

**FULLERTON SCHOOL DISTRICT  
Personnel Commission Meeting  
Classified Personnel Conference Room  
1401 W. Valencia Drive, Fullerton, CA**

**Minutes of the Regular Meeting September 16, 2019.**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Ms. Janet McNeill, Chairperson, called the meeting to order at 4:00 pm, and asked JoAnne Declaro CSEA Chapter # 130, Treasure to lead the Pledge of Allegiance.

**PERSONNEL COMMISSIONERS**

Ms. Janet McNeill, Chairperson  
Ms. Patricia Haley, Co-Chairperson  
Mr. Rodney Lusch, Member

**STAFF PRESENT**

Robert Lee, Interim Classified Personnel Director  
Eddie Bui, Classified Personnel Analyst  
Jennifer Bradley, Interim Administrative Secretary

**APPROVAL OF MINUTES**

The minutes of the regular meeting of August 19, 2019, were approved on a motion made by Ms. McNeill, seconded by Mr. Lusch, and they were carried unanimously.

**PUBLIC COMMENTS**

In attendance was Mr. Al Lacuesta, CSEA Chapter #130 President, Tonya Belleque, CSEA Chapter #130 second Vice President, JoAnne Declaro CSEA Chapter #130 Treasure, Assistant Superintendent of Classified Personnel, Chad Hammitt and John Caldecott.

Ms. Declaro brought forth questions from the classified employees regarding certain article numbers from the classified employee contract. Ms. Declaro asked about article 30.2.1.2, which states the Commission is responsible for the arrangement of classes into occupational hierarchies or job families. Ms. Declaro was curious to know if the list that was provided to her from Classified Personnel was accurate. Ms. Declaro also asked who created the list and if the list could be used as stated in article 70.4 to draw substitutes for limited term within a class. Mr. Lee replied these classifications or job families would be the list to use for this matter. Ms. Haley wanted to know if these job families/classes needed approval prior to going on the list. Mr. Lee explained the process is first CSEA will need to negotiate, second the Commissioners will need to approve, and third

if any members of CSEA have concerns they are able to come to the Commission meeting to express those concerns. Mr. Lee also read Merit rule 70.4 Limited Term and Substitute Appointments from the Personnel Commissioner Rules and Regulations of the Classified Services merit handbook to help explain the process further.

Ms. Declaro then asked for more clarification on the Technology, Library, and Media Assistant (TLMA) and Risk Management Clerk. Ms. Declaro wanted to know which job series the TMLA would fall under because currently other classified employees are questioning the TLMA position in the Innovation and Instructional Support (IIS) department where a Clerical Assistant II/BB employee is substituting for a Technical Support Specialist I employee on leave. Mr. Bui clarified these families were created based on the job descriptions and updating the list takes time and due to different circumstances, updating the list has been neglected. Mr. Bui went on to further explain the Risk Management Clerk is on the list but was inadvertently placed in both the Clerical series and the Technical Series. Mr. Bui also explained the TLMA's used to be classified as Educational Media Series and Classified Personnel does not typically abolish classifications from the list. Mr. Bui determined that he could see why CSEA would have an interest in this concern and that the concerns could be fixed.

Ms. Declaro then read Personnel Commission rules and regulations 30.3.1: Reclassification Policy which states the Commission is responsible for conducting studies to review classifications and maintain internal alignment in the classified service. Ms. Declaro stated there are concerns from employees that they have made requests for job studies, but the previous Classified Personnel Director has put the request on hold for several years. Ms. Declaro wanted to know if there is anything that can be done in the future to help prevent an employee's job study from being delayed. Mr. Lee explained, that he had just recently completed a job study for the After-School Program due to the job description not aligning with the job the employees initially were applying for which was Instructional Assistant/Recreation. Mr. Lee stated that the new job title for this group of employees is now called Instructional Assistant-Expanded Learning. Ms. Haley also mentioned that in the July 15<sup>th</sup>, 2019, meeting the Commissioners approved a job description change for the Visual Performing Arts Coordinator. Mr. Lee also went on to explain the process of how a job study would be submitted. Mr. Lee said the interest needs to come from the administrator who may want to develop something new or it can come from the employee because the job they are currently doing does not match the job description of their position. Ms. Declaro needed more clarification on how an employee would submit a job study. Mr. Lee explained the employee would need to submit a Job Study Request Form with the reason for the study to the Classified Personnel Director. Ms. Declaro needed more clarification if an employee submits a Job Study Request Form and no action is taken. Mr. Lacuesta informed the group that currently there are two Innovation Instructional Support employees who are currently seeking a job study for a reclassification of

