's hard to come to work every day be motivated, hold your head up, and look at staff in the eyes and apologize 8 to 9 hours a day because I can't get there, my guys can't get there. You simple sit in a room today comfortable when 100s haven't been for weeks on end, summer or winter we have the equipment and repair it. I urge you please fill these positions, I don't know if you can hear the urgency in my voice but this is this is my heart filling please we need to do something to help these students. My guys are getting hurt they are working their hearts out. I don't know what else to say but, please we need some help, the students' need the help the staff needs the help and I thing they

deserve it. Thank you

Audience

Applause

Ms. Early

Are there any further comments?

Harold
Vollkommer,
Assistant
Superintendent
to Human
Resources

Harold Vollkommer, Human Resources, happy new year commissioners, I hope that 2013 is treating you well so far and that you got some well-earned rest and relaxation over the holidays. I'd like to congratulate Mr. Salazar in being reappointed to the commission and I look forward to working with you throughout the next couple of years. I want to I did this once before and I want to offer I already cleared this through Silvia so I have permission If you would like if the commission staff would like help with the minutes rather I mean I'm looking at Nersi thinking oh my goodness how many sets of minutes can one person do. We have resources we can each take one and power them out and get them done for you. So I will make that offer again this evening, I've made it before and I will make that offer again that we would be happy to help in that endeavor to get you caught up on your minutes. 2013 and actually into the next school year will be a critical year for the district as we round out our strategic plan and set a clear direction for the district for years to come. One of the foundational elements of any strategic plan is the dedicated and talented work force to support the plan. Obviously that's where you as a commission come in. Our latest tally shows that we have approximately 390 classified vacancies in the district and approximately 100 classifications. The bottom line to this as you have heard several people say is that our kids are going without service and despite whatever differences we may have and on other issues. I am hopeful that we can all rally around doing what is right for our students. The people you see before you this evening each have their own story to tell some have shared and some have not but, they all have a story to tell on terms of what they're doing and how they are having to adjust to make this thing go without those 390 employees. Before you these evening you have an agenda that is filled with at least one opportunity and that's the eligibility list. I had also included the recruitments prior to them being taken off. But those eligibility list translate into jobs for numbers of our community, first excuse me for members of our community and more importantly services for the students who are been entrusted to us. Thank you in advance for allowing us to move forward in these areas. I also want to comment the commission on the general tone and accuracy of the agenda even though it appears there was a piece missing, but on the general tone and accuracy of the agenda and back up materials with one possible exception the agenda does not appear to cause potential liability issues for the district. I brought this to your attention before and I appreciate the progress in this area. I want to thank Ms. Early for her leadership in this area and express my hope that this will be a pattern for the future. Going through some old files I ran into a

personnel commission year annual report from 2003-2004 and I made a copy for you but not copies for the audience. I would direct your attention to page 3, you can look through the rest of it but notice if you will page 3 which list 212 recruitment bulletins reviewed and approved 177 eligibility list reviewed and approved, 336 appointments reviewed and approved, I wanted you to see this as what is possible when we work together. To date since we started hiring back when Mr. Maher was the personnel director and while Mr. Flory has been the personnel commission director we've hired 183 classified personnel since we got going again, every one, every single one consistent with the principle of merit, that's to sink in for a second we can do more, let's get busy. Thank you and I look forward to working with you toward these ends.

Audience

Applause

Ponciano
Vidaurri,
Nutritional
Services
Supervisor

Good evening chair, excuse me, my name is Ponce Vidaurri I work for nutrition services, I myself have been working out of class for over last 2 ½ years and my responsibility right now is to assist the director and all the operations that are in regards to the service of meals to our students. As it has been said by many others our department is sorely struggling we have many vacancies that have gone without being filled, we've been having to work many people out of class and as what was said early that does then forces us to have people to do assignment that they are not familiar with, it's a good training opportunity I agree with that, but it does put us in a bit of predicament when we have someone doing something out of need and forcefully on our behalf because we have no one else that can do it. I have had many employees talk to me, I have many of my management that reports to me, constantly asking me what are we going to do? When will there be a change and when can we look forward to having more employees hired? It is a struggle every day, we provide a service has do many other departments, we know the importance of the meals that we provide and we also know that many students through many different research and articles that have been put out, that show that obviously that students are going to perform better in class if they have had a meal. We provide that service, we do it the best we can, we take pride in what we do, but it's been a very big struggle for us for more than 2 ½ years. Like they said earlier we know that the commissions has been in place for as long as it has, but we also know that our particular department has had these vacancies for far longer than that. Once again we do what we can, we provide these services, we have regulations we have to follow, and we do what we can. But I urge please to consider the services that are being provided to all of our students, by all of our departments because it is something that is necessary and we should be doing what we can to provide those services to the utmost ability's that we have, but we also need for you to support that and the only way we can go forward in a positive manner is to have those vacancies filled. Thank

you.

Audience Applause

Liz Madera, Classified employee I am Liz Madera, classified employee, I just like to say that I did see an instance of the merit system working with it looked like the custodian utility technician position that had been worked out of class for several years. That was also brought upon the personnel commission meeting 10/17/12, I do note that on November 20th there was a promotion from a custodian I to Nutrition Services Custodian/utility technician, so the merit system worked finally in that instance thank you.

