

MINUTES
BASSETT UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION MEETING
JULY 8, 2003
5:00 P.M.

1. The meeting was called to order by Chairperson Wallery at 5:01 p.m.

2. MEMBERS PRESENT:

Mrs. Vern Wallery, Chairperson
Mrs. Frances Alvarado, Vice-Chairperson
Mrs. Susan Hartley, Member

3. STAFF PRESENT:

T. R. Lin, Ph.D, Assistant Superintendent, Human Resources Development
Patrick Maher, Personnel Analyst

4. OTHERS PRESENT:

See Guest Register

5. PRELIMINARY:

Flag Salute

6. STAFF REPORTS:

A. Personnel Director

Dr. Lin stated he wanted to thank the Commissioners for their support at the past several meetings. The County still hasn't rendered a decision on the Commission budget, but he expected the decision soon. If the County did not support the Commissions proposed budget, the Commission would have to receive recommendations on proposed layoffs and realignment of duties, depending on the final budget.

The Superintendent was planning another summer institute in August, and he mentioned a desire to have a presentation on the merit system. With concurrence from the Commission, Dr. Lin stated that staff should make a presentation or obtain a speaker on the merit system. Dr. Lin

MINUTES
PERSONNEL COMMISSION
JULY 8, 2003
PAGE 2

also stated that there should be a training program for all managers on disciplinary procedures and documentation for classified employees.

Staff would also be working on the annual Commission report.

B. Personnel Commission

Mrs. Hartley welcomed the "boys in blue" from MOT.

Mrs. Alvarado asked for a status report on the reclassification study for Siran Grigorian. Mr. Maher replied that he anticipated placing it on the agenda for the next regular Commission meeting.

Mrs. Alvarado referred to agenda item 14. The information received was in regard to the Education Code and stated that she would like to receive the Education Code sections in the future when there is a reference to sections.

There was general discussion on summer assignments and process for follow-up on concerns involving questions and concerns about assignments.

7. APPROVAL OF MINUTES:

- A. On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission approved the minutes of the meeting of June 3, 2003 as submitted.
- B. On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission approved the minutes of the meeting of June 17, 2003 as submitted.

8. APPROVAL OF AGENDA:

On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission approved the agenda for the regular meeting of July 8, 2003 as submitted.

9. REQUESTS TO SPEAK:

All requests to speak were held pending the specific issues when they were addressed by the Commission.

10. CLASSIFICATION REVISION ASSISTANT SUPERINTENDENT HUMAN RESOURCES

On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission approved a classification title change from Assistant Superintendent, Human Resources to Director of Classified Human Resources and modified the class specification for the position as submitted.

Mrs. Alvarado stated that from the information that had been received, she wanted to know if the salary range was remaining unchanged.

Dr. Lin stated that it was for now pending the duty changes and proposed duties from the Superintendent for the new position.

Mrs. Alvarado asked that since the salary range for a director was different for the Assistant Superintendent, why the salary was staying the same?

Dr. Lin stated that the scope of duties were the same, and the reassignment of duties related to certificated staff were a workload issue. For now, there was only a change in duties and title, but there may be a need for further changes later.

Steve Garcia, MOT, asked why certificated duties had been removed from the purview of Dr. Lin. Dr. Lin explained that was a decision made by the Superintendent that was within his discretion and that while he disagreed with that decision, he respected it. He had offered assistance in assisting the District and the Superintendent in filling the position, but had received no direction to take any action. Dr. Lin said that he had advised HRD staff to be sure to cooperate and support whoever was finally appointed.

11. CLASSIFICATION REVISION ASSISTANT SUPERINTENDENT BUSINESS SERVICES

On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission approved revisions to the class specification for the position of Assistant Superintendent, Business Services as submitted.

Irma Quesada, CSEA Chapter President inquired if the CBO was going to be selected through an existing list, a new recruitment, or through an appointment.

Dr. Lin stated that his direction from the Commission was to open a new recruitment. The selection effort has been on-going without a successful appointment for over three years. The revision to the specification was

intended to improve the chances for recruiting highly qualified individuals since three prior efforts were unsuccessful.

Mrs. Hartley stated that upon initial hiring, Dr. Lin used personal contacts to pull in business persons to serve on an oral board. Three excellent persons were on the list and the Superintendent had the list for over a year, but it has now expired. The Commission had given the Superintendent three lists in three years, and for the last list, the Superintendent had not interviewed any of the candidates. Therefore, it was necessary to start over.