their positions; Technological Support Specialist III. Mr. Lee mentioned that in 2015 he conducted a position study and reclassification for one of these two individuals in Technical Support Specialist III Classification. Mr. Lee indicated that currently there is a job study being conducted of two classifications with four incumbents in the IIS division. These are of Technical Support Specialist IV and Network Administrator. Their requests originated in 2015, and started being acted on after his arrival. Ms. Haley wanted to know if the District hired a consultant to conduct job studies. Mr. Lee confirmed that the District would use an outside consultant to conduct job studies as needed. Ms. Declaro wanted to know the status of where the District was with the current job studies of these two positions. Mr. Lee confirmed that at this time he is unable to give any information regarding this matter, but reassured Ms. Declaro that the job study is currently being conducted. Ms. Declaro also wanted more clarification on the process for an employee who wants to know if their job study submissions are reviewed. Mr. Lee explained to Ms. Declaro the employee would, if the Director would not respond to their status request, need to come to the Personnel Commission meeting so it can be discussed to see what can be done about their concerns.

Ms. Declaro then mentioned a concern from employees that the process of filing classified positions takes too long and the workload of the classified personnel employees in the office has increased due to the lack of employees working for the department. Ms. Declaro also went on to mention that the classified office work load never seems to decrease due to the high turn-over rates in some positions that cause repeat and constant maintenance by personnel. Ms. Declaro was curious to know if there was anything being done to remedy this concern. Ms. Declaro also offered some solutions such as hiring another Personnel Technician I or increasing pay for certain classifications with high-turn over rates. Mr. Lee explained, concerns such as these should be brought to the attention of the Classified Personnel Director and the Director can try to find solutions to remedy the word loads. Ms. Haley asked Mr. Lee about the workload in the classified personnel office and if this could be the reason why the hiring process is taking so long. Mr. Lee responded that in fact "yes" the office is extremely busy with hiring and they are working as fast as they can to fill the vacancies in these particular positions. Mr. Lusch also mentioned, if the position is an Instructional Assistant position, he has heard that this particular position is hard to fill not just in our district but other districts as well. Mr. Lee also responded, another position that is hard to fill is the Playground Supervisor and Food Services Assistants due to the competition from outside companies. Mr. Lee further explained the Instructional Assistant positions require two years of college, thus this leaves out a large portion of individuals seeking work. Mr. Lee continued to explain that the test that is administered to potential candidates test their abilities on basic reading, writing, math and areas that relate to the job description. Mr. Lee also explained that currently there is a preliminary exam a candidate can take and if they can pass this test, then they will take the same test as the candidates with college units. Pending the results of that exam, they will be placed on the same eligibility list as those individuals with college credits.

Mr. Lee mentioned another reason it is hard to keep the Instructional Assistant positions filled is because the job hours conflict with candidates' school schedules and classified is currently working on trying to remedy this problem. Mr. Lusch also commented on the district being a merit district and the importance of the merit system keeping the district accountable to follow the proper procedures during the hiring process and keeping all aspects of the process fair for everyone.

Ms. Declaro needed more clarification on the process an employee would take to seek assistance from the Personnel Commission. Ms. Declaro then went on to say she understands the employee must first submit in writing or speak with the Classified Personnel Director regarding their concerns. Ms. Declaro then inquired about how would the Personnel Commission respond to the employee and would the employee need to attend a commission meeting to hear a response from the Personnel Commission. Ms. Haley explained if the concerns were something that needs a decision it would need to appear on the agenda. Mr. Lusch also stated that if it is a technical aspect the employee might defer to the Classified Personnel Director for assistance. Ms. McNeill commented that the Classified Personnel Department staff would be able to help guide the employees with the steps and information, so this way the employee does not have to wait too long for an answer. Ms. Declaro wanted information regarding who generally would have the answer for an employee regarding their concern. Ms. Haley then responded it would depend on what the employee needs. If it is a topic that needs approval it will need to be on the agenda. Mr. Lee then read the rules from the merit system handbook regarding the steps employees would need to take to seek assistance from the Personnel Commission. Mr. Lee stated, action cannot be taken without being on the agenda, it is the employee's responsibility to bring questions before the meeting, then the questions can be agendized and then the Personnel Commission could make a decision at their meeting. Mr. Lee continued, that it is the employee's responsibility to follow up and to see it through. Mr. Lee also commented that the Personnel Commission meetings are open to the public and anyone can come and discuss any concerns or topics, but unless the concerns or questions are placed on the agenda, the Commission cannot actively discuss or take action legally.