Audience Applause

Pat Maher My name is Patrick Maher I was the former personnel director here for several months. I hear everything of what everyone said so far as I know all 3 commissioners has been behind this 100 percent, they wanted to fill jobs, they wanted to get the positions out, and when I was here we put a lot of list out, for example the commission approved a list for cafeteria worker, it took the district 4 months before they started hiring off that list and 6 months, 7 months before they filled the vacancies, you've had a campus security officer that's been list that's been in existence now for over a year, inaudible for over a year as of right now, and the last thing I saw there were 5 vacancies for campus security officer, why are there vacancies if there's a list. The commission has nothing to do with filling vacancies the commission can only give a list, there were many other positions that were filled of the list that were created, some of which the district has not filled for 5, 6, or 7 months or not all. When I first came in I was told the number 1 priority was to fill the paraprofessionals in Special Education and 15 working days after the recruitments closed I had a list, it took the district 6 months before they started hiring the very first person off that list. So the problem isn't just doesn't just doesn't rest with just the commission there's a big problem with the district itself in terms of filling its position once they are once the list are generated for various reasons they can't get around to it. The list that Ms. Madera just explained it was ready for it should have been approved back in I believe by no later than June, the list was ready to go, the exam was setup, everything was ready to go, it took 3 months after Mr. Flory came aboard for I believe for that list to come out. They just filled the thing in October, they had that list for 3 months, it's one position, one person one position, 4 people on the list, three people they can interview, why does it take them 3 or 4 months to fill a position that they've been working somebody out of class after 4 months? That's not the commission that's the district. You heard early what was said about some of the request tonight, Mr. Flory was ordered by this commission to have 5 lists to them on December the 12th, and he did not produce those lists. He is coming back

tonight to ask permission to once again to perform that work. So it's not just the commission.

Supposedly Dr. Vollkommer and Mr. Flory are working hand in hand to identify the priority positions to be filled and some of these positions are not filled because the district says they are not important or the district says something else is more important, so it's the district that makes the decision that is influenced and then when it comes time to do the recruitment the commission is off like something like 17 list or 17 recruitments this year alone, going back as far as July of last year. And today for the very first time after all of that time out of 17 lists there are there are 5 there are 5 list set for ratification. Those 17 lists should have been completed months ago. So it's again it's not the commission that's the problem, when the when the commission inquired into why the exams are not processed, Mr. Flory put out a thing out saying I'm waiting for the district to tell me which ones to proceed on. Dr. Vollkommer staff here in this meeting and you go back and look at the minutes Dr. Vollkommer sat here and says I'm not sure which one should get a priority on maybe some of the other ones that your talking about is the ones you should give priority to. So if the district can't tell the commission, the personnel director can't identify and get jobs filled, it's not the commission, the problem rest with Mr. Flory and Dr. Vollkommer, that's where your, that's where a lot of your problems exist. There is no reason why that list should not be out, there is no reason why those lists should have been ready if there done properly. I concur whole heartily with Mr. Greenwood, You have to follow the law and we have to fill position, but if the law is violated, how can you fill the position, one or the other has got to go. Because you got to go back and so without the nit-picky little things that people seem to think it is it comes back to saying it comes back to saying the law has to be followed if the laws isn't followed if the rules aren't followed. These might seem to a lot of people not picking little things that don't really matter because you don't understand the legal implication because you don't understand what in terms of the merit system. If you don't want a merit system out vote the merit system out and turn in the peer cronyism and turn the process entirely over to the district to pick and choose whoever they want whenever they want to, if that is what you want then that is what you should go for but, if you want quality and managers to if you want qualified experienced people a merit system test them on job related things picks them out and gets them hired. You had a custodian list that was approved back in March or April, if you have vacancies with custodian that belongs to with the district not the commission. You've had Campus Security Officer like I said for over a year you've had School Police Officer, so if you have vacancies in those positions that's a problem that exist with the district not with the commission. And I think it's fair and there may be some legitimate criticism that but I think it's only fair that everybody understand that a lot of your questions the issue about a police

officer working out of class, that's a district decision the commission has several times objected to that, when I was here as a director, I issued I told Dr. Vollkommer you shall seize that position immediately inaudible he told me it was critically important to fill assistant superintendent the director of hr., critically important, I worked like crazy to get that position filled then when it was already to go he said well we want to wait now we're going to eliminate that position, or were going to continue to push working out of class for 3 more months in violation of the law.

This is the kind of stuff that is really going on within this district that you got to be aware of and you can deal with the criticism, you can deal with the complaints and you can point some problems up here, but for the number of reasons there is a lot of things going on that you're not aware of in terms of why this commission can't get the things done that it needs to get done and I'm only saying that because I have some background on it and because if it comes from them its going to will sound self-serving. I have got no stake in this community, I'm here because for the reason that I believe that this community and these classified employees deserve to have good fair objective testing and what kind of fair objective testing does Mr. Flory want? You heard him tonight; I can't apply for a job I'm not going to get it. What kind of objective fair testing is that? This is the personnel director who is responsible by law to uphold the principal of merit saying I'm going to violate the principal of merit because he and I have a personality clash, that's the only reason why I am not accepted because he and I have a personality clash and he doesn't want to commit. That's all and its that's fine if the commission doesn't want to hire me when I'm done but I have a chance I have an opportunity like every single person in this room that wants to apply for a classified job position have the opportunity to apply through the process and go through the examination process and be place on that list in accordance with the performance on the job related examination and once they are place on the list for a job related examination they have a chance to be treated fairly and objectively. That's all a merit system does and it gives you qualified people and I don't know if hired any custodians, but I can tell you got qualified custodians from what you had before, because when I walked in here I can't tell you the number of classified employees that came up to me and said you got to do something, we got people that can't speak English, we got people that can't do the job, we got people that can't read and write, we got people that can't do this, we got people that can't do that. We need to get qualified people in here, qualified people, or anyone to fill the job. And qualified people take a little more time and effort and that's what these two commissioners are trying to do. Thank you.