Ms. Quesada asked what the problem was.

Dr. Lin stated that he had invited the Superintendent to come to the meeting or to provide written input, but that he had received nothing.

Ms. Quesada asked if provisional appointees had to meet the qualifications. Mrs. Hartley replied in the affirmative.

12. CLASSIFICATION REVISION LANGUAGE ASSESSMENT ASSISTANT

On the motion of Mrs. Alvarado, seconded by Mrs. Hartley, and unanimously carried, the Commission approved revisions to the class specification for the position of Language Assessment Assistant as submitted.

13. ELIMINATION OF CLASSIFICATION OF LEAD GROUNDS MAINTENANCE WORKER

On the amended motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission postponed action to eliminate the classification of Lead Grounds Maintenance Worker until the August 12, 2003 Commission meeting.

Mrs. Wallery stated that she would like to postpone the decision because it would be necessary to request that the Board reinstate the position. She suggested that MOT staff should bring the matter to the Board at its August 7, 2003 meeting.

Discussion was held concerning the fact that the Board eliminated the position, and the Commission was eliminating the classification due to the fact that there was no longer any position for that classification, and there is a difference between freezing a position and eliminating a position.

14. REQUEST FOR COMMISSION HEARING ON DISCIPLINARY ACTION

On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission granted a hearing on disciplinary actions involving Thung-Rung Lin and to determine if there is a pattern of conduct in these and other actions that indicates a possible violation of Education Code Sections 44113 and 45317.

Ms. Quesada stated that she was involved in one of the incidents that occurred June 14, 2003. She wanted the Commission to know that Dr. Lin acted very professionally. Her problem was the way the Superintendent handled the matter. He got involved in some personal business that was not a personnel matter, but a personal matter. She resented the fact that persons in professional status got involved in her personal business. If he wanted more information, he should have given her the same courtesy of a private meeting that he gave the other employee. Instead her personal business was put up on display and it was not necessary. She wanted the Commissioners to know that in no way did Dr. Lin misrepresent the District or abuse his authority. He acted professionally.

15. DISCUSSION ON WORKSHOP WITH THE GOVERNING BOARD

The Commission agreed that a workshop with the Board should be held. There was general discussion about whether or not the idea of a workshop meant a training session of some kind, or whether decisions would be made.

Mrs. Hartley stated that violation of the Rules constituted a misdemeanor and that she wasn't sure that all of the Board understood that and the duties imposed on Commissioners. She felt that someone with a legal background should be present to explain the authority and responsibility of the Commissioners.

Annie Mondino stated that part of the feeling was there was a growing opinion that the Commission was no longer needed and that maybe there should be a legal person there to explain the legal nature of the Rules and the need to follow them.

Mrs. Hartley stated that the CBO position was a prime example of the need to retain the Commission and to follow the Rules.

Mrs. Wallery stated that she felt there was a need for a workshop with the Board and that she was in agreement with Mrs. Hartley that the Board needed to be given an explanation on the role of the Commission. She was here in the 1990s when she joined in the battle to keep the merit system. She

recognized the abuse of discretion that often goes on and has gone in the District for many years is finally coming to an end. The Commission had to let the Board know what the duties of the Commission was. A Board member had previously stated that they were losing control. She felt that the Board felt it was losing control because it was control over things they never should have had. Not having a personnel director or an analyst have allowed them to do what they wanted whether it was proper or not.

Ms. Mondino stated that she does not like what she is seeing and hearing. It shouldn't be "them and us." Maybe it has gotten out of control and maybe they need to understand. It wasn't a fight against them, but it would be helpful if there was someone with a legal background.

The Commission proposed July 29, August 13, and August 20, 2003 as dates that the Board could select.

The Commission reached consensus that the Commission and the Board could each have an opportunity to give a presentation on their respective areas of responsibilities and perspectives.

16. NEXT COMMISSION MEETING:

The next regular Personnel Commission meeting will be held on August 12, 2003 at 5:00 p.m. in the District Office Board Room.

17. ADJOURNMENT:

On the motion of Mrs. Hartley, seconded by Mrs. Alvarado, and unanimously carried, the Commission adjourned the meeting at 6.25 p.m.