Ms. Declaro then wanted more information on the process of hiring a new Classified Personnel Director now that the former Director had resigned. Ms. Declaro was curious if employees have a say in the Director being selected. Ms. Haley explained the position would need to be posted. Mr. Lee then explained the process first the position will be posted, then the application will be screened, and once the applications are screened candidates will be selected. Ms. Declaro then wanted to know about the process of hiring a new Classified Personnel Director. Ms. Declaro was curious to know if the current goal of the process, it is to hire the best candidate for the position. Mr. Lee explained, that apart from the screening process is to examine the experience of the candidate. Ms. Haley was curious if anyone from the district would be a part of the hiring process. Mr. Lee

explained there would probably be an interview panel consisting of Human Resources, CSEA, outside raters from other districts. Mr. Lee also explained there is flexibility with the district and what the merit system will be comfortable with. Mr. Lee further went on to say this process could be discussed in an open setting about the process for selecting a new Director. Ms. Haley suggested this topic should be on the agenda for the next meeting to discuss the process that will be taken to hire a new Director.

### **APPROVAL OF REPORTS:**

#### **Report #1 – Receive the Classified Personnel Report\***

Report #1 was approved on a motion made by Lusch, seconded by Mr. Haley and carried unanimously.

Questions were raised regarding the terms route/bid/rebid. Ms. McNeill and Ms. Haley needed more clarification of these terms and their definitions. Dr. Hammitt explained that each year the bus routes are listed and the employees have the right to choose a new route, especially if they have been in one route for many years. Ms. McNeill also was curious about the many employees with extra summer hours. Dr. Hammitt explained due to education summer school there was a need for employees to work extra hours over the summer. Mr. Lee explained these hours were Board approved before the employees could work the hours.

Ms. McNeill wanted more information regarding the voluntary reduction of hours for some employees. Ms. McNeill wanted to make sure it was not due to lack of funding for these positions. Dr. Hammitt explained that this is typically done by the employee due to different changes the employee may be experiencing, so they often will request the reduction of hours to better meet their needs, it does not relate to funding of positions.

#### **Report #2 – Approve/Ratify Recruitments\***

Custodian I-ON CALL SUBSTITUTE  
Instructional Assistant/Regular  
School Office Manager  
School Bus Driver  
Food Service Assistant I-PART-TIME (1-2 hours/day)  
HVAC Technician

Instructional Assistant/Expanded Learning-PART-TIME  
Instructional Assistant/Recreation-PART-TIME  
Translator/Bilingual Technician (SPANISH)  
Instructional Assistant/Special Education I-ON-CALL SUBSTITUTE  
Instructional Assistant/Regular-ON-CALL SUBSTITUTE  
Instructional Assistant/Recreation-ON-CALL SUBSTITUTE  
Instructional Assistant/Expanded Learning-ON-CALL SUBSTITUTE  
Food Service Assistant I-ON-CALL SUBSTITUTE

Report #2 was approved on a motion made by Mr. Lusch, second by Ms. Haley, and carried unanimously.

**Report #3 – Ratify/Certify the Director’s Prior Certification of Eligibility Lists\***

Personnel Technician I-expiration date 02/29/20  
Administrative Secretary-expiration date 03/06/20  
Speech and Language Path. Asst.-expiration date 03/11/20  
Instructional Assistant/Regular-expiration date 02/28/20  
Instructional Assistant/Special Ed. I-expiration date 02/15/20  
Instructional Assistant/Recreation-expiration date 02/26/20  
After School Program Site Lead-expiration date 02/15/20

Report #3 was approved on a motion made by Ms. Haley, second Ms. Lusch, and carried unanimously.