Joseph Paulino,
Interim Director
for School
Police

Good evening, Joe Paulino part of the School Police Department the current Chief, I believe its I real important that when the story is told that it's told properly and however I'd like to say it should always be an urgency to say thanks and I'm

here to say thanks for the police officers that have been placed in for hiring, the dispatch list that you going to approve tonight I believe that is important and in reducing overtime in the district. And by the way the dispatch and the number of dispatch is vacant in our department is about almost at 50 percent because we have 7 dispatchers and 3 positions is up to be filled. And regarding to some of Pat's comments in regards to the CSO, it's important that you to know the process and we're not the typical school police department where we just place people in our uniform. They go through a back ground process that may be real intensive. So it's important that the story be told properly and there's people that comes in or they attempt to come into the department that we know should not wear the uniform so we disqualify them because of them a variety of reasons, however that needs to be stated that our process is rigorous in regards to being a part of our school police department. And there are men and women that stand in line for the school police department. Thank you for having me speak here tonight. Thank you

Audience Applause

Ms. Early Are there any other comments?

Carl Greenwood, CSEA Representative
Carl Greenwood CSEA once again. I did say that we want things to be legal and fair, but so that's what we all want, but I just I'm going back to 30 days again, after tonight you'll have 30 days. If there is something against the law then you pick up the phone and you call Mr. Vollkommer, we have a full release president and I know his not a wimp, if something is going on his going to call you on it. If something is going on that's not right that has to do with our members his going to call hell on it. There is no excuse for month after month after month to come up with reasons why you can't hire we have a full release president you can contact him at any time, our labor rep is back there you can contact him at any time, I've called him 11 o'clock 12 o'clock what do we do tomorrow, I've called Chuck 12 o'clock he calls me back. There are no excuse people if we can do it and we're not getting paid for it you can sure do it, because you have this whole school district counting on you. So once again it's more statements and excuses, and as far as Harold Vollkommer concerned, we've been playing phone tag for 2 weeks haven't we Harold? But we finally got in touch with each other and we finally took care of business, so there is no excuse why you cannot approach Harold, the Chief of Police, our president our labor rep, our M& O supervisors, and say hey this is against the law, can you re-structure this, can you re-write this and have it ready for the next meeting so we can move forward. I mean this is not rocket science let's just get it done. Thank you.

Audience Applause.

Ms. Early Any there any other comments if not then we are going to move forward on the agenda to action item IV.

IV. ACTION ITEMS

A. The commission will consider ratification of the following eligibility lists:

1. Assistant Nutrition Services Director
2. Buyer
3. Food Worker Trainee
4. Public Safety Dispatcher
5. Secretary III

Moved	_____	Seconded	_____
Vote: Barabani	_____	Early	_____
			Salazar
Ms. Early	It can take them separately, number 1 Assistant Service Director, 2. Buyer, 3. Food Worker Trainee, 4. Public Safety Dispatcher, 5. Secretary III. Let's start with item number one, Assistant Nutrition Service Director.		
Mr. Salazar	I like to move that we modify action item IV A. 1.		
Mr. Barabani	I will second that.		
Ms. Early	We have a motion to modify action item number A-1, Assistant Nutrition Services Director ratification on the eligibility on that list. Any discussion on that item?		
Mr. Barabani	Yes, Mr. Flory question, how many candidates do we have?		
Mr. Flory	Honorable chair members of the commission, it appears we have 10.		
Mr. Barabani	How many qualified?		
Mr. Flory	That would be five.		
Mr. Barabani	How many are on the eligibility list?		
Mr. Flory	Four.		
Mr. Barabani	And we only need three for our rules. The rate panel was there an external verses an internal candidate of rating panel on that.		
Alexis Jenks, PC Specialist	That was one internal and 3 external.		
Mr. Flory	One internal, 3 external.		
Mr. Barabani	What is the title of organization they were in?		
Alexis Jenks, PC Specialist	No I am sorry. They were both external, I apologize for that, they were both external.		
Mr. Flory	That is ok. Two external, sorry.		
Mr. Barabani	Do we recall the title of the organization?		

Alexis Jenks, PC Specialist Not of the top of my head, but I have it written down.

Mr. Barabani But they were externals?

Alexis Jenks, PC Specialist Both of them were externals.

Ms. Early Thank you. We have the dispatch on this item all in favor of the motion to ratify the eligibility list for Assistant Service Director signify with a voting sign of aye.

Mr. Barabani Aye.

Ms. Early Aye. Motion carries. Item number two, Buyer.

Mr. Salazar I like to move that the commission modify action item IV. A-2 buyer.

Mr. Barabani I will second that motion and open for discussion.

Ms. Early We have a motion to ratify the eligibility list for buyer that has been seconded any discussion on the motion?

Mr. Barabani How many are on the list.

Mr. Flory Honorable chair members of the commission if you look at that exam list and go down through that exam 12-005 buyer there were 61, 26 failed the minimum qualifications, 28 took the test, 20 took the oral and 18 are on the eligible list.

Mr. Barabani We turned out the list didn't we?

Mr. Flory Yes we did.

Ms. Early Any other discussion on the motion? All in favor of the motion to ratify the eligibility of the list for buyer signify with the voting sign of aye.

Mr. Salazar Aye.

Mr. Barabani Aye.

Ms. Early Aye. Motion carries. Next item ratification for the eligibility list for food worker trainee.

Mr. Salazar I like to move that the commission ratify action item IV A, number three.

Ms. Early Do we have a second to the motion?

Mr. Barabani I will second and open for discussion.

Ms. Early We have a motion that has been seconded in favor of ratification for food worker trainee. Any discussion of the motion?

Mr. Barabani Yes, back in November 14, 2012, this is about the new item everyone has been complaining about. Trying to do things legally but things have been ruined. Back on November 14th at this commission meeting we passed the motion for the commission. The personnel Commission Director was

directed to halt the current recruitment to admit any current applicant who was disqualified due to not having a high school diploma or equivalent. The problem with this is new job bulletin was recruitment for high school diploma once admitted from to the commission. We denied people we wanted to correct that and have that updated by December 12th. I didn't see anything I wanted to ask did we open that job?

Alexis Jenks, PC Specialist

At that time of that email was in held the recruitment for food worker trainee had already closed. If you notice on the chart it does say that that there were 133 applicants that were qualified. If you looked at the section of MQ's no one failed the MQ's everyone that applied got invited to the test. Your email came after the recruitment had closed, yes we did read your email, we tested everybody that came and showed up for testing for food worker trainee. So there was no one left out for food worker trainee.

Mr. Barabani

I'm confused there was an email of the motion made here to the commission. Passed by the commission.

Alexis Jenks, PC Specialist

But it came after the recruitment had closed.

Mr. Barabani

Right and then because we had already said previously not to approve the high school diploma but, we have not put on so it would not violate the law but it was put on anyways. So then we asked let's correct this and get this done December 12th. I'm sure we didn't deny anybody that would be one of the fair processes.

Alexis Jenks, PC Specialist

There was no one denied.

Mr. Barabani

How do we know?

Alexis Jenks, PC Specialist

Because I send out a testing notice to every single person that applied for the recruitment.

Mr. Barabani

But we didn't reopen the advance.

Alexis Jenks, PC Specialist

We did not have to reopen the exam.

Mr. Barabani

No you reopen with people that came in over the last one, said "oh I can't apply because I don't have the high school diploma". How do they know that they can reapply?

Alexis Jenks, PC Specialist

When the applicants do the applications on line, although we asked them for the high school diploma, there are some applicants that do not have their high school diploma regardless of or not. So for the people that we would have ruled out for not having the high school diploma they were all ruled in. I sent in 133 exam notices and 76 people took the exam. So there was no one that was negatively impacted from not having the high school diploma. Even though they did not have an attachment they were invited for the test.

Mr. Barabani

But you did not know about the people who didn't apply

because they saw the high school diploma being a requirement and did not apply for that reason. Mr. Flory we asked you specifically to reopen that exam and take care of it at that time. Why did you not take care of it? In this situation right now?

Mr. Flory Honorable chair members of the commission, I certainly take full responsibility and apologize for that, tell me what you would like to do? Would you like us to reopen it? Retest everyone that has already tested and applied?

Mr. Barabani No, we didn't want that, originally we come to the conclusion that well you don't have to retest people with the high school diploma, right? Because it says the people that did not have the high school diploma it's none or above. I guess a person with a PhD could apply also. The point was the people who were unfairly treated without the high school diploma with adverse impact.

Alexis Jenks, PC Specialist Not everyone who applied had a high school diploma I will tell you that by experience. We have screened every single person. If you only had an eighth grade education we tested every single applicant who applied for this positions. So there was no one that was negatively impacted by having or not having a high school diploma.

Mr. Barabani Mary and Joe walk in. The bullet says you have to have a high school diploma and then walk out. They never applied because they were adversely impacted because they did not fill out that application. Correct? They never were given the opportunity; they wanted to correct that with a simple procedure. Reopen exam to anybody that did not have a high school diploma. Once again we talked about it and we asked to reopen it and it wasn't reopened; now we are the bad guys again over something we didn't do.

Mr. Salazar Let me ask something here with this whole advert impact issue. Now are sitting here, the evening of January 16th, what do you propose that we do?

Mr. Barabani I don't know how you can pass. I want this jobs filled. I am sitting here in January this started way back in July.

Mr. Salazar I understand that, what do you propose to do in this situation?

Mr. Barabani Well we are going to take a vote on this.

Mr. Salazar Ok.

Mr. Barabani Hold on, but the thing is if we vote on asking for high school only for people who were adversely impacted without high school diploma.

Mr. Salazar I understand that. What would you like to do that?

Mr. Barabani Nothing I am just expressing my opinion.

Mr. Salazar Understand, what would you like to do?

Mr. Barabani I guess we will call for the vote; It's not up to me it's up to madam chair.

Ms. Early So at our previous commission meeting there was a directive given to reopen this position of food worker trainee and omit requirements for high school diploma.

Mr. Barabani That is November 14th 2012. We made a motion, was seconded and passed.

Ms. Early That wasn't done?

Mr. Barabani That is correct.

Ms. Early So the question is do we want to reopen that position, omitting requirements for high school diploma as we voted on November 14th?

Mr. Barabani That would be the proper thing and also inaudible.

Mr. Salazar Let me see if I understand this correctly. So what we are saying is to take all of this exam information and re do it?