**Report #4 - Approve a New Job Description of Instructional Assistant Expanded Learning and Transfer of Current Instructional Assistants Working for the Child Development Services Programs Into the New Classification, effective August 20, 2019.\***

Mr. Lee explained, through the CSEA negotiations process, there was an agreement reached for the Instructional Assistant/SE II Autism and Instructional Assistant/SE I. Mr. Lee said the new job title will be Instructional Assistant/SE II and no longer will be Instructional Assistant/IIA. Mr. Lee further explained, through the negotiations process it was determined the Instructional Assistant/SE IIA was not really required due to both positions dealing with the same or other challenges. Mr. Lee explained the new pay rates for the employees who are currently working in this classification, as Instructional Assistant/SE II will keep the same range because of the 6% stipend. The new hires in this position, Instructional Assistant/SE II will be a range 16. Mr. Lee further explained the change with the medical stipend as follows: the medical stipend for the employee who is the primary medical administer will receive the 6% stipend, whereas the back up medical administer would receive 2%. Mr. Lee explained that in order to receive either of these stipends the employee(s) would need to be approved by a

school nurse who would determine if they are fit to administer the medical care to the student. Mr. Lee commented on the Instructional Assistant/SE I. Mr. Lee explained the only change that was made to their job description was the 6% or 2% stipends. Al Lacuesta wanted it noted that these job descriptions had a ratification vote and it passed.

Ms. Haley was curious as to why the old job description of the Instructional Assistant/ SE II had stated employees would go to students' homes, and the new version does not have this same verbiage. Dr. Hammitt explained this is a service they have not offered in many years so it was decided the verbiage needed to be removed from the updated job description. Dr. Hammitt further explained the District does offer an outside company to go to the homes of the students to provide the necessary services to the student. Ms. McNeill was curious if the decision to remove the in home services had something to do with liability. Dr. Hammitt explained that a Fullerton School District employee going into families' homes does present a safety issue for the employees. Ms. McNeill wanted to know if this would be a hardship for the families who were receiving these services. Ms. Belleque commented that she is an Instructional Assistant/SE II and she had worked in the homes of her students before. Ms. Belleque explained that there is a very grey area when discussing this topic because the district would be liable if she were to be injured in the home of her student. Ms. Belleque also discussed the financial impact it had on the district to have her working in the home of students. Ms. Belleque explained that when she worked in the home, it required her to work two hours extra and the district was responsible for paying her that time. Ms. Belleque said she enjoyed providing this service to the families and was able to build great relationships with the families. However, Ms. Belleque said she feels removing this duty from the job description is the appropriate action as it would be a long day for the employees and it saves the district financially. Dr. Hammitt also stated the district was having issues with the Regional Center because there needed to be a definition of services and who was going to provide what services. Ms. McNeill wanted to know if the public would see this as a reduction of services. Dr. Hammitt reiterated that this is a service the district has not provided in a long time, and it should not affect what is already in place. Ms. Haley was curious about the services offered at the schools for students with autism. Dr. Hammitt explained the services offered are at a variety of schools. The district does centralize the services to those schools that have the means to do so. Ms. Belleque also commented it would be impossible to put everyone at one school, and by having the services spread out, helps the students in these programs be able to be included during the regular school day. Dr. Hammitt said, we want the students to be with their "typical" peers and it is neat to watch how they all interact together. Dr. Hammitt further explained that many of these students eat lunch and have the same recess as their "typical" peers and many of the schools will mainstream these students into the regular day classrooms for instruction. Ms. Belleque also commented that many of the students will be in same PE classes as their "typical" peers even if PE is outside, they will be outside with them.

Ms. McNeill needed clarification on the motion for report #4 does required one or two motions? Ms. Lee explained that it only requires one because this report came from what had been negotiated.

Report #4 was approved on a motion made by Mr. Lusch, second Ms. Haley, and carried unanimously.

#### **ADMINISTRATION AND POLICY**

The current budget printout was reviewed.

Mr. Lee expressed his concern of the budget not reflecting the overtime and substitute budget. Mr. Lee explained after further investigation he discovered these budget numbers were not on the report due to the pay schedule of the District and would be reflected at the next meeting.

#### **OTHER BUSINESS**

The next regular meeting is scheduled for October 15,2019, at 4:00 p.m.

#### **ADJOURNMENT OF REGULAR MEETING**

The regular meeting was adjourned 4:56pm

#### **RECESS TO CLOSED SESSION**

Pursuant to Government Code 54957 to discuss Classified Personnel Director's Job Performance Evaluation  
Public Employee Appointment: Interim Personnel Director

No action was taken during closed session.

#### **ADJOURNMENT FROM CLOSED SESSION**

The closed session was adjourned at 6:45 p.m.

**Minutes Accepted By:**



**Janet McNeill, Chairperson**

**Recorded by: Jennifer Bradley**