Mr. Barabani No, what they already got it doesn't matter you just reopen it again and anybody that does not have a high school diploma can come in here and take the test.

Mr. Salazar How long do we reopen it?

Mr. Flory I believe it would be a minimum of 14 days. Is that correct?

Alexis Jenks, PC Specialist Fifteen days.

Mr. Flory Fifteen days sorry. I was off by a day. I would recommend if you want my opinion to certify and ratify this list and we would certainly re open it again that would be because there are enough vacancies right now that the district would keep hiring so we can keep it open continuously if you prefer. There is considerable discussion only two people in this room and in the world that want high school. The district wanted high school, the union wanted high school, everybody in the room wanted high school, they want high school because we are an educational institution to people sorry I apologize but we can open it with no high school again, but I recommend that you ratify this list so we can get moving on hiring and they will be I am sure enough vacancies.

Mr. Barabani When you say two people I guess you assume me and Ms. Early that the supreme court has no concern when they ruled. I mean this is one of the few things I looked into because I believe the constitution and producing high school diploma but the case did specify we know why they ruled the way ruled. Because the way you treated employees in the application. And you are saying two people no, it was the supreme court this is one of the first things that brought civil rights in the job market because they said, "listen you are making the staff to hire this job does not need high school diploma but, you are keeping people and just recently and you know and they law

even people with certain handicapped were discriminated because they weren't given a right for an opportunity to get a high school diploma so you will inversely impact them by not allowing to them to take this job because this job you can't show a need. We asked you to do it was a simple procedure. Mr. Flory if you would of re open it we would not be here today. Just reopen it different task I'm talking November 14th and bring it to us in the December 13th we are done. Now I am sitting here arguing about this again, over high school diploma Mr. Greenwood got upset asking I mean come on all we want is something we want a job legally if we open the job on November 14th this would mean the right. People that are there right now and you can't do the double thing that would solve the problem. Take the same test, take score you already have, and combine and you have the fair situation. You tell me in 15 days you can do it.

Mr. Flory I would disagree with the commissions regarding the Supreme Court and the relation of Duke Power to this situation however, we can certainly if you are saying merge the list so we will go ahead and ratify the list and immediately open it the district could start filling position and within 15 days we will be able to merge the list of those people who were deterred from applying because it was announced with the high school diploma.

Mr. Barabani What if the people that come in after score higher than people you hired now?

Mr. Flory They would be merged in.

Mr. Barabani You gave the jobs away, let's say in the worse scenario you get 20 or 30 people come in the top and wanting to inaudible.

Mr. Flory Let me see, Does anybody know how many openings there are for the Food worker trainee?

Mr. Barabani But the question was why wasn't it done?

Mr. Flory I already apologized sir for not doing it the way you wanted it.

Mr. Barabani But I don't care.

Mr. Flory I don't have any other solutions; I am asking you for solutions.

Mr. Barabani You get this done and I am being the mean guy here and I don't want to be I just want to follow along. We had an attorney state this statement.

Mr. Flory Commissioners what is your pleasure?

Ms. Early I would be in favor to reopening the position for 14 days without the high school diploma.

Mr. Flory 15 days, sorry just a point of order.

Ms. Early 15 days as merging the two list and having to reagentize and ratified. Can you make it happen?

Mr. Flory If you so vote we will make it happen.

Ms. Early, PC Specialist We voted for that action already on November 14th it just didn't happen so let's make it happen. But the motion before us right now and if there is no further discussion on the motion. The motion before us to ratify the eligibility list for food worker trainee all in favor of the motion signify with the voting sign of aye.

Mr. Salazar Aye.

Mr. Barabani Nay.

Ms. Early Nay. Motion dies. Would anybody like to alter an alternate motion?

Mr. Barabani I think you stated we already made the motion back in November 14th and just go ahead and complete what the commission requested two months ago I think that would solve itself. I would like to see that done as quickly as possible. I heard Mr. Peukert say he needs positions filled.

Mr. Flory Honorable Chair members of the commission you would be violating your belief by not bringing...

Mr. Barabani What belief??

Ms. Early Excuse me, Mr. Flory has the floor.

Mr. Barabani Sorry.

Mr. Flory You are violating your belief that you would like to see the job announcement prior to us open it by taking this action.

Mr. Barabani We have done all this stuff before. That is why it's the 15th.

Mr. Salazar So we don't need to do this?

Ms. Early We approved an announcement omitting the requirements for high school diploma that was all that was approved.

Mr. Flory I don't know if that is correct, is that correct?

Alexis Jenks, PC Specialist They approved an announcement that did not omit the high school diploma after the recruitment closed there was a meeting agendized where they wanted us to reopen it with a flyer that was submitted on behalf of the chair.

Mr. Flory Do we have a job announcement that the commission has approved.

Alex Jenks, PC Specialist We will make a job announcement that they approved.

Mr. Flory Ok do you need to approve that?

Ms. Early We had approved an announcement. We already approved an announcement that we approved.

Alexis Jenks, PC Specialist We will create an announcement. If they are approving us to create an announcement without having it approved we will do

that.

Ms. Early That has been approved the problem was it was 6 months old but it was hard for us to refer to that date but, there is one that has been approved omitting the high school requirement but expedite so we can get that position filled and we will be happy. Moving on.

Mr. Flory Did you vote on that?

Mr. Barabani Yes we did.

Mr. Flory Ok, thank you.

Ms. Early Next agenda item, ratification of the following eligibility list for Public Safety Dispatcher do we have a motion?

Mr. Barabani The motion that we consider ratification for the eligibility list for Public Safety Dispatcher.

Ms. Early Do we have a second to that motion? I second. Discussion of the motion?

Mr. Barabani Only question we have has post regulated position correct?

Joseph Paulino,
Interim Director
for School Police Correct, yes.

Mr. Flory That is correct.

Mr. Barabani And were this test given with post agencies standards?

Alexis Jenks, PC
Specialist Yes.

Mr. Barabani I know you given one before.

Alexis Jenks, PC
Specialist No I didn't Irma administered it. For public safety dispatcher yes.

Mr. Barabani Were the other interviews were they outside raters?

Alexis Jenks Yes, they were outside raters.

Mr. Barabani And they had public safety and supervisors dispatch experience?

Alexis Jenks They were subject matter experts on this panel yes.

Ms. Early Any further discussion on the ratification on the list for public safety dispatcher? They were none. All in favor of the motion for ratification on the eligibility list for public safety dispatcher signify with the voting sign of aye.

Mr. Salazar Aye.

Mr. Barabani Aye.

Ms. Early Aye. Motion carries. Next agenda item, action item IV. A-5. The commission will consider ratification of eligibility list for Secretary III. Do we have a motion? We need a motion even

to enter into discussion.

Mr. Barabani I make a motion for secretary III consider ratification for the following speculations.

Ms. Early Do we have a second to the motion?

Mr. Salazar I will second.

Ms. Early Motion passes by Commission Barabani seconded by Mr. Salazar to ratify the eligibility list for Secretary III. Any discussion of the motion?

Mr. Barabani Yes this is the list that we had to problems with and we hired that we put in to have this investigation done as to some misconduct by being first made. And from the back of the room Mr. Vollkommer do we know where we are at on that approval if they approved someone to come in?

Dr. Vollkommer Are you talking about?

Mr. Barabani The investigator. The REAF was it approved?

Dr. Vollkommer I can double check in the morning.

Mr. Barabani I just have not seen it in the board minutes.

Dr. Vollkommer I will double check for you in the morning.

Mr. Barabani It was approved?

Dr. Vollkommer I will double check, I don't know of top of my head but I will double check for you. Nersi is shaking her head saying yes it was approved.

Nersidalia Garcia, Secretary III for PC It was approved in December.

Mr. Barabani Has anyone contacted Ms. Edwards to let her know that the REAF was approved? Where are we with that?

Mr. Flory I have no idea where we are with that. Honorable Chair members of the commission we are recommending that you approve this and you can still do any investigation you want. I will certainly be responsible for anything that investigator from the outside finds in the meantime this has gone way to long without being addressed we have a number of employees that work for the district and would have an opportunity to be promoted to secretary III with the ratification with this list that I ratified. And they and I would very much appreciate your certification off course, with any list and anything you want to investigate please feel free to. And this would harm your investigation in any way shape or form it will just allow some people some promotional opportunities which would help fill some additional positrons and also create some vacancies.

Ms. Early I guess my question would be approving the list when there was a question. Of a possible irregularly and the testing process that might acquire from the applicants so I don't know

if I would want to ratify a list when there is a question about the process that would utilize to score inhabitable.

- Mr. Flory Honorable Chair members of the commission, there was no question in my mind when I certified this that it was done improperly. And again I will repeat feel free at any time to investigate this I don't think there is any problem with ratifying the certification and giving this people an opportunity to be promoted filling some jobs and still continue with the investigation and whatever the investigator finds certainly I will abide by that.
- Mr. Barabani You fill the position and we approve this list and we find out later we may need more experience, qualifications and the raters inaudible how would that affect us?
- Mr. Flory I couldn't speculate I can say with confidence that you won't find any problems with this, but it is entirely up to you. I certified and I put my stamp on this as being corrected proper if it's later found then it isn't I will certainly take whatever consequences come from it. But I like to get secretary III moving in particular because it affects a lot of classified employees eligible for opportunity purposes for promotion.
- Mr. Barabani When did that REAF get approved? This thing is 6 or 7 months old. I asked you to stay on it. It took seven months to get approved.
- Mr. Flory Well we keep trying to bring it back but we weren't able to put it on the agenda because someone else was doing the agenda. Since I'm back doing the agenda I'm putting it on.
- Mr. Barabani Approval of the agenda I asked to make sure you stay on and seven months later I hear it has been approved. That is a very long time.
- Nersi Garcia,
Secretary III for
PC It's on public records you can view it yourself; it was approved back in December.
- Mr. Barabani Yea it's back on December.
- Mr. Salazar But she already said that.
- Mr. Barabani But it took a long time.
- Ms. Early The motion that we have before is to ratify the eligibility list for secretary III. Is there any further discussion on the motion? All in favor of the motion signify with the voting sign of aye.
- Mr. Salazar Aye.
- Mr. Barabani Nay.
- Ms. Early Nay. Motion fails. Would any of you care to alter a different motion?
- Mr. Barabani The only motion that I can make prior to this I would like to if investigator being approved for investigator to be contacted

and get the investigation started so we can come with a conclusion so we can move forward.

- Ms. Early Can you restate your motion?
- Mr. Barabani I would like the investigator to be immediately contacted if not tomorrow within the next 48 hours.
- Ms. Early And who is making the contact?
- Mr. Barabani The personnel commission director. Having report back to us the status of the issue by email weekly report.
- Ms. Early I'm hoping is not weekly I'm hoping that we can look at the process and make sure, I'm hoping that the process is we agendize for report for next meeting.
- Mr. Salazar With investigation it takes short period of time.
- Ms. Early I second the motion, any discussion in motion. All in favor signify with voting sign of aye.
- Mr. Barabani Aye.
- Mr. Salazar Nay.
- Ms. Early Aye. Motion passes.

~~B. The commission will consider approving recruitments for the following classifications.~~

- ~~1. Senior Personnel Analyst~~
- ~~2. Cafeteria Worker~~
- ~~3. Instructional Tutor-Learning Handicapped/Physically Handicapped~~
- ~~4. Lead Electrician~~
- ~~5. Lead HVACR Mechanic~~
- ~~6. School Police Clerk~~
- ~~7. Educational Interpreter III~~
- ~~8. Instructional Tutor Aurally Handicapped.~~

C. The commission will receive and discuss the status of all pending examinations.

- Ms. Early Next agenda item, the commission will receive and discuss the status of all pending examinations.
- Mr. Flory Honorable Chair members of the commission in the interest of find this is a request that the chair to have an update I would just recommend that you take what you didn't approve and the announcement that were not approve add them to the list and you have the recruitment status. You would just have to modify it as I said before one of our staff will be at the inauguration and I also wish I could go but she is lucky enough to go see the President sworn in. So we will just be able to follow this mostly as best we can with the addition with

the list that did not get approved tonight.

Mr. Barabani A while back, madam chair you asked like a timeline, a tracking log and as I stand here today we are behind this. And I have people out here that have complained. I think we can write on the board, write it out on paper the next meeting I would like to have every job, where they sit, where the test is going to be, when is the eligibility list will be given to us for ratification and everybody else that can look at it this is simple timeline that is what I would like to see the project calendar showing, you got the cafeteria worker and when that list was handed to HR.

Ms. Early Are we making a motion?

Mr. Barabani Well I was just doing a discussion and basically come back with. The reason I made the discussion was I want to know when the bulletins are coming, when the test is going to be giving, when we will receive it. My understanding not all of this is written in stone but I want to be able to say when I come to the meeting next week I want to be approving four or five or six of the list given to us.

Mr. Salazar If you put that an example on paper that would be a good start, put that together and send exactly what you want to be done.

Mr. Barabani I just want a project to be done.

Mr. Salazar I hear what you are saying but if you have a specific matrix in mind you should write it down, bring it back to us so that we can look at it and say hey we like this matrix, we want this matrix.

Mr. Barabani I don't know how to do it; I just want a spread sheet.

Mr. Salazar However you put it together I mean for me to be able to visualize that but, to say I want this I want that but to actually see that timeline or matrix for me I would like to see that.

Mr. Barabani Then Carl since you are from CSEA any input, send it to me on email and let me know what you like to see and as a matter of fact I will have it for you next meeting.

Ms. Early The idea for tracking log is not a new recommendation that we stopping that spoken on before on previous commission meetings so we can tell exactly where we are in filling positions. That is nothing new that was brought to the meeting we just have not received the visual yet.

Mr. Salazar I could not put that together myself so I would not know the columns but I can tell you this if I saw that matrix I would be incline to either approve it or mark modifications or what happens, for me that visual is Mr. Barabani ban can do that so

Ms. Early. I don't think that the commissioners should be charged for doing that. Because he does not have the list of log of

vacancies. We did receive the mission critical list thank you. I am sure the list was in priority ranking? It is not, so would the absence on the priority ranking on also understanding that mission critical list that is not include two other list that are funded from other categories. So we don't have the information to put that list together but for positions vacancies if we have a tracking log we can tell where we are with filling positions.

- Mr. Salazar Specifically what do you want them to put down?
- Mr. Barabani To put on all positions that are vacant a simple matrix, a chart that is filled out and say this is the day the bulletin we are going to approve, and this is the day we are going to approve the eligibility list and then the staff can have that out, and let it be right up here where everyone can see it.
- Mr. Salazar Just a sample I'm not asking him to do this thing or we can ask Mr. Flory to put that matrix together just in terms bring in back to us, see if it needs our approval then we approve it if it doesn't we modify it.
- Mr. Barabani Can we have him email it to us as it's developed emailed and and the chair would have it.
- Mr. Salazar It will be one way or the other if you are looking for a tracking matrix that meets what we are looking for are requirement's then we are going to need to approve it.
- Ms. Early Can either one of you put that in motion form so we can vote up or down?
- Mr. Barabani I will make a motion that we ask the personnel commission director to develop a matrix that tracks every position, and every job we have open, from the moment the position is open, and the moment we develop that list and completed. I like that matrix to be in full view big enough.
- Mr. Salazar I know you are in the middle of the motion. What I am suggesting is we just need to structure all the input into the structure before because, If he puts enough information to structure then we don't need that is a waste of energy. So I'm just looking for the structure that is all I am asking. I can put this on motion, I will try.
- Ms. Early You were in the middle of your motion.
- Mr. Barabani I make a motion that we have a matrix structure that shows the form beginning opening of job and completion of job of the list and how that is developed we will leave it up to staff.
- Mr. Salazar And that will come back to us for our approval?
- Mr. Barabani Yes, that is correct.
- Ms. Early Do we have a second to the motion?
- Mr. Salazar I will second the motion.

Ms. Early Any further discussion of the motion? All in favor of motion signify with the voting sign of aye.

Mr. Barabani Aye.

Mr. Salazar Aye.

Ms. Early Aye. Motion carries.

D. The commission will review and discuss the attached report from the Department of California Education.

Ms. Early, Commissioner Barabani thank you for sending out the report. I was not aware, nor did I have any knowledge of the report so I want to thank you for providing the report and requesting or suggesting that is being agendaized for this meeting.

Mr. Barabani, yes, we discussed this already, my biggest concern is Mr. Norton brought it up is contacting out. The state is now ordering they want the status changed. My questions Mr. Flory have you read that report?

Mr. Flory, Honorable chair members of the commission yes I have.

Mr. Barabani, When did you receive the report?

Mr. Flory: I think when you send it to me dated January 8th 2013 at 2:20 p.m.

Mr. Barabani, that is the first time you seen it?

Mr. Flory, Yes it is.

Mr. Barabani I don't know if the district receive the copy on this I was hoping we would be a little more ahead on this. Can we correct what needs to be corrected and get this moving?

Mr. Flory: I believe the district is ready to respond to that.

Shelly Walsh, Special Education Coordinator: Hi my name is Shelli Walsh I work for the special education department, I'm a coordinator for that department, we are using the position for instructional assistant AH the district found that it was in support and we are found out we are in support of teaching them in the classrooms, that was sent based on a state complaint. We were out of compliance in that area, we decided differently but now that the state has informed us of how we need to correct those actions we are ready to move forward in correcting those actions. In the intermediate stages we would have to contract out to those educational interpreters until we are able to recruit and hire those in the district for educational interpreter III, which was removed from the agenda tonight. Are there any questions I can answer for you?

Mr. Barabani; The problem is that it was moved it was passed based on, I had a lot of people telling me that I remember we had a really bad discussion here we had some people saying nay and other people saying yes.

Shelly Walsh, Special Services, Coordinator: Right I was here at that meeting also, so....

Mr. Barabani: I had Mr. Maher said at that moment that they were wrong. Nobody followed through to find out if Mr. Maher handed to us on piece of paper but nobody followed through. I had your assurance and Mr. Vollkommer's assurance it was voted on based on that and now we find out it was wrong.

Shelly Walsh, Special Services Coordinator: There was a need for that both of those positions actually because an educational interpreter does not teach students it's to translate exactly what is going on. An AH Tutor under the direction of the teacher which I explained that point is revive remediation to explanation of what is going on and to reteach of what is going on so both positions are necessary it was really a discussion of where those things take place. Is not we are one or the other is both are necessary.

Mr. Barabani: So are we going to have to change the class specs on this right?

Shelly Welsh, yes I work with them to be updated based on the qualifications and the testing that has to go in into that for them to be certified in the state equivalent for what the State of California is asking.

Mr. Barabani: We get those then we can begin recruiting.

Shelly Welsh: Absolutely.

Mr. Barabani: Yea because it's backwards.

Shelley Welsh: Just to let you know it is very hard to find educational interpreters so I hope we are able to.

Mr. Barabani: We should be able to recruit.

Shelley Welsh: Well I hope you are right. To my knowledge it would cost us more money to go through contracting because it a premium just like it is for us in speech therapy but that is a Special Ed thing so.

Mr. Barabani: Can we expect a report back on this?

Gladys Byrd, Interim Director for Human Resources Classified: For clarification we did try to get that job spec approved Instructional Assistant AH, and two different job specs we tried to get on this agenda but the time frame we cannot. There are in resolution for approval.

Ms. Early: For that we will have on the next agenda thank you. Any other discussions from this agenda item. Any comments?

~~E. It is moved that the commission approve the minutes for July 11, 2012 as submitted.~~

~~F. It is moved that the commission approve the minutes for July 25, 2012 as submitted.~~

Moved: _____ Seconded _____
Vote: Barabani _____ Early _____ Salazar _____

V. COMMISSIONERS/DIRECTOR COMMENTS

Mr. Flory I have three real quick things. I have been attending at the request of the district a number of extended cabinet meetings and management meetings, about excellence and Dr. Marsden has been enforcing exactly what we are talking about. I will be doing some training for employees on the basics of testing, measurement, and statistics that would be available to the staff when one of the staff members returns from inauguration. I would like to thank the staff, Nerci, Irma, and Alexis for performing

exceptionally well. Thank you Alexis, you have done an excellent job, thank you.

Ms. Early

Thank you. I wanted to congratulate Mr. Salazar for his appointment and looking forward to filling a lot of positions in 2013 looking forward to filling in a consistency with a merit system. So there are two positions that were pulled because there was a questionable process not affiliated with any applicants. We want to fill positions quickly and we want to fill them correctly. I want to thank everyone coming to meeting tonight I look forward working with you all in 2013 and continuing to an effort to keep San Bernardino City Unified School District as a steal performer. Have a good evening. The commissioners will now adjourn to closed session at 7:50 p.m. We do not expect to report out after closed session.

VI. CLOSED SESSION

The commission adjourned into closed session at 7:50 p.m. for:

Pursuant to Government Code Section 54957 to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Personnel Commissioner Director

Pursuant to Government Code Section 54957 to discuss:

PUBLIC EMPLOYEE DISCIPLINE

The commission reconvened into open session at 9:48 p.m. and announced the following action taken in closed session: There was no report out.

VII. ADJOURNMENT

The commission adjourned the meeting at 9:48 p.m.